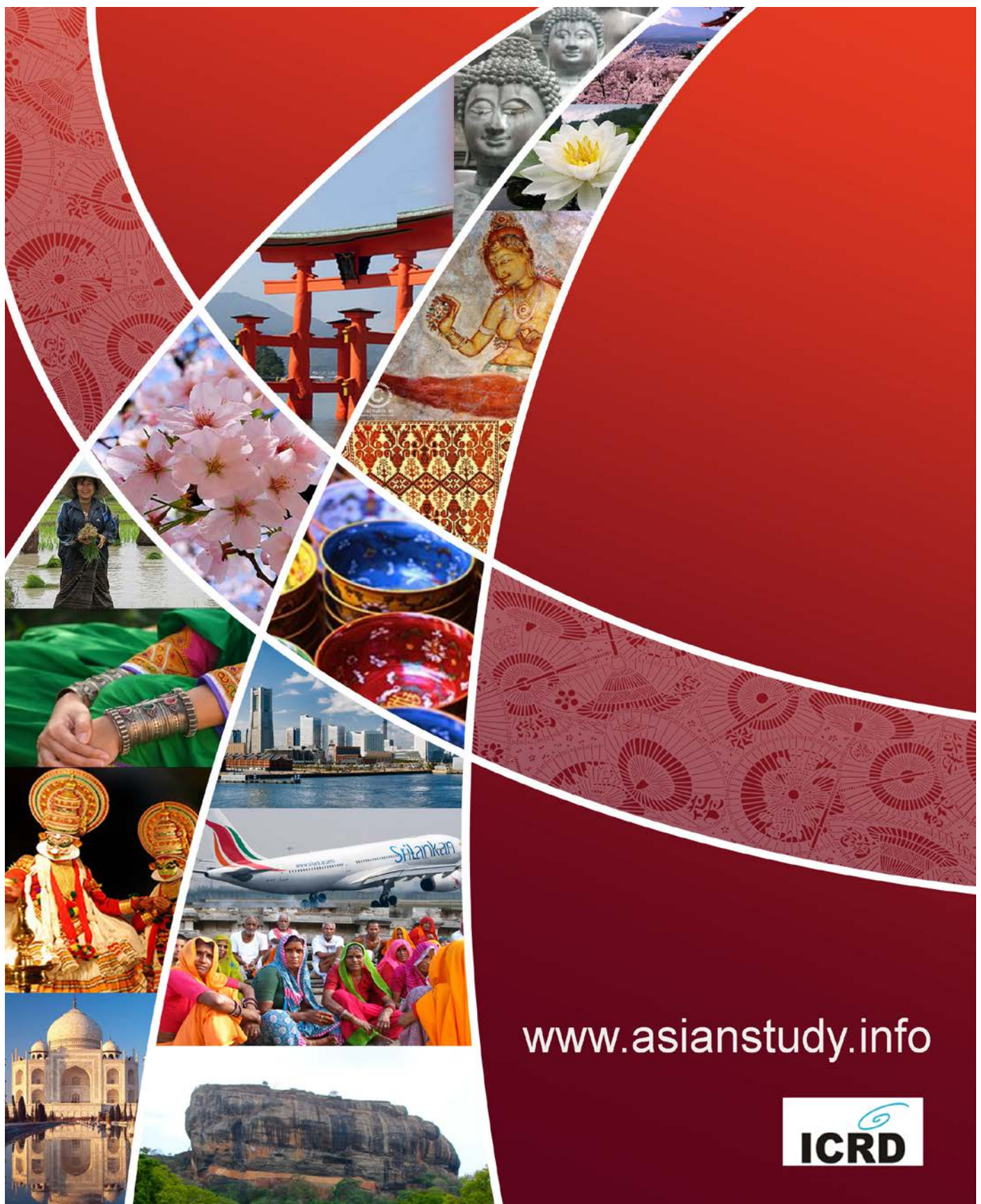




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THE 80'S GENERATION IN CONTEMPORARY CHINESE ART.

AN APPROACH TO THE LANDSCAPE OF THE EMERGING ARTISTS IN CHINA.
BY CARLA DE UTRA MENDES

ABSTRACT

Since the beginning of the XXI century that the art world, especially the market has been, more focused in Asia, and specifically in China. This poses a great challenge to young artists. The generation of these new and emerging talents, most of them born in the 80's, offspring's of China's one child policy, distinguished themselves in several ways from their predecessors bringing a new view of China in the global era. These youngsters are often characterized as alienated and disoriented but also as more individualists and less "political", pursuing a personal aesthetic with a firmer grasp and a willingness to express their thoughts, pursuing their own goals with irreverence and creativity. They are often multitask benefiting from the increasing investment of China in the soft power of the creative industries.

Influenced both by western and eastern cultures, they drive their inspirations from the context of globalization such as the internet, social webs, artists networks and new media. At the same time they also face the persistence of traditional values. This ambivalent scenario makes them somehow "lost in transition".

This presentation will try to draw a landscape for this production in search for a better understanding of China's young artists.

Key words: Contemporary Chinese art: 80's generation; globalization

A BRIEF BACKGROUND

"Then what does this fate lead us to? I don't know the answer, but I am certain that we cannot stop, and that we cannot go back to the past either."¹

Zhang Qiang, Beijing, 2011

Nowadays, the entire world is looking at China that, in the face of the changes rung by its embrace of capitalism, is remapping its relation to the rest of the world. Since the instauration of the *Open Door* policy in 1978, by the central government of the People's Republic of China (which purpose was to encourage commerce and foreign investments), the challenges have become bigger and bigger, forcing China to change in several levels. And, in fact, everything is changing at an incredible speed. The Art world is not disconnected from this reality.

Some authors agree that the birth of contemporary art in China was actually in 1978, two years after the end of the Cultural Revolution. There are some reasons that support this theory. The most significant lies within the fact that artists had no longer to the pressure of a nation-state policy, which granted them freedom to express themselves, reflecting the

environment around.

From that moment on, Chinese Contemporary Art moved forward in an irreversible direction.

As China opens to the world, the exchange of cultural goods, artworks and artists, is of paramount importance. The interest of the western market in Asian art has been increasing since the beginning of the 21st Century. In the United States the introduction to the Chinese art scene came in 1998 when *Inside Out: New Chinese Art* was exhibited in San Francisco and New York. Other exhibitions followed: *Between Past and Future: New Photography and Video from China* (2004 – 2006); *On the Edge: Contemporary Chinese Artists Encounter the West* (2005 – 2006); and, in the United Kingdom, *The Real Thing: Contemporary Art from China* (2007), just to give some examples.

James Elaine, curator of *The Perfect World* (an exhibition dedicated to young artists born in the 70's and 80's in several regions of China) portrays this emergent situation:

“China is being redefined and reborn with every successive generation; it is not the same China that Westerners might imagine from their early education or from their knowledge of the first waves of Chinese contemporary art to reach our shores. My first trip to China was in 2002, with my family, to see this incredible land and visit Shandong Province where my mother was born and raised. My memories of the country at that time were of cities ruled by bicycles, Friendship Stores (where only foreigners could shop), guided tours, and a couple of new glitzy department stores stocked with massive amounts of merchandise but completely void of shoppers. In Beijing, I remember only two contemporary art galleries. It is a different world now. Things are changing here at an incomprehensible speed. In the ten short years since my first visit, China has emerged as a new global influence and its burgeoning contemporary art scene is following suit. Propelled by the sheer force of China's numbers, growth of its art academies, development of a new collector base, emergence of new galleries, access to huge inexpensive studio spaces and fabrication facilities, and a new widespread interest in contemporary art within the country, China's art world has become the most dynamic on earth. Thanks to these changes, artists in China enjoy a new status. The scene recalls New York's East Village in the mid 80's but on a far

¹ Qiang, Zhang, in *Generation Me: Lost in Transition*, Niubi Newie Projectsp catalogue, Hong Kong: Schoeni Art Gallery, 2012, p.38

grander scale.”²

The first steps in this process were taken in Beijing and Shanghai where, nowadays, art districts such as 798 (Beijing) and M50 (Shanghai) are becoming the perfect examples of creative clusters that draw international art professionals, collectors but also tourism. Many art schools have opened up recently as well as galleries, museums and other services art-related.

In other regions of China, and to exemplify this emergent state, we can look at the potential of the Pearl River Delta as a sort of a hub for the global market, especially in contemporary art, being Hong Kong is the perfect example. In the recent years, a lot of well-known western galleries (Ben Brown, Gagosian Gallery and, recently, White Cube and Gallerie Perrotin) have opened up franchises there. Art Investment Groups, such as Art Futures Group, have also settled in Hong Kong.

However, although it is a dynamic new scenario, it is still a long way to go. The dominant western market is still establishing the rules of the game, creating some obstacles for a real Asian one. The majority of these commercial and investment platforms agree that there are still few Chinese or eastern collectors and the majority are still western. The first collector of contemporary Chinese art was, actually, the later Sweden's ambassador to China, a former businessman, Uli Sigg, who, in 1998, established the Chinese Contemporary Art Awards. Auction powerhouses Sotheby's and Christie's have been key instigators in the establishment of Hong Kong as the world's third largest art market, although neither auction house has been included Hong Kong artists in their Asian contemporary sales.

The contemporary art in China had wider circulation abroad and was established on the world stage before it was given a proper reception inside. We can find the causes for this in the early history of contemporary art in China. As Lu Peng explains, for a long time the Chinese artists had to be submitted to a system of official power and could barely win its approval. So they began to seek new opportunities and activities outside their country, such as contacting critics, producing academic literature and exhibition catalogues, renting spaces for exhibitions, acting as agents, seeking buyers, getting in touch with art museums, organizing travelling shows and participating in auctions. This was connected to the special moment of 1989 where in the

² Elaine, James, *In a Perfect World*, Press-release of the exhibition, New York: Meulenstein, 2011

international scene several exhibitions were appearing that change the concept of the West as the center of the Art World. In China the curator Chang Tsong-zung of Hanart TZ Gallery together with the critic Li Xianting organized the historical exhibition *Post-89 China New Art* that was pursued by Chinese avant-garde artists. This “new art” entered directly the international art scene within the discourse of the post-cold war era. This marked the way that Chinese contemporary art was viewed even until now and it had a strategically purpose. According to Lu Peng:

“ We can say that as a result of Johnson Chang’s own position and protective background, he adopted the strategy of sending Chinese “ new art” directly to the international space in which the gallery system was fully matured, and ultimately succeeding in wresting the protection of international political power, the support of market forces, an ideologically sympathetic response, and the effective “formatting” of the art system”³. Conscious that the artists and their work needed to survive on their own, outside a governmental system, and in a comprehensible art system, the concern became market oriented in terms of income and distribution.

There are some scholars that defend that, although contemporary art is becoming global, the globalization process is still dominated by the West. This led, alongside with the difficult political conditions in China, to the expatriation of some of the first contemporary artists that felt that, in order to pursue their careers they had to leave the country and go to Europe and the USA.

But even in this point, things are beginning to change. Many of the mentioned artists are coming back to China as the art market is becoming Asia-oriented.

In Art HK 12, for example, the model of the fair shows the transition state that the contemporary art market is assisting. The space is strategically organized having as center *Asia One*, debuted in 2001, which is based only in Asian galleries. This year featured 49 galleries, each exhibiting one-man shows by an artist of Asian origin. The Hong Kong Art Fair’s director, Magnus Renfrew felt that it was important for Asia One to be both the heart of the fair symbolically and physically. The Art fair also include programs held in West Kowloon Cultural District along with tours of art districts in Fotan, Chai Wan and Wong Chuk Hang, which show

³ Peng, Lu, *A pocket history of 20th Century Chinese Art*, Milano: Charta, 2010, pp.552, 553

the increasing interest of China in the creative industries as a tourist site and investment in the art districts following the success of the pioneer District 798 in Beijing.

This indicators show that this study may just be on the proper time, getting on the dynamics of a bursting scenario in contemporary art which is the new context of Asia and specifically, China.

But, like any other state of transition, there are still ambivalences on the process.

AN AMBIVALENT SCENARIO

Besides the domination of western markets there are other obstacles for the contemporary art development in China. As James Elaine explains:

“On the other hand, in contrast to all of these encouraging new developments and the hype we hear, not everything here is right. (...) today’s China is no perfect world. There are many obstacles in place including the ever-present cloud of authority, a lack of philanthropy and real non-profit institutions, difficulties in entering the international marketplace, and censorship.”⁴

This creates an ambivalent and “lost in transition” state, for the emergent artists in China. As they break free from the western influence they are still trying to find their own path in the globalization process. We can say that, they are reinventing their own identity as a form of resistance to the influences of the outside world.

The artists are pushing the limits day by day and trying to shape the identity of this new dynamic China, in a permanent tension between the global and the local. Mary Bittner Wiseman explains the globalization process in this way: “Global no longer means western, if ever it did. The issue for the Chinese artists raised by the phenomenon of globalization is this: how Chinese is their art since much of it is genuinely international in being compatible with works in other cultures and readily engaged by viewers who belong to those cultures. The artists who were abroad for the last several decades, some left after the events in Tiananmen Square in 1989, made work that was inevitably affected by their expatriation. As it became known and appreciated in the west, their art opened western eyes to the possibility of an art that did not follow the narrative line— however tangled the line might have become in its

⁴ Elaine, James, *Op.Cit.*

rejections and revisions of what went before—of western modernism”.⁵

The tension between global and local is not new in art and it's part of what Nicholas Borriaud defines as altermodernity. The artists are forced to become global wanderers to be able to reach other markets and make profits with their artwork and, by this, they are creating a more or less transnational art which characteristics are shared among several other countries. However this provokes a different set of reactions that might vary from acceptance to resistance. The position of the emergent Chinese artists in this context is also interesting to this research. Questioning how artists in this global landscape can still remain Chinese or what, in fact, consists, as a real Chinese identity is a key point in this study.

According to Liu Yuedi: “From 1978 to 2008, Chinese contemporary art has evolved along the path from de-Chineseness to re-Chineseness; in other words, it has undergone a historical process from de-contextualization to re-contextualization. This is because Chinese art, with its revived self-consciousness, is now trying hard to return to its original context, which had long been disfranchised by the western art world. Interestingly, the search for re-Chineseness or re-contextualization is occurring in an age of globalization: while Chinese art develops synchronously with global art, the concept of Chineseness has become increasingly important. At the same time, the idea of producing real ‘Chinese’ artworks has become fundamental to contemporary artists.”⁶

This is due, also, to the relationship that they have to establish with their own tradition. The Chinese artists' relation to their art historical past is more complex than that of western artists. According to Jonathan Goodman, most of the artists born in the 1980s, have few, if any, memories of the Chinese government's crushing of the democracy movement late in that decade, yet the absence of direct ex- into a carefree position regarding the development of their own lives in an increasingly affluent and complex China. But they are, in fact, concerned in not giving a stereotype vision of China, that could lead (and lead) to several misunderstandings that don't benefit the proper reception of their art works.

⁵ Wiseman, Mary Bittner, “Introduction” in AAVV, *Subversive Strategies in Contemporary Chinese Art*, ed. Mary Bittner Wiseman & Liu Yuedi, series Philosophy of History and Culture, vol.31, Leiden, Boston: Brill, 2001, p. XXIII

⁶ Yuedi, Liu, *Chinese Contemporary Art: From De-Chineseness to Re-Chineseness*, in AAVV, op.cit, p.59

The break free from the necessity on questioning political situations allows the artists, nowadays, to pay more attention to the individual feelings and expressions. The challenge now, for many of them, is to find the balance between what they intend to express and the kind of language to do so⁷.

The relationship with tradition is, therefore, more personal, emotional and quite ambivalent and goes beyond a question of genres and styles connected to the relationship with identity. This is not the only thing that they face in questioning the world they live in. Being China more open to the Internet and the social networks allows people to express, with more freedom, what they think in a more and new absolute way. It's becoming a more flexible scenario, where the sense of political is far less extreme and less important in some ways.

This poses a great challenge to young emergent artists. It is a fresh new landscape that drew this research to a specific case study that can help to understand how Contemporary Art in China is making her own position in the globalized world.

THIS IS REALLY A NEW CHINA – RESEARCH CASE STUDY

These new and emerging talents, born in the 80's and 90's, offspring's of China's one child policy and raised after the end of the Cultural Revolution, distinguished themselves in several ways from their predecessors, bringing a new view of a new China.

They have different aspirations and greater access to global information than ever before and their work reflect these new influences. Generally speaking the old China is not in their view; they are looking inward at themselves and outward towards a new and better future.

Due to this fact, they became the perfect case study of Contemporary Art in China in this transition period. They also exemplify the connection between East and West trough channels of communication such as the Internet, international art fairs, international residencies programs and networking trough social web, giving Chinese contemporary art a more transnational approach. They are breaking some of the walls that isolated China for so long.

⁷ The art historian Yi Ying identifies a crisis of language that began when artists gave up the language of traditional oil painting and came to rely instead on methods of expression from other media—photography, video, digital art—as they appropriated images from traditional paintings.

These generations are characterized by an enormous diversity of factors. In a materialist perspective we can say that the Chinese art market is highly speculative, characterized by the fashion of capitalist consumerism that is hitting Asia in the current moment. This leads some young artists to increase in an irrational way the prices of their artwork and, on the other hand, having to work part or full time to be able to keep up the pace. The competition is tuff and the chance to go against the trends already established is short. This is a major problem in establishing an artistic career.

These youngsters are, also, often characterized as alienated and disoriented, more individualists and less "political" than previous artists. Because of this narcissistic perspective they are often named as the "Generation Me". This is due to the fact that, as explained above, political standards were no longer the primary guiding force for art since the end of the 80's. But there is still a heavy pressure for artist to develop a realist art to justify their status, as it did before with socialist realism that lead to styles like Cynical Realism or Political Pop Art, for example. The academy is also a huge influence on the artists work and we can assist in Beijing, for example, more close to the central government, many artists following a trend of hyper-realism and the use of a more academic painting based on traditional genres, in order to get attention from buyers. The persistence of these styles has two explanations. For one hand, the fact that the Chinese collectors are basically good investors and are more interested in established values. They are not educated in contemporary art, generally speaking, and buy art for the sake of it's financial value. So academic paintings are more "secured" investments. On the other hand, political images that are in the basis of the idea of the expected "Red China", especially by the western market that is eager for names like Ai Weiwei ,Wang Guangyi or Zhang Xiaogang. This led to a certain vision of China that is a constraint to emergent artists that want to affirm their own, personal, style.

Nowadays the young artists have a variety of styles that match the patchwork of influences that characterize the global contemporary art world. As N. Borriaud sustains in his theory of altermodernity, artists are, in present times, a sort of radicants, that navigate between references with no local bound to a specific country or style, summing up each reference in the puzzled art work. According to the author, they live not in countries but in archipelagos that link global artists by concepts and ways of seeing the world in intercultural

perspective. This poses some problems to the quest of a real Chinese identity for artists, mainly because most of them are used to imitate and appropriate western styles and techniques and second because, in order to survive in a real art market which is still western dominated they have to submit to the generalized taste, becoming transnational.

This situation is somehow connected with what Liu Yuedi defines as a demonization⁸ of the Chinese contemporary art. According to the author, “ (...) demonization refers to a process in which Chinese art is impeded by perceptions or actual circumstances imposing limitations on its development.”⁹

Another limitation for their development is the extreme importance of the market. We live in times that an author like G. Lipovetsky describes as the Culture-world, where market as became culture and culture has become market-oriented. As Curtis L. Carter explains:

“The market offers a temptation to artists to produce works that satisfy a global market demand irrespective of their artistic significance. This matter is of increasing concern as young artists barely out of art school are drawn into the booming market for contemporary Chinese art before they have time to reflect on and develop their ideas and talents.”¹⁰

We can characterize the young emergent artists within the commercial culture, which follows the historical sequence in china from traditional and political culture. According to Liu Yuedi, these three stages correspond roughly to the Chinese classical tradition before the nineteenth century, the Chinese revolutionary state in the twentieth century, and the conditions of the market since the 1990s. The pressure and competition involved is high for the artists.

This situation creates several reactions from the young generation. One of these reactions is turning to a more childish imaginary, based on the Cartoon Art, generating styles

⁸ The concept is explained by Liu Yuedi: “First, the demonization of Chinese art is rich in political significance. Many foreigners, whether inside or outside of the art circle, understand Chinese art in terms of political ideology; in their eyes, China remains a red state, complete with the traces of the cultural revolution. Second, economic factors play an important role in demonizing Chinese art. What kind of art is sought by international curators and art institutions? This is a big issue. In the final analysis, such demands are not the main concern of global art dealers. Instead, supply and demand rest with the buyers’ market: what kinds of art can satisfy art purchasers? Lastly, demonization is associated with the artists’ creation. In Chinese contemporary art, there is always a crucial tension. On the one hand, the question is: what do the artists want to do? On the other: what do the buyers want to see? Consequently, under the control of the invisible hand (Adam Smith’s term), it has become more important for contemporary artists to do for the other rather than do for themselves.” In Yuedi, Liu, *op.cit*, p.64

⁹ *Idem, ibidem*, p.63

¹⁰ Carter, Curtis L., in Yuedi, Liu, *idem, ibidem*, p.66

such as the animamix (coined by the Shanghai curator Victoria Lu), as a form of avoiding the pains of growth, but that is actually becoming a serious market trend. Another reaction, opposed to the previous, is found in some artists that pursue a personal aesthetic with a firm grasp and a willingness to express their thoughts with irreverence, reflecting on the world around them, with deep concerns about politics that are difficult for these young people to articulate.

The artists of these generations are often multitask, benefiting from the increasing investment of China in the soft power of the creative industries, which are becoming bigger in China. But this multitasking is somehow a consequence of the major economic difficulties that the emerging artists face in a highly competitive market, especially those that are deprived in the study at the major Art Academies or to rent a studio where things are moving such as the District 798 in Beijing. The spaces and chances for them to exhibit are also very short.

The several obstacles as well as challenges and opportunities for this generations serves as the *leitmotif* for this investigation. The brief background explained above explain the preliminary state of this investigation, which goals and research question we will try to define.

GOALS

This research will try to draw a landscape for this young emergent art production, hoping that it will provide information on the art scene in the future to come.

We will narrow the scope of analysis, focusing on the Pearl River Delta, that is being under the highlights of the international art market due to the economic importance of the region and the historical fact that is always being constituted as a sort of platform between East and West. In sum, we can say that this projects aims to understand the growth and development of the arts scene in the Pearl River Delta from the 1980's till the present. It is also a new scenario, away from the already known and well established Beijing and Shanghai. By studying it, this research is trying to bring new perspectives and a few guidelines for the future contemporary art in China as well as describing the major obstacles for the young artists, nowadays.

We can name some of the questions that will be analyzed:

1. Study the emergent Chinese contemporary art, either in the local as in the global context;
2. Understanding China's internal position (such as government policies) regarding the contemporary art that is produced in the territory;
3. Understand the ambivalence of young artists between national and local, freedom and constraint, and other aspects;
4. Perceive the way the Internet networks functions for artists and how this can beneficiate (or not) their careers;
5. Observe the actual and best ways to promote young artists in China;
6. Understand the future possibilities for a real Chinese art market;
7. Understand the post 80 generation and their relationship either with tradition as well with innovation;
8. Draw a social and psychological character of these artists, selecting some artists as exempla of the several trends within this group.

METHODOLOGY AND RESEARCH QUESTIONS

This research will try to deliver an overreaching goal that is analyzed by answering several specific research questions. The goal will be achieved by considering some of the following questions, among others:

1. What are the consequences of the interest of the global art market in China?
2. What are the challenges posed to young artists in this context?
3. What are the characteristics of the artists born post 80?
4. How do they relate themselves with tradition?
5. What means they find to promote and distribute their work?
6. What systems and institutions exist that train artists in the region and what are the dominant perspectives that they put forward?
7. What are the mechanisms of representation and patronage for the artists to support themselves?
8. What personal and social networks exist that support communication among artists?

9. What are their position regarding the national and the global?
10. What kind of impact does the actual governmental policy for cultural industries have on young artists?

The methodology is based in the visual studies area that is characterized by a diversity of approaches:

1. Literary review
2. In depth interviews either to artists or galleries
3. Observation in the field by assisting to major Art Fairs- such as Art Beijing, HK Art, Art Taipei, Shanghai Art Fair and others more recent and that represent young artists such as the Hotel Art Fairs;
4. Observation and analysis of the social networks as a way to promote their work outside governmental and galleries system;
5. Action research through projects such as exhibitions with young artists exhibiting at a Gallery;
6. Content analysis – try to draw a landscape of concepts and tendencies;
7. Visual analysis – provides elements for content analysis

As the value of this research we hope to deliver a study that will contribute to art professionals and benefit the dynamic of the young generation in Contemporary Chinese Art and the globalized world.

REFERENCES

AAVV, *Generation Me: Lost in Transition, Niubi Newie Projects* catalogue, Hong Kong: Schoeni Art Gallery, 2012.

AAVV, *Subversive Strategies in Contemporary Chinese Art*, ed. Mary Bittner Wiseman & Liu Yuedi, series Philosophy of History and Culture, vol.31, Leiden, Boston: Brill, 2001

BORRIAUD, Nicolas, *The Radicant*, New York: Lukas & Sternberg, 2009

CHIU, Melissa (ed.), et al., *Contemporary Art in Asia – A critical reader*, Cambridge, Massachusetts, London : The MIT Press, 2011

ELAINE, James , *In a Perfect World*, Press-release of the exhibition, New York: Meulenstein, 2011

LIPOVETSKY, Gilles e SERROY, Jean, *A Cultura-Mundo : Resposta a Uma Sociedade Desorientada*, Lisboa : Edições 70, 2010

LIPOVETSKY, Gilles e JUVIN, Hervé, *O Ocidente Mundializado. Controvérsia sobre a Cultura Planetária*, Lisboa: Edições 70, 2011

PENG, Lu, *A pocket history of 20th Century Chinese Art*, Milano: Charta, 2010

PATTERNS OF CULTURAL CHANGES:

NARRATIVE MEANINGS THROUGH TAIWANESE OLD WEDDING PHOTOGRAPHS

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Abstract

This research analyzes and interprets wedding photographs taken in Taiwan between 1920s and 1960s in order to understand the cultural impact of importing Western style wedding gowns into Taiwan by exploring the cultural conflicts of color meanings between Western and the traditional Taiwanese cultures. The researcher has several points of discovery. One point is the meanings of colors as constructed from within different cultures. For example, the Western-style white wedding dress conflicts with the traditional Taiwanese culture, in that white symbolizes a funeral affair and red represents happiness. Nonetheless, at the beginning of the twentieth century Western culture quickly permeated the traditional color meanings in Taiwan. The influence can be seen from the old photographs the researcher has collected and analyzed. Fashion is like a silent power, and the photographic image is both carrier and evidence of a quiet cultural revolution without any obvious oppression.

Keywords: Taiwan cultural studied, old wedding photograph, visual culture

INTRODUCTION

The meanings of colors as constructed from within different cultures. Whoever has stayed for a long time in the same society shares common views that become customs. After a long term of accumulation, it becomes culture.

Different societies may have different meanings for a color. When two cultures met, they would impact each other. This research focuses on the mode of changes when the traditional Taiwanese culture met the western culture. The researcher held through narratives of old wedding photographs to know what the processes were and how the Taiwanese compromised.

Research Background

In the traditional Taiwanese culture, red is a symbol of joyous occasion and white is a symbol of funeral affairs. The color meanings direct everyday life deeply. For example, when we are invited to a wedding ceremony we give a Red Envelope (put money inside) to the newlyweds for presenting auspiciousness; when we attend a funeral, we give a White Envelope (put money inside too) to the funeral family for consolation (Figure 1). We must not confuse, otherwise we would make a big mistake and get trouble.



Figure 1: Red Envelope (left), White Envelope (right)

It is common sense that “red” is a symbol of joyous occasion and “white” is a symbol of funeral affairs in Taiwan, even today. But there is an obvious exception; namely, why would Taiwanese brides wear white wedding dresses? The color meaning conflicts with the traditional

Taiwanese culture. Why do Taiwanese accept it? Of course we know white wedding dresses were import, impacted, and influenced by the western culture.

It has been held that Queen Victoria, wed in 1840, instituted the exclusive tradition of wearing white (Amnéus, 2010, p. 36), so white wedding dress became kind of fashion separated to the whole world (Winge & Eicher, 2003). Just only one hundred years ago, the Taiwanese brides were still wearing traditional red wedding gowns (Figure 2) and sitting in red sedan chairs (Figure 3). Despite the drastic change, today almost every Taiwanese bride wears a white dress without any hesitation (Figure 4).



Figure 2: Traditional red wedding gown



Figure 3: Traditional red sedan chairs



Figure 4: Modern Taiwanese bride, 2011, by permission of Dai-Rong Wu

Research Questions and Scope

From the research background, the researcher brought out the research questions:

1. If white is as a representation of funeral in Taiwan, why the Taiwanese could accept the western white wedding dresses?
2. When did the Taiwanese begin to accept the western white wedding dresses?
3. How long was taken from the beginning to the most Taiwanese accept the western white wedding dresses?

4. Did the Taiwanese have any conflict during the process of accepting the western white wedding dresses?

Why the researcher used Taiwanese old wedding photographs as samples to inquiry these research questions? There are the reasons:

1. Although it was expensive in the early years, most of the Taiwanese would take photographs for their wedding ceremony only if they could afford. So wedding photographs were more popular than they took photographs in other events.
2. The wedding day was good for remembering, so it is easy to trace the exact time the photographs were taken.
3. Both photography and western white wedding dresses were imported to Taiwan almost in the same era; so we could understand the changes of Taiwanese culture through old wedding photographs.

Photography was a remarkable technological achievement in 1839 (Rosenblum, 1997). Not until 1870s, did the Taiwanese not have opportunities to contact photography. One of the evidence is that the Scotland photographer John Thomson (1837-1921) traveled to Taiwan in 1871 and took some photographs about the Taiwanese and landscapes, which were parts of the publication *Illustrations of China and Its People*. It was republished with the name *China and Its People in Early Photographs: An Unabridged Reprint of the Classic 1873/74 Work* in 1982 (Thomson, 1982) ; the other evidence is that Canadian missionary George L. Mackay (1844-1901), who took many Taiwanese photographs in the 1880-1890s (Chien, 2010). Those two photographers were both foreigners. Until the end of 19th century and the beginning of 20th century, the photography began to be known and to be accepted in Taiwan gradually (Chien, 2010).

There are two reasons for this research scope defined before 1962. One is for the photograph had to be taken more than 50 years ago to be called old photograph (Chen, 2010). The other reason is because of complicated Taiwanese history.

For a brief, in 1684, Taiwan became the territory of the Ch'ing dynasty (China). In 1895, Ch'ing was defeated by Japan in the Sino-Japanese War, and Taiwan was ceded to Japan by the *Treaty of Shimonoseki*. In 1945, Japan surrendered to the Allies at the end of World War II, and Japan ceded Taiwan back to the Republic of China (Chen, 2007). From the beginning of 20th century to

1962, there were big changes in Taiwan. Through the old photographs, we can see the conflict and the connection among different cultures, such as Taiwan, China, Japan, and the west.

Limitations of the Study

This cultural study has certain limitations that need to be taken into account when considering the study and its contributions.

1. Those who could take a photograph before 1962 must have been from the middle or upper class, since taking a photograph was expensive. Therefore this study cannot represent all Taiwanese social situations and is limited to middle class people.
2. The qualitative in-depth interviews took long time, so the scope of the research is limited from several interviewees. The data are limited in personal and narrow opinions, which may not present a common view of the whole society.
3. In the beginning of the study, the relationship may have helped the participants trust the researcher with their private wedding photographs and made participants more open to talking about their wedding stories. So the researcher could only use purposive sampling and stratified sampling to seek the participants who are the researcher's relatives or friends.
4. Before 1962, there were only black and white photographs in Taiwan. It is hard to ascertain the wedding dress colors, so the researcher had to assist with participant interviews to figure out what colors were on the black and white photographs.

MATERIAL AND METHODS

Wedding Dress

According to Amnéus (2010), in previous centuries, bridal gowns were both white and colorful, which were continued to be worn throughout the nineteenth century. When Queen Victoria hold her wedding in 1840 with white satin trimmed with lace, a low wide neckline, and puff sleeves, which became fashion and target of brides in the world.

Instead, white was defined as most appropriate because it symbolized innocence and purity—the same qualities that made white the choice for early Greek and Roman brides. It might be

suggested that in the mid-nineteenth century, white became the color of choice for those brides who affluent enough to indulge in such a dress. (Amnéus, 2010, p. 36)

In the second half of the nineteenth century, as industry was expanding, wedding dresses were away from homemade and become more gorgeous and splendid. Beautiful designs and luxurious styles were almost too much to be appropriate for everyday occasions, so it was only suitable for wedding ceremony. For a middle- or working-class female, expensive white wedding dress was justified for her particular significant life event. White wedding dress was not only innocence and purity, but also presenting with manners and social and economic status (Amnéus, 2010; Winge & Eicher, 2003).

Other than the western world, fashion is like a silent power went out with colony permeated and technique improved such as traffic and media. White wedding dress style was widespread to Asia gradually in the beginning of 20th century.

According to *Academia Sinica Digital Resources*, A couple of the Taiwanese gentility, Doctor Z. C. Kao and M. Hsu, whose wedding photograph was taken in 1910 April in Taiwan, the groom wore Frock coat and Bowler hat and the bride wore traditional Taiwanese wedding dress but with a pair of western high-heeled shoes (http://digiarch.sinica.edu.tw/content.jsp?option_id=2841&index_info_id=5404, retrieved June 16, 2012). It was the earliest wedding photograph that the researcher ever searched so far.

For the researcher's collection, two pieces of the earliest wedding photographs were taken in 1920 and 1923, two grooms both wore Frock coats and two brides wore traditional Taiwanese wedding dresses (chaplet and robes), but with a pair of western high-heeled shoes too (Figure 5). Not until 1928, did the newlywed both wear the western style wedding gowns.



Figure 5: Drew Chang and Jan-Zi wedding, 1923, by permission of Henry Chang

Research Methods

Gillian Rose (2006) in *Visual methodologies: An introduction to the interpretation of visual materials* mentions three modalities for images inquire: technological, compositional, and social. Technological modality is how the image was produced, namely the skills and materials, which is visual technology; compositional modality is about the form and the content of an image, such as contents, composition, color, and etc., which is the visible part; social modality indicates the social status, such as economic, politics, customs, institutions, and etc., which are constructing the meaning of an image.

This research is focusing on compositional and social domains. From photographic signs, the researcher explores the meaning both visible and invisible to understand social changes. The researcher are using qualitative methodology, including literature review, participation interviews, and photographic interpretation to figure out the deep meaning of social changes through the Taiwanese old wedding photographs.

For this study the researcher was looking for participants who were Taiwanese, who owned wedding photographs taken before 1962, and who were willing to share their (or their relatives) wedding stories.

The main protocol questions are:

1. Who are appearing in the wedding photograph? What kind of the relationship between you and the persons showing in the photograph, such as yourself, your parents, your grandparents, or your aunt?
2. Can you introduce the background of the newlywed? Such as ages, education, economic status, family situation, and etc.
3. When was the photograph taken?
4. Where was the photograph taken?
5. Any one else do you know in the photograph?
6. Do you know the background on the photograph?
7. Can you describe the situation when the photograph was taken?

Expect those general questions, the second layer questions are for the special participants due to their background. They are:

1. Can you describe the resource of the wedding dress? Such as bought, rent, home made or tailor made.
2. What kind style of the wedding dress was? Such as shape, color, material, and etc.
At then, what kind of opinions the common people had for the wedding dress?
3. How about the equipments of photography at that time?

Using purposive and stratified as the research's samples, the researcher is seeking appropriate photographs and participants. This is a never end research, because every appropriate photograph comes out would be found more signs. The more visual signs we found, the more reflection we could connect to cultural context.

Until the end of 2011 so far, the researcher collected 86 pieces of photograph. They are stratified in different decades from 1920-1962 in Taiwan. The researcher presented those photographs in chronology, so she could read the photographs from different decades to trace the changes. They are included: (1) When did the Taiwanese brides begin to wear the western white wedding dress? (2) How long was taken from the beginning to the most Taiwanese accept the western white wedding dresses? (3) Were the white wedding dresses changed in different style due to different decades? Those include skirts' length, veils' length, material, and etc.

From participant interviews, the researcher tried to figure out why the Taiwanese accepted the western white wedding dresses if white is as a representation of funeral in Taiwan.

DISCUSSION

The grooms who were on 86 pieces of photograph the researcher collected all wore the western style gowns, including frock coats, morning coats, tail coats, and suits, but the brides' wedding dresses were very various, including Taiwanese traditional chaplet and robes, reform traditional styles, western style home made dresses, and modern western style full-length dresses. For the reasons, the researcher would like to focus on brides fashion styles to figure out the changes.

All visible feet on 86 pieces brides who all wore western high-heeled shoes, so shoes could be seen as the first step the Taiwanese brides accepted the western fashion.

All brides wore veils except the earliest two, taking in 1920 and 1923 (see figure 5), so veils could be seen as the second step the Taiwanese brides accepted the western fashion.

Except the earliest two, who wore very traditional Taiwanese wedding gowns. In the 84 pieces, only 3 brides did not take a bouquet, one was in 1929, another one was in 1943, and the other one was in 1951. So bouquet could be seen as the third step the Taiwanese brides accepted the western fashion.

The veils length was variable. Before 1954, some of veils' length was longer than the brides' stature and hang down on the floor, some of veils' length was just fit the stature of brides, and a few veils' length was just long to hips. Most of veils were opaque and a few were transparent. After 1955, all brides wore much shorter veils length, long as with waist and almost of them were transparent.

For the wedding dress, the various ranges are very interested. There are four main styles:

(1) Taiwanese traditional chaplet and robes: As mentioned before, who were on the two of earliest photographs the researcher collected, taking in 1920 and 1923, both wore the most traditional Taiwanese chaplet and robes. Otherwise later no one wore those kinds of traditional dress in remain 84 pieces of photograph.

(2) Reform traditional styles: This style combined Taiwanese style and western style to be a new style, which kept the traditional elements such as stand-up collar and cotton button, but consulting with western tailoring. The dresses used to be colorful.

The Taiwanese famous artist, Yu-shan Lin, whose wedding ceremony was hold in 1928, who wore western suit and his wife wore two pieces of reform traditional style dress, as well as western veil, bouquet and high-heeled shoes (figure 6). The similar dresses could be seen in the late of 1920s and the early of 1930s (figure 7).



Figure 6: Yu-shan Lin and Hui Huang's wedding, 1928, by permission of Po-ting Lin



Figure 7: Changs' wedding, 1929, by permission of Henry Chang

(3) Western style home made dresses: In the late of 1920s to the early of 1950s, except the reform style as mention above, it became popular that was western style home made or tailored made dresses. Most of the dresses were monochrome, such as white (figure 8, 9) or pink (figure 10), but there were some printed colorful fabric (figure 11, 12). In the 1920s-1940s, most of wedding dresses were tea-length or feet-length. Until 1950s, full-length dresses became more popular.



Figure 8: White wedding dress, 1931, by permission of Henry Chang

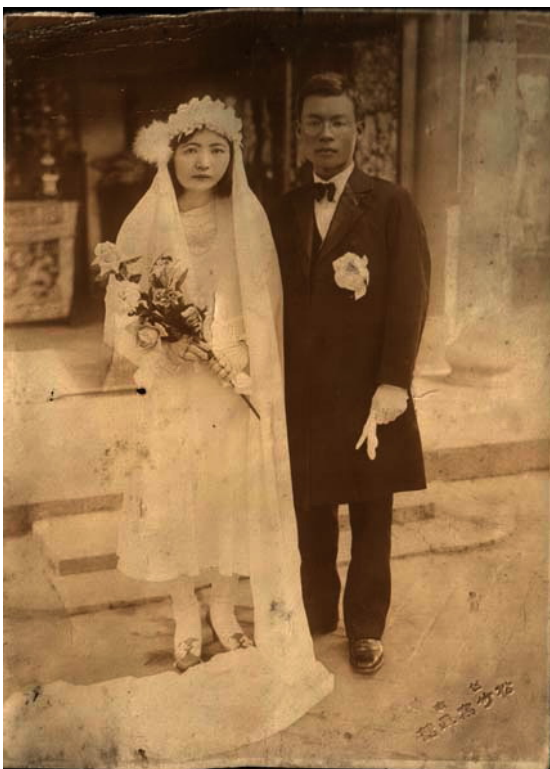


Figure 9: White wedding dress, 1933, by permission of Lin-Ju Ou



Figure 10: Pink wedding dress, 1951, by permission of Yao-Tang Lin



Figure 11: Colorful wedding dress I, 1935, by permission of Dai-Rong Wu



Figure 12: Colorful wedding dress II, 1937, by permission of Ching-Yin Ho

(4) Modern western style full-length dresses: In the 1940s, brides' service store become more popular in Taiwan. Brides could rent or buy anything, wedding dress, bouquet, and even dowries, for the wedding needs. Brides had several options for her wedding dress: home made, tailor made, or renting or purchasing a read-made from brides' service store.

After World War II, most of brides rented their wedding dresses from brides' service store. So wedding dresses became full-length and more designed, gorgeous and complicated (Figure 13, 14). Comparing with the western wedding dresses (Amnéus, 2010; Foster & Johnson, 2003), there were not big differences between the Taiwanese and the western styles.



Figure 13: Gorgeous wedding dress I, 1958, by permission of Bao-Shiu Lin



Figure 14: Gorgeous wedding dress II, 1958, by permission of Henry Chang

According to one of the participants, born in 1925 and married in 1946, she said her wedding dress was rented from a brides' service store. She remembered the store boss had asked her whether white or pink dress she wanted. She chose a white dress finally; even she had a short time hesitant, because a white wedding dress became more popular at that time.

CONCLUSIONS

Through this study, the researcher sets up a model, old wedding photographic narratives, to understand visual culture through tracing Taiwanese visual culture roots and the layers of cultural identities.

Although white is as a representation of funeral in Taiwan, the western fashion dominated the Taiwanese culture. The western fashion came with symbolize, kind of civilization, so the Taiwanese accepted it finally. But it took at least 30 years (1920s-1950s) for struggling between the Taiwanese traditional color meanings and the western sense of beauties.

Between "Taiwanese traditional chaplet and robes" and "modern western style full-length dresses," the Taiwanese had several compromises for struggling. The brides used pink or print colorful fabric to resist the traditional color taboo. The Taiwanese brides accepted the western fashion in order were (1) high-heeled shoes, (2) veil, (3) bouquet, (4) tailor, (5) color.

Assimilation can be divided into two layers: the first layer, the surface meaning, is civilization assimilation, and the second layer, the deeper meaning, is ethnic assimilation (Chen, 2006). The color part is like cultural identity, so it took long time for change. With the start four steps, like civilization assimilation, the Taiwanese brides accepted them almost without any hesitant, but the last step, ethnic assimilation, took around 30 years. In short, to change cultural identity is more difficult to change civilized identity. Taiwanese culture is a hybrid culture, reflecting multiple societies, and creating a new style of visual culture.

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REFERENCES

- Amnéus, Cynthia. 2010. *Wedded perfection: Two centuries of wedding gowns*. Cincinnati: Cincinnati Art Museum.
- Chen, Chiu-Jhin. 2010. *Searching for Taiwanese visual cultural signs: The stories of old photographs*. Taipei: National Museum of History.
- Chen, Chiu-Jhin. 2007. *Family photographs, history, and art education: A web of Taiwanese visual cultural signs*. Doctoral dissertation, The Pennsylvania State University.
- Chen, Pei.-Feng. 2006. *The different intentions behind the semblance of "douka": The language policy, modernization and identity in Taiwan during the Japan-ruling period*. Taipei: Rye Field Publications.
- Chien, Yun-Ping. 2010. *In sigh: Tracing the photography studio images of the Japanese Period in Taiwan*. Taipei: SUNNYGATE.
- Foster, Helen Bradley, & Johnson, Donald Clay. 2003. Introduction. In H. B. Foster & D. C. Johnson (Eds.), *Wedding dress across cultures* (pp. 1-4). New York: Berg.
- Rose, Gillian. 2006. *Visual methodologies: An introduction to the interpretation of visual materials*. (Guo-Chiang Wang, Trans.). Taipei: Chun Shue
- Rosenblum, Naomi. 1997. *A world history of photography* (3rd ed.). New York: Abbeville Press.
- Thomson, John. 1982. *China and its people in early photographs: An unabridged reprint of the classic 1873/4 work*. New York: Dover Publications.
- Winge, Theresa M., & Eicher, Joanne B. 2003. The American groom wore a Celtic Kilt: Theme weddings as Carnavalesque events. In Helen Bradley Foster & Donald Clay Johnson (Eds.), *Wedding dress across cultures* (pp. 207-218). New York: Berg.

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PUBLICATIONS

Chen, Chiu-Jhin. (2011). *Narrative through interpretation of family photographs: A web of Taiwanese visual cultural signs*. Germany VDM: Verlag Dr. Muller.

Chen, Chiu-Jhin. (2010). *Searching for Taiwanese visual cultural signs: The stories of old photographs*. Taipei: National Museum of History.

Chen, Chiu-Jhin. (2007). *Family photographs, history, and art education: A web of Taiwanese visual cultural signs*. Doctoral dissertation, The Pennsylvania State University.

Chen, Chiu-Jhin. (2003). *The materials and techniques of watercolor*. Taipei: Hwa-Tai.

Chen, Chiu-Jhin. (1999). *Drawing and creativity*. Taipei: Hwa-Tai.

Chen, Chiu-Jhin. (1987). *The presentation of space in modern painting*. Taipei: Yifong Hall.

TAXI FUSION: SOUTH ASIAN INFLUENCE ON THAI CULTURE AS EXEMPLIFIED BY SACRED DECORATIONS IN BANGKOK TAXICABS

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Keywords – Thailand, Cultural Influences, Taxis

Abstract

Today, much of what we consider to be Thai has been adopted from neighbors, including India and Sri Lanka, and then transformed to become distinctively Thai. Much of the decorative art, including religious icons inside Bangkok taxis, have their origins in South Asia. In Thai cabs, you will find images of Ganesh, Hanuman, Garuda, Brahma, and the Buddha in the Gandhara style, as well as incantation cloths in the tantric tradition and Hindu-looking festoons of yellow marigolds.

Overview

In recent years, a number of studies have presented the hybridity of Thai culture as a new concept. However, this has been the case in Thailand for centuries. The Australian scholar, Peter Jackson, states that hybridity was and has remained 'a defining feature of the Thai cultural history and contemporary Thai culture, both elite and popular.' (Jackson, 2008, p. 154)

This hybridity is the result of many factors, including two thousand years of trading and other forms of exchange with India and China, the emigration of foreigners to Thailand during the last several hundred years, and the rulers of the past looking for ways to position the country culturally in order to avoid colonization. Historically, Siamese rulers refashioned themselves in the image of India and China, the dominant powers of pre- modern Asia, as a way to assert claims over ethnically diverse populations. This resulted in a hybridized Hindu-Buddhist belief system.

In the Nineteenth Century, Thai culture experienced a re-orientation towards the West. This was due to European encroachments into China, as well as the British colonization of India. The two former world powers of China and India could no longer be considered geopolitical powers and cultural authorities, and were thus abandoned. The Siamese rulers had to find a new vision to justify their rule. (Thongchai, 2000 p., cited in Jackson, 1998, p, 159) This began under the reign of King Rama IV (reign 1851-68) and intensified under the rule of King Rama V (reign 1868-1910). Today, there are still remnants of European culture in Thailand. Traditional European art forms and architecture are still present, and European fashion and various forms of entertainment are popular.

Thai culture has also been influenced by Japanese culture, perhaps as a result of the Japanese occupying Thailand during World War II. Today, Japanese entertainment

continues to infiltrate Thai popular culture. In Thai taxis, action figures and images in the form of Japanese anime and manga characters are common. Perhaps the most popular cartoon creature is Doraemon, the robot cat from the future. Occasionally, in the cabs you will also find images of Godzilla, the classic giant Japanese movie monster, who first appeared in Ishirō Honda's 1954 film with the same title as the main character.

American popular culture is also present in contemporary Thailand. Hollywood movies, fast food hamburger restaurants, products such as Coca-Cola, pop music, and lifestyle brands are readily available in Bangkok and even in the provinces. In Thai taxi cabs, one can find plastic figures and stuffed toys in the form of Mickey Mouse, Garfield, Tweety Bird, Nemo, and Chip and Dale.

While Thai culture has been affected by several different cultures, it is in the taxis where the full plethora of influences on the people can be clearly seen. To examine the contents of the cabs is to gain a better understanding of Thai philosophies and ideologies. In this paper, however, I will focus specifically on South Asian influences in Thailand by making connections to the sacred decorations inside Thai taxis.

Historical Background

In order to fully understand the influence of South Asia onto Thai culture, it is necessary to look at the history of the relations between these two regions. In 242 B.C., King Asoka conquered Kalinga to expand the territory of his kingdom. As a result, Brahmins and Indians migrated from Kalinga to the Chao Phraya River region through the borders of Mon and Burma and Thongchai-Tenasserim range ¹. It is believed that two monks, Sona and Dhera, were sent by King Asoka as missionaries to the Kingdom of Dvaravati ² in Suvarnabhumi to spread Buddhism (Nakhorn Pathom province) in 240 B.C. At this time, there was a group of Brahmins who also accompanied them.

In the periods of the Pallava Dynasty (457 to 857 A.D.) and Chola Dynasty (857 to 1457 A.D.), the relations between India and Southeast Asian states developed through trading. Spices in the region were well known among Brahmins and Indian traders and several important ports were situated in the region. These ports attracted traders from all over the world. Consequently, Southeast Asia became the intersection of Indian and Southeast Asian cultures.

¹

The mountain ranges of Thanon Thongchai and Tenasserim establish the border between Thailand and Myanmar.

²

An ancient kingdom of Southeast Asia that flourished between the 6th and 13th centuries.

After the foundation of the Ayutthaya Kingdom (1350 A.D.) many Khmer migrated from their capital city, Angkor, to Ayutthaya. As a result, Hindu beliefs spread to the new kingdom and there is much evidence how these beliefs impacted politics and society at that time. For example, the Ayutthaya court was more organized and disciplined due to the Hindu influence. Furthermore, royal language, terms and rites concerning administrative system based on Hinduism were adopted, whereas the knowledge of administration and laws from Brahmanical beliefs was applied to the existing systems.

Hindu-Buddhist Talismans in Thai Taxis

Thai cabbies tend to be rather superstitious and religious. Most drivers practice the most prevalent religion in Thailand, Theravada Buddhism, infused with folk beliefs. Spiritual practices often further involve combining aspects from various religions including Hinduism, as well as Taoism, Animism, and even Christianity with Buddhism to create a type of spiritual syncretism. This approach to religion maintains that if one god is good, then several must be better.

Many of the divine beings that Thai cabbies worship originate from Hinduism as Thais believe that the Hindu Gods protect the Buddha. Shrines to Brahma, or *Phra Phrom* as he's known in Thailand, are commonplace here, and it's not unusual to find images of other Hindu deities in Bangkok taxis such as Hanuman, the monkey deity, and Garuda, the mythological bird-man.

Hanuman from the Ramakien

During the Sukhothai period, Hinduism had an impact on the writings. Characters from the Ramayana were mentioned in the Pukhunchit Khunchod Inscription. (Kham-Aek 2007:22-25). The Ramakien, the Thai version of the Ramayana, which is one of the first versions and a national epic of Thailand, was written under the reign of King Rama 1. At this time, 178 large panels of murals were also begun at the Emerald Buddha Shrine in Bangkok.

The first versions of this epic were written somewhere around the eighteenth century however several were lost in the destruction of Ayutthaya in 1767. There are three versions that still exist out of which one was written in 1797 under King Rama 1, founder of the Chakri Dynasty. His son, King Rama II later rewrote some parts of this version for Khon drama⁶. This work has had an important influence on Thai literature, art and drama. For example, the Khon dramas themselves are based upon the Ramakien. The actual story remains the same however other things such as clothes, weapons, and topography were adjusted according to the Thai context.

Hanuman appears in Bangkok taxis often (Fig. 1). Thai taxi drivers admire him because they believe that he is blessed with supreme intelligence, strength, and divine powers. Hanuman appeals to Thai taxi drivers due to his mischievous character. In the taxis, he can be seen in the form of stickers on windows. Sometimes Hanuman is depicted with a sack of money. Obviously the person who designed this took some artistic license.

Ganesh (*Phra Pi Ganesh*)

Many Thais admire Ganesh, or *Phra Pi Ganesh* as he is called in Thai, the elephant-headed god. He is a patron of the arts and he bestows wisdom upon his followers. Bangkok cabbies often worship him because he is believed to bring good fortune. This god is also said to be a remover of obstacles.

In Thai taxis, images of Ganesh (Fig. 2) exist in the form of statuettes and amulets, as well as in printed pictures and on stickers. They're made from a range of materials, including metal and clay, and in some cases, Ganesh is colorfully decorated. He usually holds an axe or a goad, a tool used in the handling and training of elephants, and sometimes he's depicted with a rat since rodents can gnaw their way through most obstructions.

The image of Ganesh became popular in Thailand as a result of King Rama VI who demanded that the image of this god be used as a symbol of the Literature Club and the Fine Arts Department. The King had adopted the concept from Mahabharata in which Ganesh¹⁵ is viewed as the God of arts. According to the legendary myths, Rishi Vyasa¹⁶ needed to concentrate on composing the chronicle of Mahabharata. He thus needed someone to write the verses as he narrated them and it was Ganesh who agreed to do so. The worship of Ganesh has since become popular among people working in the area of arts (Wattanamahad 2003: 152).

Brahma (*Phra Phrom*)

Images of the Brahma, known in Thailand as *Phra Phrom*, are commonplace in Thailand. There are many shrines with the image of this god, including the well-known Erawan Shrine in Central Bangkok and can also be seen in the taxis (Fig. 3). In Buddhist literature, *Phra Phrom* belongs to the class of gods. With four faces and four hands, he is able to offer assistance from all directions and is believed to be just and fair. Today, many worshippers of *Phra Phrom* believe that he can bestow wealth upon his followers. This is especially true in Thai taxis.

Phra Phrom is often depicted with objects that add greater meaning to the idols. Sometimes this god is holding a book that represents knowledge. Other times, *Phra Phrom* has a spear to symbolize willpower. Other objects include a vase with flowers that signifies that all requests will be fulfilled, a conch shell that represents wealth, and a flying wheel which is supposed to help clear disaster and calamities. In addition, *Phra Phrom's* hand is usually placed on his chest to represent compassion.

Garuda (*Phra Khrut*)

Garuda, or *Phra Khrut* as he is known in Thai, is considered to be a powerful celestial being that symbolizes the Thai monarchy. Besides serving as the royal insignia, an image of the Garuda is also used as the official seal of the civil government. *Phra Khrut* can occasionally be found inside Bangkok taxis (Fig. 4).

Garuda is typically shown with the bill and wings of a bird and the body and limbs of a man. He is usually depicted with a white face, a red mouth, and a green body. With characteristics like an eagle, It is an ancient and enduring symbol. The emblem has varied in design from one reign to the next. The Garuda appears in all forms of art, architecture and even modern sculpture. Some old paintings have been found depicting Narai or Vishnu mounted on Garuda, with Naga in his talons, or in flight. This mythic eagle and symbol of sovereignty was inspired by Hindu mythology. Hinduism portrays Garuda as a powerful deity in the lower domains of heaven, who sometimes comes among human beings. In the story of Kaki, Garuda came down from his celestial residence to gamble

with the king in a dice game. In this well-known story, Garuda saw the beautiful Kaki and stole her away. According to Hindu mythologies, Garuda was a powerful celestial being. Thinking that the new arrival was Agni, the Fire God, the heavenly hosts came to pay homage.

His likeness is depicted in the sculpture, architecture and painting adorning Hindu and Brahman temples. Garuda is also found in royal Buddhist temples, in accordance with the Hindu belief that the king is an incarnation of Narai, who comes to alleviate human suffering. Garuda is the vehicle of Narai, and has been a symbol of the monarchy for hundreds of years. Garuda appears regularly in the history of Thai art. Bronze Garuda embellish the throne and sometimes the figure decorates the gables and rooftops of royal residences. The frequent appearance of the symbol certainly reflects the belief in the Devaraja of divine king. The sovereign is revered as a divine epiphany, and incarnation of Vishnu who comes into the world, bringing peace and end to suffering.

The Buddha

Although the Buddha is said to have asked that no images be made in his honor, followers of his teachings have long paid respect to statues and other representations of him. In Bangkok, images of the Buddha are everywhere: in temples, shrines, homes, schools, businesses, markets, noodle shops, and in the taxis.

The Buddha images in cabs take many different forms. Of course, there are often Buddha statuettes placed on the dashboard. But it's also common to see photos of revered Buddha statues from temples in Thailand and other parts of Asia, printed graphic or photocopied pictures of the Buddha pinned to the ceilings, and stickers of the Buddha on windows. You can even find images of him on limited edition phone cards proudly displayed in some cabs.

Buddha statuettes in Bangkok cabs vary considerably in style, and the range of colors and materials from which they're made is staggering. There are colorful resin and glass Buddhas, or metallic ones with shiny surfaces or coats of aged patina. You can also find ceramic and porcelain Buddhas, jade Chinese-style figures, sandstone versions, and polished rosewood carvings.

Most of the Buddha images in Bangkok taxis are Thai style, or more generally, Theravada style. Getting to know the various styles of the Buddhas can be complicated as the individual characteristics relate to the period and location from which they originate. To exacerbate matters, the styles are sometimes combined or adapted from a variety of influences, and differences can be subtle. The main types of Thai Buddhas are categorised into six or seven periods, including the Dvaravati, the Khmer and Lopburi periods, as well as Lanna, Sukhothai, U-Thong, and Ayutthaya styles.

The Buddha images from the Dvaravati period during the seventh through the eleventh centuries were inspired primarily by Buddhist art in India along with local and Khmer styles. Other images of the Buddha in the taxis are of Indian origin (Fig. 5).

Incantation Cloths (*Yan*)

Attached to many Thai taxi ceilings and hanging in other parts of the cabs are incantation cloths (Fig. 6) printed with magical charts made up of geometric shapes and lines, mystical symbols, and sacred text. These cryptic diagrams are known as yantras, or simply *yan* in Thai. The word itself is derived from the ancient Sanskrit language and basically means, “instrument for holding”.

The *yan* function as mechanisms for balancing the mind and for making wishes, and they help to protect the devotee from danger. Bangkok cab drivers believe that the cloths conjure up more customers and help them to avoid car accidents. Yantra have been around for ages and the idea originated from the tantric traditions of Indian religions. In addition to *yan* printed on fabric, you can find examples of them on the back of amulets, drawn on paper, metal, or on human skin in the form of tattoos, and sometimes they're scrawled directly on various surfaces in Bangkok taxis.

Each *yan* has its own distinct ‘recipe’ and combines special magical text and symbols organized in a unique configuration. Thai *Yan* typically contain ancient Khmer, Sanskrit, or Pali script, as well as the occasional Thai writing or even Chinese characters and they often contain archaic symbols and images of the Buddha, Buddhist monks, Thai or Hindu gods or goddesses, or mythological figures and animals.

Every part of the *yan* holds meaning, including each shape, line, emblem, and embellishment. Shapes employed in yantra include squares and circles. And directional lines are often added in contrast to stylized organic motifs based on natural forms such as lotus flowers. In the *yan*, circles symbolize the element of water and squares represent earth, while diagonal lines stand for the element of air and vertical lines denote the element of fire. Dots, or *bindu*, symbolize the starting point of creation or infinity, stars represent the God Shiva or the Goddess Shakti, and swastikas represent good luck, prosperity, or spiritual mastery.

Monk Drawings (another form of *Yan*)

In Thailand, there's a subset of Buddhist monks who bless businesses and other sites by drawings sacred symbols and script on walls. It's common to see these designs on shop fronts and they regularly appear in taxis. The drawings, known as *yan* in Thai, are sometimes found above the front door on buildings, and in enterprises they're often drawn near or on the signboard. In taxis, most of the creations can be found on the ceiling (Fig. 7) above the taxi driver's head or front and center in the cab, but sometimes you can find blessings scrolled on the steering wheel, the dashboard, or even above the car doors.

The designs vary, but are generally made up of white dots, lines and swirls. They're created with a certain type of white powder mixed with water, and at times the monks even draw with black or colored permanent markers. Sometimes the forms look like towering Buddhist temple structures or like abstract versions of Buddha's enlightened head. Rows of shapes and symbols often create rhythmic patterns, and sometimes the motifs include symmetrically placed gold squares that add a decorative element. Many of the designs contain ancient Khmer script and symbols, Thai writing, or even Chinese characters.

The drawings range in scale from reserved, compact configurations to elaborate patterns that cover the entire surface of the cab's ceiling. And the techniques vary from neatly rendered lines and perfectly formed shapes to thick impastos of powder caked on the ceiling or quick, expressionistic marks and splashes of white. In some instances, they look like careful signatures, but in many cases, the drawings can be elevated to the status of a work of art.

I've asked many cabbies if they know how the Buddhist monks develop their individual styles and approaches to these drawings, but it seems the monks keep their processes a mystery. I often wonder if the monks study different techniques in some sort of monk art school or if they are self-taught. And do the monks make preparatory sketches in advance or do they just wing it and draw whatever inspires them at the moment?

There's a magical element to these drawings. The symbols and shapes feel powerful, even without knowing the exact meaning of every form, symbol, or line of script. They're intended to bring good luck and fortune, and are created on days and times that the monks consider auspicious. In the taxis, the designs are meant to protect the driver, the passengers, and the car from danger and evil forces. One taxi driver even believes that they keep cantankerous customers from acting rude, and another cabbie told me he hopes it helps impatient passengers stay calm.

Some disbelievers regard these drawings as old-fashioned and superstitious. But no one has ever scientifically proven that they don't work, either. If they soothe taxi drivers and help them to feel safe, then maybe they serve an important purpose, after all. Regardless of whether or not they actually work, the drawings add interest to otherwise bland grey interior cab surfaces. And spending time staring at these fascinating works of art is a good way to pass the time while stuck in one of Bangkok's infamous traffic jams.

Bodhi Leaves

In Thailand, heart-shaped or rounded Bodhi leaves are considered to be good luck charms and are often displayed in Bangkok taxis (Fig. 8). For Buddhists and Thai cab drivers alike, the leaves bring to mind the sacred Bodhi tree, the type of tree that the Buddha purportedly sat beneath as he achieved enlightenment around 2,500 years ago.

Legend says he meditated under the tree for forty-nine days until he reached this level of awareness.

The Bodhi tree, or Bo tree, is a type of fig tree and is known in Sanskrit as the *bodhivrksha*, and by botanists as *ficus religiosa*. The trees, and sometimes clippings from the original tree, are planted in temples and monasteries in places where Buddhism prevails, including Thailand. The Buddha's tree was destroyed in the 7th century, but another one was later replanted in its place using a shoot from a descendent of the original Bodhi tree that had been exported to Sri Lanka in the 3rd century BC. Today, this tree still flourishes at a temple in India, and its location is one of the four most holy pilgrimage sites for Buddhists.

In early Buddhist art when the image of the Buddha was not used, depictions of the Bodhi tree were sometimes illustrated him. Still today, Bo trees in Thailand are wrapped in colorful

cloth to denote their sacredness. The shape of the leaves are also utilized on Thai amulets and in decorations that embellish interiors, including those in taxis.

In Bangkok cabs, you occasionally encounter a real Bodhi leaf that has been dried and preserved, but most leaves are representations made out of paper. Colors range from bright blue, red, or yellow to metallic. They're typically printed or collaged with images of important monks or the Buddha and they generally include sacred text and symbols. Taxi drivers like to hang them from their rearview mirrors and sometimes they attach them to car ceilings. To keep them safe, they're normally laminated in plastic.

While Bodhi trees, and in particular Bo leaves, are popular Buddhist motifs, the earliest accounts of the Buddha's enlightenment fail to make any arboricultural references, so it's possible that the legend is a later addition to Buddhist folklore. Bangkok taxi drivers that follow the cult of the Bodhi tree probably aren't very concerned about the history behind it anyway.

Marigolds in Flower Garlands (*Phuang Malai*)

Many of the blossoms in Bangkok taxis have been strung into flower garlands, known as *phuang malai* (Fig. 9) in Thai. They range from a simple loop of jasmine ending in a rosebud or marigold to elaborate creations of multi-colored flowers forming diamond-shaped traditional Thai-style motifs. Some are solely made up of bright marigolds, making them look especially Indian or Hindu in style. Their lengths vary from short ones that tightly encircle a small statuette on the dashboard to long ones that hang down low from the rearview mirror.

These flower garlands are readily available throughout Bangkok. You can buy them on most streets and *sois* and in the markets. You can even get them from hawkers who approach cars with garlands that are sometimes strung on long bamboo rods or pipes. After buying a flower offering, the cabbies say a prayer and make a blessing as they hang or lay the festoon of fresh flowers in the front of their cab.

Conclusion

Despite the fascinating background behind the sacred objects inside Thai taxis, the drivers are generally not interested in where they came from or the history of Thai culture, politics, or religion. Cabbies are more interested in how the talismans potentially help them to attract more passengers, bring in more profit, and protect them from other commuters and dangerous drivers that share the same roads.



Fig. 1 – Hanuman stickers in a thai taxi



Fig. 2 – Seated Ganesh figure on a taxi dashboard



Fig. 3 – Phra Phrom statuette incased in a glass dome



Fig. 4 – Narai riding on the back of Phra Khrut



Fig. 5 – Indian style Buddha image in a Bangkok cab



Fig. 6 – Incantation cloth with image of Phra Rahu

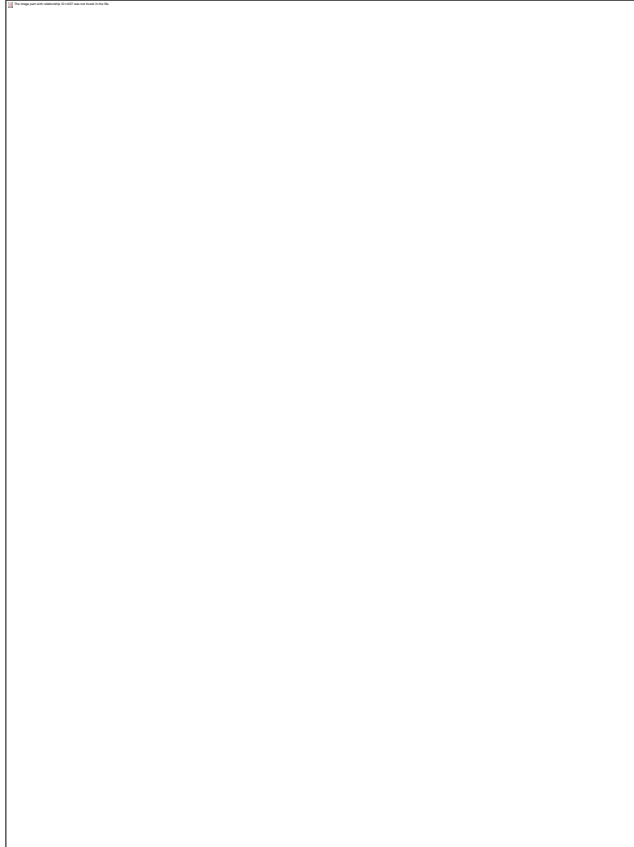


Fig. 7 – *Yan* monk drawing on taxi ceiling

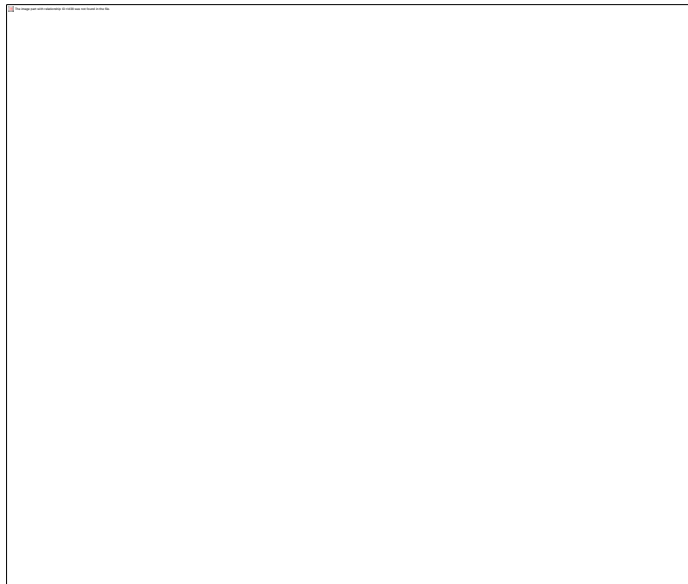


Fig. 8 – Metallic Bodhi Leaf in Bangkok taxi

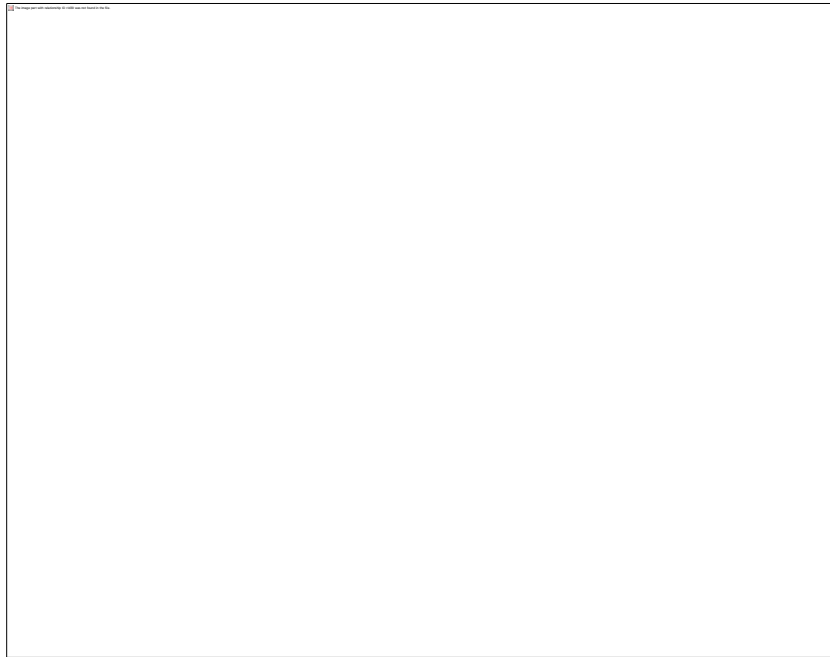


Fig. 9 – Yellow marigolds in a Thai taxi

References

- Baker, Chris & Phongpaichit, Pasuk. (2009) A History of Thailand. Ch1: Before Bangkok, pp 1-25, 2nd ed. Cambridge University Press.
- Coedes, George. (1968). The Indianized States of Southeast Asia. (ed. Walter F. Vella), (tr. Susan Brown Cowing). Australian National University Press.
- Cornwel-Smith, P. (2006). *Very Thai*. Bangkok: River Books.
- Desai, Santosh. N. (1994). Hinduism in Thai Life. Popular Prakashan, Mumbai.
- Germano, D. (2004). *Embodying the Dharma: Buddhist Relic Veneration in Asia*. New York: State University of New York Press.
- Hall, D.G.E.(1981). A history of South-East Asia, ch 2: South-East Asian Proto-History, pp 12-46, 4th ed. Macmillan Asian Histories Series.
- Jackson, Peter. A. (2008). Thai Semicolonial Hybridities: Bhaha and Garcia Canclini in Dialogue on Power and Cultural Blending, *Asian Studies Review*, 32:2, pp 147-170. Routledge.
- Kam-Aek, Bamrung. (2007). Influence of Hinduism and Brahmanism in the early Rattanakosin Era. Silpakorn University Research and Development Institute.
- Kasetsiri, Charnvit. (1976). The rise of Ayudhya: A history of Siam in the fourteenth and fifteenth centuries, Oxford University Press.
- Kitiarsa, Pattana. (2010). An Ambiguous Intimacy: Farang as Siamese Occidentalism, ch. 2.: Ambiguous Allure of the West: Traces of the Colonial in Thailand (ed. Rachel V. Harrison & Peter A. Jackson), Hong Kong University Press, Hong Kong
- Kumar, Bachan. (2001). Hindu Positivism in Southeast Asia. ch. 12: Religious Positivity (ed. S.M. Tripathi, Nagendra Kr Singh), Global Vision Publishing House, New Delhi.
- Mishra, Patit Paban. (2010). History of Thailand. Greenwood Histories of Modern Nations
- Swearer, D.J. (2004). *Becoming the Buddha: The Ritual of Image Consecration in Thailand*. New Jersey: Princeton University Press.
- Van Beek, Steve. (1998). *The Arts of Thailand*. Singapore: Periplus Edition.

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Seven Villages: Towards a Contemporary Role for the Traditional Whaling Songs of Japan

Felicity Greenland

Abstract

The intangible cultural heritage of Japanese whaling includes a body of traditional, local folk songs known as *kujira uta* whose lyrics provide a fair outline of practices in terms of geography, personnel, techniques, and species, and rather deeper social, folkloric and spiritual insights. Comparing fifty songs, implications of common phrases and imagery are discussed, and conclusions drawn from analysis of both contents and omissions as to the purpose of the songs. The songs are found to be local affirmations of a wider consensus set in an awareness of international context. Rather than narrating local events they appear enmeshed in a web of cultural mores and conventions including superstition, faith and gratitude. However, there are clearly differences between this traditional whaling and its modern counterparts. This paper discusses what the revival of such songs might contribute to the ongoing discourse on the Japanese position on whaling.

Key words: Japan, whaling, Edo-period, folk-song, sea-shanty

1. Introduction

Antique whaling-related objects in museums and private collections in both Japan and overseas reveal that, while the current global controversy rages on, material interest in

whaling heritage is very much alive¹¹. Aside from the whaling equipment, tangible Japanese artefacts include screens, scrolls, pottery, kimono and other textiles, ornaments and trinkets, not to mention wood block prints and paintings that depict both whales and whaling. Contemporary designs on cloth and household objects show whales to be regarded fondly as ever¹². Each of such objects, antique or contemporary, tells us something about Japan's relationship to the whale, past and present.

A preliminary count of 44 annual whaling festivals in Japan¹³ indicates that the non-material culture of whaling is also alive and kicking. A number of whaling communities and museum locations were affected, if not destroyed, by the tsunami of March 2011¹⁴. While tangible artefacts may be reduced by nature, or rejected by some on moral grounds, the intangible, with neither material substance nor monetary value, is destructible and less deniable. In this sense whaling songs, along with other intangible cultural products, may be regarded as one of the more enduring products of the ongoing history of whaling. This paper attempts to add

¹¹ Whaling Museums and museums with significant whaling-related collections: Nakao Residence, Saga Prefecture; Kujira to Umi no Kagakukan, Tohoku; Taiji Whale Museum, Taiji-cho, Wakayama Prefecture; Kiramesse Muroto Kujirakan, Kochi Prefecture; Nagato Whaling Museum, Yamaguchi Prefecture; Ikitsukishima-cho Museum, Hirado City, Nagasaki Prefecture; Oshika Whale Land, Ishinomaki, Miyagi Prefecture; Kyushu University Museum, Kyushu; National Science Museum, Tokyo.

¹² Anecdotally, in May 2012, at the Kyoto branch of Loft, a fashionable household store, 28 items were counted featuring whale designs. These included *tenugui* (hand cloths), tableware, stationery, bath and beauty products, kitchen ware and luggage.

¹³ Kujira Bunka: Kujira Matsuri. 2012. <http://www.geocities.co.jp/NatureLand-Sky/3011/kujira-maturi-geinou.html> retrieved April 19.

¹⁴ Closed due to March 2011 Great East Japan Earthquake tsunami: Kujira to Umi no Kagakukan, Tohoku; Oshika Whale Land, Ishinomaki, Miyagi Prefecture.

context and critique to previous studies¹⁵ in discussing further the cultural role that may be played by this socio-musical heritage in contributing to the ongoing discourse on the Japanese position on whaling.

The *kujira uta* (whaling songs) form a small subset of the Japanese *min'yō* folk-song genre. The corpus discussed in this paper consists of 50 Edo period hand-harpoon and net-method whaling songs from nine prefectures and is derived from the collection of Mr. Hirokazu Uemura¹⁶ believed to be the most comprehensive collection of Japanese whaling songs available. The songs have been reported to the collection from a variety of sources: oral tradition, manuscripts, picture scrolls (*emakimono*), folding screens (*byōbu*) and other items in museums and private collections. A number of the songs have been supplied by preservation societies (*hozonkai*) and are currently performed at festivals (*matsuri*) devoted to whales and whaling celebrations and the perpetuation of folk traditions.

A note on song types. Titles must be regarded with a degree of caution¹⁷. Some of the original titles (if any) used in the local context have likely altered over time, not least as a means of distinguishing songs on a new, wider scale of awareness. Nevertheless, the conventional division of the *kujira uta* into two categories provides a useful indication of their general context and scope. The two standard categories are: work songs (*sangyo uta*) sung

¹⁵ Greenland, Felicity. 2011 *Whaling Songs as a Reflection of Cultural Practice*. Journal of the Faculty of Letters 95. Bukkyo University, Kyoto.
Greenland, Felicity. 2012. *Whaling Songs as a Reflection of Cultural Attitudes*. Journal of the Faculty of Letters 96. Kyoto: Bukkyo University.

¹⁶ Uemura, Hirokazu. 2010. http://homepage2.nifty.com/ue_room/kujira.html/ retrieved August 15th.

¹⁷ Hughes, David W. 2008. *Traditional Folk Song in Modern Japan*. Folkestone: Global Oriental, p. 33.

during raising and flensing, and celebration songs (*iwai uta*) sung before and after a catch, and also at New Year¹⁸. Unlike Western shanties there are no traditional kujira uta so far identified as being for singing on board during a catch. This is important since it suggests that the accepted translation ‘whaling songs’ for kujira uta is flawed from the outset. Kujira uta translates literally as ‘whale song’. Since 1970 it has been widely known that whales themselves ‘sing’, and it is these sounds that are the real ‘whale songs’¹⁹. The literal meaning of kujira uta is nevertheless significant since the songs have been found to be substantially bidding or gratitude hymns or chants on the human relationship with whales rather than about whaling as an industry of exploitation²⁰.

To give a brief history of Japanese whaling, the earliest records appear to concern acceptance of the resources of beached and drifting whales. Opportunistic benefit from such ‘auspicious events’ appear in several instances in the ancient Ainu ballads (*yukar*)²¹, and also in Ainu *rimse* (festival dancing songs) and folk tales²². Japanese hand-harpoon whaling is thought to have begun in the 12th Century²³ but it is not until 1606, the third year of the Edo period, that

¹⁸ Uemura, Hirokazu. 2010. http://homepage2.nifty.com/ue_room/kujira.html/ retrieved August 15th.

¹⁹ In 1970, Roger Payne and Scott McVay released US Navy whale-song recordings on the record *Songs of the Humpback Whale*.

²⁰ Greenland, Felicity. 2012. *Whaling Songs as a Reflection of Cultural Attitudes*. Journal of the Faculty of Letters 96. Kyoto: Bukkyo University.

²¹ “*Yeiresp ate with his villagers/ the fat whale/ And they are living/ A happy life.*” From *The Song That Was Sung and Danced by Dolphine* in Miura, Kiyoko (no date). *Yukar: Epos of the Ainus*. Ch 3

²² Etter, Carl. 1949. *Ainu Folklore: Traditions and Culture of the vanishing Aborigines of Japan 1949*. Chicago: Wilcox & Follett, p. 164.

²³ Japan Whaling Association. 2010. *Chronology of Whaling*. Retrieved Nov 10, p. 1.

organized whaling by groups begins, at Taiji²⁴ in Wakayama Prefecture. By 1675, also at Taiji, a new method, *amikake-tsukitori-shiki-hoge* (net-and-spear method) and the division of labour into whaling teams (*kujira-gumi*) was developed. This technique gradually emanated from Taiji to other areas and persists in relic form in some smaller cetacean fishing today. Traditional-style coastal whaling continued until the end of Edo but began to die off gradually over the Meiji period (1868-1912). Some areas simply stopped whaling, but in others the old method was eventually superseded, first by the gradual adoption of the harpoon gun which had been invented in Norway in 1864. The adoption of the new technology accelerated after 1899 when a major incident resulted in the loss of 111 Taiji whale-men. The first modern Japanese whaling station was established in Ayukawa, Miyagi Prefecture, in 1906. Nevertheless, traditional methods were still in use elsewhere when the building of a modern whaling station was famously opposed by fishermen in Aomori prefecture in 1911²⁵. So, although in several steps traditional whaling methods became outdated and were modified, they appear to have persisted in some recognizable forms right up until the turn of the 20th century and even beyond. Thus, in some locales, it is conceivable that authentic (rather than revival) singers of the kujira uta songs may have been heard within living memory.

2. Methodology

²⁴ Taiji is a tourist destination based on its whaling culture including festivals, an aquarium and whaling museum, and is famous for its dolphin culling featured in the protest film 'The Cove'.

²⁵ Morikawa, Jun. 2009. *Whaling in Japan: Power, Politics and Diplomacy*. London: Hurst & Company, p. 20-22.

This section summarises the methodology given in the root papers²⁶. Firstly, 50 songs were indexed by source prefecture and allocated a series number for identification purposes. Secondly, an analysis of songs sources was used to obtain a sense of the geographical distribution of the songs. Thirdly, taking a grounded theory approach, content analysis was performed on the lyrics by counting emerging themes on a binary system, indicating presence or absence in any given song²⁷. Frequency of multiple occurrence within a song was not counted. Fourthly, literal, rather than poetic, translations from Japanese to English were made in order to provide examples of themes occurring in situ. Due to the limited use of pronouns and plurals in Japanese some significant assumptions had to be made, as indicated by brackets. Expressions with more than one interpretation in Japanese e.g. *komochi-kujira* (a whale-and-calf or a pregnant whale) have been left in Japanese to retain their duality. This paper is indebted to Mr. Uemura and his contributors in interpreting specialist and archaic vocabulary. Any errors arising from translation and interpretation of the corpus are of course my responsibility.

3. Results and Discussion

3.1 Song Sources as Geography

By far the highest representation of songs was found on the western seaboard (*Saikai*) in the prefectures of (south to north) Nagasaki (44%) and Saga (10%), adjacent to each other on Kyushu Island, and Yamaguchi (20%) on the main island of Honshu. Other prefectures collected were located on the eastern seaboard, in the prefectures of (south to north) Kōchi

²⁶ Greenland, Felicity. 2012. *Whaling Songs as a Reflection of Cultural Attitudes*. Journal of the Faculty of Letters 96. Kyoto: Bukkyo University.

²⁷ Yano, Christine R. 2002. *Tears of Longing: Nostalgia and the Nation in Japanese Popular Song*. London: Harvard University Press, p. 93.

(10%) on Shikoku Island, Wakayama (8%) and Osaka, Chiba, Mie, and Shizuoka (with 1 song each) on Honshu. On both seaboards a larger representation of songs is clearly observed towards the south.

This picture may be influenced by the activity and location of *hozonkai* (preservation societies) and others providing information to the Uemura collection, which, in turn, is an ongoing project. However, with the exception of Chiba's low count, the spread approximates to the documented history of Japanese whaling, in which Chiba, Wakayama and Kōchi prefectures on the eastern seaboard, and Yamaguchi, Saga and Nagasaki prefectures on the western seaboard, are described as the main 19th century whaling districts²⁸. The Osaka song was, uniquely, sourced from an urban festival.

3.2 Content Analysis Summary

Narrow themes emerging from content analysis were observed to pertain to two dominant categories: 'attitudes' and 'practice'. Among the 'practice themes' were matters of geography, personnel, techniques and whale-types, whereas the 'attitude themes' pertained to social aspects, religion and lore, including some auspicious motifs. The songs accrued scores according to the number of practice- or attitude-related themes they contained based on the aforementioned binary count (see Appendix).

As an indication of the general distribution of themes, 48 (96%) of the songs contained one or more practice-related themes, and 46 (92%) contained one or more attitude-related themes. There were no songs that contained neither one nor the other. On average, songs featured

²⁸ Morikawa, Jun. 2009. *Whaling in Japan: Power, Politics and Diplomacy*. London: Hurst & Company, p. 20.

4.94 practice themes, and 3.98 attitude themes, an approximate ratio of 5:4. The top-scoring songs in the respective categories carried fourteen practice themes (song N22) and twelve attitude themes (N12) (see Appendix). The overall top scoring song carrying five attitude and fourteen practice themes, 19 over all was N22, however Y7, in second place with ten attitude and eight practice themes. eighteen overall, is the more evenly balanced example. Practice themes were categorized into: techniques (found in 84% of all songs), whale-types (78%), proper nouns as locators (72%), and personnel (54%). Attitude-related themes were categorized as: symbols of good fortune (found in 62% of all songs), celebration (60%), prosperity (56%), and veneration of the whale or associated deities (52%).

3.2.1 Proper nouns as locators

As an initial scan for geographical specificity, proper-nouns were counted. These were found to include town names, appearing in 30 (60%) of the songs, of which 11 (22% of songs) named a specific whaling team. Fifteen songs (30%) mentioned ‘Sangoku’, and seven (14%) named a specific shrine.

Comparing proper nouns to listed source, it was found that not all corresponded quite as might be expected. All of the songs naming shrines named Ise shrine, situated in Mie Prefecture, in spite of being sourced far afield, including Wakayama (lying South of Mie) and Nagasaki Prefecture on the opposing seaboard. Alongside Ise shrine in a Mie song (M1), a second shrine, Atsuta Jingu, located in Nagoya, is mentioned. These two are considered the most important shrines in Japan. This indicates that geographically specific nouns in songs cannot be taken as proof of source but, more importantly, suggests that in so far as they can

be proven to be of local origin, the songs connect to a wider geographical network of spirituality and ritual or convention.

This idea is supported by one broader location theme, that is the position in *Sangoku*. Fifteen songs proclaim the whalers to be ‘*Sangoku-ichi!*’ that is, ‘best in the three countries!’ or ‘world champions!’ In the Edo period, the three countries of India, China and Japan represented the Japanese conception of ‘the world’. It not clear whether the inferred ‘we’ refers to ‘this, our local whaling team’ or ‘we Japanese whalers all’ but, whichever, they appear consensual in their view of themselves as part of a larger whole including ‘others’ outside Japan.

The best examples of specific labelling in songs (W3, K2) scored on all five counts: town, team, individual, shrine and *Sangoku*. For example,

*Miwasaki whaling team harpooned and caught both the whale and calf,
Putting the thick rope to the front pulley,
and busily winching up the huge right-whale.
The team of Master Tono is flourishing. May our master thrive forever...
The boats arrived in Gokasho-Bay. Now let's go to Ise Shrine.
SORYA! We are No. 1 in the one-two-three countries!*²⁹

3.2.2 Personnel

Doubtless those responsible for most action in the songs, that is workers and celebrators, whalers and the local community members, are under-represented in a tally of personnel, since an implied ‘we’ is not specified in Japanese and thus cannot be counted. However, other personnel are mentioned in 27 (54%) of the songs. The principal master, the *danna* (appearing in 24 (48%) of the songs) owns both the fleet and the *naya* (workshed) which is in

²⁹ Source: W3: *Denchū odor*i (Denchū Dance), Wakayama Pref. (see Appendix)

turn managed by the *bettō* (workshed manager), mentioned in two songs. The *oyaji* (father figure) of the team (3 songs) leads the catch from the lead-boat. Behind the bosses comes the *kumi* (team) (10 songs) whose members double as both catchers at sea and flensers on land. Only the *hazashi* (captain, harpooner) (5 songs) is distinguished by role in the team. The always respectful acknowledgement of the *danna*, for example, “*may our master thrive forever*” above, may illustrate that one function of the songs is to pay respect to superiors.

3.2.3 Techniques

Better represented than either geography or personnel are ‘techniques’ one or more of which appear in 42 (84%) of the songs. The principal techniques, in order of frequency are *rokuro-maki* (pulley-winding) (19 songs), use of nets (19 songs), *naya* (worksheds) (17) including flensing (3), harpooning (9), boats (9) including leader- (3) and catcher-boats (3), and *yamami* (hill-top lookout) (8 songs). The three higher counts in this ranking are jobs of high labor intensity on land and sea and/or public visibility on shore.

A mountain look-out (*yamami*) kept watch and upon a whale sighting a straw-matting banner (*toma*) was raised. In this song, the response was a highly labour intensive business,

*Then [Kametani-san, the whaling-team leader]
With the senior [workshed] manager
Climbs the Terasaki lookout-hill.
With a telescope, they look in all four directions
‘Til they spot a komochi-kujira off-shore.
On spotting, they raise the banner
All the thirty-six ships go out ...*³⁰

It is not clear from the song corpus whether such numbers of ships were widespread, and this also raises a question as to whether the songs all pertain to the same techniques and date.

³⁰ Source: N22: *Mawari no Kujira-gumi Uta* (Mawari Whaling Team Song), Nagasaki Pref.

In the following song another banner (*zai*) is raised on the master's boat to summon net-boats to close in on the catch, and a third to signify a successful catch.

*Let the leader's ship pull into the centre.
The komochi-kujira is coming down towards us
Raising and waving the banner IYO! and summoning the net,
The net is eight layers and its sides are two layers.
All the hand-nets in the sea form one layer.
Up goes the banner that signals they've got a whale...*³¹

The process of tying the whale to the boats involved the *hazashi* (harpooner) diving into the sea to rope-up the whale.

*Then the komochi-kujira is under the net.
Throwing harpoons
The harpooner dives into the sea to put the rope around the whale,
and quickly ties the rope to the newly built twin catcher-boats.*³²

Next, the catcher boats row the tied whale towards the *naya* workshed(s) onshore where the flensing and trying-out, oil extraction, is to take place.

*IYŌ! To the inlet of Kayoi, IYA! when ordered to row,
(We) have to row the boat, SĀ-YOI-YA-SĀ!
IYŌ! to the pulley(s) at the workshed(s) on the shore...*³³

It is at the *naya* that job-specific work-songs come into play, accompanying heavy and labour-intensive tasks. In larger operations there may be a division of labour between several *naya*³⁴. The following extracts are from work songs for winching, and flensing including

³¹ Source: N20: *Hazashi Uta* (Harpooner's song), Nagasaki Pref.

³² Source: N22: *Mawari no Kujira-gumi Uta* (Mawari Whaling Team Song) Nagasaki Pref.

³³ Source: Y7: *Asa no Mezame* (Waking in the Morning), Yamaguchi Pref.
A similar verse appears in N20.

³⁴ Nakazono, Shigeo and Yasunaga, Hiroshi, 2009. *Kujira Tori E-Monogatari*. Fukuoka: Gen

hone-kiri (bone-cutting).

YATTO SĒ YATTO SĒ!

In the sea (we) catch the whale, and on the beach (we) cut up the whale YOI! YOI!

The master in the workshed counts the money SO!

YŌI TŌ SORA! (We) wind-it-round. SORA! (We) have wound-it-round.

*YATTO SĒ! YATTO SĒ!*³⁵

In spite of different roles, the similarities in these two songs is notable,

ĀH! (We) catch the whale, SŌ-RAI!

And cut up the whale on the beach.

The master in the workshed counts the money. SŌ-RAI!

ĀH! The master, in the workshed,

The master in the workshed counts the money. SŌ-RAI!

*ĀH! (We) cut well. (We) cut well*³⁶.

Just as similar expressions are found in work songs from different genres above, there are also links to songs from different regions, for example, the Nagasaki ‘Pulley-Winding Song’ (N12) above is similar to another pulley-winding song from Ogawa-shima, Saga (SG2) and also to the Saga ‘Whalebone Cutting Song’ (SG1). A further illustration of the sharing of somewhat generic verses between genres and regions is found in the following Nagasaki song (N10), entitled ‘Net-Tying Song’. Its azalea and camellia emblems appear also in the Saga pulley-winding song (SG2) above, and in a Mie celebration song (M1). Its emblems of longevity also appear in a Nagasaki celebration song (N19).

Ā! Azalea and camellia. NĀ-Ē!

HŌ-RA-Ē-YĀ-YA-Ē!

Shine on the Nokubi sea.

HŌ-RA-Ē-YĀ-YA-Ē!

A humpback whale with its calf,

It shines on the workshed.

May our parents live to be a hundred years old.

HŌ-RA-Ē-YĀ-YA-Ē!

May our children live to be ninety-nine years old.

Shobo, p. 180.

³⁵ Source: N12: *Rokuro-maki no Uta* (Pulley-winding Song), Nagasaki Pref.

³⁶ Source: SG1: *Kujira Hone-kiri Uta* (Whale Bone-Cutting Song), Saga Pref.

May our grandchildren live until their hair turns grey.
*HŌ-RA-Ē-YĀ-YA-Ē!*³⁷

Besides regional sharing of songs and images, several other points emerge from this appraisal of the work songs. Firstly, that they may be constituted into different types of work song principally by their form (refrains etc.) and not by distinct sentiments in the body (verses). Excepting their task-specific form there is often little to distinguish one from another, or indeed from the celebration songs. Secondly, that these work songs do not narrate the work in detail. Thirdly, that the products, i.e. meat, oil and baleen go largely unmentioned. All these observations point to a purpose for the songs that is broader than a commemoration of the industry and its constituent parts.

3.2.4 Whale-Types

Five whale species are specifically indicated in the songs: right-whale (24 songs (48%)), humpback (7 (14%)), Bird's beaked whale (3 (6%)) and fin whale (2 (4%)). The most often mentioned *semi-kujira* (right whale) was the easiest to catch by hand-harpooning and purportedly the most delicious.

As marked as the dominance of the right-whale, is the prevalence in the songs of whales with calves (25 (50%)), relative to lone adult whales (19 (38%)). Of the 39 songs (78%) mentioning whales, in nine songs the species is unspecified, five of those 'with calf'. In the Japanese it is not always clear whether this is a mother-and-calf pair or a pregnant whale. However, it appears that komochi kujira were highly prized, particularly 'after a long interval',

(We are) the greatest in sangoku, (we) have caught a whale with its calf.
(We) did it! (We) did it! (We) have done well for tomorrow!

³⁷ Source: N10: *Ami no Me-shime Uta* (Net-tying song), Nagasaki Pref.

*(We) have caught a huge right-whale!
IYA! The prosperity of the whaling team, after a long interval,
is the fish that comes with its child.*³⁸

The prevalence of this emblem in the songs does not mean it was a common occurrence, nevertheless it appears to go against some of the literature³⁹ in which komochi-kujira kills are suggested to be undesirable. It is indicated that the capture of a komochi-kujira warrants special prayers at the Ise shrine,

*Having harpooned the komochi right-whale
We shall go to Ise shrine for prayer*⁴⁰

On the other hand, there is some indication that a humpback whale (*zatō kujira*) was occasionally preferable for its size,

*How wonderful the net of Kayoi [whaling team]
In it a huge right-whale leans over
[to right-whale] “Do not lean over on our rope this year.
For [this year we can hunt] a huge humpback whale”...*⁴¹

It is surprising that some 11 (22%) of the 50 so-called whaling songs do not mention a whale at all. One Nagasaki song (N6) uses instead the pseudonym of the lucky god Ebisu; in perhaps another pseudonym, the single instance of a Baird’s beaked whale (*tsuchi kujira*) appears through play on the word for ‘mallet’ (*tsuchi*); the remainder focus not on whales but on symbols of celebration and prosperity.

3.2.5 Fortune

³⁸ Source: K1: *Kujira-bune no Uta* (Whaling Boat Song), Kōchi Pref. *Similar expressions are found in K2, Y1 and Y7.

³⁹ Kato, Kumi. 2007. *Prayers for the Whales: Spirituality and Ethics of a Former whaling Community – Intangible Cultural Heritage of Sustainability*. International Journal of Cultural Property, p. 305

⁴⁰ Source: W2: *Aya Odori* (Aya Dance), Taiji-cho, Wagashimuro-gun, Wakayama Pref.

⁴¹ Source: Y4: *Satemo Migoto* (How Wonderful!), Yamaguchi Pref.

The most widespread manifestation of ‘attitude’ themes in the songs is found in the form of symbols of luck and good fortune, which appear in 31 (62%) of the 50 song corpus. A small number of these (6 songs (12%)) are man-made items, but more frequently the emblems are drawn from nature (27 (54%)). Auspicious plants such as pine (17), bamboo (11), and azalea and camellia (3) that together “shine on the *naya* (workshed)” (N10, SG2) contribute loaded imagery to both work and celebration songs. Animals such as the *tsuru* (crane) (9 songs) and *kame* (turtle or tortoise) (7) represent longevity and prosperity. The following typical *iwai* celebration song, carrying these images in quick-fire succession between chorused refrains, forms a charm-like chant, which, looking to both past and future, is apparently both celebratory and votive.

*(We) celebrate this auspicious event SĀ-YOI-YA-SĀ!
 Oh god SAI-YO! of the young pine tree SĀ-YOI, SĀ-YOI-YA-SĀ!
 Branches grow YOI-YA-SĀ! and leaves thrive
 SORYA! We are happy this year SĀ-YOI-YA-SĀ!*

*Our dreams SAI-YO! come true SĀ-YOI! SĀ-YOI-YA-SĀ!
 The future is cranes and turtles YOI-YA-SĀ! and five-leaf pines*

*SORYA! (We) want to be bamboo SĀ-YOI-YA-SĀ!
 The mountain SAIYO! bamboo SĀ-YOI, SĀ-YOI-YA-SĀ!
 The bamboo that signifies the thriving of our workshed-master.
 SORYA! one, and another one
 Let's celebrate and may this year be fortunate! HAIYA-OI!⁴²*

Man-made fortune symbols are less frequent, occurring mainly in the two major Western seaboard whaling areas, Yamaguchi and Nagasaki prefectures. They feature gold or golden items (4 songs) - an auspicious element for health, and for wealth and comfort, its kanji synonymous with money; the auspicious and celebratory colour red (2); and the *tsuchi* (hammer) evocation of the Baird’s beaked whale through homophony (1).

⁴² Source: N9: *Iwaimeseta* (Celebration), Shinkamigotō-cho, Minami-Matsu-ura gun, Nagasaki Prefecture.

3.2.6 Celebration

Five songs are clearly designated as celebrations (*iwai*) by title (N2, N9, N17, N19, Y2), however, the declaration *iwaimedeta* (let us celebrate) and variants, along with other celebratory expressions - *kichijitsu* (an auspicious day) and *ureshi* (very happy) - occur in over half the corpus (27 songs). Furthermore, there are other lyrical indications of festivities including dancing (6 songs), drinking sake (5), flocking to the beach to see the whale (3), music (2), and song (1),

...Drink, Daikoku! Sing Ebisu! YOI! YOI!
*The sake-server in the middle! Oh the fortune gods!...*⁴³

All in all, one or more of these celebratory themes occurs in 30 (60%) of the 50 songs, making a substantial proportion of the corpus celebratory if not in name then certainly in content.

3.2.7 Prosperity

A similar proportion, 28 (56%) of the 50 songs, feature declarations pertaining to prosperity, using expressions such as *sakaeru* meaning to prosper, thrive or flourish. These declarations are focused largely (i.e. in 18 songs (36%)) on the *danna*, *oyaji*, and *bettō*, that is, *senpai* or persons superior to the singers. Dramatically fewer songs eye the prosperity of the whaling team members themselves (3), their kin (3) and surrounding villages (3). It may be gracious to honour one's superiors, or expedient to sing for their prosperity - perhaps in the belief that they might treat one favorably in return, for example by overlooking pilfering (N22).

Do not hit, do not punch, do not slap (them)
*If you punish the people, (they) can't catch whales.*⁴⁴

⁴³ Source: N12: *Rokuro-maki no Uta* (Pulley-winding song), Shinkami-gotō-cho, Minami-Matsu-ura-gun, Nagasaki Prefecture

⁴⁴ Source: N22: *Mawari no Kujira-gumi Uta* (Mawari Whaling Team Song), Mawari, Toyotama-machi, Tsushima City, Nagasaki Prefecture.

A small number of songs refer to an opulent lifestyle including golden objects (see above) or bountiful supplies of rice and anchovies (M1). Six songs sing of prosperity ‘tomorrow’. However, in general, precise details of the prosperity, whether products, money, or other wellbeing, are not given.

3.2.8 Veneration

A final notable feature in the songs is a religious or folkloric sacred positioning of the whale, specific in the lyrics of 26 (52%) of the songs. A breakdown of veneration themes is: blessings (19 songs), shrines (7), gods (Ebisu (7), Benzaiten (2), Daikoku (2)) and whale as a monk (1). The whale frequently figures as some form of blessing, ranging from a dream come true or *rishō* (gift or blessing) from the god(s) to the very incarnation of a deity or a monk. Ebisu, Benzaiten, and Daikoku are three of the seven lucky gods of fortune (*shichifukujin*). Ebisu is considered to be incarnate in, or as, the whale. According to Taki’s sources, Ebisu “visit[s] occasionally from the distant sea and bring[s] fortune to people”⁴⁵. In common belief, Ebisu is the god of occupations, particularly associated with fishing, and often depicted carrying a fishing rod and sea bream. He is traditionally said to be hard of hearing and “devotees often bang on his shrine before reciting their prayers”⁴⁶ calling to mind the banging of the boats at Taiji⁴⁷. This image is reflected in the *kinuta* (fulling block/mallet) dances among the Wakayama songs (W1, W2). In a similar image, Daikoku, god of wealth,

⁴⁵ Taki, Shuzo. 1996. *Tomb of Whales*. Isana, 14, p.1.

⁴⁶ Miyamoto, Tsuneichi. 2010. *The Forgotten Japanese, Encounters with Rural life and Folklore*. California: Stonebridge Press, Berkeley, p. 307.

⁴⁷ The Beneficiaries of the Riches of the Sea and Japan Small-Type Coastal Whaling Association (no date). *Small Type Coastal Whaling in Japan – Development of Japanese Whaling*. Whaling Diary http://luna.pos.to/whale/gen_coast.html retrieved May 2012.

carries a *tsuchi* (mallet) for granting wishes. This also recalls the kinuta, and permits the word play mentioned above that the *tsuchi kujira* (whale)’s arrival is a wish come true. The third fortune god mentioned., Benzaiten, represents ‘all that flows’, including wealth and water. The following song carries such images:

*(We) celebrate the beach of Benzaiten
SĀ! The beach of Benzaiten.
On the beach are seven beaches (sic) and seven Ebisu;
Gift of the gods of Ise-shrine...*⁴⁸

The mention of seven beaches reflects an old adage “One whale feeds seven villages”⁴⁹.

From these examples, it may be deduced that a catch is received with conscious gratitude to the gods, born out in accompanying ritual. Seven songs named shrines, often a great distance away as discussed above. Taki cites not only thanks at existing shrines but also the construction of ad hoc shrines for the repose of the soul of the caught whale, graves for fetuses found contained in a catch, and also the contribution of a percentage of catch proceedings to shrines⁵⁰.

4. Conclusions

For the purposes of this paper, the integrity of these songs’ lyrics as cultural signifiers rests upon their authenticity. In so far as the corpus is believed to be authentic and contemporary

⁴⁸ Source: N5: *Benzaiten* (Benzaiten), Shinkami-Gotō cho, Minami-Matsu-ura-gun, Nagasaki Prefecture

⁴⁹ Segi, Shio. 2003. *The Coexistence of Whaling and Whale Watching in a Traditional Whaling Region: The Case of Taiji, Wakayama Prefecture, Japan*. SPC Traditional Marine Resource Management and Knowledge Information Bulletin #15. July, p. 24.

⁵⁰ Taki, Shuzo. 1996. *Tomb of Whales*. Isana, 14, p.1.

with Edo-period in-shore whaling it appears to shed light on many aspects of cultural heritage by virtue of both content and omission. Furthermore, I have treated the corpus as a whole, and have not taken further my preliminary suspicions of varying chronological providence. It is not unlikely that these songs are from various dates and stages of whaling technology. Given apparent similarities, some may be compounds or adaptations of others. However, even if any of these songs transpires to be a later composition or assemblage, that discovery in itself will in turn prove informative. Nevertheless, we must remain open minded as to the relationship between song and community at any given date. Songs can actually belie attitudes and mores, being sung in opposition to contemporary prevailing truth as acts of optimism, idealism or nostalgia. At any rate, any art that long endures is by definition surviving beyond the context of its genesis.

Comparing the binary count of revealed themes, more of the songs are concerned with practice than with attitudes, however, economic or subsistence purposes notwithstanding, with over half of songs containing references to veneration of whales and associated deities, symbols of good fortune, ritual and celebration, this whaling is clearly enmeshed in a widely consensual web of cultural mores.

There are many aspects of traditional whaling clearly not conveyed by these songs. Major omissions revealed by consulting other artefacts include the struggle and failures involved in taking a catch, products and by-products, visual aspects such as the painting of whaleboats, and the sheer numbers of boats and people involved⁵¹: screens and scrolls depict spectacular paintings on the whaleboats and large numbers of boats and workers in formation - it must

⁵¹ Nakazono, Shigeo and Yasunaga, Hiroshi, 2009. *Kujira Tori E-Monogatari*. Fukuoka: Gen Shobo, p. 188-194

have been a spectacular sight, but the songs say nothing of it. For other omissions it is useful to compare with sources from whaling elsewhere. Anthropological integrity requires that we should endeavor not to judge by our own cultural criteria, but it is useful nevertheless to look to Western whaling songs of the same period for some frames of reference. The following extracts are from the oldest known British/American sea-shanty, ‘The Greenland Whale Fishery’,

*It was seventeen hundred and eighty four
On March the seventeenth day
That we weighed our anchors to our bow
And for Greenland bore away...*

*Bold Stevens was our captain's name
Our ship called the Lion so bold...*

*We struck that whale, and down she went
But she gave a flourish with her tail
And the boat capsized, and four gallant men were drown'd
And we never caught that whale...*

*Well, the losin' of those gallant men
It grieves my heart full sore
But the losin' of a hundred-barrel whale
Well it grieves me ten times more...*

*Oh, Greenland is a dreadful place
A land that's never green
Where there's ice and there's snow and the whale-fishes blow
And daylight's seldom seen...⁵²*

The Japanese songs are not songs of long voyages and long absence, and as such they would not, of course, be expected to lament or commemorate the particular hardships that distance and separation involved. That fundamental difference notwithstanding, neither are the Japanese songs narratives of their own specific difficulties, triumphs or disasters; boats are not named, there are no cruel ships captains, no dates, no storms, no eulogies. This suggests

⁵² background in Lloyd, Albert L. 1967. *Leviathan*. London: Topic Records. (Sleeve notes) p. 6. Lyrics in Huntington, Gale, 2005. *Songs the Whalemen Sang*. Connecticut: Mystic Seaport, p. 11

that either there were no such events in Japanese whaling, or, more likely, that the songs simply did not take them as subjects but took a different focus, born of a different stance and purpose.

These omissions discussed above lead me to believe that these songs are not *about* whaling so much as *for* and *towards* it, codifying the process in a rarified form. Perhaps, rather than narrating, as western shanties commonly do⁵³, the kujira uta are more akin to hymns, honoring, acknowledging and praying. Even the ‘work songs’, I suggest, were votives, a thesis supported by the disproportionate focus on the more unusual whale-and-calf catch, the greater beneficiaries, and the public spectacle. As such, the songs not so much retrospective as prospective, and do not to reflect cultural attitudes outward so much as reinforce them, by reflecting a rarified image back onto itself.

This brings us to consider the role or purpose of these songs on a wider scale. Certainly it cannot be assumed that all Japanese people, now or in the past, believed, or even knew of, the ideas portrayed in whaling songs, or that the songs provide us with a complete picture of any nationally held consensual attitudes. Traditional whaling culture is, by its very nature, the province of coastal fishing communities, many of whom were relatively isolated and these songs pertain to a largely superseded tradition. Many of these songs survive on the very account of their functional obsolescence, treasured by museums, preserved by hozonkai, perpetuated in local communities⁵⁴. However there is a body of literature describing more

⁵³ Hugill, Stan. 1994. *Shanties from the Seven Seas*. Connecticut: Mystic Seaport Museum, Mystic.

⁵⁴ Kato, Kumi. 2007. *Prayers for the Whales: Spirituality and Ethics of a Former whaling Community – Intangible Cultural Heritage of Sustainability*. International Journal of Cultural Property, p. 294

general and widespread attitudes towards the Japanese relationship between man and nature, including the rituals surrounding death and taking of animals, and there is no reason to believe that the attitudes and rites of whaling communities are not widely comprehensible and have counterparts in other local industries in Japan.

From the very fact of this preservation, we also know that this aspect of history is has been and remains highly valued by many. In the present day, festivals, hozonkai and researchers may revive, perpetuate and both increase and spread awareness of whaling culture through the kujira uta. Although the practices – geography, techniques and so on – and purposes enshrined in these songs may have little in common with modern whaling in Japan, they do illustrate a continuum of sorts and play an undeniable role in the cultural identity of, at least local, communities. As illustrations then of both continuum and distinction these songs are a valuable resource with the potential to strengthen local communities whilst at the same time raising wider awareness of related economic, social and cultural issues. Future research might consider to what extent differences in scale, technology and purpose, and the modern social role of the whaling industry in identity and employment, are part of the same continuum, and also investigate how a wider awareness of this historically local song culture might inform the discussion of heritage beyond its original confines in small fishing locales to wider concepts of community.

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Bibliography

Consulate General of Japan. 2011. *The Japanese Government's Position on Whaling*. Retrieved Nov. 10. www.sydney.au.emb-japan.go.jp.

Etter, Carl. 1949. *Ainu Folklore: Traditions and Culture of the vanishing Aborigines of Japan 1949*. Chicago: Wilcox & Follett.

Fukumoto, Kazuo. 1993. *Nippon Hoge Shiwa Kujira-gumi Manufacture no Shiteki Kōsatsu o Chushin ni*. Tokyo: Hōsei University Press.

Greenland, Felicity. 2011 *Whaling Songs as a Reflection of Cultural Practice*. Journal of the Faculty of Letters 95. Bukkyo University, Kyoto.

Greenland, Felicity. 2012. *Whaling Songs as a Reflection of Cultural Attitudes*. Journal of the Faculty of Letters 96. Kyoto: Bukkyo University.

Harker, Dave. 1985. *Fakesong: The Manufacture of British 'folksong' 1700 to the present day*. Milton Keynes: Open University Press.

Hughes, David W. 2008. *Traditional Folk Song in Modern Japan*. Folkestone: Global Oriental.

Hugill, Stan. 1994. *Shanties from the Seven Seas*. Connecticut: Mystic Seaport Museum, Mystic.

Huntington, Gale, 2005. *Songs the Whalemen Sang*. Connecticut: Mystic Seaport.

Japan Whaling Association. 2010. *Chronology of Whaling*. Retrieved Nov 10.

Kato, Kumi. 2007. *Prayers for the Whales: Spirituality and Ethics of a Former whaling Community – Intangible Cultural Heritage of Sustainability*. International Journal of Cultural Property pp. 283-313

Komatsu, Masayuki. 2002. *Kujira To Nihonjin-Tabetekoso Kyozon Dekiru Nigen to Umi no Kankei*. Tokyo: Seishun Shuppansha.

Komatsu, Masayuki. 2001. *Kujira funsou no shinjitsu*. Tokyo: Chikyusha.

Lloyd, Albert L. 1967. *Leviathan*. London: Topic Records. (Sleeve notes)

Miyamoto, Tsuneichi. 2010. *The Forgotten Japanese, Encounters with Rural life and Folklore*. California: Stonebridge Press, Berkeley.

Morikawa, Jun. 2009. *Whaling in Japan: Power, Politics and Diplomacy*. London: Hurst & Company.

Nakazono, Shigeo and Yasunaga, Hiroshi, 2009. *Kujira Tori E-Monogatari*. Fukuoka: Gen Shobo.

Nicol, C.W. 1979. *Taiji - Winds of Change*. Whaling Library (online). Feb.

http://luna.pos.to/whale/jwa_taiji.html retrieved March 2011.

Nicol, C.W. 1979. *Ayukawa, a Whalers' Town*. Whaling Library (online). March. http://luna.pos.to/whale/jwa_taiji.html retrieved March 2011.

Osumi, Seiji. 2003. *Kujira To Nihonjin*. Tokyo: Iwanami Shoten.

Segi, Shio. 2003. *The Coexistence of Whaling and Whale Watching in a Traditional Whaling Region: The Case of Taiji, Wakayama Prefecture, Japan*. SPC Traditional Marine Resource Management and Knowledge Information Bulletin 15. July.

Taki, Shuzo. 1996. *Tomb of Whales*. Isana, 14.

Tanigawa, Ken-ichi (Ed.). 1997. *Kujira, Iruka No Minzoku*. Nihon Minzoku Bunka Shiryo Shusei #18. Tokyo: San-ichi-shobo.

Uemura, Hirokazu, 2010. http://homepage2.nifty.com/ue_room/kujira retrieved August 15th

Yano, Christine R. 2002. *Tears of Longing: Nostalgia and the Nation in Japanese Popular Song*. London: Harvard University Press.

Appendix

Following is a list of the 50-song corpus, ranked by total frequency of themes. The right-hand columns show the number of attitude-related (A) and practice-related (P) themes per song, based on a binary count (presence/absence of themes) and their sum (T). The left-hand column is a simple index based on source prefecture and sequence in the Uemura collection: Chiba (C), Kouchi (K), Mie (M), Nagasaki (N), Osaka (O), Saga (SG), Shizuoka (SZ), Wakayama (W) and Yamaguchi (Y).

Index	Japanese Title	English Title	Source Location	A	P	T
N 22	<i>Mawari no Kujira-gumi Uta</i>	Mawari Whaling Team Song	Mawari, Toyotama-machi, Tsushima	5	14	19
Y 7	<i>Asa no Mezame</i>	Waking in the Morning	Kayoi, Nagato City	10	8	18
N 12	<i>Rokuro-maki no Uta</i>	Pulley-winding Song	Shinkami-gotō-cho, Minami Matsu-ura	12	4	16
K 2	<i>Kujira-bune no Uta</i>	Whaling Boat Song 2	Ukitsu, Muroto City	6	10	16
W 3	<i>Denchū Odori</i>	Denchū Odori	Miwasaki, Shingū City	3	13	16
K 1	<i>Kujira-bune no Uta</i>	Whaling Boat Song 1	Ukitsu, Muroto City	8	7	15
N 5	<i>Benzaiten</i>	Benzaiten	Shinkami-gotō-cho, Minami Matsu-ura	7	8	15
M 1	<i>Kujira-tori Sen Myōjin Maru no Uta</i>	Myōjin Maru Whaling Boat Song	Minaminaya-cho, Yokkaichi	11	3	14
Y 4	<i>Satemo Migoto</i>	How Wonderful!	Kayoi, Nagato City	4	9	13
SG 1	<i>Kujira-hone-kiri Uta</i>	Whalebone Cutting Song	Ogawa-shima, Yobuko, Karatsu	3	10	13
N 6	<i>Nama Uta – Hazashi Uta</i>	Raw Song - Harpooner's Song	Shinkami-gotō-cho, Minami Matsu-ura	8	4	12
N 20	<i>Hazashi Uta</i>	Harpooner's Song	Katsumoto-ura, Katsumoto cho, Iki	1	11	12
SG 2	<i>Rokuro-makiage Uta</i>	Pulley-winding Song	Ogawa-shima, Yobuko, Karatsu	6	5	11
C 1	<i>Katsuyama no Kujira Uta</i>	Katsuyama Whaling Song	Katsuyama, Kyonan-machi, Awa-gun	5	6	11
N 2	<i>Iwai Medeta</i>	Celebration Song	Ikitsuki-cho, Hirado City	5	6	11
N 9	<i>Iwai Medeta</i>	Celebration Song	Shinkami-gotō-cho, Minami Matsu-ura	9	1	10

W	2	<i>Aya Odori</i>	Aya Dance 2	Taiji-cho, Wagashimuro-gun	7	3	10
N	7	<i>Toshi no Hajime</i>	The Beginning of the Year	Shinkami-gotō-cho, Minami Matsu-ura	6	4	10
Y	5	<i>Yume wo Miyō-yo</i>	Let's Dream a Dream	Kayoi, Nagato City	2	8	10
N	13	<i>Iwai Medeta Uta</i>	Celebration Song	Moroyoshi, Ashibe cho, Iki City	6	3	9
SG	5	<i>Hazashi Odori</i>	Harpooner's Dance	Ogawa-shima, Yobuko, Karatsu	5	4	9
N	3	<i>Kujira Uta</i>	Whaling Song	Ikitsuki-cho, Hirado City	4	5	9
N	21	<i>Seta no kujira-gumi Uta (uchikake)</i>	Seta Whaling Team Song (Uchikake)	Seta, Kami-agata-machi, Tsushima	3	6	9
Y	10	<i>Ogawa-gumi Mishima Kujira Uta</i>	Ogawa-Team Mishima Whale Song	Ogawa Team	2	7	9
K	4	<i>Waka</i>	Waka	Tsuro, Muroto-misaki, Muroto	7	1	8
SG	3	<i>Kujira o Utai</i>	Song to the Whale	Ogawa-shima, Yobuko, Karatsu	5	3	8
Y	1	<i>Kujira Uta</i>	Whaling Song	Senzaki, Nagato City	3	5	8
N	1	<i>Shogatsu Uta</i>	New Year Song	Ikitsuki-cho, Hirado City	2	6	8
K	5	<i>Kumi no Sakae</i>	Prosperity of the Whaling Team	Tsuro, Muroto-misaki, Muroto	1	7	8
N	14	<i>Omou Koto Kanau</i>	Dreams Come True	Moroyoshi, Ashibe cho, Iki City	6	1	7
N	8	<i>Dan-na Sama</i>	Honorable Master	Shinkami-gotō-cho, Minami Matsu-ura	3	4	7
SG	4	<i>Hazashi Uta</i>	Harpooner's Song	Ogawa-shima, Yobuko, Karatsu	2	5	7
SZ	1	<i>Tsukin-bo-u</i>	The Long Harpoon	Heda, Numazushi	1	6	7
Y	2	<i>Kujira Uta</i>	Whaling Song	Yutamukatsuku, Nagato City	6	0	6
N	10	<i>Ami no Me-shime Uta</i>	Net-tying-Song	Shinkami-gotō-cho, Minami Matsu-ura	4	2	6
W	1	<i>Aya Odori</i>	Aya Dance 1	Taiji-cho, Wagashimuro-gun	3	3	6
Y	3	<i>Iwae Medeta</i>	Celebration Song	Kayoi, Nagato City	2	4	6
Y	9	<i>Mishima-gumi Uta</i>	Mishima Whaling Team Song	Mishima, Hagi City	1	5	6
Y	8	<i>Omou-koto wa Kanau</i>	Dreams Come True	Kayoi, Nagato City	3	2	5
N	16	<i>Naka Uta</i>	Middle Song	Moroyoshi, Ashibe cho, Iki City	3	2	5
N	19	<i>Tsumori</i>	Tsumori	Moroyoshi, Ashibe cho, Iki City	2	3	5
W	4	<i>Kujira Odori</i>	Whale Dance	Miwasaki, Shingū City	1	4	5
Y	6	<i>Dan-na Sama</i>	Honorable Master	Kayoi, Nagato City	1	4	5
K	3	<i>Sangoku (Tsuro-gumi)</i>	Three Countries (Tsuro Team)	Tsuro, Murotomisaki, Muroto	1	4	5
N	11	<i>Kami-modori no Uta</i>	Song of Returning the God	Shinkami-gotō-cho, Minami Matsu-ura	0	5	5
N	17	<i>Shin zō Sen Iwai</i>	Celebration of the Newly Built Ship	Moroyoshi, Ashibe cho, Iki City	0	4	4
N	18	<i>Asu wa Yoi Nagi</i>	Tomorrow Will Be Calm	Moroyoshi, Ashibe cho, Iki City	0	4	4
N	15	<i>Kenchiku Iwai</i>	House Construction Celebration	Moroyoshi, Ashibe-cho, Iki City	3	0	3
N	4	<i>Kē-kē-bōzu</i>	Kē-kē-bōzu	Ikitsuki-cho, Hirado City	1	2	3
O	1	<i>Kujira Odori Uta</i>	Whale Dance Song	Osaka	0	3	3

RENAISSANCE OF THE GREAT SILK ROAD

Abstract

From ancient times Central Asia had lain on the way of the great Silk Road through today's Kazakhstan steppes. In 21st century it is to be reborn in transcontinental corridor "Western Europe – Western China". The official name of the project was first defined in the Decree of the President of Kazakhstan on April 6, 2007.

Total length of the Corridor is 8 445km. It passes through Russia, Kazakhstan and China territories. The total cost of reconstruction exceeds 7 billion US Dollars, including loans from International Financial Institutes equal to 3,5 billion US Dollars.

Main advantage of the corridor is a short travel distance. It will take only 10 days to get from Lianyungang harbor to Europe border (comparing 15 days by Trans-Siberian Railway or 45 days by sea). The reconstruction will be finished in 2013, the corridor will be open for transportation in 2018.

To take advantage of the country's geopolitical position big amount of transformations and modernizations must be done. The phrase "the road feeds" is going to be reality for people of Kazakhstan as the project will give a significant impulse to the development of National economy as a whole and the World economy as well.

Introduction

With gaining independence, Kazakhstan, like many other countries in Central Asia, has got an access to the world market. As external connections started to deepen the main directions of international economic relations, including international trade, were set. One of the trends of trade development is intensive advance of international land transportation operation, especially for countries with geographical distance from world markets.

Considerable distance of transportation operation reduces the efficiency of Central Asia – Europe road transport links. But at the same time, it remains the main transport mode of intra-regional transportation of goods.

Governments of many countries, business structures and scientists pay more attention to the revival of Great Silk Way, since this revival will allow both Kazakhstan and the countries of Central Asia to expand the range of integration processes, promote international commerce in terms of globalization, which correspondingly will result in prosperity and economic growth of the countries.

"Lasting stability and security go hand in hand with economic opportunity... As we look to the future of the region of South and Central Asia...let's set our sights on a new Silk Road – a web of economic and transit connections that will bind together a region too long torn apart by conflict and division...Nations will not only enjoy the benefits of greater trade but they will also enjoy the benefits that come from working together."¹

Hillary Clinton, US Secretary of State

Collapse of The Soviet Union has caused severe economic shocks to the former Soviet Union countries, which had been having a high level of internal economic integration for 70 years. However, the collapse gave a great impulse to the development of global economic relations throughout the Eurasian region and world economy.²

The first years of Independence of Kazakhstan have been repeatedly referred to as "the years of survival" by Nursultan Nazarbayev himself.³ In the early 90-s the country experienced the biggest economic downturn in modern history of development,

accompanied by unprecedented rise in inflation, destruction of accumulated economic potential, mass unemployment and growing poverty.

Forecasts of the majority both Western and Russian analysts' on Kazakhstan were extremely disappointing. It was believed that Kazakhstan was quickly becoming one of the poorest countries of the Third World, that it would soon have to liquidate its entire industry, although it can survive for several years, selling raw materials.⁴

However, Kazakhstan has carried out all the market reforms, set strategic goals and priorities for economic development. One of the priorities of economic development was the development of infrastructure, particularly transport and communications.⁵ Today, on the one hand the solution of this priority is to revive the Silk Road, the international road corridor project "Western Europe - Western China".⁶

On the other hand the development of Asian countries, mainly of China, economic growth of Russia and Central Asian countries have propelled the accelerated pace of trade growth and increased trade volume between Europe and Asia, which caused the strong, very diverse and in many cases, complicated demand for international transport.

On the background of internationalization and globalization trade flows between Europe and Asia, including energy resources, raw and intermediate materials, and also high added value items, verify significant demand on the main routes connecting both continents, in particular, the growth in demand for main marine highways, which access by land becomes more problematic, not meeting the requirements of modern trade. And the current state of trade between Europe and Asia requires diversification and the opening of new land routes between Europe and Asia, that is the revivals of former trade ways like Silk Road.

Thus, the development of integration processes and international trade between the countries of Europe and Asia shows the need for the revival of the Silk Road, including construction of an international road corridor "Western Europe - Western China", the consequences of which will significantly impact on economic growth and infrastructure of many countries, including Kazakhstan, which in its turn is considered to be the main purpose of this scientific research.

The given research touches upon the causes of reviving the Great Silk Road on the basis of analysis of external trade development between Europe and Asia. The dynamics of China and European countries volume has been studied. Moreover, the participation of various modes of transport and transit corridors, including a positive role of road transport in ensuring foreign trade relations of Eurasian countries has been estimated. Modern state of Kazakhstan transport system has been evaluated, drawbacks have been revealed and the basic trends of Kazakhstan transport infrastructure have been defined. Positive perspectives for Kazakhstan economy alongside the Great Silk Road, project realization on the construction of international road corridor "Western Europe – Western China" have been regarded.

Background and Reasons

Ever since prehistoric times there were two worlds East and West. The Great Silk Road is a singular phenomenon of human development history. It was the main means of unity and exchange of cultural values, the conquest of living space and markets for goods. The movement is life, travel, cognition of the world has always been motivation of the progress. Silk Road routes were diverse, they varied depending on various reasons, and thus cities appeared and fell into decay like a body dependent of the artery.

Kazakhstan turned out to be at the crossroads of caravan routes, the Silk Road reached the its peak in VIII-XII centuries, passing through the territory of Central Asia and

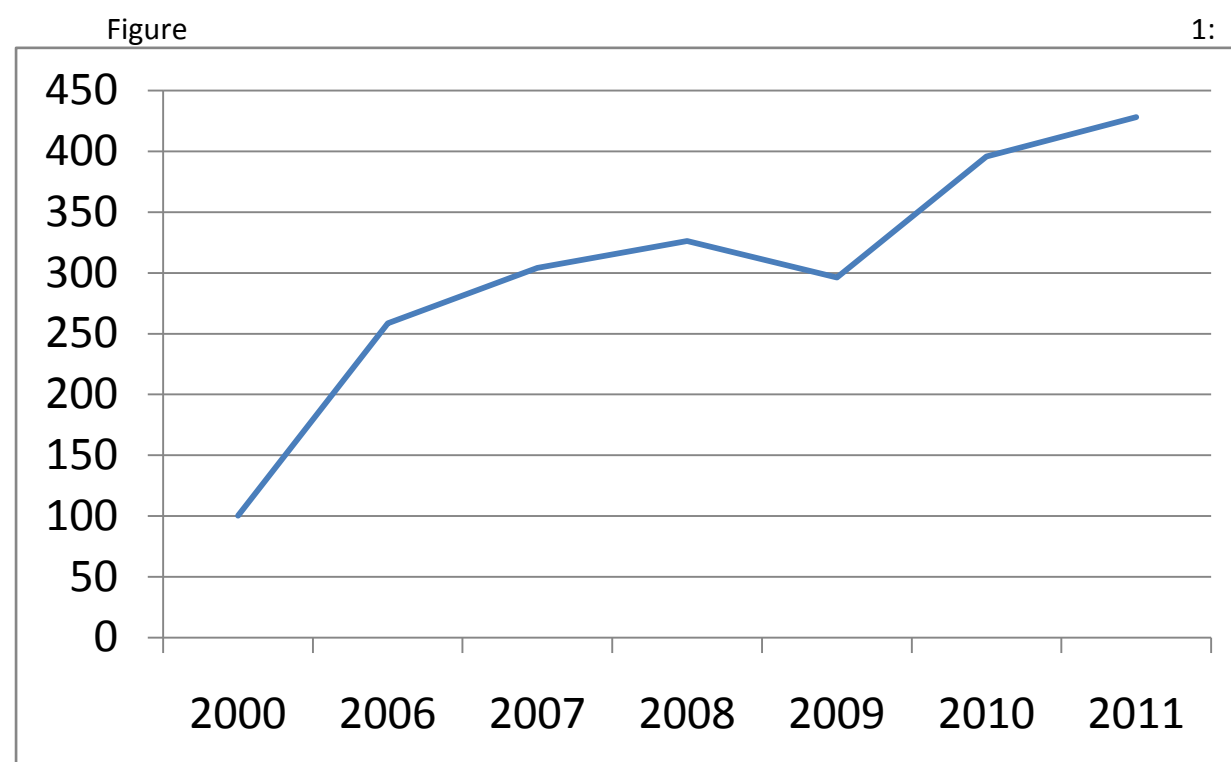
Kazakhstan. Owing to the development maritime routes the significance of the Silk road went into decline in the 14th century.⁷ Cities on the way of the Silk Road: Otrar, Taraz, Sairam (Ispidzhab), Turkestan (Iasi), Suyab, Balasagun and others were not just shopping centers but also centers of science and culture.

In the world it is becoming clear that initiator of this progress is not Europe, Mediterranean or Asia – it was created by the efforts of all mankind.

Functioning as a bridge for almost 18 centuries, the road's past experience reveals the civilization continuity, enduring connection to time and the fate of nations. The Great Silk Road, thus, acts as the oldest model of integration of the human community.

With the deepening of integration and globalization, demographic processes in Asia, the development of scientific and technological progress greatly affected the expansion of world trade especially in the Eurasian continent.

The World top three traders – the United States, Germany and China – represent almost one third of world merchandise trade.⁸ In our case, we are interested in the merchandise trade between Europe and Asia. In recent decades, Asian countries has shown a dramatic economic growth.⁹ Hence, Asia turned into the main center of inward investments. The bilateral trade between Europe Union and China in goods reached €428.3 billion in 2011, almost €30 billion more than the year before.¹⁰ In the Figure 1 we see steady and persistent growth of trade, predictions about future trade are positive (decline in 2009 was due to World economic crisis).



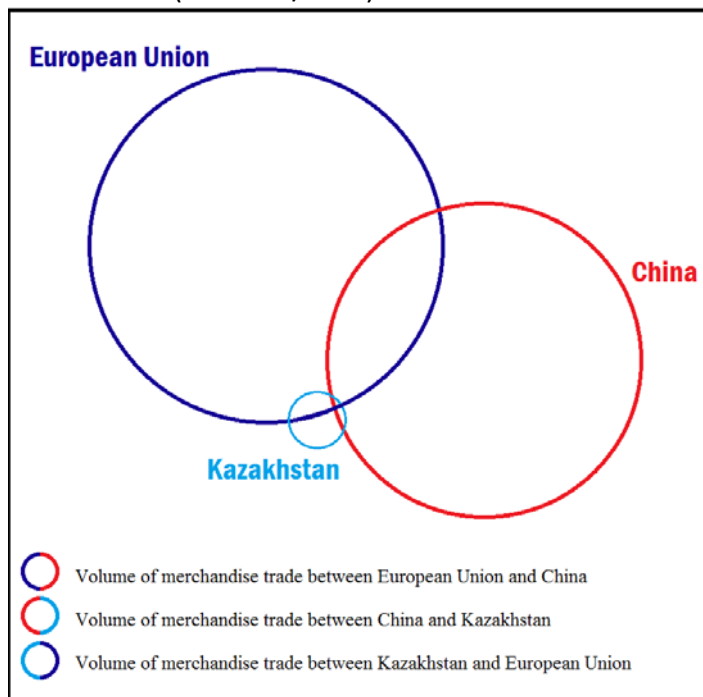
Trade between Europe Union and China in value (Bn ECU/Euro)
 (Data from External and intra-EU trade A statistical yearbook, Eurostat; Luxembourg, 2011)¹¹

In the world trade European Union and China are major players both on World and bilateral markets. China is one of the biggest EU's trade partners.

As it is reflected in Figure 2 Kazakhstan's share in countries' trade volumes is very little. Nevertheless, Kazakhstan has geopolitical potential in transportation of €428.3 billion freight.

In 2015 the Ministry of Transport and Communications of Republic of Kazakhstan plans to increase the volume of transit of freights up to 25 million tons, and the total income from transit will be \$ 1.5 billion.¹² Obviously, the number has the amount of space to grow.

Figure 2: Proportion of merchandise trade among European Union, China and Kazakhstan in value (mIn ECU/Euro)



(Data from World Trade Organization Statistics database for 2010)¹³

Economic boom in Asian countries has led to a rapid growth of container traffic. The number of containers entering the EU from China increased from 660 000 TEU in 1995 to 1,3 million in 2000 and 2,7 million in 2004.¹⁴ According to various predictions this number will reach 12 to 15 millions in 2020, with the trade between Europe and China being multiplied by 3 to 4 between 2004 and 2020.¹⁵

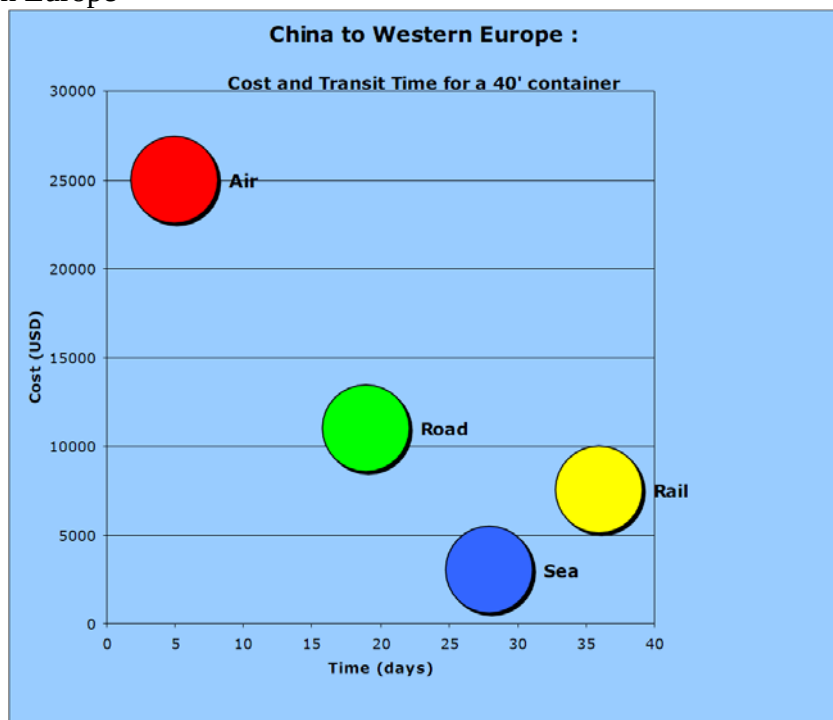
Because of the lowest cost and reliability maritime transport takes the lead in Europe - Asian freight transportation.

In spite of the fact that analysts are generally optimistic about the competency of sea ports to accommodate ships and about the development of service management on major maritime routes, there is concern over congestion and saturation problems that are becoming more clear in land access to ports.¹⁶ The main reason of congestions in sea ports is back ups of the onward land transport. In particular, the US West Coast ports have been witnessing problems with long lines of trucks to enter the port terminals. Especially, when freight comes with delays truck operators spent half of their work day waiting in queues.¹⁷ Here we can see that freight transportation needs diversification of routes.

The most efficient alternative solution to this problem is an increase of land transportation in many regions. The main issues are not only cost and reliability but also transit time.

In Figure 3 we can see the comparison of total door-to-door transport costs and transit times for a range of transport solutions carrying cargo from Asia to Europe for 40' container.¹⁸ Sea transport is the cheap and reliable. Air transport is the most expensive and the fastest. Road transport fell between air and sea transport when rail transport presents a very wide range of outcomes showing the worst results in transit time in spite of its cost which is higher than in sea transport. So, we can see that the new road may even be a good alternative for air transport, considering reasonable cost and transit times.

Figure 3: Cost and Transit time for 40' container between China (Shanghai) and Western Europe



(The chamber of commerce of the United States, 2006. *Land transport options between Europe and Asia: Commercial Feasibility Study*).¹⁹

In Figure 4 we can see main routes of transportation. Excluding air and Suez Canal routes, there are following land corridors

The Trans-Siberian Railroad is a set of railways that goes from the Sea of Japan through China, Mongolia to Moscow. The length of the railroad is 9298.2 km.²⁰ However gauges of rail networks still differ among countries (Mongolia, Kazakhstan, China) which slows down transportation and brings extra cost to transported products.²¹

TRACECA (Transport Corridor Europe-Caucasus-Asia) is an international transport programme involving the European Union and 14 member States of the Eastern European, Caucasian and Central Asian region. Because of geographic complexity of the route it includes all modes of transport but at the same time considered to be perspectiveless.²²

The North-South Transport Corridor is route including the ship, rail, and road transports for moving freight from South Asia to Europe through Central Asia,

the Caucasus, and Russia. The route primarily involves moving goods from India via ship to Iran.²³

The Trans-Asian Railway (TAR) is a project to create an integrated freight railway network across Europe and Asia. The TAR is a project of the United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP).²⁴ Unfortunately, The Trans-Asian Railway Project has not been a great success so far. Very little railway has been built along the corridors during the 40 years.

Chongqing - Duisburg - the Railroad between Germany and China first was tested in April 2011.²⁵ The route taken by the train went south of Mongolia, through Kazakhstan, Russia, Belarus and Poland to Germany. Transit time is 16 days.

Figure 4: Main routes of freight transportation

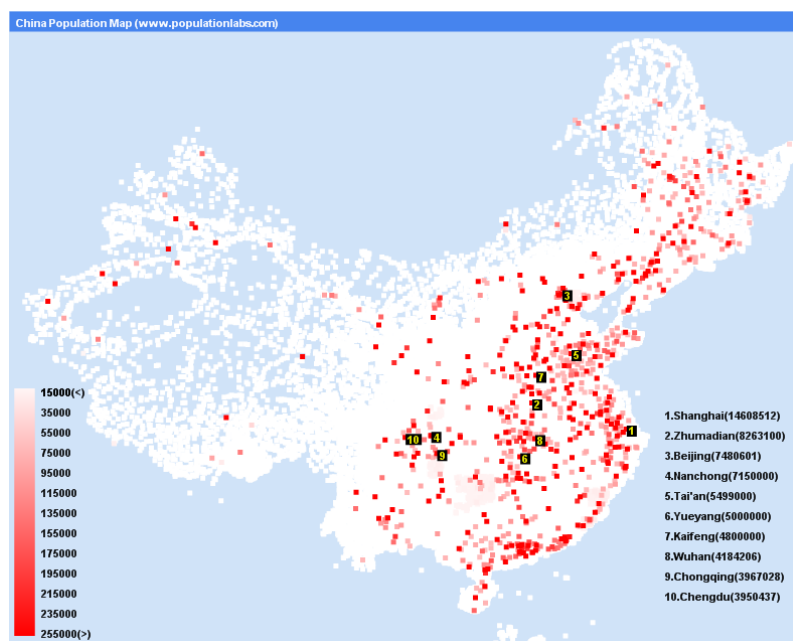


(Nestear cited in European Conference of Ministers of Transport, 2006)²⁶

Now, all the freight transportation between Europe and Asia flows through sea ports or to a minor extent through Trans Siberian Railway or air transport. Neither of these transport modes provides reliable, cheap, easy transport transporting large amounts of trade. Creating routes through Greater Central Asia region would reduce transaction cost.²⁷ Additionally, such an arrangement would be positive to economics of all participating countries.²⁸

Due to high use of maritime freight transportation and China's leading position in World trade the major exporting centers of the country are concentrated primarily along the coasts, there is no wonder that population strive to settle and live where employment is provided more causing demographic imbalances as it is reflected in Figure 5.

Figure 5: Population density of China



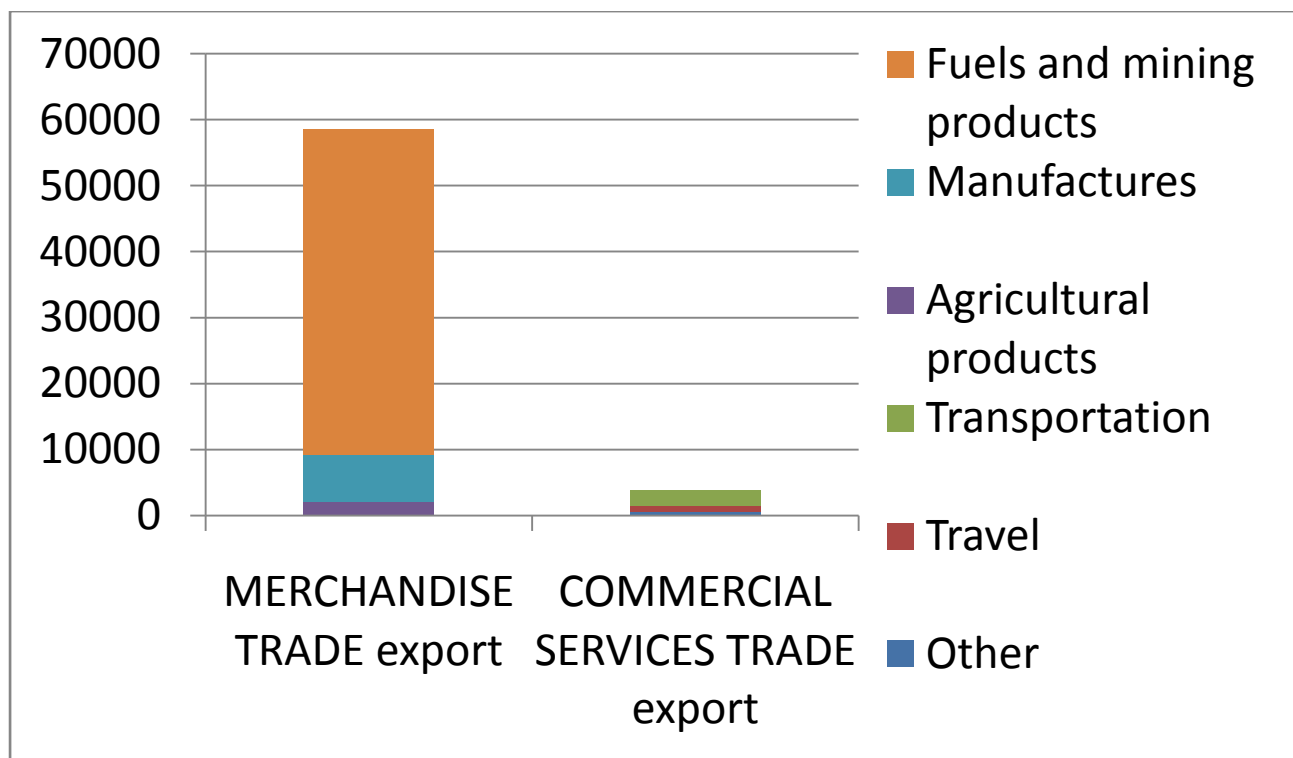
(China population density map)²⁹

In order to limit internal migration and establish centers of economic growth in the interior of countries, Asian governments stimulate economics of inland areas. In China for businesses, this conquest of the hinterland, facilitated by the construction of highways (5000 km of new motorways a year in China) and railways (2000 km of new lines in China per year), holds out the promise of cheaper labour than in coastal cities.³⁰

Currently, Eurasian landmass is connected by a number of Chinese-sponsored infrastructural interconnections, a number that is rapidly increasing. Chinese capital is penetrating an area stretching from Azerbaijan and Iran in the West, to Pakistan in the south, and Mongolia.³¹ After an implementation of the project "Western Europe - Western China" the corridor is going to be a perfect object for such investments.

Another background for implementation of the project is Kazakhstan's oil dependent export structure. In Figure 6, in spite of the fact that government is paying much attention on development of other sectors including transport there are still clear symptoms of Dutch disease.

Figure 6: Breakdown in Kazakhstan economy's total exports for 2010 in value (Mln US\$)



(Data from World Trade Organization Statistics database)³²

For Kazakhstan, which by its geopolitical position has no direct access to world markets, this project will bring some benefits, and will also solve many economic problems both on micro and macro levels.

Transport in Kazakhstan and its current state

The development of the transport sector, particularly land transport, greatly affected the economic development and infrastructure in Kazakhstan. This was particularly obvious in the post-revolutionary period (1917-1932 years). The development of railway transportation in Kazakhstan had a positive impact on economic development, increasing volumes in industrial, construction, trade sectors. These roads significantly accelerated economic ties between Kazakhstan and Russia, let commodity-money relations and trade flow in steppes. Within a decade there extensive network of railways was build. The length of railways in 1932 amounted to 5474 km, among them was the Turkestan-Siberian Railway (Turksib) length of 1500 km.³³

But in the Soviet Union period Kazakhstan's transport sector remained undervalued despite the obvious geopolitical position of the country. In Soviet times, each mode of transport performed its task according to the socio-economic plan of development. The interaction between different modes of transport was carried out strictly by normative documents, in accordance with a system of plans and procedures of external trade. Decisions about directional distribution of traffic were made from a single administrative center, the competitive environment was practically absent.³⁴

After declaration of independence in 1991, the construction sector was chosen as the state long-term investment, but due to the global crises in the past two decades, the sector did not give definite results and a high rate of economic development for Kazakhstan. Correspondingly thanks to the crisis the government of the country and administration of the regions started to pay considerably more attention to modern and perspective

development of transport in Kazakhstan. Kazakhstan takes distant position from the world's major markets. For this reason, the economy of Kazakhstan has high freight intensity. More than 80% of includes the freight rail traffic.³⁵

The state of transport system in Kazakhstan is the area of particular attention of home and foreign experts, its main drawbacks are identified. Among these issues the unsatisfactory organization of international carriages, outdated technology and low level of transportation services are pointed. Logistic business providing in the developed countries the largest share of profits from the rationalization of traffic streams is in the initial stage of development in Kazakhstan. The period of crisis made clear the disproportions and problems of transport system of the Republic, reducing the possibilities to maneuver in the structural reorganization of the economy. The transport sector is being actively developed. This is confirmed by the objectives and tasks, and also by the progress of implementation of state programs of development, each of which envisages specific tasks on improvement of transport complex in whole and its separate parameters. The main document, according to which on the given stage the work is being carried on structural reorganization and further development of the sector is the "Program of development of transport infrastructure of the Republic of Kazakhstan for 2010-2014".³⁶

At present the Republic has serious problems with the quality of road repair and renovation of transport means, supply of transport complex with qualified specialists and scientific institutions of T- profile. The problems reduce the efficiency of Kazakhstan transport functioning in comparison with developed countries and influence the reduction of safety of freighting and passenger traffic.

The transport system in its present state cannot fully provide the demands of economy, considering the vast territory of Kazakhstan and the ambitious plans of the Government. The tasks of the forthcoming stage of transport development in Kazakhstan envisages new construction of transport infrastructure objects, modernization of the operating infrastructure, acceleration of commodities flows and reduction of transportation expenses, increase of safety and sustainability of the branch activity and also the availability of transportation services for the population. Kazakhstan develops international cooperation in the transport sphere, due to which the country gets new facilities and technologies, the introduction of international experience is being realized. To realize the projects envisaged by the Programs, directed at development and improvement of infrastructure, at construction of new transport objects and repair of the operating transport networks state and private investments are attracted. In whole it is envisaged to invest 2.8 trillions tenge during the period to 2014 to perform the programs of the development of the transport system of the country.³⁷

The most significant problem of modern transport in Kazakhstan is the high cost of transport services, which determines its lower competitiveness in comparison with transport systems of developed states. The transport component in Kazakhstan for commodities carried by railway transport reaches 8% and in road transport - 11% in comparison to 4 - 4.8% in the most developed countries. At average the transport component in the final price of the commodity in EU reaches 8 - 9%. According to EU plans by 2013 this indicator will not exceed 5-7%. According to World Bank data the cost of export of one container of freight in Byelorussia is estimated worth of \$ 1.8 thousands, in Russia - \$ 1.85 thousands, in Kazakhstan - \$ 3 thousands. That is to say to send one container from Kazakhstan costs one and half times more than from Russia or Byelorussia.³⁸ That slows

down development of Kazakhstan internal economy and growth of export potential, decreases the competitiveness of Kazakhstan commodities at foreign markets.

In modern economy and international trade the logistics business plays an important role, because it works to increase the efficiency of transport operations. In Kazakhstan the transport logistics is still poorly developed because of the absence of infrastructure and specialists. However logistics is declared a strategic priority of the country development.

The modern labor market requires from citizens to be mobile in search of work and be ready to work in other communities, where the employment is attractive for the candidate. Underdevelopment of roads of local importance restrains the labor mobility of citizens, and also determines the accessibility of vitally important services to the population: timely delivery of medical aid, accessibility to educational institutions, cultural –domestic institutions, trading Centers and so on.

The technological level of existing transport systems in Kazakhstan is not sufficient. Considerable lag in application of modern transport technologies is characteristic for the transport infrastructure of Kazakhstan at the given stage, as well as in the informatization of the branch. Technical and economic characteristics of the majority of operated transport means, including the new ones, supplied by transport machine industry of the Republic is significantly lower than the parameters, adopted in the developed states of the world. Low technical characteristics, outdated design, small comfort of transport means, produced at home machine-building industry, and also the imported ones from the states of near abroad countries lead to the preferableness of purchase transport means in developed countries. Purchasing power of the population of Kazakhstan does not allow for the primary majority of citizens, small organizations and companies to buy new transport means. As a result a boom of purchasing second –hand transport means in 2010 (airplanes, buses, trucks, special transport equipment, but mostly cars) took place in Kazakhstan.³⁹ The consequence of all these particular peculiarities of transport development in Kazakhstan are:

- insufficient quality of provided services;
- high level of transport expenses;
- high level of transport accidentance and negative ecological influence of transport on the environment, including human health.

At international transport market in the conditions of constant toughening of international technical requirements to transport means, the consequence of using outdated transport equipment and technologies in Kazakhstan is the decrease of competitiveness of home carriers. Occasionally it leads to express prohibitions for Kazakhstan transport companies to work in European transport area (air companies, transport companies, transporting international freight).

Transport system of Kazakhstan, being a part of general economic complex, suffers of restraining non physical factors, common for all the sectors of economy: corruption and bureaucratic barriers, poor legislation, low qualification of workers and weak system of retraining, continuing education and lifelong learning qualification.

To reform the economic model of transport and improve the institutional structure of the sector increase of efficiency and quality of transport services, attraction of investments into the renovation of transport assets is necessary. Technological and organizational modernization of transport complex is wise to carry out in directions: reequipment of transport park; technical and technological improvement of transport infrastructure; improvement of logistics management.

To realize such tasks a complex and coordinated development of all kinds of transport and linking elements of transport infrastructure on the basis of long-term complex plan of building, repair and road reconstruction is necessary. The main problem is the formation of sustainable sources and sufficient volumes for financing transport infrastructure (increase of state investments and attraction of private investments). The foreign experience of developed countries, having a better transport network shows that the development of competitive transport infrastructure, and first of all of road construction, must be done using innovation materials and technologies. Correspondingly the envisaged by Kazakhstan budget increase of volumes of financing the programs of development of transport complex will be realized efficiently on the condition of introducing modern technologies of road construction, considering the climate and geophysical conditions of the country with application of innovation materials, modern equipment and technologies.

Project and its Perspectives

In 2009, the construction of the international transport corridor "Western Europe - Western China" started and would be finished by 2013. The total length of highway will be 8 445 km and 2 233 km of it pass through Russian Federation territory, 3 425 km – People's Republic of China, 2 787 km – Republic of Kazakhstan (Aktobe, Kyzylorda, South Kazakhstan, Zhambyl and Almaty regions).

88% or 2 452 km of the Kazakhstan road is under reconstruction. Road construction is carried out with the latest technology and modern materials, which are able to provide a period of use of the road without major repairs for at least 25 years and high-speed driving mode adopted by the international routes. Construction of high-way bridges, road operation complexes, landing sites, cattle tracks, service objects for drivers and passengers has been provided.

The route of the 8 445 km long corridor passes through Saint-Petersburg – Moscow – Nizhniy Novgorod – Kazan – Orenburg – Aktobe – Kyzyl-Orda – Shymkent – Taraz – Kordai – Almaty – Khorgos – Urumqi – Lanzhou – Changzhou – Lianyungang. As it is seen in Figure 7 the shortest way of crossing continent (except for air transport) lies through "Western Europe - Western China" corridor.

Figure 7: Comparison of main Eurasian Transcontinental Corridors.



(map of main Eurasian Transcontinental Corridors)⁴⁰

The reconstruction's cost of Kazakhstan piece is 825,2 billion tenge (5,5 billion US Dollars)

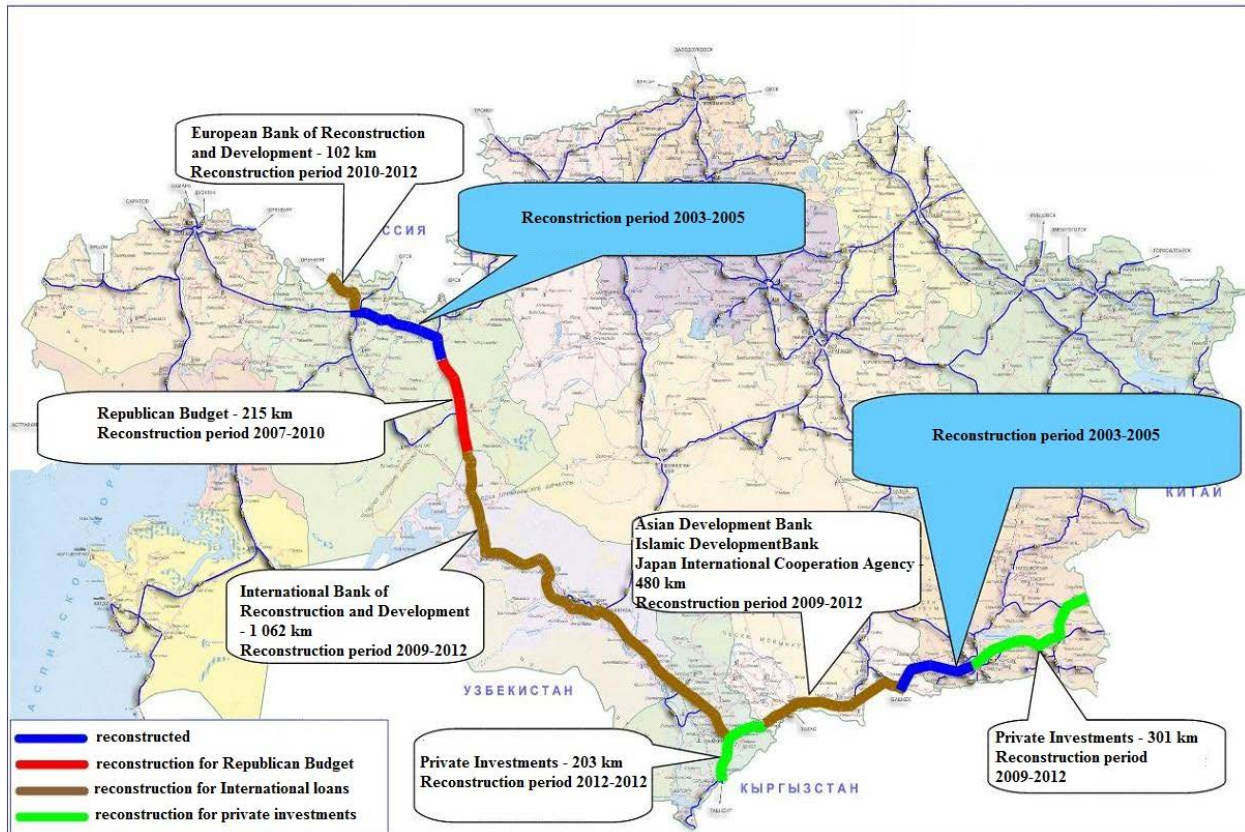
All along the corridor improvements of road geometry parameters are provided (rotation, visibility, slope), also large settlements are surrounded to improve environmental and sanitary conditions

For the Project implementation three financial sources were determined.

1. The first source of reconstruction is the republican budget of 136,1 billion tenge.
2. Second source for reconstruction are International loans from International Financial Institutes in total amount of 3,5 billion US Dollars. 2,125 billion US Dollars from this amount was allocated by International Bank of Reconstruction and Development, 700 million US Dollars – by Asian Development bank, 414 million from Islamic Development bank, 100 million from Japan International Cooperation Agency and 180 million from European Bank of Reconstruction and Development. It should be mentioned, that for International Bank of Reconstruction and Development this is the biggest loan in the bank history, allocated before to any country.⁴¹
3. As a third financial source it is planned to attract private investments on concession base in amount of 266,6 billion tenge.

Figure 8: Transcontinental Road Corridor "Western Europe - Western China".

WESTERN EUROPE - WESTERN CHINA



(map of the corridor with reconstruction sources and time periods)⁴²

The Kazakhstan project is expected to be completed by 2013. The transcontinental corridor will be open in 2018.⁴³

During realization of the project and since the first days of running line, the Kazakhstan side receives a high economic value. This is primarily reflected in the vehicle operation cost savings, the reduction of travel time, the reduction of road accidents and the reduction of deaths as a result of an accident.

So the experts of the World Bank had extended the study and experiments to determine the functional dependence between the vehicle operation cost and the condition of the road (roughness, ascents and descents, sinuosity, height) and the condition of vehicles (specifications, utilization, average service life, the purchase price of the new vehicle). Any improvement of the road (road construction or significant rehabilitation of the road) results in a decrease of the index as "vehicle operation cost," and this cost reduction are the main economic benefits of the project.

It was counted that

- Average annual vehicle operating cost savings made up 9.5 billion tenge.
- The average annual savings due to reduced travel time has been 33.9 billion tenge.
- The average annual economic benefit from reducing traffic accidents has complied 49.8 million tenge.
- The average annual economic benefits due to the reduction of people killed in road accidents has been 9.4 billion tenge.

In terms of economic analysis for the given investment project an economic model has been developed and on the base of this model indicators of project economic efficiency have been obtained:

- Economic Net Present Value (ENPV) – 96 million tenge.
- Economic Internal Rate of Return (EIRR) – 11%.⁴⁴

For comparison, the U.S.A. construction of highways has led to an increase in U.S. economic activity, labor efficiency and volume of investments, contributing the creation of new jobs and reducing accidents on the roads. Growth in labor productivity was 25%, and total economic benefits were equal to 2.1-2.5 trillion US Dollars.⁴⁵

By 2020, the road is expected to increase Kazakhstan's Gross Domestic Product (GDP) by 68 % above the 2010 baseline, and to increase the GDP of neighboring Central Asian countries by 43 %. China, Russia, and the European Union (EU) will also reap significant gains from the road project. By 2020, China's GDP is expected to grow 6 percent over 2010 baseline levels, while the GDP of Russia and the EU are expected to grow an additional 4 percent.⁴⁶

If we estimate the progress of the project and its efficiency, whereas in 2011 only on the track worked more than 30 thousand employees, it is seen that the construction is one of the factors that contributed to the lowest percentage rate of unemployment for last two decades (5.4%).^{47, 48}

At present in the most promising and profitable places of the country commercial, multifunctional and transport logistics centers are being formed, which are vital components of transit corridors.

The model of transport and logistics system for the transit corridor "Western Europe - Western China" consists of:

- Four international transport and logistics centers (in Almaty, East Kazakhstan regions and in Aktobe and Shymkent cities)
- Twelve regional transport and logistics centers in cities and towns of Uralsk, Aktobe, Karabutak, Aral, Baikonur, Kyzylorda, Turkestan, Shymkent, Taraz, Shu, Almaty, Khorgos.⁴⁹

Changes that will bring the corridor "Western Europe - Western China" will have quite positive effect on Kazakhstan's economy .

-Development of regional infrastructure (establishment of TLC, gas stations, service stations, etc.);

-The highway goes through 5 regions, where 50% of the whole population of the country live. Respectively, increase of population internal mobility will accelerate the pace of almost all economic sectors due to significant improvements in transportation sector.

-Creation and development of logistics companies, accompanied by the preparation of highly qualified personnel;

-Trade growth with CIS and foreign countries;

-An increase of employment in regions, respectively, an increase of income levels;

-Increase of development rates in practically all industries of the regions' economy due to the considerable improvement of transportation of both the raw material and the finale product;

-An increase of entry of tax and nontax payments into the budget.

-Development of tourism along the Silk Road

-Economic growth and prosperity of Kazakhstan

Conclusion

The intensive development of the economies of Central Asia will inevitably lead to further growth of trade relations between Europe and Asia.

Kazakhstan's favorable geopolitical position serves as a transit bridge between Europe and Asia, and has a great transit potential, providing Eurasian countries geographical

alternative for land transport links with Europe and Asia. Kazakhstan's main competitive advantage is a shorter, *ceteris paribus*, the time of delivery of goods. Travel distance in freight transportation between Europe and China via Kazakhstan is reduced by half compared to the sea one. This allows us to predict an inevitable increase of traffic flows in the direction of Europe - China through Kazakhstan.

Other priorities of freight transportation through the territory of Kazakhstan are political stability in Kazakhstan and climatic conditions (distance from natural disasters).

In Kazakhstan transport has a primary role in the implementation of bilateral ties. Their intensive growth sets forward new requirements to the development of transport complex. The state, internal economy of the republic and international cooperation depend on the level transport sector functions. The transport sphere having a considerable international potential is not sufficiently used yet.

For now Kazakhstan's main objective is to create a modern transport infrastructure that provides the transit of freights between East and West, corresponding to the level of integrating developed countries. The possibility to use its natural geographic advantages requires the harmonization of Kazakhstan transport system with international requirements and standards, which supposes the necessity to carry out the modernization of the branch. Besides, it is necessary to carry out this in the shortest time to outrun the competitors, presenting for large scale international transportation alternative to Kazakhstan transport ways and level of service of freight and passenger transportations, corresponding to international level. For example, China is planning to build high speed rail network that will connect all the way to Europe even the UK and go through 17 countries in 10 years.⁵⁰ In this connection the present stage of Kazakhstan economic development is characterized by reevaluation of possibilities, tasks and perspectives of transport complex development.

The development of international road transport along the Silk Road eventually will contribute to the development of tourism, economic and social prosperity of our countries. And forming effective service transport infrastructure will spur healthy competition among corridors leading to prosperity in the whole World.

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References

1. Remarks at the New Silk Road Ministerial Meeting, September 22, 2011. New York City, New York [online] Available at: <<http://www.state.gov/secretary/rm/2011/09/173807.htm>> [Accessed 30 May 2012].
2. Linn, Johannes F. and Tiomkin, David. 2005. *Economic Integration of Eurasia: Opportunities and Challenges of Global Significance*. Center for Social and Economic Research, Europe after the Enlargement. Warsaw, Poland 8-9 April 2005.

3. Orazaly, Sabden., 2011. *The successes are indisputable. Kazakhstan's economic development over 20 years of Independence*. Kazpravda, [online]. Available at: <<http://kazpravda.kz/c/1320373069>> [Accessed on 1 may 2012].
4. Ibid.
5. [Official site of the President of the Republic of Kazakhstan](http://www.akorda.kz/en/kazakhstan/kazakhstan2030/strategy_2030), 1997. *Strategy 2030*. [online] Available at: <http://www.akorda.kz/en/kazakhstan/kazakhstan2030/strategy_2030> [Accessed 30 march 2012].
6. [Official site of the President of the Republic of Kazakhstan](http://www.akorda.kz/en/speeches/addresses_of_the_president_of_kazakhstan/poslanie_prezidenta_respubliki_kazahstan_na_nazarbaev), 2012. *Socio-Economic Modernization as Main Vector of Development of Kazakhstan*. [online] Available at: <http://www.akorda.kz/en/speeches/addresses_of_the_president_of_kazakhstan/poslanie_prezidenta_respubliki_kazahstan_na_nazarbaev> [Accessed 26 march 2012].
7. Great Soviet Encyclopedia, 1978. Moscow: Soviet Encyclopedia. Third edition, vol. 29, p.374.
8. World Trade Organization, 2011. *International Trade Statistics*. p. 16. [pdf] Available at: <http://www.wto.org/english/res_e/statis_e/its_e.htm> [Accessed 30 April 2012].
9. Radelet, S., Sachs, J. and Lee. J., 1997. *Economic Growth in Asia*. [pdf] Asian Development Bank. Available at: <<http://www.cid.harvard.edu/archive/hiid/papers/ecgasia.pdf>> [Accessed 27 April 2012].
10. Eurostat, 2011. *Facts and figures on EU-China trade*. [pdf]. Available at: <http://trade.ec.europa.eu/doclib/docs/2009/september/tradoc_144591.pdf> [Accessed 24 May 2012].
11. Eurostat, 2011. *External and intra-EU trade A statistical yearbook*. [pdf] Available at: <http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-GI-11-001/EN/KS-GI-11-001-EN.PDF> [Accessed 13 may 2012].
12. VIIIth International Conference "TRANSEURASIA - 2011", November 10, 2011. Kazakhstan, Astana.
13. World Trade Organization, Statistics Database on European Union, China, Kazakhstan [online] Available at: <<http://stat.wto.org/CountryProfile/WSDBCountryPFView.aspx?Language=E&Country=E27,KZ,CN>> [Accessed 10 June 2012].
14. The twenty-foot equivalent unit (often TEU or teu) is an inexact unit of cargo capacity often used to describe the capacity of [container ships](#) and [container terminals](#).
15. International Transport Forum, 2007. *Policy Actions for Developing Efficient Inland Transport Links between Asia and Europe*. Istanbul, Turkey 14-16 may 2007. p 5. [pdf]. Available at: <<http://internationaltransportforum.org/IntOrg/ecmt/eurasia/pdf/ARistanbul07.pdf>> [Accessed 10 May 2012].
16. European Conference of Ministers of Transport, 2006. *Transport links between Europe & Asia*. [pdf] Paris: European Conference of Ministers of Transport. Available at: <<http://internationaltransportforum.org/pub/pdf/06Europe-Asia.pdf>> [Accessed 3 May 2012].
17. The Chamber of Commerce of the United States, 2006. *Land transport options between Europe and Asia: Commercial Feasibility Study*. [pdf] Washington, D.C.: U.S. Chamber of Commerce. p 16. Available at <<http://www.internationaltransportforum.org/Proceedings/Border2009/USChamberOfCommerce2.pdf>> [Accessed 15 May 2012].
18. 40' container contain 25-30 tons of cargo.

19. The Chamber of Commerce of the United States, 2006. *Land transport options between Europe and Asia: Commercial Feasibility Study*. p 2. [pdf] Washington, D.C.: U.S. Chamber of Commerce. Available at: <http://www.internationaltransportforum.org/Proceedings/Border2009/USChamberOfCommerce2.pdf> [Accessed 15 May 2012].
20. The Trans-Siberian Railroad <http://www.transsib.ru>
21. Organisation for Economic Co-operation and Development, 2010. *Globalisation, Transport and the Environment*. [pdf]. Available at: <http://www.oecd.org/dataoecd/19/45/45095528.pdf> [Accessed 18 May 2012].
22. Transport Corridor Europe-Caucasus-Asia <http://www.traceca-org.org/en/home/>
23. The North-South Transport Corridor <http://www.instc.org/>
24. The Trans-Asian Railway <http://www.unescap.org/ttdw/index.asp?MenuName=TheTrans-AsianRailway.>
25. DB Mobility Logistics AG, 2011. *Freight Train from China arrives in Duisburg after travelling 10,300 kilometres*. [pdf]. Available online < http://trans-eurasia-logistics.web.designhaus-berlin.de/PDFs/2011-04-05_China_Test_Train_arrived_at_Duisburg.pdf > [Accessed 30 May 2012].
26. European Conference of Ministers of Transport, 2006. *Transport links between Europe & Asia*. p 74. [pdf] Paris: European Conference of Ministers of Transport. Available at: <http://internationaltransportforum.org/pub/pdf/06Europe-Asia.pdf> [Accessed 3 May 2012].
27. The Greater Central Asia in original paper comprises Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan as well as Mongolia, Iran, Pakistan and Afghanistan.
28. Swanström, Niklas., 2011. *China and Greater Central Asia: New Frontiers?*. [pdf] Washington, D.C.: Central Asia-Caucasus Institute & Silk Road Studies Program – A Joint Transatlantic Research and Policy Center. Available at: <http://www.silkroadstudies.org/new/docs/silkroadpapers/1112Swanstrom.pdf> [Accessed 5 June 2012].
29. *China population map*. [image online]. Available at: http://www.populationlabs.com/maps/China_Population_Map.png [Accessed 10 May 2012].
30. International Transport Forum, 2007. *Policy Actions for Developing Efficient Inland Transport Links between Asia and Europe*. Istanbul, Turkey 14-16 May 2007 [pdf]. Available at: <http://internationaltransportforum.org/IntOrg/ecmt/eurasia/pdf/ARistanbul07.pdf> [Accessed 10 May 2012].
31. Swanström, Niklas., 2011. *China and Greater Central Asia: New Frontiers?*. [pdf] Washington, D.C.: Central Asia-Caucasus Institute & Silk Road Studies Program – A Joint Transatlantic Research and Policy Center. Available at: <http://www.silkroadstudies.org/new/docs/silkroadpapers/1112Swanstrom.pdf> [Accessed 5 June 2012].
32. World Trade Organization, Statistics Database Kazakhstan [online] Available at: <http://stat.wto.org/CountryProfile/WSDBCountryPFView.aspx?Language=E&Country=KZ> [Accessed 10 June 2012].
33. Kazakh Soviet Encyclopedia, 1981. Almaty: Soviet Encyclopedia. pp.300-302.
34. Blincov, S.M., Kenzhebaeva, G.Zh., 2012. Logistics problems of Kazakhstan rail transport. *KazKKA Habarshy*, 1(74), pp.130-133.

35. The agency of statistics of Republic of Kazakhstan, 2011. pp 12-13. *Transport and Communication in the Republic of Kazakhstan*, [pdf] Available at: <<http://stat.kz/publishing/20111/TransporEnd.pdf>> [Accessed 19 May 2012].
36. The Security Council meeting, March 15, 2011. Kazakhstan, Astana [online] Available at: <<http://www.kazpravda.kz/c/1300181325>> [Accessed on 1 may 2012].
37. Resolution of the Government of the Republic of Kazakhstan from September 30, 2010 № 1006. [online] Available at: <http://mtc.gov.kz/index.php?option=com_content&view=article&id=673&Itemid=159&lang=ru>.
38. Tashimov, Tulkin., 2011. *Japanese order of the transport*. 'Expert Kazakhstan'. #48. [online] Available at: <<http://www.customsunion.kz/info/5109.html>> [Accessed 10 May 2012].
39. Mozharova, V., 2011. *Transport in Kazakhstan: current situation problems and prospects*. pp 28-29. [pdf] Almaty: Kazakhstan Institute of Strategic Studies under the President of the Republic of Kazakhstan. Available at: <<http://www.kisi.kz/img/docs/5773.pdf>> [Accessed 5 April 2012].
40. *Eurasian Transcontinental Corridors*. [online] Available at: <<http://www.silk-road.kz/sites/all/themes/lavalin/presentation/index.html>> [Accessed 2 May 2012].
41. Western Europe – Western China project [online] Available at: [Accessed 1 April 2012]. <<http://web.worldbank.org/external/projects/main?Projectid=P099270&theSitePK=40941&piPK=64302789&pagePK=64330676&menuPK=64282137&Type=Implementation>>
42. Transcontinental Road Corridor "Western Europe - Western China". [image online]. Available at: <<http://www.silk-road.kz/sites/all/themes/lavalin/images/carta2.jpg>> [Accessed 30 May 2012].
43. International Transit Corridor Western Europe - Western China, 2011. *The Highway Russia-Kazakhstan-China will work by 2018*. [online] Available at: <<http://europe-china.kz/news/3947>> [Accessed 3 April 2012].
44. International Transit Corridor Western Europe - Western China. Project's impact assessment on the economic development. [online] Available at: <<http://europe-china.kz/sites/default/files/OCENKA-VLIYANIYA-PROEKTA-NA-ECONOM-RAZVITIE.swf>> [Accessed 3 April 2012].
45. Mozharova, V., 2011. *Transport in Kazakhstan: current situation problems and prospects*. pp 90-91. [pdf] Almaty: Kazakhstan Institute of Strategic Studies under the President of the Republic of Kazakhstan. Available at: <<http://www.kisi.kz/img/docs/5773.pdf>> [Accessed 5 April 2012].
46. Asian Development Bank, 2008. *New Silk Road to link Europe, Asia*. [online] Available at: <<http://www.adb.org/news/new-silk-road-link-europe-asia>> [Accessed 3 April 2012].
47. Li, Yury., 2011. *Historic road - drums pace. Great possibilities are opened to the people of the Aral Sea*. Kazpravda, [online] Available at: <<http://www.europe-china.kz/news/3724>> [Accessed 6 april 2012].
48. The agency of statistics of Republic of Kazakhstan, 2012. **Rate of unemployment**. [online] Available at <<http://www.eng.stat.kz/Pages/default.aspx>> [Accessed 25 June 2012]
49. International Transit Corridor Western Europe - Western China. *Transport and logistics centers*. [online] Available at: <<http://www.europe-china.kz/sites/default/files/TRANSPORTNO-LOGISTICHESKIE-CENTRY.swf>> [Accessed 3 April 2012].

50. Innovation Toronto, 2010. China to connect its high speed rail all the way to Europe. [online] Available at: <<http://www.innovationtoronto.com/2010/03/china-to-connect-its-high-speed-rail-all-the-way-to-europe/>> [Accessed 1 June 2012].

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LEADERSHIP STYLE AND PRACTICES OF SUCCESSFUL ENTREPRENEURS

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Abstract

Entrepreneurs are facing pressures related to sustainability, quality assurance and the ability to meet client expectations. Such pressures require effective leadership to lead, change and improve enterprise performance in order to meet the demand for current and future business. Many of the new changes that are occurring in business today are transformational. They are driven by the environment and client need. The entrepreneur may not know the exact outcome at first, because it emerges throughout the process. It requires a fundamental change in their mindset and organizational culture, and requires continual course corrections to the change process.

This research was conducted to help the aspiring entrepreneurs to develop and improve their leadership style. 150 successful Bicolano entrepreneurs was survey and interviewed about their actual leadership style and practices and this was the bases for developing a leadership program for aspiring or future entrepreneurs. Transformational leadership was the leadership style fairly often use of the successful entrepreneurs and this is characterized as being optimist about future of their business, enthusiastic about what needs to be accomplished, articulate a compelling vision of the future and expresses confidence that goals will be achieved.

Keywords: *Leadership style, successful entrepreneurs and leadership practices.*

INTRODUCTION

Leadership is the major force behind successful enterprise. The entrepreneurial leader takes responsibility in assisting the enterprise in creating such conditions so that, instead of being controlled, the enterprise generates its own order and responds creatively to the environment. They empower employees to act on the vision and execute through inspiration and develop implementation capacity networks through a complex web of aligned relationships.

Indeed the entrepreneur is an essential resource to our economy. As Drucker (1985) pointed out, small entrepreneurial companies have become the main driving force in revitalizing the economy. Hence, there is a need to promote and create small and medium enterprise (SME's) and to provide the what and how of successful entrepreneurship.

Gasse (1990) states: "Majority of the authors have the same opinion that one of the principal causes of small business bankruptcy is the lack of management skills. In effect, management skills are significant to the survival of the new firm." It therefore necessitates cautious analysis of definite leadership factors that contribute to entrepreneurial success. Needed is a research that identifies the explicit leadership style of successful entrepreneurs.

According to Fernald et al. (2005), "Entrepreneurs are confronted with the issue of developing leadership qualities in order to grow their businesses and to transform them to a level of professionalism". (p.1) Quantitative research is used to explore the dominant leadership styles and characteristics of entrepreneurs seeking those qualities referred to by Fernald et al.

The present study is conceived to determine the different leadership styles of successful Bicolano entrepreneurs and describe its characteristics. It recognizes which, from the nine leadership characteristics, they frequently use and which one is seldom used. Then, from the different leadership styles the entrepreneur use it will establish which is the

dominant. Next, the dominant leadership style of successful Bicolano entrepreneurs should be the leadership skill that must be developed to the aspiring or future entrepreneurs. Finally, this is the basis for developing leadership program/module for aspiring or future entrepreneurs to help them survive in their entrepreneurial endeavors that lead to entrepreneurial success.

MATERIAL AND METHODS

Research Instruments

The Multifactor Leadership Questionnaire 5X (MLQ 5X) was the survey instrument used to collect data regarding leadership styles of Bicolano entrepreneurs. An interview guide questions was likewise utilized for validating the result of the research and it was taken from the Multifactor Leadership Questionnaire 5X. This interview guide questions helped illustrate the leadership characteristic of Bicolano entrepreneurs based on their concrete practices.

The Multifactor Leadership Questionnaire (MLQ) Form 5X – (Revised), developed by Bass and Avolio (2004) is designed to assess transactional and transformational leadership styles and was used to classify participants. The questionnaire determines how directly the respondents align with transactional, transformational and laissez faire leadership styles. Since entrepreneurs fit well into the description of manager, the researcher posited that the MLQ 5X was a valid research instrument to use with the target respondent. The MLQ 5X has been investigated and revealed to have excellent internal consistency, reliability, and construct validity (Bass & Avolio, 1993). The MLQ 5X is a self-administered questionnaire that consists of twelve sub-scales (Avolio and Bass, 1995). Nine sub-scales are used to measure components of leadership style, while the other three sub-scales are outcome measures for leadership style evaluation (outcomes). The self-scoring MLQ (Form 5X) uses 45 items to measure twelve sub-scales. These items are rated using a 5-point Likert scale with

anchors labeled as 0 = not at all, 1 = once in a while, 2 = sometimes, 3 = fairly often, 4 = frequently, if not always. The researcher uses all items on the 45-item survey.

The sub-scales are divided into the three factors: Transformational leadership, Transactional leadership, and Outcomes. The factors idealized influence (attributed and behavioral), inspirational, intellectual stimulation and individualized consideration characterized transformational leadership. Contingent reward, management-by-exception (active and passive), and passive avoidant are associated with transactional leadership (Bass & Avolio, 2004). In addition, the MLQ 5X also measures organizational outcomes to the leadership sub-scales: extra effort, effective and satisfaction.

The item numbers corresponding to each particular sub-scale are as follows: Idealized influence (attributed) is behind items 10, 18, 21, 25; Idealized influence (behavior) is behind items 6, 14, 23, 34; Inspirational Motivation is behind items 9, 13, 26, and 36; Intellectual stimulation is behind items 2, 8, 30, 32; Individualized consideration is behind items 15, 19, 29, 31; Contingent reward is behind items 1, 11, 16, 35; Management-by-Exception (Active) is behind items 4, 22, 24, 27; Management-by-Exception (Passive) is behind items 3, 12, 17, 20; Laissez-faire is behind items 5, 7, 28, 33; Extra effort items 39, 42, 44; Effectiveness items 37, 40, 43, 45; and Satisfaction items 38, 41.

Bass and Avolio (2004) report reliability for the total items and each leadership factor scale ranges from .74 to .94. Reliability scores are high and exceed the published standards for internal consistency. An alpha coefficient above .60 is generally considered internally consistent (Mitchell & Jolley, 2000). The reliabilities within each data set generally indicated that the MLQ 5X was reliable in measuring each of the leadership factors across the initial nine latent constructs (Bass & Avolio, 2004). Furthermore, the instrument produces similar results when administered to various individuals.

Research Design

The study adopted qualitative-descriptive research to explore the leadership style of successful entrepreneurs. The qualitative research involved synthesizing the information obtained from various sources like interviews and documents into a logical explanation of what was discovered. And the descriptive design focused on existing situations or conditions of the setting of the study and provided an identification of the different leadership style of Bicolano entrepreneurs. The study investigated the dominant leadership style among successful Bicolano Entrepreneurs.

The research process in this study started from identifying the general population and getting the sample size which is the top 25 active micro small medium enterprise from six provinces of Bicol region, or a total of one hundred fifty (150) successful Bicolano entrepreneurs. This is based on the sales performance taken from the records of the provincial offices of the Department of Trade and Industry (2009). The respondents consist of businesses with more than three (3) years of operation and directly managed by a Bicolano entrepreneur. The proportionate sampling was used to arrive at a sample that was contextually similar and to minimize attribution error. Purposeful sampling was used in the survey administration (Creswell, 2005, p.204). Then, it assessed the leadership style and each characteristic using Multifactor Leadership Questionnaire 5X. Next, the dominant leadership style among successful Bicolano entrepreneurs was measured. Finally, a leadership program for aspiring Bicolano entrepreneurs was developed to help them shift from transactional leader to transformation leader.

As a whole, the research process in this study was divided into two (2) phases. The first phase includes the preliminary procedures: identifying the research area, identifying the respondents, and developing the research instruments. The second phase covered the research proper procedures that involved: data analysis and the procedure for arriving in interpretation of the data gathered which became the bases for conclusion and recommendation.

Statistical Treatment of Data

To examine their leadership style, the researcher used descriptive statistics. A description of the frequency and weighted mean for each leadership behavior was provided. Descriptive statistics helped to describe the leadership style of the respondent. Data were analyzed using the Statistical Package for Social Sciences (SPSS) 11.0 and Microsoft excel.

Weighted mean was used in this study to classify a participant as either transformational or transactional in leadership style. The weights assigned for each category were as follows: frequently, if not always– 4, fairly Often– 3, sometimes– 2, once in a while – 1, not at all – 0. And to interpret the weighted mean, the following interpretations were used: 3.2 - 4.0 frequently if not always, 2.4 - 3.1 fairly often, 1.6 - 2.3 sometimes, 0.8 - 1.5 once in a while, 0.0 - 0.7 not at all.

RESULTS AND DISCUSSION

Leadership Style among Successful Bicolano Entrepreneurs

The MLQ 5X does not rigidly classify the respondents as either transformational or transactional leaders (Hughes, 2005). It indicates which participants exhibit behaviors that are consistent with transformational leadership or behaviors that are consistent with transactional leadership. The leadership factors of idealized influence (attributed and behavioral), inspirational motivation, intellectual stimulation and individualized consideration characterized transformational leadership. Contingent reward, management-by-exception (active and passive), and laissez-faire are associated with transactional leadership. To classify, a participant's scores from each individual factor (e.g. idealized influence or inspiration motivation) were totaled. Next, the weighted mean scores of all transformational

factors and of all transactional factors were calculated, thus enabling the researcher to classify a respondent as either transformational or transactional in leadership style. Respondents were classified as having transformation leadership style if their overall transformation score was greater than the sample weighted mean of transactional score. All other participants were classified as having transactional leadership style.

Table 1 exhibits the leadership style of Bicolano Entrepreneurs. It identifies which leadership style frequently applies to them and which one does not.

Table 1 – Leadership Style of Successful Bicolano Entrepreneurs

Leadership Style	Frequency					Weighted Mean
	0 not at all	1 once in a while	2 Sometimes	3 Fairly Often	4 Frequently if not always	
Transformational Leadership	9	8	23.2	57.4	52.4	2.92
Transactional Leadership	38	19	27	37	29	2.01

2.92 while for transactional leadership style the weighted mean is 2.01. It indicates that both transformational and transactional leadership styles are utilized by Bicolano entrepreneurs.

Leadership Characteristics of a Successful Bicolano Entrepreneurs

As to the characteristic of transformational leadership style, 60 of the respondents frequently, if not always, are inspirational motivator, and only 2 respondents are not at all; 57 of the respondents frequently if not always are idealized influencer of behavior and only 3 respondents are not at all; 52 of the respondents are frequently, if not always, are both intellectual stimulator and individual considerer, only 3 and 6 respondents are not at all respectively; 41 of the respondents are idealized influencer of attribute and 30 are not at all. This was showed in table 2.

Table 2 - Transformational Leadership Characteristic of Successful Bicolano Entrepreneurs

Transformational Leadership Characteristics	Frequency					Weighted Mean
	0 not at all	1 once in a while	2 Sometimes	3 Fairly Often	4 Frequently if not always	
Idealized Influence (Behavior)	3	6	22	62	57	3.10
Idealized Influence (Attributed)	30	12	23	44	41	2.36
Inspirational Motivation	2	5	17	66	60	3.20
Intellectual Stimulation	3	9	27	59	52	3.01
Individual Consideration	6	9	27	56	52	2.94

In table 2, it indicates that successful Bicolano entrepreneurs as transformational leader are characterized as first; they are frequently, if not always as, inspirational motivator. Next, they are fairly often as idealized influencer of behavior, intellectual stimulator and individual considerer. Finally, they are sometimes idealized influencer of attribute. This can be expounded through the responses of the respondents during the conduct of casual interview. The following are the characteristics of the leadership style of Bicolano entrepreneurs as transformational leader which, to reiterate, was based on their actual practices:

Inspirational Motivator

As inspirational motivator, Bicolano entrepreneurs show and tell to their people that the vision of their enterprise is not only to earn profit but to provide stable livelihood to the people in their local community. They show this in an informal way, through their actions and conversation. So employees in the enterprise develop their initiative to care for the

business because whatever happens to the enterprise, their livelihood will also be affected. Entrepreneurs also want to share their skills, interest and passion for the business to their employees. They look for possibilities to enhance the technique used by his/her people and utilize local resources in production. Entrepreneurs desire to increase or add value to the local resources that the local community has and showcase it to the world.

Some of the entrepreneurs have a written vision statement and post it in the working area so that from time to time, everybody is reminded on the direction they want to achieve. Others would just have in their minds their vision statement, and their actions likewise reflect this vision.

As inspirational motivator, Bicolano entrepreneurs share to their employees the future plan of the enterprise through formal and informal meetings and general assemblies. In the meetings entrepreneurs tell their people the short term and long term plan of the enterprise, and then seek for their suggestions. Entrepreneurs ask their employees on what they can contribute to achieve those plans because the entrepreneurs value the participation of their people/employees. This develops the team spirit of employees believing that they are valued by the enterprise so they are encouraged to work together and do their best on whatever task they were assigned, and help the enterprise realize its future plan.

Finally as inspirational motivator, Bicolano entrepreneurs encourage their employees to accomplish their responsibilities by accomplishing his/her own responsibility, meaning the entrepreneurs act as role model to the employees. They also remind employees in a gentle way about their responsibility, teaching them how to accomplish their job, and come-up with a dialog and counseling if employees encounter a problem or difficulties in the task assigned to them. Entrepreneurs also provide proper salary and incentives.

Idealized Influencer of Behavior

As idealized influencer, Bicolano entrepreneurs share the most important values and belief of his/her enterprise when they provide livelihood to marginalized people and help them grow financially and develop their right attitude towards spending. Another is when they emphasize to their employees the value of hard work and perseverance. Then, when the entrepreneur valued the people/employees who produce the quality product of their enterprise he/she considers them as partners in business. Lastly, the entrepreneur leads by example to his/her people.

Bicolano entrepreneurs also specify the importance of having a strong sense of purpose in their employees in the course of the following: first, they encourage them to produce quality goods because this will benefit the enterprise and also the employees. Second, they provide positive attitude to the employees. Third, they inspire employees to work as a team because as enterprise grows, employees would have a better livelihood opportunity. And lastly, they identify employees' need and provide it.

Furthermore, Bicolano entrepreneurs as idealized influencer of behavior consider moral and ethical consequences in making decisions in their enterprise. The following situation illustrated how the entrepreneurs consider moral and ethical consequences in making decisions in their enterprise: first, they provide equal livelihood opportunity, at least the minimum salary for their employees and the required benefits by the government. Second, they provide reasonable price for their product where quality is assured. Third, they use alternative materials in producing product to help preserve the environment. And lastly, they exercise maximum tolerance in terms of the offenses of their employees. Most of the time, they call the attention of the employees when they commit mistakes and provide counseling and the worst punishment they do is to advise them to rest for a while. It is

difficult for the entrepreneur to just remove them from work because they consider the family that depends on the employee.

Intellectual Stimulator

As intellectual stimulator, Bicolano entrepreneurs encourage their employees to look for new ways to complete their task in the course of the following: first, they affirm employees in their work and make suggestions on how they could improve the accomplishment of their task. Second, they conduct dialog with employees in a two-way communication process which aims to develop self-awareness in the employees. And lastly, they set target date to accomplish the task assigned to the employees and provide close supervision.

Another attribute of the intellectual stimulator, the Bicolano entrepreneurs encourage the employees to analyze problems by the enterprise in different perspective and to re-examine the critical assumptions to problems whether they are appropriate or not through open communication and transparency. Entrepreneurs are open and transparent to their employee on what is happening to the enterprise, the demand for their product, its financial status and competition in the market and they ask for the suggestions or opinion of the employees. For example in a handicraft business, when they experience reject items from their buyer, the enterprise is obliged to redo the item and shoulder the expenses from the point of recall up to the point of delivery. In this case, the entrepreneur would normally tell their employees about this situation and ask them how to minimize if not totally avoid similar situation, because it would mean additional expenses to the enterprise and dissatisfaction to the buyer or client. So they let employees develop their initiative to care for the enterprises by assessing how to have zero reject items or to minimize its occurrence and re-examining critical assumption to problems like employees' assumption that if there are reject items, they just

redo the item and then it's alright. But when they re-examine the issue, it's not only about redoing the item. There are other things that are affected like expenses on the part of the company, the dissatisfaction of the client and the reputation of the company. Entrepreneurs believe that the participation of employees in solving problems of the enterprise will benefit both parties.

Individual Considerer

As individual considerer, Bicolano entrepreneurs spend time in teaching and coaching their employees to accomplish their task through the following: first, they are hands-on to the task assigned to their employees. So they show to the employees how to do it and personally guide them. Second, they also provide close supervision to their employee where one on one coaching happens. And lastly, they send employees to attend trainings to help upgrade and update their skills.

Bicolano entrepreneurs also help their employees develop their strength. First, they are assigned to a particular task where they are good at to develop their mastery. Next, they have this job rotation to give employees the opportunity to do different tasks and develop their other skills. Another thing: entrepreneurs allow employees to attend seminars, trainings and trade fairs offered by the DTI to help them boost their morale and develop their self esteem. Lastly, entrepreneurs are consistent in motivating employees to do their best.

Finally as individual considerer, Bicolano entrepreneurs treat employees both as individual and as a member of a group. As an individual, entrepreneurs consider that their employees have a unique characteristic. They have different level of skills, development, capacity and working attitude. Their differences in terms of capacity, working development and attitude is most of the time the basis for task assignment, level of supervision or coaching or counseling from the entrepreneur and the training provided to them. As a member of a group, entrepreneurs provide the same benefit to their employees, provide equal

opportunities, and treat them as part of his/her family so they can easily move or do their work without hassle.

Idealized Influencer of Attribute

As idealized influencer of attribute, Bicolano entrepreneurs display a sense of power and confidence in managing his/her enterprise through the following: first, they are firm in making decisions and show to the employees that they are capable of managing problems of the enterprise. Second, they are also firm in giving instruction and are systematic. Third, they personally deal with the customers and employees. Fourth, they are strict in terms of working issues but maintain a good working relationship with employees. And lastly, they show trust to employees, affirm them in their small accomplishment and provide disciplinary action if necessary.

Bicolano entrepreneur's action in the enterprise builds respect in their employees. Some of their actions that build respect in employees are: first, if they could provide the financial needs of their employees, like sustainable livelihood and safe working environment, they provide these necessities. Then, they treat their employee as partner of their business. Since employees are considered as partner of business they value it and give respect to the entrepreneur who treats them that way. Next, entrepreneurs extend his/her understanding to their employees' family concern and offer friendships. And finally, they apply the "walk the talk" philosophy.

Finally as idealized influencer of attribute, Bicolano entrepreneurs instill pride to their employees for being associated to their enterprise. These are manifested in the following: employees' loyalty to the enterprise; valuing the camaraderie that they have; boosting their morale by giving them a chance to work in the company; providing conducive working environment; and the transparency of the company to their customer and employees. They

also believe that the enterprise is sustainable and could provide them better livelihood. These are the reasons why they work and stay for a long period of time in the company.

Bicolano entrepreneurs are not conscious in displaying a sense of power and confidence in managing his/her enterprise, even in building respect and instilling pride in their employees for being associated to their enterprise and that is why this leadership characteristic is sometimes practiced.

As to the characteristic of transactional leadership style, 55 of the respondents are frequently, if not always a contingent rewarder and only 3 respondents are not at all; 34 of the respondents frequently, if not always are management-by-exception (active) and only 19 respondents are not at all; 16 of the respondents frequently, if not always are management-by-exception (passive) and 57 respondents are not at all; and only 10 of the respondents frequently, if not always, are laissez faire leaders and 72 are not at all. This was illustrated in table 3.

Table 3 –Transactional Leadership Characteristic of Successful Bicolano Entrepreneurs

Transactional Leadership Characteristics	Frequency					Weighted Mean
	0 not at all	1 once in a while	2 Sometimes	3 Fairly Often	4 Frequently if not always	
Contingent Reward	3	5	22	65	55	3.11
Management-by-Exception (Active)	19	17	32	48	34	2.42
Management-by-Exception (Passive)	57	26	29	22	16	1.44
Laissez Faire Leadership	72	30	24	14	10	1.07

(active) and once in a while as management-by-exception (passive) and laissez faire leader. This was expounded through the responses of the respondents during the conduct of casual interview. The

following are the characteristics of the leadership style of Bicolano entrepreneurs as transactional leaders which, to reiterate, was based on their actual practices:

Contingent Rewarder

As contingent rewarder, Bicolano entrepreneurs discuss with their employees who is responsible in achieving performance target through the following: first, they provide job description for each employee when they start working in the enterprise. Second, they also call for a meeting or an individual dialog to provide clear instruction like the specification of the product, its procedures, set date when to achieve the target goal and their responsibility, And lastly, they personally supervise their employees to help them accomplish their work and double check to see to it that the quality of their product is maintained.

Moreover as contingent rewarder, Bicolano entrepreneurs provide orientation to his/her employees when they start working in the enterprise. The orientation is done personally by the entrepreneur in a casual conversation with the employee. Part of the orientation is the information on what the employee will receive if he/she achieves or accomplishes their task or the target goals. Basically, entrepreneurs provide a minimum salary and some of the required benefits imposed by the government. But they also provide incentives monetary and non-monetary. A non-monetary incentive includes verbal affirmation to employees showing to them that he/she is happy and satisfied in their accomplishment, providing free snacks and celebrating the accomplishment together.

Management-by-Exception (Active)

As management by exception (active), Bicolano entrepreneurs focus their attention on the irregularities and mistakes of the employees because they want to know the development of their employee's skills and come-up with corrective action. Corrective actions may take the form of showing to the employees how to do it, sending them for trainings, one-on-one coaching, dialog and counseling to help them improve their work and relationship with co-

workers. Another reason is that they want to maintain the quality of their product to minimize the effect to the enterprise particularly the loss. The problems/mistakes usually committed by the employees are the quality of their output, tardiness and sometimes working relationship with co-worker.

Also as management by exception (active), Bicolano entrepreneurs keep track of all of their employees' mistakes through the following: first, they let their employees recall their mistakes for them to realize and learn from it. Then, they are hands-on to the business so they closely supervise their employees. And finally, they get feedback from co-employees. Entrepreneurs keep track of all employees' mistakes for the following reasons: first, to immediately correct mistakes committed by the employees and provide counseling for them not to commit again or to lessen their mistakes; second, to help improve and upgrade their skills; third, to maintain the quality of their product; and fourth, to have basis for job evaluation if employees should be retained in their post or be transferred to another task that they are more capable or worst if they should be advised to take a rest for a while.

Management-by-Exception (Passive)

Bicolano entrepreneurs make intervention in the problems before they become serious. Entrepreneurs are hands –on to their business so they could notice if there is a problem and assess the root cause. Then, they analyze to forecast or anticipate possible problems relative to that and immediately look for solutions as part of their early intervention. As much as possible entrepreneurs want to intervene when problems are just starting to prevent further damage to the enterprise and its employees. For example, an entrepreneur is expected to deliver a certain volume of product to the buyer on a specific date but his/her employees could not meet the target date of delivery, despite increase in the work force. Before the due date to deliver the product the entrepreneur already informs the buyer and explains the situation and requests for an extension of the date of delivery. Intervention

was made so that the satisfaction of the customer will not be sacrifice and the reputation of the enterprise will be safeguarded.

In addition, Bicolano entrepreneurs will not wait for things to go wrong in his/her enterprise before taking action, because they do not want to waste their resources. They want to maintain the quality of their products and the reputation of their enterprise. But there are some situations that are beyond the control of the entrepreneurs. Another reason is that some lack the skills of anticipating or forecasting problems that is why management by exception (passive) is once in a while practiced.

Laissez Faire Leader

Bicolano entrepreneurs involve themselves when important issues of his/her enterprise arise because they want to prevent further damage of that issue to the enterprise. Another is that they immediately look for possible solutions to address that issue. One advantage for them is that they are hands –on to their business so they could anticipate possible issues and immediately settle the problem. They also believe that responding to issues of their enterprise is an area for growth and opportunity where they could learn something.

Furthermore, they do not delay responding to urgent concerns of their enterprise because they prioritize and immediately respond to look for possible solutions. They act accordingly so that they could prevent up-coming problems and its negative result. This is also their way of protecting the company's image and of maintaining customer satisfaction. Therefore, Bicolano entrepreneurs are not a laissez-faire leader. However, there may be some situations that call to practice this type of leadership once in a while.

From the nine leadership behaviors, Bicolano entrepreneurs demonstrate inspirational motivation behavior as a transformational leader and contingent reward behavior as transactional leader.

Dominant Leadership Style among Successful Bicolano Entrepreneurs

As reflected in table 1, the transformational leadership style has a weighted mean of 2.92, which means that respondents fairly often make use of transformational leadership style. In table 2, inspirational motivation ranked first and idealized influencer (attribute) was ranked fifth among leadership characteristics under transformational leadership. This indicates that Bicolano entrepreneurs as transformational leader are characterized as frequently, if not always, an inspirational motivator because they demonstrate commitment in sharing the vision of their enterprise-that is, to provide sustaining livelihood to the people in their local community. This encouraged and inspired them to also engage into business. Sometimes they utilized idealized influencer leadership to motivate their employees to do their best and care for the enterprise, because in the end if the business succeeds they will be the ones benefited.

Transactional leadership style has the weighted mean of 2.01. This indicates that it is sometimes utilized. In table 3, contingent reward was ranked first and laissez faire leadership ranked fourth among the leadership characteristics under transactional. They are fairly often contingent rewarder because they provide rewards like incentives, affirmation for employees' performance and once in a while, a laissez-faire leader.

Further, the transformational leadership shows that Bicolano entrepreneurs are optimists about future of their business, enthusiastic about what needs to be accomplished, articulate in giving a compelling vision of the future and expresses confidence that goals will be achieved.

This result is similar to Thornberry's (2006) finding that 'entrepreneurial leadership is more like transformational leadership than it is like transactional leadership, yet it differs in some fundamental ways'.

Leadership Program for Aspiring Entrepreneurs

This program targets the current and aspiring entrepreneurs engaging in entrepreneurial venture throughout Bicol region and focuses on the leader's role in improving enterprise, team and individual performance. The aim of this program is to build and develop entrepreneur leaders to utilize frequently transformational leadership instead of transactional leadership.

But how would the entrepreneur utilize frequently transformational leadership instead of transactional leadership. Shifting from transactional leadership to transformational leadership requires the use of emotional intelligence. Emotional Intelligence is about knowing yourself and others through understanding how emotions influence our thoughts and behaviors. It is also using that knowledge to make the most of your own talents and improving your effectiveness when interacting with others. The development of the four domains of emotional intelligence in the entrepreneur is very important to help them shift from transactional to transformational leadership. This factor is integrated into this program. According to the literature, EI (emotional intelligence) more strongly influences career success than one's IQ, or technical competency.

The leadership program is comprised of three separate modules such as: *Module One*: Transformational leadership, self awareness and building high performing teams as well as the power and dynamics of leadership, *Module Two*: Leading organizational and personal change. Development of a entrepreneurial vision and plan for the future, and *Module Three*: Leadership, culture and performance improvement including mainstreaming improvement; tools and methodologies for preventing waste; spread and adoption of new ideas and innovation. The module has defined outcomes and each module commences with the underlying theory relevant to the module's content and cascades out from knowledge to skill development, and from practical examples via personal reflection, the use of case studies, relevant methodologies and tools as well as group interaction and discussion will be utilized.

CONCLUSIONS

Leadership among entrepreneurs may not be exceptional. The study used an instrument based on a contemporary full-range leadership model to determine & assess explicit leadership characteristics of successful Bicolano entrepreneurs. A successful Bicolano entrepreneurs show a noticeably higher predisposition toward transformational leadership. Leadership competencies related to inspirational motivation, contingency reward and laissez faire leadership were the most considerable discriminates among leadership factors. Successful entrepreneurs constantly rated themselves higher in inspirational motivation and contingent reward and lower in occurrence of application of laissez faire leadership.

That dominant leadership among successful Bicolano entrepreneurs is the transformational leadership style they fairly often make use of these. They are characterize as being optimist about future of their business, enthusiastic about what needs to be accomplished, articulate a compelling vision of the future and expresses confidence that goals will be achieved.

The leadership program for aspiring entrepreneurs as designed is geared toward achieving useful leadership style to improve survival and growth of their entrepreneurial endeavors.

REFERENCE

- Avolio, B.J., & Bass, B.M. (2004). Multifactor leadership questionnaire: *Manual and sampler set* (3rd ed.) Menlo Park, CA: Mind Garden, Inc.
- Bass, B.M. & Avolio, B.J. (1993). Transformational leadership: A response to critiques. In M.M. Chemers & R. Ayman (Eds.). *Leadership theory and research. Perspectives and directions* (pp. 49-80). New York: Academic Press.

- Bass, B. M., & Avolio, B.J. (2000). *Platoon readiness as a function of leadership, platoon and company cultures: Final report*. Washington, DC: U.S. Army Research Institute for the Behavioral and Social Sciences.
- Creswell, J.W. (2005). *Educational research: Planning, conducting, and evaluating quantitative and qualitative research (2nd ed.)* Upper Saddle River, NJ: Pearson Merrill Prentice Hall.
- Drucker, P. F. 1985. *Innovation and entrepreneurship*. New York: Harper and Row.
- Drucker, P.F. (2002). *Managing the next society*. New York: St. Marten's Press.
- Fernald, L.W. Jr., G. T. Solomon, and A. Tarabishy. 2005. A new paradigm: Entrepreneurial leadership. *Southern Business Review* 30 (2): 1–10.
- Gasse, Yvonne (1990) 'An experience in training in the area of entrepreneurship and starting a business in Quebec: the project "Become an Entrepreneur' in Donckels R & Miettinen Askop (eds) *New Findings and Perspective in Entrepreneurship*, Avebury Gower Publishing Company Ltd.
- Thornberry, N. 2006. *Lead like an entrepreneur*. Blacklick, oh: McGraw-Hill.

THE RELATIONSHIP OF POWER ON CHANNEL MEMBER SOCIAL SATISFACTION: A CASE OF MALAYSIAN CAR DEALERS.

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Abstract

The importance of satisfaction in channel relationship arises primarily from the belief that establishing and maintaining a network of satisfied resellers is crucial to the long-term viability of the channel systems. Thus, researchers' and marketers' interests have become more focused on relationship building and development, and many marketing scholars have recognized the need for an examination of the relationship aspects of buyer-supplier exchange and the components that influence relationship development and satisfaction. Despite the assumption that relationship satisfaction contributes to buyer-supplier relationship, previous researches had concentrated more on factors affecting towards an overall satisfaction of relationship and less research focus has been given to investigate the social relationship satisfaction. Using a survey method, this study explores the uses of power as antecedents of social relationship satisfaction among 107 car dealers in Malaysia. Results revealed that the model is significant between uses of power based on coercive power and non-coercive power towards the social satisfaction. Even though the model is significant, only use of non-coercive power is predicted social satisfaction. The evidence from the study suggests the need for enhancing theories and models relating channel relationships in Malaysia.

Keywords: Relationship Marketing, Power, Social Satisfaction

Introduction

Interest in satisfaction in channel relationship arises primarily from the belief that establishing and maintaining a network of satisfied resellers is crucial to the long-term viability of the channel systems. In this regard, small and large companies are forging partnerships with suppliers as a foundation of their supply strategies (Theng-Lau & Goh, 2005) because, developing successful business-to-business relationships can be beneficial between buyers and sellers in the supply chain context, creating and delivering value to customers (Parvatiyar & Sheth, 2000). Thus, interest of researchers and marketers has become more focused on relationship building and development where, the use of a relationship marketing framework in studying supply chain relationships has gained significance both in practice and as an academic discipline (Palmatier, Dant, Grewal, & Evans, 2006).

Moreover, most of the studies on buyer-seller relationship in business-to-business markets focused on transaction-specific based satisfaction. Recent studies called for an approach to study exchange relationship rather than transaction specific relationship (Abdul-Muhmin, 2005; Homburg & Rudolph, 2001; Rossomme, 2003; Tikkanen & Alajoutsijarvi, 2002). Thus, many marketing scholars have recognised the need for an examination of the relationship aspects of buyer-supplier exchange and the components that influence relationship development and satisfaction (Abdul-Muhmin, 2005; Andaleeb, 1996; Anderson & Narus, 1984; Geyskens, Steenkamp, & Kumar, 1999; Ramaseshan, Yip, & Pae, 2006; Rodriguez, Agudo, & Gutierrez, 2006; Selnes, 1998). Moreover, a successful buyer-seller relationship has been empirically shown to improve business performance and customer loyalty through stronger relational bonds. Thus, key concepts such as interdependence, trust, commitment and relationship satisfaction have been identified as key constructs influencing relational bonds to build, manage and maintain supplier-buyer relationships.

With the increasing interest in buyer-supplier relationships, satisfaction has become an important component in relationship marketing and channel theory (Abdul-Muhmin, 2005; Ramaseshan, Yip, & Pae, 2006; Rodriguez, Agudo, & Gutierrez, 2006). In business relationships, satisfaction with supplier relationship is viewed as an essential ingredient in the development and maintenance of long-term buyer-supplier relationships. The expansion and importance of relationship satisfaction in business-to-business relationship have changed the existing shape of transaction relationship between companies. This is because the importance of relationship satisfaction enables the construction of new relationship model, which was unavailable under the existing discrete transaction relationship. In other words, the satisfaction of business relationship has huge potential for enabling companies, small and large, to develop better collaboration and coordination for long-term based strategies and commitment in business relationship. Totally new competitive advantages and opportunities would open up for companies. As a result, the importance of relationship satisfaction is being emphasised.

Malaysia scenario

Looking into the scenario in Malaysia, the automobile industry has become substantially more competitive and profitable. The automotive industry in Malaysia can be considered as one of the most important and strategic industries in the manufacturing sector (Ministry of International Trade and Industry, 2005). Compared with other industries in the manufacturing sector in Malaysia, the automotive industry was developed to boost the industrialisation process so that Malaysia can become a developed nation by 2020. In fact, Malaysia is Southeast Asia's largest car market.

In Malaysia, a major shift in automotive industry landscape occurred when the National Car project was conceived as an initiative to increase the productive capacity and to develop technology and intellectual property in the automobile sector (Nor & Sumarmo, 2005). In fact, the Malaysian auto market is dominated by Perusahaan Otomobil Nasional PROTON, which was launched in 1984. The project was conceived in order to guide the automotive industry in increasing the level of technology and the development of intellectual property of the industry. Then, Perusahaan Otomobil Kedua Sdn. Bhd. (PERODUA) was established in October 1992 to expand the automotive product range and national brand as well as to further support the components and parts manufacturing. Even though Malaysia's national cars dominate the Malaysian auto market, the

market share of the national car makers, especially PROTON, started to decline in Malaysia after the execution of the ASEAN Free Trade Area (AFTA). This indicates that the AFTA policy has the tendency to make the automobile market to become more global and sophisticated, which directly leads to intense competition between manufacturers as well as among the car dealers. Recognising these global changes, the National Automotive Policy (NAP) initiated by the government seeks to address the manifold issues and challenges and transform the domestic automotive sector to become a more viable, competitive and significant contributor to the economy (Prime Minister Office, 2006). The development of automobile markets in Malaysia has significantly increased the need for channel members to understand their functions more clearly in efforts to create balanced and quality dealer and supplier relationship. Specifically, the dealers are sensitive to any violations in business relationships. For example, the EON dealers are dissatisfied and face a dilemma over new sales conditions by Proton (New Straits Times 2001); the dealers are dissatisfied with delay in delivery of new cars from Proton stockyard (New Straits Times, 2004). To remain competitive, the dealers asked for relief and assistance from Proton to help review their business (New Straits Times, 2007). Under such conditions, Datuk Seri Abdullah Ahmad Badawi called on national car supplier, Proton, and its wide network of dealers and vendors to keep continuously improving in order to face competition under market liberalisation and give the consumer more choices (Bernama, 2005). Furthermore, the signing of the Dealership Agreement between Proton Edar and Edaran Otomobil Nasional Bhd (EON) will strengthen the relationship between both companies as the Proton brand prepares to face the challenges of a more liberalised motor vehicle market (Bernama, 2004).

Despite the above situation in the automobile industry in Malaysia, the channel study in Malaysia by Roslin and Melewar (2004) has recognised that currently, there is a shift from a transaction to a relationship focus in Malaysian grocery channel distribution. Given the increased importance of long-term, strategic relationships in business dealings, companies must focus on managing such relationships. This is indeed an area where further research needs to be carried out to explore the importance of relationship elements and the implications surrounding the dealer-supplier relationships. Thus, it is imperative for empirical research to be conducted in other types of channels in Malaysia on issues regarding the relationship between suppliers-dealers in the automobile industry.

Literature Review

Researchers have expressed a great deal of interest in identifying various factors that contribute in creating and maintaining satisfaction in business-to-business industry and marketing channel firms (Abdul-Muhmin, 2002; Geyskens & Steenkamp, 2000). Specifically, in marketing channel relationship, researchers have revealed that a channel member's satisfaction increases long-term orientation and continuity (Bolton, 1998; Selnes, 1998). Under such a scenario, channel members, like retailers and dealers, must develop good working relationships with their suppliers in order to provide merchandise efficiently and effectively to the consumer. This is because the retailers and its suppliers are interdependent upon one another and this relationship is one of the keys to successful channel distribution. Despite that, building strong relationships between manufacturers, suppliers, distributors, retailers and customers has become an important channel strategy in both industrial and consumer markets. Through the utilisation of a relationship element like relationship satisfaction, channel members could integrate various functions spread over different areas within them which could lead to greater levels of channel trust and commitment. This efforts could enhance their capability to cope with today's worldwide trend towards building closer and more integrated relationships between channel intermediaries and suppliers (Corsten & Kumar, 2005; Leonidou, Paliawadana, & Theodosiou, 2006).

Channel Satisfaction

The previous research more focus on overall satisfaction of relationship with less research being focused on investigating specific channel relationship satisfaction as economic and social aspects (Geyskens & Steenkamp, 2000). It requires a channel member to consider seriously and comprehensively the economic and emotional aspects that have to be invested in the relationship for further development (Dwyer, Schurr, & Oh, 1987). According to Geyskens et al. (1999), despite the importance of and vast empirical research attention developed on satisfaction in channel relationships, there is no consensus regarding the conceptualisation of channel member satisfaction. Some researchers view satisfaction in channel relationship more as the perceived discrepancy between prior expectations and actual profits; while other researchers perceived satisfaction in non-economic, social and psychosocial terms, defining it as an emotional response to the overall working relationship with the channel partner (Anderson & Narus, 1984; Crosby, Evans, & Cowles, 1990; Payan & McFarland, 2005; Selnes, 1998). Geyskens and Steenkamp (2000) argue that that social satisfaction "is conceptually distinct and created through different practices and has a different impact on channel relationship". , social satisfaction is a channel member's evaluation of the psychological aspects of its relationship, reflecting the extent to which the interaction with the exchange partner is seen as fulfilling and gratifying (Geyskens & Steenkamp, 2000). By specifying the social satisfaction in relationship, the suppliers could improve their ability to manage channel relationships.

Uses of Power

Power is the ability to influence the decisions or actions of others. In channel relationships, power is typically defined as a channel member's ability to influence the perceptions, behaviour, and decision making of another channel member. The previous researchers defined power of channel member is the "ability to control the decision variables in the marketing strategy of another member in a given channel at a different level of distribution (El-Ansary & Stern, 1972). This definition of channel power is very much based on Dahl's (1957) and Emerson's (1962) description of power in social theory. Channel members can use power on various occasions, including the development of operational linkages, providing channel training, developing discount systems, all of which are possibly relevant to the focal exchange (Berthon, Pitt, Ewing, & Bakkeland, 2003).

Previous study by, French & Raven (1959) in line with Stern & El-Ansary (1992) that these resources are known as the channel members' "bases" of power, and they include rewards, coercion, expertness, reference, legitimacy. Moreover, these "bases" of power classified as coercive and non-coercive by several researchers. Coercive bases of power represent a power struggle driven by force (Mallen, 1963), which may decrease the level of cooperation in relationship (Skinner, Gassenheimer, & Kelley, 1992). Non-coercive bases of power increase the value of the relationship through team support and common interests as well as promoting collective goals. Scholars have examined power as a bi-polar construct: coercive, or the ability to compel compliance by means of threats, legalistic plea and promises; and non-coercive, or the ability to compel by means of requests, information exchange, and recommendations (Boyle & Dwyer, 1995; Etgar, 1976; Morgan & Hunt, 1994).

More specifically there are many studies indicate the association between power used by supplier and buyers' satisfaction (Frazier & Summers, 1986; Gaski & Nevin, 1985; Gassenheimer & Ramsey, 1994; Ramaseshan et al., 2006). However study by Howell (1987) on interrelations among a channel entity's power produce different findings for power bases and dealer satisfaction. The study by using covariance structure modeling reveal no

relationship between partner's use of power bases which include coercive, expert, legitimate, referent, assistance, as well as partner's power with dealers relationship satisfaction. The reviews conclude that in channel relationship the exercise of power has become an important research objective of many marketing channel studies. It is recognized that some form of power is necessary in inter-organizational relationships because unguided channel activity is likely to lead to sub-optimal performance (Stern, El-Ansary, & Coughlan, 1996). Thus, sources of channel power and their application have been considered to be immensely important in channel management theory (Sahadev & Jayachandran, 2004). In line to this, most studies in have included power as antecedents of channel satisfaction but there are mixed empirical results between use of power sources and satisfaction (Frazier & Summers, 1986; Scheer & Stern, 1992). Researchers in distribution channels also pointed out that there is a need to extend channel power research to other locations, and to test the construct in developing economies with different cultural settings (Ramashehan, Yip & Pae, 2006). This however needs verification. Therefore, the impact of use of power sources on satisfaction further merits further investigation. Previous empirical trials showed that threats, promises, and legalistic pleas are termed as coercive use of power, while requests, information exchange, and recommendations are termed as non-coercive use of power (Frazier & Summers, 1986). Thus, for the purpose of this study, coercive power is defined as the use of direct pressure through adverse consequences of punishment in the hope of modifying the focal channel member's behavior, while non-coercive power is defined as the use of power to affect behavior of channel member's compliance through the unconditional provisions of rewards.

Furthermore, the findings of relational elements in channel relationship, have not been fully replicated in markets in developing countries (Roslin & Melewar, 2004). These underlying gaps have led many researchers to suggest further empirical research in this area (Abdul-Muhmin, 2005; Geyskens & Steenkamp, 2000; Ramaseshan et al., 2006). As a result, this study seeks to amplify the current knowledge base of dealer-supplier relationships by examining the relationship constructs such as use of power and social satisfaction that are likely to contribute the most to success in ongoing business relationships. It is interesting to note that most previous studies on relationship satisfaction concentrated on industrial buyers and suppliers (Abdul-Muhmin, 2002, 2005; Jap & Ganesan, 2000; Sahadev & Jayachandran, 2004; Smith & Barclay, 1997) and very little research was done explicitly on the automobile dealer-supplier relationships. In line with this fact, Geyskens et al. (1999) suggested that further conceptual and empirical studies need to be carried out in different business market settings

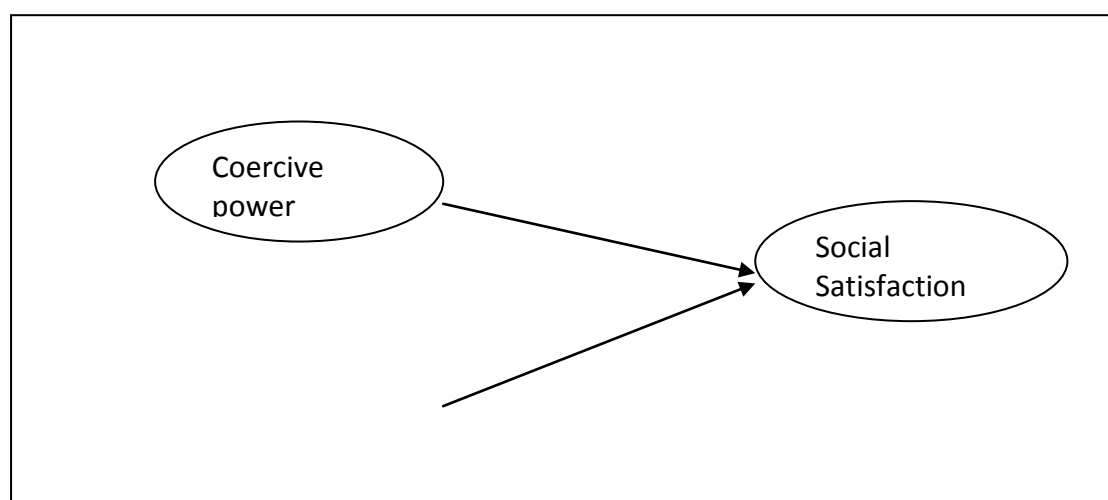
It should be noted also that most of the extensive studies on channel relationships were in Western developed economies such as the USA (Frazier & Rody, 1991) and Europe (Johanson, Hallen, & Seyed-Mohamed, 1991). Then research has moved beyond this narrow confine. For example, Abdul-Muhmin (2002) concentrated on industrial distributors in Saudi Arabia, whereas Lee (2001) investigated a Chinese local brewery distributors relationship with their supplier. The studies that have been done in non-Western countries suggest differences in channel participants' behaviours (Lee, 2001). As a result, it is questionable whether such studies can be applied universally across various countries. Sahadev and Jayachandran (2004) suggest the need for studies to be conducted on issues influencing channel members in other cultures so that such knowledge can be integrated into a general

theory of the distribution system as a behavioural system. Research on channel structures in other countries would be a timely progression in the study of distribution relationship, given the issues of the applicability of channel research findings to other countries. Thus, it is important to investigate whether the same evidence can be found in a Malaysian context for automobile dealer-supplier relationships. If the findings of this study were consistent with the previous studies, then, it would be possible to identify relationship structure in the Malaysian automobile industry.

In summary, the automobile industry environment is changing more rapidly than ever before, competition is increasing, and national manufacturers are being drawn into battle with foreign manufacturers setting up businesses in Malaysia. Given the need to satisfy dealers and its importance to business success, knowledge gained in this area will be of great value to dealers and suppliers. As far as the automobile dealers-suppliers relationship is concerned, there is apparently little literature to suggest that research has been conducted in the Malaysian perspective. Thus, the present study attempts to address the gaps discussed in the previous paragraphs by investigating the relationship between use of power and dealers' social satisfaction with their suppliers among automobile distribution channels within the Malaysian context.

Methodology

Our sample consists of car dealers in Peninsular Malaysia. From the discussions in the literature review, the following framework has been constructed. Figure 1 shows that relationship satisfaction will lead to higher degree of commitment and trust among the car dealers. Given the domestic automotive industry has been facilitated by policies that have promoted local vehicle manufacturers to move forward and become global, our study focus only national car dealers. Government policy supports the domestic automotive sector to become a more competitive and significant contributor to the country's economy. 300 questionnaires were distributed to new car dealers of national cars in Peninsular Malaysia. Out of this number, 109 were returned and 2 were incomplete. A total of 107 responses were usable and being used for subsequent analysis. Thus, the effective response rate is 35.6 percent. This response rate is consider adequate and within the range reported by other researchers for channel studies (Abdul-Muhmin, 2002; Baker, Simpson, & Siguaw, 1999; Kumar, Scheer, & Steenkamp, 1995).



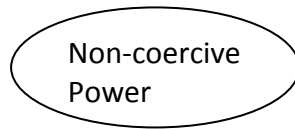


Figure 1: Conceptual Model for Use of Power and Social Relationship Satisfaction.

Measure Development

A questionnaire instrument was developed to measure dealers' perceptions about economic relationship satisfaction with their suppliers. The items are based on the previous studies discussed in literatures. The coercive and non-coercive uses of power were adapted from Scheer and Stern's instrument (1992) and Geyskens and Steenkamp (2000). They were operationalised as separate, but related to constructs of uses of power. The internal reliabilities reported by Geyskens and Steenkamp (2000) was .75 and .78 for coercive uses of power and non-coercive uses of power respectively.

For the social relationship satisfaction adapted from Geyskens and Steenkamp (2000). This scale has been found to be the most robust measure of satisfaction in channel relationship and the internal reliabilities reported by Ramaseshan et al. (2006) for economic satisfaction was .82. All of the dimensions developed were measured using 5 points Likert-type scales, ranking from strongly disagree (1) to strongly agree (5) was used for all the variables in this study.

The alpha values for the present study also were calculated to assess the internal consistency reliabilities of the scales. For the Coercive and Non-coercive uses of power scales, the results indicate acceptable values respectively .84 and .88. Social satisfaction is measured using 5 items and the alpha values is .87. Inter-correlation between variables was done, where the values of correlation coefficients for all the three variables are exceeded .50 and below .80 and significantly correlated

Table 1: Descriptive and Reliability Analysis Results

Variables	No. of Items	Mean	SD	Alpha
Coercive power	4	2.66	.75	.84
Non-coercive power	4	3.56	.61	.88
Social Satisfaction	5	3.66	.71	.87

Findings and Discussions

The results from OLS regression are summarized in Table 2. As the table 2 revealed that use of coercive power ($\beta = -.07$; $p < .01$) is found to have no significant influence on social relationship satisfaction. On the other hand, the use of non-coercive power is positively influence social relationship satisfaction ($\beta = .69$; $p < .01$). This supports that any business relationship that results in more friendly and less uses of power exchange would enhance the degree of satisfaction in term of economic. This study seems to support such an argument.

Table 2 : The Influence of Use of Power on Economic Relationship Satisfaction

Independent variables	Coefficient (β)	t value
Coercive power	-.075	-.58
Non-coercive power	.697	7.82*

Note: R^2 =.56; F =67.18; * p <. 05; ** p < .01

β = Beta coefficient

Discussion

Suppliers' power derives from their control and possession of critical resources that are valued by their dealers. They can exercise coercive and non-coercive power under different situations and for different purposes. This study revealed a non-significant relationship between supplier's uses of coercive power with dealer's social satisfaction. The finding is different to previous studies that reported direct negative effect of coercive power on social satisfaction (Frazier & Summers, 1986; Geyskens & Steenkamp, 2000). This might due to the existing harmony relationship between the dealer and supplier. Where, in the automobile industry, dealers operate closely with the supplier in order to deliver better marketing services to the customers. This indicates that the dealers are tolerant, dependent and unlikely to retaliate with the supplier's use of coercive power. The study supported that Malaysian channel members behave differently from Western counterparts in responding to channel partner coercion, and in line to study by Ramasheshan et al. (2006) who also found similar findings in Chinese channel members. Ramasheshan et al. (2006) explained that Chinese collectivist culture places a high value in conducting exchanges in a harmonious manner which make the channel members to be more tolerant to coercive influences. Thus, the results could deduce that dealers are more understanding and tolerant to coercive reinforcement because Malaysian collectivistic culture also places a high value, closeness, friendliness, relational in conducting exchanges in a harmonious manner. Indirectly, another reason that could explain the lack of significant influence of use of coercive power on social satisfaction is likely the overriding effect of non-coercive power on social satisfaction. The latter is likely to subsume the effect of coercive power on social satisfaction.

This study appears to confirm a positive and significant relationship between the dealers' degree of social satisfaction with supplier's use of non-coercive power. This means that the greater the emphasis placed by supplier on use of non-coercive power, the higher will be the social satisfaction level of the dealers. It is consistent with Geyskens and Steenkamp (2000) that social satisfaction depends on the processes that underlie the suppliers' non-coercive power use attempt. This is probably due to the use of reward, information

exchange, recommendations (Boyle & Dwyer, 1995) by the suppliers. In the case of dealers, although they worked dependently, more non-coercive supports are expected from supplier as the ultimate goal is to deliver the products as expected by the customers. These include the supplier freely offering its expertise, information and assistance that might make the dealers happy and satisfied with existing relationship. This finding validates the earlier study by Boyle and Dwyer (1995), Frazier and Summers (1986), Lee (2001) and Ramasheshan et al. (2006) on the importance of non-coercive uses of power in causing satisfaction in working relationship. They concluded that a partner's attitude towards another partner is affected by the outcome that results from the behaviour adopted in their relationships. Thus, the suppliers should consider using non-coercive influences more frequently which is more effective in cultivating channel relationship in Malaysia.

Implications for supply practice

Several implications for implementing uses of power and social satisfaction blocks result from this study. It has been greatly assumed that harmony and collaborative efforts among supplier-buyers may be the best way to minimize uncertainty and enhance long-term relationship. From a practical perspective, this study provides a few key implications on how managers' in automotive suppliers in particular can manage their relationship with dealers in an effective way. The business goal is to establish and maintain relationship with the dealers for long-term sales instead of maximizing short-term sales. Relationship marketing helps dealers and suppliers to build, develop and keep a continuous process of relationship building. Suppliers-dealers should devote their attention to relationship satisfaction specifically, in order to "increase the pie rather than divide the pie". Both suppliers and dealers look for effective relationships in order to maximize their profits, minimize their costs and ultimately lead to the long-term relationship.

Obviously, the finding of this study gives an insight to suppliers for use of power influences carefully. Specifically, use of non-coercive reinforcement has been examined as the necessary antecedent to satisfy dealers for as long as possible. Therefore, suppliers must focus on non-coercive reinforcement behaviours to maintain the existing relationship in order to gain dealers' social satisfaction. The dealer's social satisfaction to a sustainable channel relationship can then be fostered by continuously use non-coercive power such as freely offering its expertise, providing assistances without requiring specific behaviour in return, sharing of information, giving rewards and benefits, would increase the dealers' relationship satisfaction. Providing and assisting the dealers with rewards and information related to automotive industry are very important for increasing dealers' social satisfaction. The suppliers are thus advised to distribute useful materials for helping their dealers to conduct their businesses effectively.

Even though our results demonstrate the supplier's use of non-coercive power as most significant, this does not mean dealers do not feel or perceive supplier's use of coercive power. This situation may require the suppliers to use more frequent non-coercive power while avoiding or minimizing the use of coercive power reinforcement on dealers. However, it is inferable that the supplier should avoid application of power in term of withholds information and services that previously were provided, sanction such as delayed delivery, a cancelled order or an added charges on dealers and imposing unilateral actions that damage

dealer's profitability. Thus suppliers should exercise power use with caution by taking consideration of the collectivistic cultural context.

Direction for future research

Although this study has some interesting findings on channel satisfaction, this study also has several limitations. The sample of dealers was taken from one industry. Somewhat unique to this industry is the fact that it is in a mature stage. This means that majority of the firms are well established, only a few new firms are entering this industry. Consequently, the results of this study cannot be generalized to other industries such as agriculture, mining, health and others. Additional research on factors affecting relationship satisfaction should be expanded to different types of industries/sectors such as service (education, health etc.), textiles and clothing, electronics, etc.

Another important limitation is that this analysis is a cross-sectional in nature. The nature of data collection is a cross-sectional study whereby the data is collected at one point of time. However, an attempt was made to minimize such problem by using a well-established scale for most constructs, and pre-testing the questionnaire to ensure that there was no perceived overlap between the different variables. Additional research must be done longitudinally in order to assess the impact of determinants and consequences over time. The longitudinal studies would provide valuable input in investigating the impact of channel strategies taken by supplier firms that are aimed at enhancing the degree of economic satisfaction and uses of power. Since the impact of use of power on economic satisfaction has already been demonstrated in this current study, an additional research is needed to fully understand the impact of such issues like opportunism, cooperation, and communication. Further, interpersonal factors in relationship need to consider how these can be used to determine relationship satisfaction. Other aspects of relationship might be complaints handling, response strategies, and loyalty.

Conclusions

One prime conclusion which can be drawn from this study is that the types of power exercised plays an instrumental role in fostering or weakening social satisfaction in supplier-dealer channel relationship. A successful relationship in supplier-dealer channel relationship can be achieved when the non-coercive power rather than coercive power are employed. The use of non-coercive power is better choice for supplier to foster social satisfaction among dealer compare to use of coercive power. The finding gives academicians and managers a much stronger basis than intuition and anecdotes for recommending the wisdom of adopting and implementing relationship-marketing approach. Preferably the management should take initiative in the way that has been suggested under discussion for the purpose of harmonising the dealer-supplier relationship. There must be a rightful desire within both the supplier and dealer to understand each other, to feel the importance of the relationship, and arrive at decisions that are acceptable to each party besides working together towards progress of both in terms of specific goals and long-term relationship. The evidence from this study suggests the need for enhancing theories and models relating channel relationships in Malaysia. For this reason, it is hoped that this study will generate

some interest among other researchers to examine the issues related relationship satisfaction in Malaysian channel distribution relationship.

REFERENCES

- Abdul-Muhmin, A. G. (2002). Effects of suppliers' marketing program variables on industrial buyers' relationship satisfaction and commitment. *Journal of Business & Industrial Marketing*, 17(7), 637-649.
- Abdul-Muhmin, A. G. (2005). Instrumental and interpersonal determinants of relationship satisfaction and commitment in industrial markets. *Journal of Business Research*, 58, 619-628.
- Andaleeb, S. S. (1996). An experimental investigation of satisfaction and commitment in marketing channels: The role of trust and dependence. *Journal of Retailing*, 72(1), 77-93.
- Anderson, J. C., & Narus, J. A. (1984). A model of the distributor's perspective of distributor-manufacturer working relationships. *Journal of Marketing*, 48(4), 62-74.
- Baker, T. L., Simpson, P. M., & Siguaw, J. A. (1999). The impact of suppliers' perceptions of reseller market orientation on key relationship constructs. *Journal of the Academy of Marketing Science*, 27(1), 50-57.
- Berthon, P., Pitt, L. F., Ewing, M. T., & Bakkeland, G. (2003). Norms and power in marketing relationships: Alternative theories and empirical evidence. *Journal of Business Research*, 56, 699-709.
- Bolton, R. N. (1998). A dynamic model of the duration of the customer's relationship with a continuous service provider: The role of satisfaction. *Marketing Science*, 17(1), 45-65.
- Boyle, B. A., & Dwyer, F. R. (1995). Power, bureaucracy, influence, and performance: Their relationships in industrial distribution channels. *Journal of Business Research*, 32, 189-200.
- Corsten, D., & Kumar, N. (2005). Do suppliers benefit from collaborative relationships with large retailers? An Empirical investigation of efficient consumer response action. *Journal of Marketing*, 69, 80-94.
- Crosby, L. A., Evans, K. R., & Cowles, D. (1990). Relationship quality in services selling: An interpersonal influence perspective. *Journal of Marketing*, 54(3), 68-81.
- Dahl, R. A. (1957). The concept of power. *Behavioral Science*, 2(July), 201-205.
- Dwyer, F. R., Schurr, P. H., & Oh, S. (1987). Developing buyer-seller relationships. *Journal of Marketing*, 51(April), 11-28.
- El-Ansary, A. I., & Stern, L. W. (1972). Power measurement in the distribution channel. *Journal of Marketing Research*, 9(February), 47-52.
- Etgar, M. (1976). Channel domination and countervailing power in distribution channels. *Journal of Marketing Research*, 13, 254-262.
- Frazier, G. L., & Rody, R. C. (1991). The use of influence strategies in interfirm relationships in industrial product channels. *Journal of Marketing*, 55(January), 52-69.
- Frazier, G. L., & Summers, J. O. (1986). Perceptions of interfirm power and its use within a franchise channel of distribution. *Journal of Marketing Research*, 23(2), 169-176.
- French, J. R., & Raven, B. H. (1959). The basis of social power. In D. Cartwright (Ed.), *Studies in Social power*. Ann Arbor, MI: University of Michigan Press.
- Gaski, J. F., & Nevin, J. R. (1985). The differential effects of exercised and unexercised power sources. *Journal of Marketing Research*, 22, 130-142.
- Gassenheimer, J. B., & Ramsey, R. (1994). The impact of dependence on dealer satisfaction: A comparison of reseller-supplier relationships. *Journal of Retailing*, 70(3), 253-266.
- Geyskens, I., & Steenkamp, J. B. (2000). Economic and social satisfaction: Measurement and relevance to marketing channel relationships. *Journal of Retailing*, 76(1), 11-32.
- Geyskens, I., Steenkamp, J. B., & Kumar, N. (1999). A meta-analysis of satisfaction in marketing channel relationships. *Journal of Marketing Research*, 36(2), 223-238.

- Homburg, C., & Rudolph, B. (2001). Customer satisfaction in industrial markets: Dimensional and multiple role issues. *Journal of Business Research*, 52, 15-33.
- Howell, R. D. (1987). Covariance structure modeling and measurement issues: A note on interrelations among a channel entity's power source. *Journal of Marketing Research*, 119-126.
- Jap, S. D., & Ganesan, S. (2000). Control mechanisms and the relationship life cycle: Implications for safeguarding specific investments and developing commitment. *Journal of Marketing Research*(May), 227-245.
- Johanson, J., Hallen, L., & Seyed-Mohamed, N. (1991). Interfirm adaptation in business relationships. *Journal of Marketing*, 55(2), 29-37.
- Kumar, N., Scheer, L., & Steenkamp, J. E. M. (1995). The effects of supplier fairness on vulnerable resellers. *Journal of Marketing Research*, 32(1), 54-65.
- Lee, D. Y. (2001). Power, conflict, and satisfaction in IJV supplier-Chinese distributor channels. *Journal of Business Research*, 52, 149-160.
- Leonidou, L. C., Paliawadana, D., & Theodosiou, M. (2006). An integrated model of the behavioural dimensions of industrial buyer-seller relationships. *European Journal of Marketing*, 40(1/2), 145-173.
- Mallen, B. (1963). A theory of retailer-supplier conflict, control and cooperation. *Journal of Retailing*, 39(Summer), 24-32 and 51.
- Mohd Roslin, R., & Melewar, T. C. (2004). Linking practices reflective of Asian values and relationship marketing in the grocery distribution channels in Malaysia. *International Journal of Retail & Distribution Management*, 32(1), 33-44.
- Morgan, H., & Hunt, S. D. (1994). The commitment-trust theory of relationship marketing. *Journal of Marketing*, 58(3), 20-38.
- Nor, N. G., & Sumormo, S. (2005). Transactional cost and organizational choice in the Malaysian automobile industry. *International Journal of Business and Society*, 6(2), 97-112.
- Palmatier, R. W., Dant, R. P., Grewal, D., & Evans, K. R. (2006). Factors influencing the effectiveness of relationship marketing: A meta-analysis. *Journal of Marketing*, 70(October), 136-153.
- Parvatiyar, A., & Sheth, J. N. (Eds.). (2000). *The domain and conceptual foundations of relationship marketing*. Thousand Oaks, CA: Sage.
- Payan, J. M., & McFarland, R. G. (2005). The effects of influence strategies and dependence on satisfaction: Does trust mediate these relationships? *Journal of Marketing Channels*, 13(1), 3-20.
- Ramaseshan, B., Yip, L. S. C., & Pae, J. H. (2006). Power, satisfaction, and relationship commitment in Chinese store-tenant relationship and their impact on performance. *Journal of Retailing*, 82(1), 63-70.
- Rodriguez, I. R., Agudo, J. C., & Gutierrez, H. S. M. (2006). Determinants of economic and social satisfaction in manufacturer-distributor relationships. *Industrial Marketing Management*, 35, 666-675.
- Roslin, R. M., & Melewar, T. C. (2004). Linking practices reflective of "Asian values" and relationship marketing in the grocery distribution channels in Malaysia. *International Journal of Retail & Distribution Management*, 32(1), 33-44.
- Rossomme, J. (2003). Customer satisfaction measurement in a business-to-business context: A conceptual framework. *Journal of Business & Industrial Marketing*, 18(2), 179-195.
- Sahadev, S., & Jayachandran, C. (2004). Managing the distribution channels for high-technology products. *European Journal of Marketing*, 38(1/2), 121-149.
- Scheer, L. K., & Stern, L. W. (1992). The effect of influence type and performance outcome on attitude toward the influencer. *Journal of Marketing Research*, 29(February), 128-142.
- Selnes, F. (1998). Antecedents and consequences of trust and satisfaction in buyer-seller relationships. *European Journal of Marketing*, 32(3/4), 305-322.

- Skinner, S. J., Gassenheimer, J. B., & Kelley, S. W. (1992). Cooperation in supplier-dealer relations. *Journal of Retailing*, 68(2), 174-193.
- Smith, J. B., & Barclay, D. W. (1997). The effects of organizational differences and trust on the effectiveness of selling partner relationships. *Journal of Marketing*, 61, 3-21.
- Stern, L. W., El-Ansary, A. I., & Coughlan, A. T. (1996). *Marketing channels*. New Jersey: Prentice Hall.
- Theng-Lau, G., & Goh, M. (2005). Buyer-seller relationship in PCB industry. *Supply Chain Management: An International Journal*, 10(4), 302-312.
- Tikkanen, H., & Alajoutsijarvi, K. (2002). Customer satisfaction in industrial markets: Opening up the concept. *Journal of Business & Industrial Marketing*, 17(1), 25-42.

THE RELATIONSHIP OF POWER ON CHANNEL MEMBER SOCIAL SATISFACTION:

A CASE OF MALAYSIAN CAR DEALERS.

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Abstract

The importance of in satisfaction in channel relationship arises primarily from the belief that establishing and maintaining a network of satisfied resellers is crucial to the long-term viability of the channel systems. Thus, researchers' and marketers' interests have become more focused on relationship building and development, and many marketing scholars have recognized the need for a examination of the relationship aspects of buyer-supplier exchange and the components that influence relationship development and satisfaction. Despite the assumption that relationship satisfaction contributes to buyer-supplier relationship, previous researches had concentrated more on factor affecting towards an overall satisfaction of relationship and less research focus has been given to investigate the social relationship satisfaction. Using a survey method, this study explores the uses of power as antecedents of social relationship satisfaction among 107 car dealers in Malaysia. Results revealed that the model is significant between uses of power based on coercive power and non-coercive power towards the social satisfaction. Even though the model is significant, only use of non-coercive power is predicted social satisfaction. The evidence from the study suggests the need for enhancing theories and models relating channel relationships in Malaysia.

Keywords: Relationship Marketing, Power, Social Satisfaction

Introduction

Interest in satisfaction in channel relationship arises primarily from the belief that establishing and maintaining a network of satisfied resellers is crucial to the long-term viability of the channel systems. In this regard, small and large companies are forging partnerships with suppliers as a foundation of their supply strategies (Theng-Lau & Goh, 2005) because, developing successful business-to-business relationships can be beneficial between buyers and sellers in the supply chain context, creating and delivering value to customers (Parvatiyar & Sheth, 2000). Thus, interest of researchers and marketers has become more focused on relationship building and development where, the use of a relationship marketing framework in studying supply chain relationships has gained significance both in practice and as an academic discipline (Palmatier, Dant, Grewal, & Evans, 2006).

Moreover, most of the studies on buyer-seller relationship in business-to-business markets focused on transaction-specific based satisfaction. Recent studies called for an approach to study exchange relationship rather than transaction specific relationship (Abdul-Muhmin, 2005; Homburg &

Rudolph, 2001; Rossomme, 2003; Tikkanen & Alajoutsijarvi, 2002). Thus, many marketing scholars have recognised the need for an examination of the relationship aspects of buyer-supplier exchange and the components that influence relationship development and satisfaction (Abdul-Muhmin, 2005; Andaleeb, 1996; Anderson & Narus, 1984; Geyskens, Steenkamp, & Kumar, 1999; Ramaseshan, Yip, & Pae, 2006; Rodriguez, Agudo, & Gutierrez, 2006; Selnes, 1998). Moreover, a successful buyer-seller relationship has been empirically shown to improve business performance and customer loyalty through stronger relational bonds. Thus, key concepts such as interdependence, trust, commitment and relationship satisfaction have been identified as key constructs influencing relational bonds to build, manage and maintain supplier-buyer relationships.

With the increasing interest in buyer-supplier relationships, satisfaction has become an important component in relationship marketing and channel theory (Abdul-Muhmin, 2005; Ramaseshan, Yip, & Pae, 2006; Rodriguez, Agudo, & Gutierrez, 2006). In business relationships, satisfaction with supplier relationship is viewed as an essential ingredient in the development and maintenance of long-term buyer-supplier relationships. The expansion and importance of relationship satisfaction in business-to-business relationship have changed the existing shape of transaction relationship between companies. This is because the importance of relationship satisfaction enables the construction of new relationship model, which was unavailable under the existing discrete transaction relationship. In other words, the satisfaction of business relationship has huge potential for enabling companies, small and large, to develop better collaboration and coordination for long-term based strategies and commitment in business relationship. Totally new competitive advantages and opportunities would open up for companies. As a result, the importance of relationship satisfaction is being emphasised.

Malaysia scenario

Looking into the scenario in Malaysia, the automobile industry has become substantially more competitive and profitable. The automotive industry in Malaysia can be considered as one of the most important and strategic industries in the manufacturing sector (Ministry of International Trade and Industry, 2005). Compared with other industries in the manufacturing sector in Malaysia, the automotive industry was developed to boost the industrialisation process so that Malaysia can become a developed nation by 2020. In fact, Malaysia is Southeast Asia's largest car market.

In Malaysia, a major shift in automotive industry landscape occurred when the National Car project was conceived as an initiative to increase the productive capacity and to develop technology and intellectual property in the automobile sector (Nor & Sumarmo, 2005). In fact, the Malaysian auto market is dominated by Perusahaan Otomobil Nasional PROTON, which was launched in 1984. The project was conceived in order to guide the automotive industry in increasing the level of technology and the development of intellectual property of the industry. Then, Perusahaan Otomobil Kedua Sdn. Bhd. (PERODUA) was established in October 1992 to expand the automotive product range and national brand as well as to further support the components and parts manufacturing. Even though Malaysia's national cars dominate the Malaysian auto market, the market share of the national car makers, especially PROTON, started to decline in Malaysia after the execution of the ASEAN Free Trade Area (AFTA). This indicates that the AFTA policy has the tendency to make the automobile market to become more global and sophisticated, which directly leads to intense competition between manufacturers as well as among the car dealers. Recognising these global changes, the National Automotive Policy (NAP) initiated by the government seeks to address the manifold issues and challenges and transform the domestic automotive sector to become a more viable, competitive and significant contributor to the economy (Prime Minister Office, 2006). The development of automobile markets in Malaysia has significantly increased the need for channel

members to understand their functions more clearly in efforts to create balanced and quality dealer and supplier relationship. Specifically, the dealers are sensitive to any violations in business relationships. For example, the EON dealers are dissatisfied and face a dilemma over new sales conditions by Proton (New Straits Times 2001); the dealers are dissatisfied with delay in delivery of new cars from Proton stockyard (New Straits Times, 2004). To remain competitive, the dealers asked for relief and assistance from Proton to help review their business (New Straits Times, 2007). Under such conditions, Datuk Seri Abdullah Ahmad Badawi called on national car supplier, Proton, and its wide network of dealers and vendors to keep continuously improving in order to face competition under market liberalisation and give the consumer more choices (Bernama, 2005). Furthermore, the signing of the Dealership Agreement between Proton Edar and Edaran Otomobil Nasional Bhd (EON) will strengthen the relationship between both companies as the Proton brand prepares to face the challenges of a more liberalised motor vehicle market (Bernama, 2004).

Despite the above situation in the automobile industry in Malaysia, the channel study in Malaysia by Roslin and Melewar (2004) has recognised that currently, there is a shift from a transaction to a relationship focus in Malaysian grocery channel distribution. Given the increased importance of long-term, strategic relationships in business dealings, companies must focus on managing such relationships. This is indeed an area where further research needs to be carried out to explore the importance of relationship elements and the implications surrounding the dealer-supplier relationships. Thus, it is imperative for empirical research to be conducted in other types of channels in Malaysia on issues regarding the relationship between suppliers-dealers in the automobile industry.

Literature Review

Researchers have expressed a great deal of interest in identifying various factors that contribute in creating and maintaining satisfaction in business-to-business industry and marketing channel firms (Abdul-Muhmin, 2002; Geyskens & Steenkamp, 2000). Specifically, in marketing channel relationship, researchers have revealed that a channel member's satisfaction increases long-term orientation and continuity (Bolton, 1998; Selnes, 1998). Under such a scenario, channel members, like retailers and dealers, must develop good working relationships with their suppliers in order to provide merchandise efficiently and effectively to the consumer. This is because the retailers and its suppliers are interdependent upon one another and this relationship is one of the keys to successful channel distribution. Despite that, building strong relationships between manufacturers, suppliers, distributors, retailers and customers has become an important channel strategy in both industrial and consumer markets. Through the utilisation of a relationship element like relationship satisfaction, channel members could integrate various functions spread over different areas within them which could lead to greater levels of channel trust and commitment. This efforts could enhance their capability to cope with today's worldwide trend towards building closer and more integrated relationships between channel intermediaries and suppliers (Corsten & Kumar, 2005; Leonidou, Paliawadana, & Theodosiou, 2006).

Channel Satisfaction

The previous research more focus on overall satisfaction of relationship with less research being focused on investigating specific channel relationship satisfaction as economic and social aspects (Geyskens & Steenkamp, 2000). It requires a channel member to consider seriously and comprehensively the economic and emotional aspects that have to be invested in the relationship for further development (Dwyer, Schurr, & Oh, 1987). According to Geyskens et al. (1999), despite the importance of and vast empirical research attention developed on satisfaction in channel relationships, there is no consensus regarding the conceptualisation of channel member satisfaction. Some researchers view satisfaction in channel relationship more as the perceived discrepancy

between prior expectations and actual profits; while other researchers perceived satisfaction in non-economic, social and psychosocial terms, defining it as an emotional response to the overall working relationship with the channel partner (Anderson & Narus, 1984; Crosby, Evans, & Cowles, 1990; Payan & McFarland, 2005; Selnes, 1998). Geyskens and Steenkamp (2000) argue that that social satisfaction "is conceptually distinct and created through different practices and has a different impact on channel relationship". , social satisfaction is a channel member's evaluation of the psychological aspects of its relationship, reflecting the extent to which the interaction with the exchange partner is seen as fulfilling and gratifying (Geyskens & Steenkamp, 2000). By specifying the social satisfaction in relationship, the suppliers could improve their ability to manage channel relationships.

Uses of Power

Power is the ability to influence the decisions or actions of others. In channel relationships, power is typically defined as a channel member's ability to influence the perceptions, behaviour, and decision making of another channel member. The previous researchers defined power of channel member is the "ability to control the decision variables in the marketing strategy of another member in a given channel at a different level of distribution (El-Ansary & Stern, 1972). This definition of channel power is very much based on Dahl's (1957) and Emerson's (1962) description of power in social theory. Channel members can use power on various occasions, including the development of operational linkages, providing channel training, developing discount systems, all of which are possibly relevant to the focal exchange (Berthon, Pitt, Ewing, & Bakkeland, 2003).

Previous study by, French & Raven (1959) in line with Stern & El-Ansary (1992) that these resources are known as the channel members' "bases" of power, and they include rewards, coercion, expertness, reference, legitimacy. Moreover, these "bases" of power classified as coercive and non-coercive by several researchers. Coercive bases of power represent a power struggle driven by force (Mallen, 1963), which may decrease the level of cooperation in relationship (Skinner, Gassenheimer, & Kelley, 1992). Non-coercive bases of power increase the value of the relationship through team support and common interests as well as promoting collective goals. Scholars have examined power as a bi-polar construct: coercive, or the ability to compel compliance by means of threats, legalistic plea and promises; and non-coercive, or the ability to compel by means of requests, information exchange, and recommendations (Boyle & Dwyer, 1995; Etgar, 1976; Morgan & Hunt, 1994).

More specifically there are many studies indicate the association between power used by supplier and buyers' satisfaction (Frazier & Summers, 1986; Gaski & Nevin, 1985; Gassenheimer & Ramsey, 1994; Ramaseshan et al., 2006). However study by Howell (1987) on interrelations among a channel entity's power produce different findings for power bases and dealer satisfaction. The study by using covariance structure modeling reveal no relationship between partner's use of power bases which include coercive, expert, legitimate, referent, assistance, as well as partner's power with dealers relationship satisfaction. The reviews conclude that in channel relationship the exercise of power has become an important research objective of many marketing channel studies. It is recognized that some form of power is necessary in inter-organizational relationships because unguided channel activity is likely to lead to sub-optimal performance (Stern, El-Ansary, & Coughlan, 1996). Thus, sources of channel power and their application have been considered to be immensely important in channel management theory (Sahadev & Jayachandran, 2004). In line to this, most studies in have included power as antecedents of channel satisfaction but there are mixed empirical results between use of power sources and satisfaction (Frazier & Summers, 1986; Scheer & Stern, 1992). Researchers in distribution channels also pointed out that there is a need to extend channel power research to other locations, and to test the construct in developing economies with different cultural

settings (Ramashehan, Yip & Pae, 2006). This however needs verification. Therefore, the impact of use of power sources on satisfaction further merits further investigation. Previous empirical trials showed that threats, promises, and legalistic pleas are termed as coercive use of power, while requests, information exchange, and recommendations are termed as non-coercive use of power (Frazier & Summers, 1986). Thus, for the purpose of this study, coercive power is defined as the use of direct pressure through adverse consequences of punishment in the hope of modifying the focal channel member's behavior, while non-coercive power is defined as the use of power to affect behavior of channel member's compliance through the unconditional provisions of rewards.

Furthermore, the findings of relational elements in channel relationship, have not been fully replicated in markets in developing countries (Roslin & Melewar, 2004). These underlying gaps have led many researchers to suggest further empirical research in this area (Abdul-Muhmin, 2005; Geyskens & Steenkamp, 2000; Ramaseshan et al., 2006). As a result, this study seeks to amplify the current knowledge base of dealer-supplier relationships by examining the relationship constructs such as use of power and social satisfaction that are likely to contribute the most to success in ongoing business relationships. It is interesting to note that most previous studies on relationship satisfaction concentrated on industrial buyers and suppliers (Abdul-Muhmin, 2002, 2005; Jap & Ganesan, 2000; Sahadev & Jayachandran, 2004; Smith & Barclay, 1997) and very little research was done explicitly on the automobile dealer-supplier relationships. In line with this fact, Geyskens et al. (1999) suggested that further conceptual and empirical studies need to be carried out in different business market settings

It should be noted also that most of the extensive studies on channel relationships were in Western developed economies such as the USA (Frazier & Rody, 1991) and Europe (Johanson, Hallen, & Seyed-Mohamed, 1991). Then research has moved beyond this narrow confine. For example, Abdul-Muhmin (2002) concentrated on industrial distributors in Saudi Arabia, whereas Lee (2001) investigated a Chinese local brewery distributors relationship with their supplier. The studies that have been done in non-Western countries suggest differences in channel participants' behaviours (Lee, 2001). As a result, it is questionable whether such studies can be applied universally across various countries. Sahadev and Jayachandran (2004) suggest the need for studies to be conducted on issues influencing channel members in other cultures so that such knowledge can be integrated into a general theory of the distribution system as a behavioural system. Research on channel structures in other countries would be a timely progression in the study of distribution relationship, given the issues of the applicability of channel research findings to other countries. Thus, it is important to investigate whether the same evidence can be found in a Malaysian context for automobile dealer-supplier relationships. If the findings of this study were consistent with the previous studies, then, it would be possible to identify relationship structure in the Malaysian automobile industry.

In summary, the automobile industry environment is changing more rapidly than ever before, competition is increasing, and national manufacturers are being drawn into battle with foreign manufacturers setting up businesses in Malaysia. Given the need to satisfy dealers and its importance to business success, knowledge gained in this area will be of great value to dealers and suppliers. As far as the automobile dealers-suppliers relationship is concerned, there is apparently little literature to suggest that research has been conducted in the Malaysian perspective. Thus, the present study attempts to address the gaps discussed in the previous paragraphs by investigating the relationship between use of power and dealers' social satisfaction with their suppliers among automobile distribution channels within the Malaysian context.

Methodology

Our sample consists of car dealers in Peninsular Malaysia. From the discussions in the literature review, the following framework has been constructed. Figure 1 shows that relationship satisfaction will lead to higher degree of commitment and trust among the car dealers. Given the domestic automotive industry has been facilitated by policies that have promoted local vehicle manufacturers to move forward and become global, our study focus only national car dealers. Government policy supports the domestic automotive sector to become a more competitive and significant contributor to the country's economy. 300 questionnaires were distributed to new car dealers of national cars in Peninsular Malaysia. Out of this number, 109 were returned and 2 were incomplete. A total of 107 responses were usable and being used for subsequent analysis. Thus, the effective response rate is 35.6 percent. This response rate is consider adequate and within the range reported by other researchers for channel studies (Abdul-Muhmin, 2002; Baker, Simpson, & Siguaw, 1999; Kumar, Scheer, & Steenkamp, 1995).

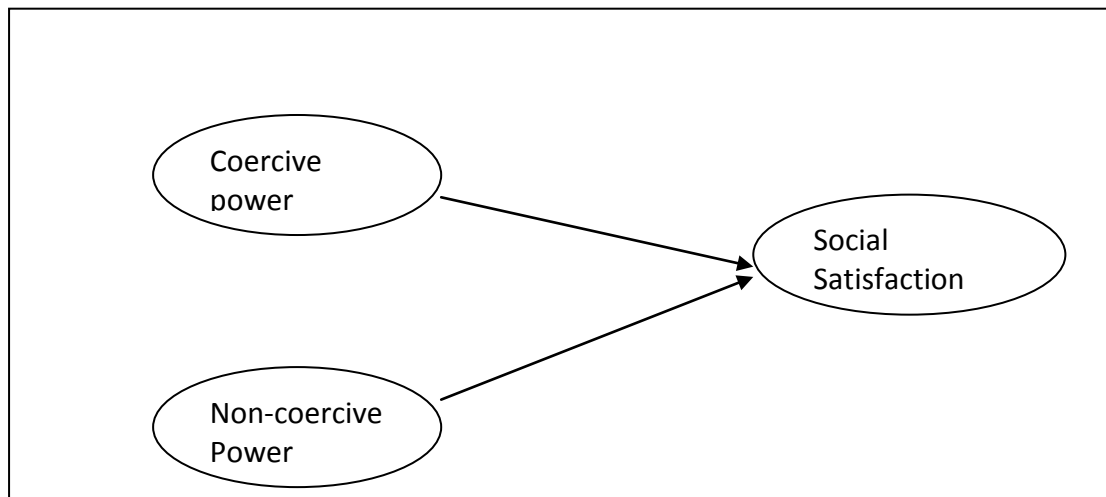


Figure 1: Conceptual Model for Use of Power and Social Relationship Satisfaction.

Measure Development

A questionnaire instrument was developed to measure dealers' perceptions about economic relationship satisfaction with their suppliers. The items are based on the previous studies discussed in literatures. The coercive and non-coercive uses of power were adapted from Scheer and Stern's instrument (1992) and Geyskens and Steenkamp (2000). They were operationalised as separate, but related to constructs of uses of power. The internal reliabilities reported by Geyskens and Steenkamp (2000) was .75 and .78 for coercive uses of power and non-coercive uses of power respectively.

For the social relationship satisfaction adapted from Geyskens and Steenkamp (2000). This scale has been found to be the most robust measure of satisfaction in channel relationship and the internal reliabilities reported by Ramaseshan et al. (2006) for economic satisfaction was .82. All of the dimensions developed were measured using 5 points Likert-type scales, ranking from strongly disagree (1) to strongly agree (5) was used for all the variables in this study.

The alpha values for the present study also were calculated to assess the internal consistency reliabilities of the scales. For the Coercive and Non-coercive uses of power scales, the results indicate acceptable values respectively .84 and .88. Social satisfaction is measured using 5 items and the alpha values is .87. Inter-correlation between variables was done, where the values of correlation coefficients for all the three variables are exceeded .50 and below .80 and significantly correlated

Table 1: Descriptive and Reliability Analysis Results

Variables	No. of Items	Mean	SD	Alpha
Coercive power	4	2.66	.75	.84
Non-coercive power	4	3.56	.61	.88
Social Satisfaction	5	3.66	.71	.87

Findings and Discussions

The results from OLS regression are summarized in Table 2. As the table 2 revealed that use of coercive power ($\beta = -.07$; $p < .01$) is found to have no significant influence on social relationship satisfaction. On the other hand, the use of non-coercive power is positively influence social relationship satisfaction ($\beta = .69$; $p < .01$). This supports that any business relationship that results in more friendly and less uses of power exchange would enhance the degree of satisfaction in term of economic. This study seems to support such an argument.

Table 2 : The Influence of Use of Power on Economic Relationship Satisfaction

Independent variables	Coefficient (β)	t value
Coercive power	-.075	-.58
Non-coercive power	.697	7.82*

Note: $R^2 = .56$; $F = 67.18$; * $p < .05$; ** $p < .01$

β = Beta coefficient

Discussion

Suppliers' power derives from their control and possession of critical resources that are valued by their dealers. They can exercise coercive and non-coercive power under different situations and for different purposes. This study revealed a non-significant relationship between supplier's uses of

coercive power with dealer's social satisfaction. The finding is different to previous studies that reported direct negative effect of coercive power on social satisfaction (Frazier & Summers, 1986; Geyskens & Steenkamp, 2000). This might be due to the existing harmony relationship between the dealer and supplier. Where, in the automobile industry, dealers operate closely with the supplier in order to deliver better marketing services to the customers. This indicates that the dealers are tolerant, dependent and unlikely to retaliate with the supplier's use of coercive power. The study supported that Malaysian channel members behave differently from Western counterparts in responding to channel partner coercion, and in line to study by Ramasheshan et al. (2006) who also found similar findings in Chinese channel members. Ramasheshan et al. (2006) explained that Chinese collectivist culture places a high value in conducting exchanges in a harmonious manner which make the channel members to be more tolerant to coercive influences. Thus, the results could deduce that dealers are more understanding and tolerant to coercive reinforcement because Malaysian collectivistic culture also places a high value, closeness, friendliness, relational in conducting exchanges in a harmonious manner. Indirectly, another reason that could explain the lack of significant influence of use of coercive power on social satisfaction is likely the overriding effect of non-coercive power on social satisfaction. The latter is likely to subsume the effect of coercive power on social satisfaction.

This study appears to confirm a positive and significant relationship between the dealers' degree of social satisfaction with supplier's use of non-coercive power. This means that the greater the emphasis placed by supplier on use of non-coercive power, the higher will be the social satisfaction level of the dealers. It is consistent with Geyskens and Steenkamp (2000) that social satisfaction depends on the processes that underlie the suppliers' non-coercive power use attempt. This is probably due to the use of reward, information exchange, recommendations (Boyle & Dwyer, 1995) by the suppliers. In the case of dealers, although they worked dependently, more non-coercive supports are expected from supplier as the ultimate goal is to deliver the products as expected by the customers. These include the supplier freely offering its expertise, information and assistance that might make the dealers happy and satisfied with existing relationship. This finding validates the earlier study by Boyle and Dwyer (1995), Frazier and Summers (1986), Lee (2001) and Ramasheshan et al. (2006) on the importance of non-coercive uses of power in causing satisfaction in working relationship. They concluded that a partner's attitude towards another partner is affected by the outcome that results from the behaviour adopted in their relationships. Thus, the suppliers should consider using non-coercive influences more frequently which is more effective in cultivating channel relationship in Malaysia.

Implications for supply practice

Several implications for implementing uses of power and social satisfaction blocks result from this study. It has been greatly assumed that harmony and collaborative efforts among supplier-buyers may be the best way to minimize uncertainty and enhance long-term relationship. From a practical perspective, this study provides a few key implications on how managers' in automotive suppliers in particular can manage their relationship with dealers in an effective way. The business goal is to establish and maintain relationship with the dealers for long-term sales instead of maximizing short-term sales. Relationship marketing helps dealers and suppliers to build, develop and keep a continuous process of relationship building. Suppliers-dealers should devote their attention to relationship satisfaction specifically, in order to "increase the pie rather than divide the pie". Both suppliers and dealers look for effective relationships in order to maximize their profits, minimize their costs and ultimately lead to the long-term relationship.

Obviously, the finding of this study gives an insight to suppliers for use of power influences carefully. Specifically, use of non-coercive reinforcement has been examined as the necessary antecedent to satisfy dealers for as long as possible. Therefore, suppliers must focus on non-coercive reinforcement behaviours to maintain the existing relationship in order to gain dealers' social satisfaction. The dealer's social satisfaction to a sustainable channel relationship can then be fostered by continuously use non-coercive power such as freely offering its expertise, providing assistances without requiring specific behaviour in return, sharing of information, giving rewards and benefits, would increase the dealers' relationship satisfaction. Providing and assisting the dealers with rewards and information related to automotive industry are very important for increasing dealers' social satisfaction. The suppliers are thus advised to distribute useful materials for helping their dealers to conduct their businesses effectively.

Even though our results demonstrate the supplier's use of non-coercive power as most significant, this does not mean dealers do not feel or perceive supplier's use of coercive power. This situation may require the suppliers to use more frequent non-coercive power while avoiding or minimizing the use of coercive power reinforcement on dealers. However, it is inferable that the supplier should avoid application of power in term of withholds information and services that previously were provided, sanction such as delayed delivery, a cancelled order or an added charges on dealers and imposing unilateral actions that damage dealer's profitability. Thus suppliers should exercise power use with caution by taking consideration of the collectivistic cultural context.

Direction for future research

Although this study has some interesting findings on channel satisfaction, this study also has several limitations. The sample of dealers was taken from one industry. Somewhat unique to this industry is the fact that it is in a mature stage. This means that majority of the firms are well established, only a few new firms are entering this industry. Consequently, the results of this study cannot be generalized to other industries such as agriculture, mining, health and others. Additional research on factors affecting relationship satisfaction should be expanded to different types of industries/sectors such as service (education, health etc.), textiles and clothing, electronics, etc.

Another important limitation is that this analysis is a cross-sectional in nature. The nature of data collection is a cross-sectional study whereby the data is collected at one point of time. However, an attempt was made to minimize such problem by using a well-established scale for most constructs, and pre-testing the questionnaire to ensure that there was no perceived overlap between the different variables. Additional research must be done longitudinally in order to assess the impact of determinants and consequences over time. The longitudinal studies would provide valuable input in investigating the impact of channel strategies taken by supplier firms that are aimed at enhancing the degree of economic satisfaction and uses of power. Since the impact of use of power on economic satisfaction has already been demonstrated in this current study, an additional research is needed to fully understand the impact of such issues like opportunism, cooperation, and communication. Further, interpersonal factors in relationship need to consider how these can be used to determine relationship satisfaction. Other aspects of relationship might be complaints handling, response strategies, and loyalty.

Conclusions

One prime conclusion which can be drawn from this study is that the types of power exercised plays an instrumental role in fostering or weakening social satisfaction in supplier-dealer channel relationship. A successful relationship in supplier-dealer channel relationship can be achieved when the non-coercive power rather than coercive power are employed. The use of non-coercive power is better choice for supplier to foster social satisfaction among dealer compare to use of coercive power. The finding gives academicians and managers a much stronger basis than intuition and anecdotes for recommending the wisdom of adopting and implementing relationship-marketing approach. Preferably the management should take initiative in the way that has been suggested under discussion for the purpose of harmonising the dealer-supplier relationship. There must be a rightful desire within both the supplier and dealer to understand each other, to feel the importance of the relationship, and arrive at decisions that are acceptable to each party besides working together towards progress of both in terms of specific goals and long-term relationship. The evidence from this study suggests the need for enhancing theories and models relating channel relationships in Malaysia. For this reason, it is hoped that this study will generate some interest among other researchers to examine the issues related relationship satisfaction in Malaysian channel distribution relationship.

REFERENCES

- Abdul-Muhmin, A. G. (2002). Effects of suppliers' marketing program variables on industrial buyers' relationship satisfaction and commitment. *Journal of Business & Industrial Marketing*, 17(7), 637-649.
- Abdul-Muhmin, A. G. (2005). Instrumental and interpersonal determinants of relationship satisfaction and commitment in industrial markets. *Journal of Business Research*, 58, 619-628.
- Andaleeb, S. S. (1996). An experimental investigation of satisfaction and commitment in marketing channels: The role of trust and dependence. *Journal of Retailing*, 72(1), 77-93.
- Anderson, J. C., & Narus, J. A. (1984). A model of the distributor's perspective of distributor-manufacturer working relationships. *Journal of Marketing*, 48(4), 62-74.
- Baker, T. L., Simpson, P. M., & Siguaw, J. A. (1999). The impact of suppliers' perceptions of reseller market orientation on key relationship constructs. *Journal of the Academy of Marketing Science*, 27(1), 50-57.
- Berthon, P., Pitt, L. F., Ewing, M. T., & Bakkeland, G. (2003). Norms and power in marketing relationships: Alternative theories and empirical evidence. *Journal of Business Research*, 56, 699-709.
- Bolton, R. N. (1998). A dynamic model of the duration of the customer's relationship with a continuous service provider: The role of satisfaction. *Marketing Science*, 17(1), 45-65.
- Boyle, B. A., & Dwyer, F. R. (1995). Power, bureaucracy, influence, and performance: Their relationships in industrial distribution channels. *Journal of Business Research*, 32, 189-200.
- Corsten, D., & Kumar, N. (2005). Do suppliers benefit from collaborative relationships with large retailers? An Empirical investigation of efficient consumer response action. *Journal of Marketing*, 69, 80-94.
- Crosby, L. A., Evans, K. R., & Cowles, D. (1990). Relationship quality in services selling: An interpersonal influence perspective. *Journal of Marketing*, 54(3), 68-81.
- Dahl, R. A. (1957). The concept of power. *Behavioral Science*, 2(July), 201-205.
- Dwyer, F. R., Schurr, P. H., & Oh, S. (1987). Developing buyer-seller relationships. *Journal of Marketing*, 51(April), 11-28.
- El-Ansary, A. I., & Stern, L. W. (1972). Power measurement in the distribution channel. *Journal of Marketing Research*, 9(February), 47-52.
- Etgar, M. (1976). Channel domination and countervailing power in distribution channels. *Journal of Marketing Research*, 13, 254-262.

- Frazier, G. L., & Rody, R. C. (1991). The use of influence strategies in interfirm relationships in industrial product channels. *Journal of Marketing*, 55(January), 52-69.
- Frazier, G. L., & Summers, J. O. (1986). Perceptions of interfirm power and its use within a franchise channel of distribution. *Journal of Marketing Research*, 23(2), 169-176.
- French, J. R., & Raven, B. H. (1959). The basis of social power. In D. Cartwright (Ed.), *Studies in Social power*. Ann Arbor, MI: University of Michigan Press.
- Gaski, J. F., & Nevin, J. R. (1985). The differential effects of exercised and unexercised power sources. *Journal of Marketing Research*, 22, 130-142.
- Gassenheimer, J. B., & Ramsey, R. (1994). The impact of dependence on dealer satisfaction: A comparison of reseller-supplier relationships. *Journal of Retailing*, 70(3), 253-266.
- Geyskens, I., & Steenkamp, J. B. (2000). Economic and social satisfaction: Measurement and relevance to marketing channel relationships. *Journal of Retailing*, 76(1), 11-32.
- Geyskens, I., Steenkamp, J. B., & Kumar, N. (1999). A meta-analysis of satisfaction in marketing channel relationships. *Journal of Marketing Research*, 36(2), 223-238.
- Homburg, C., & Rudolph, B. (2001). Customer satisfaction in industrial markets: Dimensional and multiple role issues. *Journal of Business Research*, 52, 15-33.
- Howell, R. D. (1987). Covariance structure modeling and measurement issues: A note on interrelations among a channel entity's power source. *Journal of Marketing Research*, 119-126.
- Jap, S. D., & Ganesan, S. (2000). Control mechanisms and the relationship life cycle: Implications for safeguarding specific investments and developing commitment. *Journal of Marketing Research*(May), 227-245.
- Johanson, J., Hallen, L., & Seyed-Mohamed, N. (1991). Interfirm adaptation in business relationships. *Journal of Marketing*, 55(2), 29-37.
- Kumar, N., Scheer, L., & Steenkamp, J. E. M. (1995). The effects of supplier fairness on vulnerable resellers. *Journal of Marketing Research*, 32(1), 54-65.
- Lee, D. Y. (2001). Power, conflict, and satisfaction in IJV supplier-Chinese distributor channels. *Journal of Business Research*, 52, 149-160.
- Leonidou, L. C., Paliawadana, D., & Theodosiou, M. (2006). An integrated model of the behavioural dimensions of industrial buyer-seller relationships. *European Journal of Marketing*, 40(1/2), 145-173.
- Mallen, B. (1963). A theory of retailer-supplier conflict, control and cooperation. *Journal of Retailing*, 39(Summer), 24-32 and 51.
- Mohd Roslin, R., & Melewar, T. C. (2004). Linking practices reflective of Asian values and relationship marketing in the grocery distribution channels in Malaysia. *International Journal of Retail & Distribution Management*, 32(1), 33-44.
- Morgan, H., & Hunt, S. D. (1994). The commitment-trust theory of relationship marketing. *Journal of Marketing*, 58(3), 20-38.
- Nor, N. G., & Sumormo, S. (2005). Transactional cost and organizational choice in the Malaysian automobile industry. *International Journal of Business and Society*, 6(2), 97-112.
- Palmatier, R. W., Dant, R. P., Grewal, D., & Evans, K. R. (2006). Factors influencing the effectiveness of relationship marketing: A meta-analysis. *Journal of Marketing*, 70(October), 136-153.
- Parvatiyar, A., & Sheth, J. N. (Eds.). (2000). *The domain and conceptual foundations of relationship marketing*. Thousand Oaks, CA: Sage.
- Payan, J. M., & McFarland, R. G. (2005). The effects of influence strategies and dependence on satisfaction: Does trust mediate these relationships? *Journal of Marketing Channels*, 13(1), 3-20.
- Ramaseshan, B., Yip, L. S. C., & Pae, J. H. (2006). Power, satisfaction, and relationship commitment in Chinese store-tenant relationship and their impact on performance. *Journal of Retailing*, 82(1), 63-70.

- Rodriguez, I. R., Agudo, J. C., & Gutierrez, H. S. M. (2006). Determinants of economic and social satisfaction in manufacturer-distributor relationships. *Industrial Marketing Management*, 35, 666-675.
- Roslin, R. M., & Melewar, T. C. (2004). Linking practices reflective of "Asian values" and relationship marketing in the grocery distribution channels in Malaysia. *International Journal of Retail & Distribution Management*, 32(1), 33-44.
- Rossomme, J. (2003). Customer satisfaction measurement in a business-to-business context: A conceptual framework. *Journal of Business & Industrial Marketing*, 18(2), 179-195.
- Sahadev, S., & Jayachandran, C. (2004). Managing the distribution channels for high-technology products. *European Journal of Marketing*, 38(1/2), 121-149.
- Scheer, L. K., & Stern, L. W. (1992). The effect of influence type and performance outcome on attitude toward the influencer. *Journal of Marketing Research*, 29(February), 128-142.
- Selnes, F. (1998). Antecedents and consequences of trust and satisfaction in buyer-seller relationships. *European Journal of Marketing*, 32(3/4), 305-322.
- Skinner, S. J., Gassenheimer, J. B., & Kelley, S. W. (1992). Cooperation in supplier-dealer relations. *Journal of Retailing*, 68(2), 174-193.
- Smith, J. B., & Barclay, D. W. (1997). The effects of organizational differences and trust on the effectiveness of selling partner relationships. *Journal of Marketing*, 61, 3-21.
- Stern, L. W., El-Ansary, A. I., & Coughlan, A. T. (1996). *Marketing channels*. New Jersey: Prentice Hall.
- Theng-Lau, G., & Goh, M. (2005). Buyer-seller relationship in PCB industry. *Supply Chain Management: An International Journal*, 10(4), 302-312.
- Tikkanen, H., & Alajoutsijarvi, K. (2002). Customer satisfaction in industrial markets: Opening up the concept. *Journal of Business & Industrial Marketing*, 17(1), 25-42.

DYNAMISM BETWEEN ECONOMIC GROWTH AND URBANIZATION TO UNDERSTAND URBAN POVERTY - DESTITUTION AND MALEVOLENCE:

Lessons from South Asia

1. Background

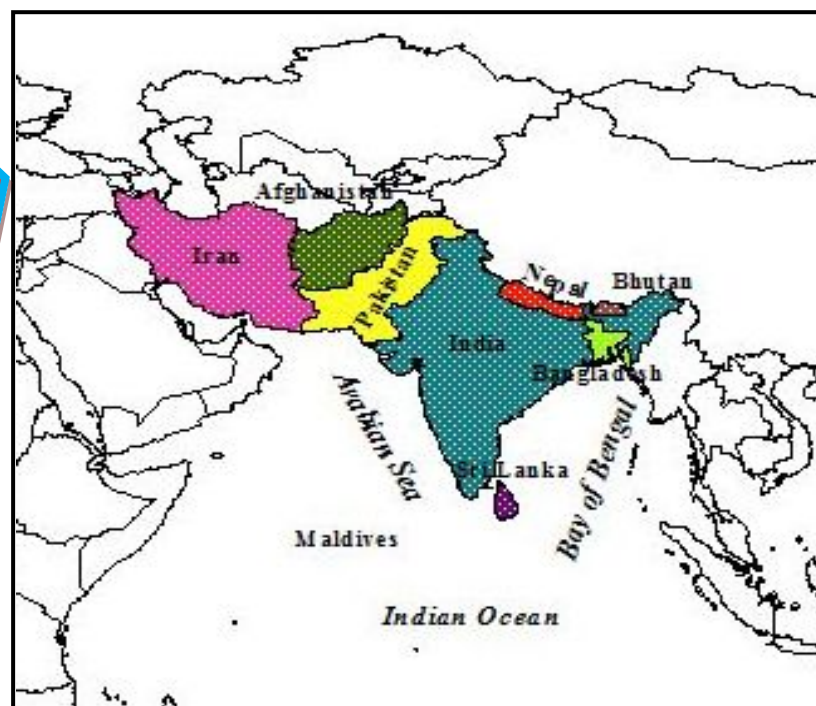
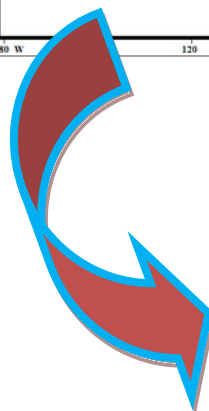
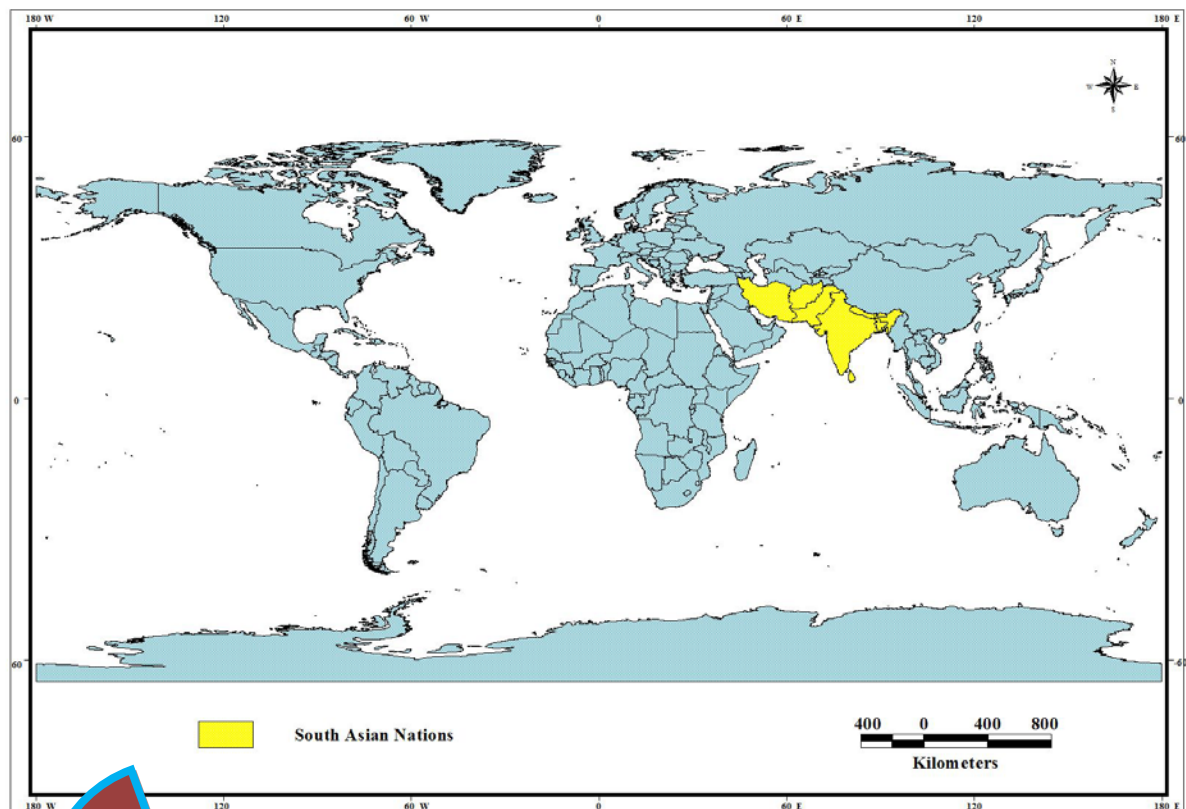


With the stepping of world into the year 2012, there will be more headcount living in urban areas. South Asia as a homogenous region of 9 globally emerging nations today lie at the cross roads of development, witnessing the triple dynamics of economic growth, rapid urbanization and the growing incidence of urban poverty. Economic growth and rapid urbanization in many developing countries, though quite impressive in some cases has also been linked with issues of urban poverty. With this brief background, the present research paper tries to assess and investigate the two dynamic processes of economic growth and urbanization, the degree of relationship between them as affecting the growing challenge of urban poverty within the parlance of South Asia as a homogenous unit.

With its favorable environment conducive for human habitation South Asia is the home to a quarter of world's population i.e. 40.92 per cent of Asia and 24.71 per cent of world's total population with sufficiently large number of people living in urban areas. Also, some of the world's most populous countries like India, Bangladesh and Pakistan with a population of 1224 million, 148 million and 173 million respectively are spectacularly located within the region. With a total headcount of 1.7 billion⁵⁵, it stands at the cross road of unprecedented population growth. But the irony is that these growth processes tends to be highly concentrated in the urban areas with predominance of non-primary activities thereby creating enormous disparities across the nations in general. The below map illustrates the locational setting of the group of nine nations comprising South Asia.

⁵⁵ United Nations, Department of Economic and Social Affairs, Population Division: *World Urbanization Prospects, the 2011 Revision*. New York 2012

Figure 1: Locational Map of South Asia



Source: Prepared using Arc View 3.2 GIS Version

To get started, the paper tries to examine the urban development process that occurs as nations develop economically and tries to build an assumption both the process of

urbanization and economic growth are giving rise to the issue of urban poverty. There are two aspects to this process. One is urbanization itself and the other is urban concentration, or the degree to which urban resources are concentrated in one or two large cities, as opposed to spread over many cities. Also, Urbanization occurs as countries shift from rural-agricultural activity into urban industrial activity. It introduces the measure of income at national level and attempts inter-nation comparisons within South Asia by classifying the countries in terms of criteria as; per cent urban population and average annual urban growth rate together with nature of urbanization as identified by per cent urban population with 500,000+ inhabitants to understand the incidence of urban poverty during the last three decades i.e. from 1990 till 2010.

With the process of urbanization gaining momentum and tremendous economic growth recorded the decline in the incidence of urban poverty has not accelerated rather the urban population in the region is growing, so is urban poverty. These twin processes are more likely to prepare the plinth for urban poverty and urban poor who are living in extremely deprived conditions with insufficient physical amenities like dilapidated housing scenario, low-cost water supply, sanitation, sewerage, drainage, community centres and social services relating to health care, nutrition, pre-school and non-formal education. But urban poverty is not just a collection of characteristics rather it is a dynamic condition of vulnerability or susceptibility to risks; the dynamism of which is rooted in a complexity of resource and capacity constraints, dysfunctional land markets, unresponsive financial systems, weak and inefficient government policies, a lack of planning for urban growth and management. In fact Asia and Pacific region together is the home to 578 million urban poor. Demographically, two-thirds of the world's poor live in just 7 countries: Bangladesh, China, the Democratic Republic of the Congo, Ethiopia, India, Indonesia and Pakistan; out of which 3 form a part of South Asia. Moving on to the issue of urbanization and its pattern as developed over Indian states, **Kundu, A (2006)** in his article entitled '*Trends and Patterns of Urbanization and Their Economic Implications*' has emphasized that the size class distribution of urban population and their growth rates over the decades and the interstate variation in the levels and growth in urban population highlights that the recent trend is a sharp departure from the past.

The process of economic development and changes associated strongly with the process of urbanization has created a backwash effect for poor urban communities. According to **Planning Commission of India**; "*Urbanization is an important aspect of the process of economic and social development and is closely connected with many other problems, such*

as migration from villages to towns, relative costs of providing economic and social services in towns of varying size, provision of housing for different sections of the population, provision of facilities like water supply, sanitation, transport and power, pattern of economic development.....”

This includes re-structuring and dismantling of larger industries in big cities like Mills due to higher land prices in cities leaving a large number of workforce jobless forcing them into informal sector activities. Similarly, slum demolition drive in some cities has made urban poor more deprived and stressed.

Though it is argued that the incidence of poverty is lower in larger cities but it tends to be more intensified with the poor facing acute shortage of basic amenities there. As such South Asian cities have been grappling with the challenges of making the cities sustainable i.e. inclusive, productive, efficient and manageable. Henceforth, let us build this relationship by correlating economic growth with the level and nature of urbanization giving rise to massive urban poverty and how well it suits the South Asian urban system.

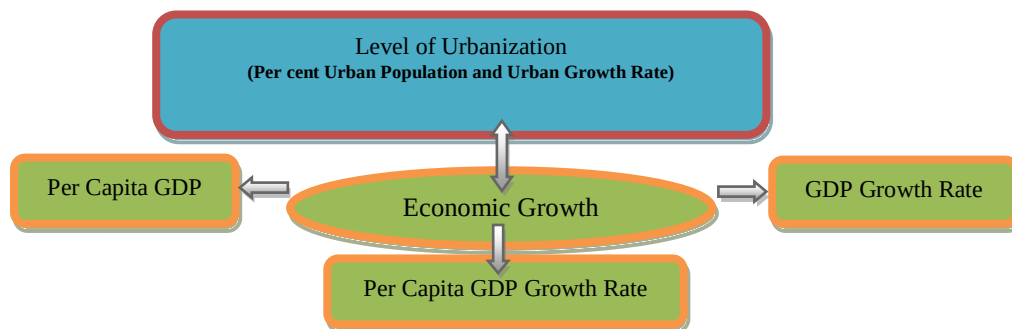
2. Database and Methodology

This study mostly uses the Gross Domestic Product (GDP) both in absolute and per capita basis and the average annual change recorded over the years. A large chunk of database is used to suit the objectives of the study and the most important ones are – World Urbanization Prospects, 2009 and 2011 Revision, The Demographic Yearbook published by United Nations’ Statistical Division and World Economic Outlook.

Also, periodization with 1990 as the opening year, based on statistical analysis is most effective as it marks the phase of economic reforms that affected a large part of South Asian nations. To reach the desired objective of the research paper the most revered technique of co-efficient of correlation is applied and also tested for its significance. To make the study urban specific and exclusively to relate to the issue of urban poverty, special attention has been paid to calculate the per centage of urban population living in large cities especially those with 5000, 000+ inhabitants.

Henceforth, to explore and build a relationship with economic growth, efforts are made to calculate the per cent urban population, urban growth rate and per cent urban population with 500,000+ inhabitants. These are further cross-correlated with economic growth at its three measurable levels i.e. Per Capita GDP, GDP Growth Rate and Per Capita GDP Growth Rate. This association has been build for three decades for every quin quennial years.

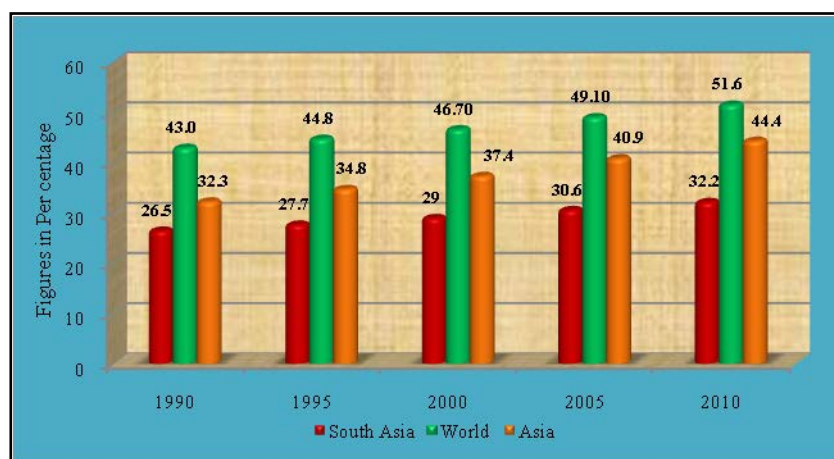
3. Dynamism between Level of Urbanization and Economic Growth



3.1: Level of Urbanization in South Asia (1990-2010): A Comparative Analysis

Across the entire continent of Asia, the urban proportion and the rate of change in urban population varies dramatically. The South Asian nations record one of the lowest shares of urban population among other Asian regions. In fact there has been a very meager growth in per cent urban population which rose from 26.5 per cent in 1990 to a low rise of 29 per cent in 2000 and finally reached 32.2 per cent in 2010 as revealed from figure 2. It is well below the average figure for Asia and world as a whole being 44.4 per cent and 51.6 per cent in 2010.

Figure 2: Comparative Analysis of Growth of Urban Population (1990-2010)



Source: World Urbanization Prospects: The 2011 Revision. New York 2012

But as far as the average annual urban population growth rate is concerned it is interesting to note that South Asia has maintained a consistently high growth rate of over 2.5 per cent (2.51 per cent for 2005-2010) which is appreciably well above the world average of 2.14 per cent.

In fact, South and South-West Asia had the fastest urban population growth rate of all the Asian sub-regions at an average of 2.75 per cent per year during 2005-2010. The South-East Asia urban population growth was somewhat slower at 2.28 per cent per year, followed by East and North-East Asia at 2.0%. In North and Central Asia the urban population growth rate has hovered close to zero over the last two decades (0.3% for 2005-2010).

As of 2010, Asia is the second least urbanized region of the world, with only 43% of the population living in urban areas; however, it has the second fastest urban population growth rate, at an average of 2.7 per cent per annum (2005-2010). Currently, Africa is the least urbanized region and has the highest urban population growth in the world, at an average annual rate of 3.5 per cent (2005- 2010).

Hence it is safely established that nations with one of the fastest urban population growth rates are also the ones with lowest levels of urbanization with South Asian nations being a classic example to this.

Table 1: Matrix of Correlation for Level of Urbanization and Economic Growth

Degree of Association	1990		1995		2000		2005		2010	
	r	r ²	r	r ²	r	r ²	r	r ²	r	r ²
Per cent Urban Population and Per Capita GDP	0.887	0.787	0.633	0.400	0.446	0.199	0.641	0.411	0.433	0.187
Degree of Association	1990-1995		1995-2000		2000-2005		2005-2010		2010-2015	
	r	r ²	r	r ²	r	r ²	r	r ²	r	r ²
Per cent Urban Population and GDP Growth Rate	0.377	0.142	0.416	0.173	0.537	0.288	0.484	0.234	-	-
Per cent Urban Population and Per Capita GDP Growth Rate	0.450	0.202	0.424	0.179	0.618	0.382	0.557	0.310	-	-
Urban Growth Rate and GDP Growth Rate	0.355	0.126	0.275	0.075	0.253	0.064	.120	0.015	-	-
Urban Growth Rate and Per Capita GDP Growth Rate	0.463	0.214	0.071	0.005	0.085	0.007	0.018	0	-	-

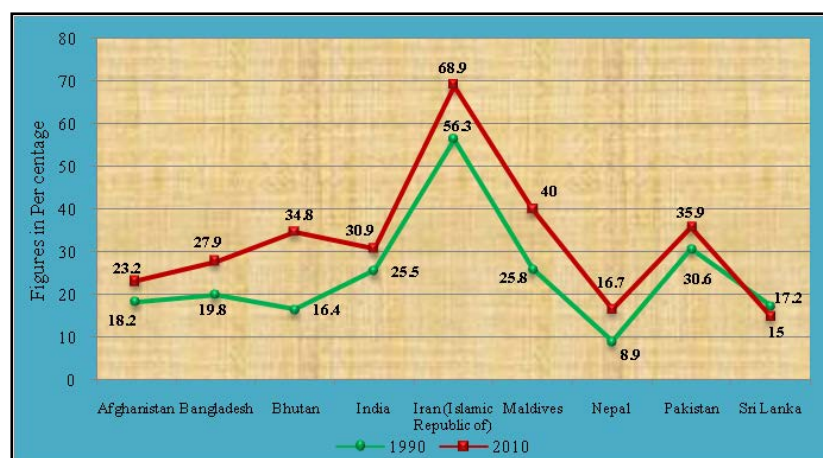
r – Coefficient of Correlation

r² - Coefficient of Determination

A thorough study and analysis of table 1 yields a positive and significant relation between economic growth and Urbanization (especially the per cent urban population). The coefficient of correlation as attempted is consistently high throughout the years with the highest degree of association recorded for per urban population and per capita GDP. Thus we draw the basic

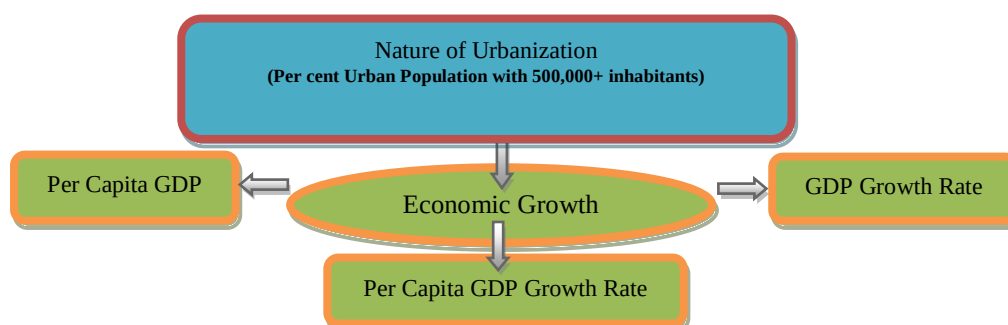
inference that rapid economic development is closely linked with the levels of urbanization for the South Asian nations that exhibit an intra-regional variation in the distribution per cent urban population. Figure 3 illustrates the trend in level of urbanization for two time periods and the change observed therein. Islamic Republic of Iran is however the only nation that has crossed the world average of 51.6 per cent. Rest of the nations is marked with moderately lower levels of urbanization with the average being 32.2 per cent. It reaches as high as 68.9 per cent for Iran to a low of 15 per cent for Sri Lanka in 2010.

Figure 3: Intra-Regional Trend in Per cent Urban Population (1990-2010)



Source: World Urbanization Prospects: The 2011 Revision. New York 2012

4. Dynamism between Nature of Urbanization and Economic Growth



Cities have always been at the center of economic growth and technological advances and hence there is a trend towards urban dwelling. Urban population is usually distributed among settlements of differing sizes along a continuum from small towns to giant cities with population of tens of millions (Pacione 2001).

Recent indications from data on large cities especially those with a population of 500,000+ from World Urbanization Prospects, 2011 Revision, suggest that normal growth account for a larger proportion of the urban growth. The study of urban growth by size class of towns would help us to understand the stages of urban development in a country. Differential growth rates indicate the extent of rural to urban migration and the changes in the structure of city sizes.

4.1 Metropolitan Growth and Emergence of Large Cities

Literally, the word metropolis means a mother city, a meaning no longer holding any significance, though it does mean a dominant or a large city (Dikshit 2003). The urban size is an important attribute influencing urban population growth and differential growth rates indicate the extent of rural to urban migration and the changes in the structure of city size. Some of the globally emerging South Asian cities are listed as the most populous cities in the international ranking with a massive conurbation of 10 million and above. These are identified as ‘mega-cities’ and have inherent potentiality for rapid economic growth and development. Of the world’s 23 mega-cities in 2011, 12 are in Asia, including 7 of the top 10 cities and 5 from South Asia (refer table 3).

Table 2: Urban Agglomerations/Cities having Population 10 million and above (2011)

Rank	Mega Cities	Population (millions)	Country	Status
1	Tokyo	37.22	Japan	Metropolitan Area
2	Delhi (National Capital Region)	22.65	India	Urban Agglomeration
3	Ciudad de México (Mexico City)	20.45	Mexico	Metropolitan Area (zona metropolitana)
4	New York-Newark	20.35	United States of America	Urban Agglomeration
5	Shanghai	20.21	China	Urban Agglomeration
6	São Paulo	19.92	Brazil	Metropolitan Area (região metropolitana)
7	Mumbai (Bombay)	19.74	India	Urban Agglomeration
8	Beijing	15.59	China	Urban Agglomeration
9	Dhaka	15.39	Bangladesh	Metropolitan Area
10	Kolkata (Calcutta)	14.40	India	Urban Agglomeration
11	Karachi	13.88	Pakistan	Urban Agglomeration
12	Buenos Aires	13.53	Argentina	Urban Agglomeration
13	Los Angeles-Long Beach-Santa Ana	13.40	United States of America	Urban Agglomeration
14	Rio de Janeiro	11.96	Brazil	Metropolitan Area (região metropolitana)
15	Manila	11.86	Philippines	Urban Agglomeration

16	Moskva (Moscow)	11.62	Russian Federation	City Proper
17	Osaka-Kobe	11.49	Japan	Urban Agglomeration
18	Istanbul	11.25	Turkey	Urban Agglomeration
19	Lagos	11.22	Nigeria	Urban Agglomeration
20	Al-Qahirah (Cairo)	11.17	Egypt	Official Metropolitan Area
21	Guangzhou, Guangdong	10.85	China	Urban Agglomeration
22	Shenzhen	10.63	China	Urban Agglomeration
23	Paris	10.62	France	Urban Agglomeration

Source: World Urbanization Prospects: The 2011 Revision, New York 2012

Hence effort is made to identify urban agglomerations with a population of 500,000+ and the nation wise share in total urban population within the South Asian region. This ratio stands as high as 57.99 per cent for Pakistan followed by Bangladesh with 54.54 per cent. In fact the ratio stands sufficiently high with more than 40 per cent for almost all the nations of south Asia barring the kingdom of Nepal, Bhutan and the small island nation of Maldives with the average value being 48.58 per cent. An attempt made to correlate yields a positive correlation for all the three indicators of economic growth but seems to be more closely associated with ‘the per capita availability of GDP’ with the values reaching as high as 0.758 for 2010 (refer table 3).

Table 3: Matrix of Correlation for Nature of Urbanization and Economic Growth

Degree of Association	1990		1995		2000		2005		2010	
	r	r ²	r	r ²	r	r ²	r	r ²	r	r ²
Urban Population living in Cities with a Population of 500,000+ and Per Capita GDP	0.157	0.025	0.313	0.098	0.486	0.236	0.486	0.237	0.758	0.574
Degree of Association	1990-1995		1995-2000		2000-2005		2005-2010		2010-2015	
	r	r ²	r	r ²	r	r ²	r	r ²	r	r ²
Urban Population living in Cities with a Population of 500,000+ and GDP Growth Rate	0.259	0.067	0.822	0.675	0.279	0.078	0.029	0.001	-	-
Urban Population living in Cities with a Population of 500,000+ and Per Capita GDP Growth Rate	0.359	0.129	0.847	0.717	0.187	0.035	0.079	0.006	-	-

r – Coefficient of Correlation

r² - Coefficient of Determination

This rapid economic development has further encouraged the rural inhabitants to migrate to urban areas in search of a better source of livelihood, easy accessibility to services and the

lust for a higher standard of living which in turn boosts the process of urbanization. Natural population growth and re-classification of rural areas as urban are other two factors responsible for urban growth.⁵⁶

5. Empirical Analysis of Urban Poverty

An analysis of the existence of urban poor within the study areas portrays South Asia as the home to 27 per cent of world's slum dwellers with India alone accounting for 17 per cent. It is only next to sub-Saharan Africa with 35 per cent of its urban population i.e. 190.7 million. It is also to be noted that more than 50 per cent of the urban population in South Asia, lack access to sanitation services.⁵⁷ Among South Asian nations, India leads with 63 per cent or almost 170 million urban poor of the region. Dhaka, one of the fastest growing cities in Asia claiming 34 per cent of Bangladesh's population is also the home to 40 per cent of country's slum population. Also, some parts of Sri Lanka's capital, Colombo, slums are built right on waterways and are prone to flooding.

However, identification of urban poor is very a difficult task. In India, the yardstick set by Planning Commission is employed for the purpose. For urban areas, this poverty line at the very least should reflect the income needed not only to purchase sufficient food but also to obtain a secure shelter with adequate quality water, sanitation and garbage collection, to pay for transport and for keeping children at school, and to afford health care and medicines when needed. Also the 'non-food' monetary costs as access to housing, resources and services are monetized and usually particularly expensive and generally higher in bigger and more prosperous cities.

With the growing urbanization and the consequent rapid economic growth that South Asian nations are experiencing, it is likely that a significant higher fraction of the rural population will continue to migrate toward cities and towns with a dream to improve their economic status and to lead a decent life. But such a massive rural to urban migration is a result more of "Push-factors" rather than "Pull-factors". The inability of households to sustain livelihoods in rural areas for economic reasons, lower man-land ratio, conflicts, frequent natural calamities and lack of primary health care, and environmental changes such as desertification

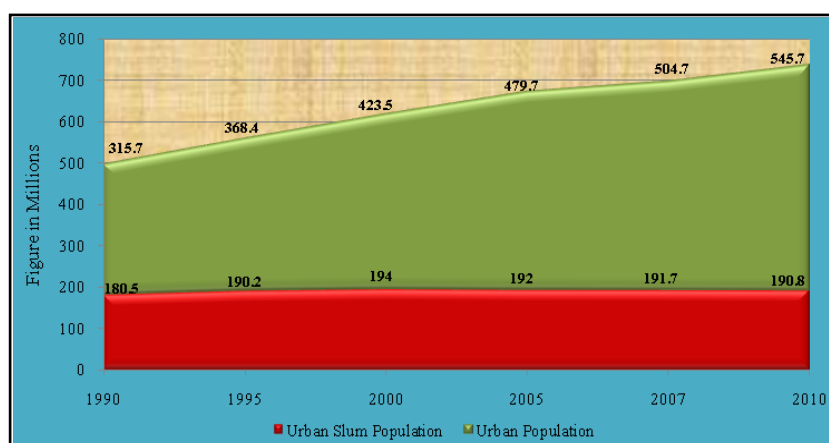
⁵⁶ Assuming the fertility in urban and rural areas is comparable, roughly half of urban population growth comes from rural-to urban migration and reclassification of rural areas as urban; the rest is due to population growth within South Asia.

⁵⁷ UN-HABITAT State of the World's Cities Report 2010-2011.

and saltwater intrusion etc. usually push the rural chunk to big cities and towns. The larger cities and towns are growing faster than smaller and medium ones having one of the highest per centage of slum dwellers in the country. The economic motive remains the main reason for migration among male migrants with the economically backward areas keep losing people to develop and urbanized growing centres. However, the constant influx of migrants to rapidly growing urban areas is not streamlined within the social fabric of the city life and hence is not adequately and gainfully employed thereby creating a class of ‘urban poor’. Thus, it could be safely argued that bigger towns are characterized with high intensity of urban poverty which is best manifested in the form of development of slums⁵⁸ and squatter settlements.

Figure 4 highlights the trend in growth of slum population and urban population in South Asia as two distinct line graphs. It is quite visible that urban population grew drastically from 315.7 million in 1990 to 423.5 million in 2000 and further to 545.7 million by 2010. Consequently, the slum (urban) population also grew enormously during the initial two quinquennial years with a head count total of 194 million (45.8 per cent of urban population). Soon after, it followed a declining trend as a result of the member nations’ joint venture to ameliorate the proliferation of slums in the region.

Figure 4: Slum Population and Urban Population in South Asia (1990-2010)



Source: United Nations Statistics Division, 2011

⁵⁸ According to the UN HABITAT (part of the United Nations), a slum is defined as “a heavily populated urban area characterized by substandard housing and squalor with inadequate access to safe water, inadequate sanitation and other infrastructure, poor structural quality of housing, overcrowding and insecure residential status.”

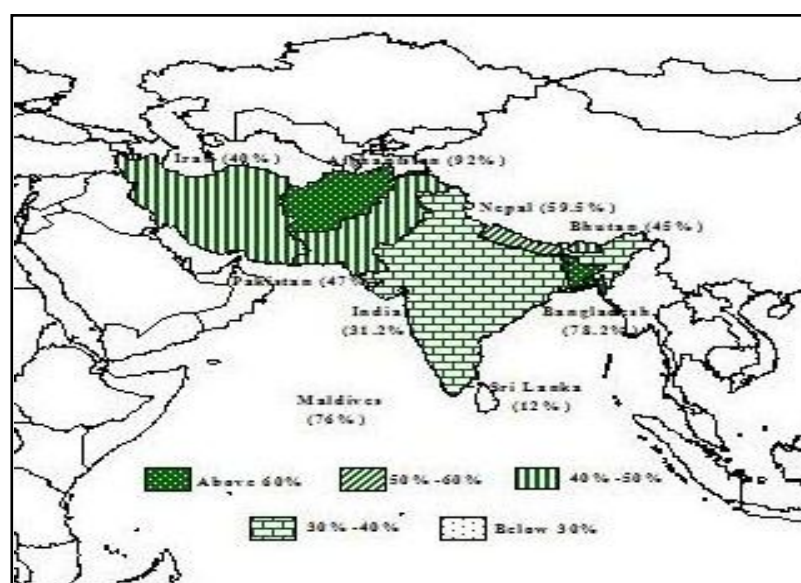
The migratory tendency of the rural chunk to the growing urban areas is largely an escape from constraining social and cultural traditions in rural villages. On the contrary, city life present conditions of overcrowded living, congestion, unemployment, lack of social and community networks and stark inequalities more commonly associated with a group people designated as ‘Urban Poor’ and Urban poverty being a multidimensional phenomenon. The urban poor live with many deprivations. Their daily challenges may include:

- Limited access to employment opportunities and income,
- Inadequate and insecure housing and services,
- Violent and unhealthy environments,
- Little or no social protection mechanisms, and
- Limited access to adequate health and education opportunities.

5.1 Intra-Regional Variation of Urban Poverty within South Asia

As far as intra-regional variation in the distribution of urban poor living below poverty line is concerned it ranges from as high as 92 per cent in Afghanistan, 76 per cent in Maldives and 70.8 per cent in Bangladesh to a moderately low of 31.2 per cent for India and a relatively lower value of 12 per cent for the island nation of Sri Lanka with the South Asian regional average being 38 per cent.⁵⁹ Out of all 9 nations, 7 are well above the regional average with only 2 nations of India and Sri Lanka being below the average as highlighted in figure 6.

Figure 6: Distributional Pattern of Trends in Slums: South Asia (2007)



Source: UN-HABITAT, Global Urban Observatory 2008

⁵⁹ UN-HABITAT, Global Urban Observatory 2008

However in absolute terms India tops the list with the highest number of urban poor. As high as 93 million people are estimated to be living in slums – half the population of the capital, Delhi, live in slums, while the figure could be as high as 60% percent in glittering Mumbai.

Other nations in the region that urgently needs to address this growing challenge are Bangladesh and Pakistan which, along with India, have among the highest urban poverty rates and the largest urban populations in the sub- region. UN-HABITAT data shows that Bangladesh was home to 30 million slum dwellers in 2001, and 85 per cent of its urban population lived in poverty that year; 74 per cent of Pakistan's urban population lived in poverty in 2001 – more than 35 million people.

In crisp, the basic characteristic feature of urban poverty which is unanimously observed within the South Asian nations may be summarized as

- Inadequate household income
- Limited asset base for individuals, households or communities (including both material assets such as housing and capital goods, and non-material assets such as social and family networks and 'safety nets')
- Inadequate provision of 'public' infrastructure and services (piped water, sanitation, drainage, health care, schools, emergency services, etc.)
- 'Voicelessness' and powerlessness within the political system.
- Exploitation and discrimination, often on the basis of gender, caste, age, ethnicity, etc.

6. Analysis of Urban poverty: A case study of Delhi and Mumbai Metropolitan Region

The Greater Mumbai urban agglomeration is the classic example of this relationship - the largest in India in terms of population, has the distinction of being among the largest cities of the world in this respect with a population exceeding 12 million in 2011 census. To this contrast, it is also the home to nearly 6.5 million slum dwellers claiming 55% of Mumbai's population; one of the largest slum in Asia i.e., Dharavi slum. Delhi -the next big metropolitan city and also the administrative capital of India presents an example par excellence. It claims a total population of 14 million and 4 million of these people live in slum colonies. (Source: Economic Survey, 2008-09). Urban poor are identified in form as:

Jhuggi/Jhopri settlements - these account for the bulk of the slums in Delhi; they are illegal squatters on public or private land. The primary characteristic is that the houses are makeshift and 'kutchra', since they have no land rights and constantly fear eviction. Unlike Mumbai, where there are dense slum clusters like Dharavi, Delhi's jhuggi clusters are widely dispersed,

and can be found near railways tracks, nullahs/streams, parks, river banks, and some roads. The typical squatter settlement has about 100 families; larger ones have upto 300. They are often organized along caste/community affiliations.

Urban and Rural Villages - Delhi has several such zones; places that started out as villages but have gotten absorbed into the city as the limits of the city have grown.

Resettlement colonies - These are slum dwellers who have been resettled from their original location to new approved locations. Resettlement began in 1961 in Delhi. As the city's slum population has grown, resettlement has become impossible. But the existing resettlement colonies have better access to infrastructure than the slums; and with land rights secured, they have invested in improving their living conditions.

7. Boosting Real Incomes- Method to Reduce Urban Poverty

Every coin has its two sides and so does this study on urban poverty. The main aim of the research paper is to establish cause and effect relationship between the process of urbanization and consequent economic growth leading to urban poverty within South Asia. But at the same time, measurement of poverty by income level leads to an assumption that economic growth is the only real means by which urban poverty will be reduced. As for example the case of infrastructure and basic services delivery as water and sanitation could be cited. The adequate availability of better quality water and sanitation can no doubt increase the income of the 'poorer groups' since now they are required to pay lesser to water vendors or kiosks and pay-as-you use toilets. Also the 'real income' gets substantially incremented as there is a great reduction in amount that was previously spent on health care and medicines as a result of water-related diseases. Apart from water and sanitation; provision of decent housing scenario to the low-income households also adds on to their reduction of urban poverty thereby providing security, a larger asset base and space for income-earning activities.

8. Governmental Initiatives and Programme Implementation

Urban poverty alleviation is a challenging task before the government of any nation that calls for new and innovative approaches and perspectives. Unless and until more radical policies are pursued in South Asia, the global target for improving the lives of slum dwellers will not be reached. To ameliorate the proliferation of slums the goal is to adequately feed, educate, house and gainfully employ the paramount and rapidly growing number of impoverished city dwellers. It calls on government for implementation of sound, efficient and inclusive policies

to narrow inequalities dividing residents largely in developing nations and enable them to a decent housing, transport, education, recreation, communication, employment and the judiciary rights.

There is no denying of the fact that blue collar workers are a basic need for the inclusive development of any nation, town or city provided they are well amalgamated and integrated into the fine fabric of city and the main city system. It demands for active involvement of the urban poor in the decision making process in every walk of life that injects a sense of belonging and togetherness embarked with a regional identity and guarantees them a descent life in the city.

To achieve this, a number of anti-urban poverty schemes are launched nationwide. At the level of India it includes;

1. The Nehru Rozgar Yojana which includes schemes such as Urban Micro Enterprises, Urban Wage Employment and Housing and shelter up gradation.
2. The Urban Basic Services for the Poor is a centrally sponsored program which was introduced in 1986 with the assistance of UNICEF for provision of basic social services and physical amenities in urban slums.
3. The Environmental Improvement of Urban Slums

Through successful initiatives such as the Orangi project, Pakistan has demonstrated how the lives of slum dwellers can be improved at the local level. In Bangladesh the development campaigns through Bangladesh Rural Advancement Corporation and its Grameen Bank initiatives focusing on alleviation of rural poverty can go a long way in the amelioration of urban poverty too. Also, the island nation of Sri Lanka has largely focused on mobilizing grassroots people to build self-reliance that guarantees them a more secured life.

An effort to reduce urban poverty outside the ambit of economic growth depends on the form of local institutions as community organizations, federations of community organizations, local NGOs, local foundations, municipal authorities or even, on occasion, national government agencies or local offices of international agencies.

9. Concluding Remarks and Policy Suggestions

Thus it is successfully concluded that the triple dynamics of economic growth, rapid urbanization and the growing incidence of urban poverty is quite rampant and very

conspicuous in the entire South Asian urban system. The co-efficient of correlation between urbanization and economic growth tends to be very strong and consistently significant over the years. Consequently, the duo tends to pull the bulk of migrants which is largely debated as an escape from constraining social and cultural traditions in rural villages. Also, the backwash effect of new development becomes even harsher on the urban poor.

In a nutshell, the remedial measures for urban poverty includes social inclusion thereby facilitating them to right to act, organize and make demands, Increasing people's participation, city-wide infrastructure and basic service delivery systems, opportunities for skill development and employment, responsiveness of local governance structures and policies and programmes impacting on urban environment, development and management. Reservation of seats in government jobs and the increasing empowerment of women and the economically weaker sections of society, are also expected to contribute to the alleviation of urban poverty. The unfolding of reforms process has enhanced the role of education and skill development for poverty reduction, particularly in the urban areas.

Lastly, as self employment is rising in the employment structure, need of the hour, we reiterate "...is to convert the vast pool of human resources into productive assets in such a manner that they untimely become wealth creators and job providers, instead of more supervisors or job seekers. It is imperative to foster competent entrepreneur by promoting entrepreneurship." (Kashyap and Mehta, 2007, p.628).

"Success is highly skewed towards the more advanced emerging economies, while poorer countries have not done as well"

- Anna Tibaijuka

Executive Director of the UN Human Settlements Programme (UN-HABITAT)

References

Ahluwalia, Isher Judge (1992). *Productivity and Growth in Indian Manufacturing*, Oxford University Press, New Delhi.

Dandekar, V.M and N Rath (1971), "Poverty in India: Dimensions and Trends," *Economic and Political Weekly*, January 2.

Henderson, Vernon, 2002, "Urbanization in Developing Countries, "World Bank Research Observer, Vol. 17, No. 1, pp. 89–112.

- Himanshu (2007), "Recent Trends in Poverty and Inequality: Some Preliminary Results," *Economic and Political Weekly*, February 10.
- Kaldor, N. (1957), A Model of Economic Growth, *Economic Journal*, December.
- Pacione, M. (2001) *Urban Geography: A Global Perspective*, Routledge, London.
- Verma, L.N., (2006). *Urban Geography*, Rawat Publications, New Delhi.
- Virmani, A (2008), "Growth and Poverty: Policy Implications for Lagging States," *Economic and Political Weekly*, January 12.
- World Bank (1997), *India: Achievements and Challenges in Reducing Poverty, Report No. 16483-IN*, New Delhi, India.

A FEMINIST NARRATOLOGICAL STUDY OF ARUNDHATI ROY'S *THE GOD OF SMALL THINGS*

Abstract: Arundhati Roy's *The God of Small Things* is a specimen of women's writing displaying certain marked characteristics. There is an obsessive urge to articulate anger through the technique of "inversion", in turn made possible through the novel's constantly changing perspective and its non-linear progression. "Inversion" accounts for the undertone of irony that runs through the novel. It colours the title, the ordering of each individual chapter, as well as the controversial end. It is as though Estha's and Rahel's backward reading habits, and Baby Kochamma's insistence on living life backwards is reflected in the novel's structure. "Inversion" ensures the effectiveness of the title in foregrounding the "small things" as the central preoccupation of the novel. It also works cleverly to expose the contrast between the apparent and the real and so upset reader expectations. It also determines the ordering of the events that constitute the novel's diegesis. The technique of inversion allows the event of the punishment to precede the so-called crime. The crime is relegated to the end, and ironically makes possible the inversion of a happy ending to a sad story. Another feature that is too prominent to be ignored is the novel's fondness for nature to the extent that "nature" becomes a palpable, tangible, additional character. This in turn helps to identify the strong eco-feminist consciousness that is an important undercurrent. It also enables an eco-feminist interpretation that sees the fall of a river as an allegory for the corruption of a family. Therefore finally, it could be argued that Roy makes use of a woman's weapons of "inversion" and eco-feminism to battle against patriarchal forces.

Key terms: Feminist Narratology, Inversion, Ecofeminism

Among contemporary Indian women novelists, Nina Sibal, Chitra Divakaruni, and Shauna Singh Baldwin process India and her diaspora through a woman's crucible. Interestingly, Arundhati Roy too rewrites India, but severs all links with the nation and declares her secession. "I hereby declare myself an independent mobile Republic" ("The End of Imagination" Arundhati Roy unofficial Website). To say that Arundhati Roy is outspoken would be an understatement. The sole novel she has to date and her voluminous non-fiction may be likened to the bursting of the floodgates of the Narbada whose cause she so champions. The narrative technique of *The God of Small Things* becomes a deliberate tool that enables and empowers her to hammer a protest, to voice her dissent against society, tradition, religion, history, nation, and the establishment. As she puts it, the only thing worth globalising is dissent (Barasamian).

In this piece an attempt shall be made to examine the extent to which Roy's narrative technique in *The God of Small Things* facilitates her quarrel and confrontation with the world.

If narrative technique is the medium and the method, the question is how effectively it functions as a vehicle for a woman's protest. In addition, the thrust of the paper would be to recognise and identify patterns that signal a woman's writing – a form that displays the impact of gender.

Viewed from the perspective of feminist narrative grammar, women dominate the novel's foreground with men sidelined to supporting roles. Male characters, when objectified under the recriminatory female gaze, are featured as either "abusive" or "ineffectual angels" (Brians 165). Memory serves as trigger – "key and engine of the story" (Baneth-Nouailhetas 67). In Roy's words, "Memory bombs still, tea-coloured minds" (100). The bulk of the novel defines a memory. As memory charts a meandering course the narrative zigzags between a present time in 1993 and a past time in 1969. The long opening chapter foreshadows events to come. Subsequently, there is an orderly pattern of interweaving chapters wherein past events are detailed in even numbered chapters, and present events in odd numbered ones (Mullaney 44).

In narratological terminology, the novel illustrates the feminist potential in the drastic disruption of chronological time through Gerard Genettian *paralepsis* (the narrator's omission of some events pertaining to the main characters focalized), *prolepsis* (the reference to some future event of the story by the omniscient narrator of the story), *analepsis* (a retrospective narration), and *ellipsis* (omission of some events). Just as there are constant shifts in the time sequence of the novel, there are equally potent shifts in the rendering of point of view.

Interestingly, for purposes of our argument, Roy's games with time and voice provide ample opportunity for "inversion" – a characteristic feature of women's writing (Kolodny 80). Kolodny identifies the tendency in women's writing to invert "generalized traditional images and conventionalized iconographic associations so that they come to connote their opposites" (80). Further, she discovers "almost a conspiracy to overthrow all the nice

comfortable patterns and associations of a previous (and for the most part male-dominated) literary tradition” (81). *The God of Small Things* displays just such a marked inclination to resort to “inversion” as a subversive narrative strategy that allows the woman writer frequent occasion to disrupt the hegemony of patriarchal structures. To begin at the official beginning, the title itself serves as an illuminating illustration of “inversion” in operation, and in initiation of a process that will control the entire narrative. In making such a statement, we have the authority and sanction of the author herself.

It is found then that “inversion” as an attitude of the mind and as a characteristic feature of women’s writing controls not only the title but also the matter and the method of the narration. In fact it may be argued that every stage of the narration shows evidence of inversion. Inversion has a curious propensity. It carries and contains immense potential for the expression of a range of emotion - anger, indignation, bitterness and sarcasm – the most prominent on the agenda of the underdog, and hence serves as the appropriate medium for the message of an angry young woman. There is always the attempt to linger over deceptive appearances, and then tip them over to unmask unpalatable realities, or point out what used to be, and contrast it with what has now become. The first chapter itself shows up so many such contrasts. At one time, “life was full of Beginnings and no Ends” (2) and now “Edges, Borders, Boundaries, Brinks, and Limits have appeared” (3). Earlier the twins thought of themselves “together as Me, and separately, individually as We or Us” (2), and now Rahel thinks of Estha and Rahel as *Them* (3). Then there is the sickening contrast between the grimness of the tragedy of Sophie Mol’s funeral, and a child’s uncomprehending logic in the face of it. Had Sophie Mol been killed on a zebra-crossing, the government would have paid for her funeral, just as if they had been born on a bus, the government would have guaranteed a lifetime of free bus rides. Subsequently, the visit to the police station shows up the irony of the contrast between the red and blue board declaring that the police stood for “Politeness,

Obedience, Loyalty, Intelligence, Courtesy, Efficiency” and the brazen insolence of Inspector Thomas Mathew as he taps Ammu’s breasts with his baton. Then again, there is the nostalgia for the river as it used to be shown up in contrast with the present disgust for what it has become – a river that “smelled of shit and pesticides bought with world bank loans” (13). Also there is the barely concealed contempt for the new freshly-baked, iced Gulf-money houses” and the reference to the envy of the older houses. What is immediately apparent is the snide sarcasm, and the refusal to be impressed by so-called development as also the attempt to uproot rosy expectations.

As the narrative unfolds to accommodate the viewpoints of Ammu and Chacko, inversions often take the form of specific *Ammuisms* and *Chackoisms*, the prime function of which is to shock and awe us out of convenient delusions. Since both are adept at plainspeaking, the inversions come naturally to them. Thus Ammu can look aghast at a photograph of herself as a bejewelled bride, and wonder in bemusement as to how she could have “permitted herself to be so painstakingly decorated before being led to the gallows. It seemed so absurd. So futile. Like polishing firewood” (44). The children in their innocence make frequent references to “what Ammu said”, and whatever she says becomes for them the gospel truth. So Ammu says “that human beings were creatures of habit, and it was amazing the kind of things they could get used to . . . beatings with brass vases were the least of them”(50). Then again Ammu says that “Pappachi was an incurable British CCP, which was short for *chhi-chhi poach* and in Hindi meant shit-wiper” (51). Chacko, the Rhodes scholar, in turn, points out in pedagogic expansion that “the correct word for people like Pappachi was *Anglophile*” (52). Chacko is scrupulously honest in dispelling delusions. He admits to them all being anglophiles, yet bemoans the war that robbed them of their histories – “a war that captures dreams and re-dreams them. A war that has made us adore our conquerors and despise ourselves” (53). While Chacko continues to dream the dreams that have been thrust

upon him, he is honest enough to admit in a burst of post-colonial angst that “our dreams have been doctored. We belong nowhere. . . . Our sorrows will never be sad enough. Our joys never happy enough. Our dreams never big enough. Our lives never important enough. To matter” (53). Ammu too, in her turn, is not impressed either by Chacko’s academic achievement (“Going to Oxford didn’t necessarily make a person clever” (56)) or his self-proclaimed Marxism. (“Just a case of a spoiled princeling playing *Comrade! Comrade!* An Oxford Avatar of the old Zamindar mentality – a landlord forcing his attentions on women who depended on him for their livelihood” (65)). Chacko’s bitterness and Ammu’s sarcasm then find outlets in the inversions that are a ubiquitous feature of the entire narrative.

Not only does “inversion” colour the vitriolic exchanges between Ammu and Chacko, it runs through the entire narrative as a prominent strain that exerts its own pattern and control over the ordering of even the chapters. The chapter heads make their own explicit statements while more often than not, the chapter contents are a subtle inversion of the absurd promise of the titles. While a chapter head like “Big Man the Laltain, Small Man the Mombatti” is an overt reflection of the inversion of the title *The God of Small Things*, it makes a cynical comment on the vulnerability of the “small” in the face of the intimidating juggernaut of the “big” as exemplified in the figure of Estha.

Subsequent chapters make inversion a habit. “Abhilash Talkies” captures the irrepressible excitement of children out on an excursion to see *The Sound of Music*, anxious not to miss the beginning – the rippled velvet curtain going up and Julie Andrews exploding on to the screen. The screen freezes one version of reality – the blue Austrian sky, and the captain with seven children. “Clean children, like a packet of peppermints. . . . They were clean white children, and their beds were soft with Ei. Der. Downs. The house they lived in had a lake and gardens, a wide staircase, white doors and windows, and curtains with flowers” (105). However, the immediate reality of Estha and Rahel is in stark contrast – a

total inversion – brought into sharp focus through Estha’s ugly encounter with the OrangeDrink Lemondrink Man. The two versions of reality run a collision course. One version sings of “Girls in white dresses and blue satin sashes” and “How do you hold a moonbeam in your hand” while the other finds Estha holding not a moonbeam but a penis to oblige the sleazy OrangeDrink LemonDrink man. The inversion is startling enough to provoke a wave of nausea, and the reader along with Estha battles against “a greenwavy, thick-watery, lumpy, seaweedy, floaty, bottomless, bottomful feeling” (107).

The next chapter boasts a presumptuous title – “God’s Own Country” – the official slogan of Kerela Tourism. However, significantly, the chapter that follows works a sullen inversion to establish just the opposite. Kerela, as Arundhati Roy would have it, is anything but God’s own country. The chapter is replete with sarcasm and takes a sly dig at the grandiose title. There is the tone of regret that the once beautiful river has degenerated to being merely “a swollen drain” (124). To quote again:

Once it had the power to evoke fear. To change lives. But now its teeth were drawn, its spirit spent. It was just a slow, sludging green ribbon lawn that ferried fetid garbage to the sea. (124)

Further, Roy proceeds to make a mockery of the professed pretensions of tourist brochures that commodify Kerela’s culture to trap the innocent tourist – “. . . History and Literature enlisted by commerce. Kurtz and Karl Marx joining palms to greet rich guests . . .” (126). Kerela was on display for the edification of the bemused tourist in the form of easily digestible chunks of culture – *Traditional Kerela Umbrella*, *Traditional Bridal Dowry Box*, and “truncated Kathakali performances” where “six hour classics were slashed to twenty minute cameos”(127). What is offered is a travesty of the glory that was once Kerela. Thus the prime function of the chapter is to “invert” the illusion that the title generates.

Yet another chapter that exploits inversion tactics is “Wisdom Exercise Notebooks” wherein Rahel takes a trip down memory lane to rummage through old book-shelves to discover a treasure trove of old Wisdom exercise books which carry the remains of Estha’s

early attempts at mastering the mysteries of the English language. The notebooks record the innocence of childhood, and bely the *Wisdom* of the title. They render a simple account of Estha's memory of a certain memorable birthday of Ammu's in the past when the twins gift a diary to their mother, and enjoy intimate moments of shared confidences as they lie at the back of their mother. While the books bring on a wave of nostalgia, the chapter is all the more poignant as it juxtaposes the memory of life with that of death, of a birthday with a death day. Estha's exercise in composition writing narrates a moment of unspeakable happiness which is swiftly followed by Rahel's account of Ammu being fed into the incinerator – "Her hair, her skin, her smile. Her voice" (163). The inversion affects a pathos that weighs over the entire narration.

"Inversion" continues to plod its sarcastic way through other chapters as well. "Welcome Home, Our Sophie Mol" is a charade played out in honour of Sophie Mol wherein the family takes Sophie Mol to its bosom in an extravagant gesture of anglophilian ecstasy. However, the warm welcome is for "the little angel" Sophie Mol who is "loved", but the chapter foregrounds its inversion which takes the form of the cruel rejection of "the little demons" Estha and Rahel who are "loved a little less". In the world view of the anglophiles, "Littleangels were beach-coloured and wore bell-bottoms. Littledemons were mudbrown in AirportFairy frocks with forehead bumps that might turn into horns" (179).

Yet again, the chapter head "River in the Boat" is itself an "inversion". We would expect the boat to be on the river. But, since the boat leaks, the river enters the boat, literally and metaphorically. The boat carries and contains the magic and mystery of the river which entices only to kill. Further, the chapter "Kochu Thomban" introduces the kathakali performance in its extravagance of vigour, colour, and gesture. The dance lingers over Bhima's annihilation of Dushasan, and recalls the violence of another occasion. A long ago comment of Comrade Pillai's surfaces. "Raudra Bhima – crazed, bloodthirsty Bhima in

search of death and vengeance” was according to Pillai “searching for the beast that lives in him’. The authorial comment that follows is excruciating in the “inversion” it affects:

Which beast, in particular, Comrade Pillai didn’t say. Searching for the *man* who lives in him was perhaps what he really meant, because certainly no beast has essayed the boundless infinitely inventive art of human hatred. No beast can match its range and power. (236)

Still another chapter, “The Pessimist and the Optimist” is an ironic reference to a hilarious joke that Chacko takes recourse to in order to initiate his relationship with Margaret Kochamma on a long ago Oxford morning. The chapter ends on a note of devastating grief.

Then again, “Work is Struggle” is a chapter head that exploits a popular slogan of the Communist Party that has on its ostensible agenda the uplift of the poor. The ensuing chapter makes short shrift of such pretensions and establishes instead a horrifying inversion of such tall claims that conceal the clay feet of hypocrisy and double standards. Velutha is a cardholding party member who is betrayed by his own party leader. While on the one hand Comrade Pillai makes impassioned speeches on the rights of the untouchables, on the other he has no qualms about warning Chacko that Velutha’s presence among the “touchable” factory workers could cause resentment. He sheds the colours of his party agenda sufficiently to confess that “change is one thing. Acceptance is another” (279). Pillai claims to be the harbinger of change, but is himself perhaps the most stubborn hurdle in the path of change. Pillai betrays Velutha many times. When Velutha comes to his doorstep, imploring his help, Pillai can only mouth inanities: “It is not in the party’s interests to take up such matters”. The author intervenes to make a cynical comment that registers the “inversion”: “Another religion tuned against itself. Another edifice constructed by the human mind, decimated by human nature” (287). Then again, when inspector Thomas Mathew makes a show of consultation with Comrade Pillai, Pillai makes no attempt to refute the allegation of attempted rape in Baby Kochamma’s FIR, though he knows it to be a falsehood. He also assures the inspector that Velutha did not enjoy the patronage and protection of the Communist party. He also

omits to mention that Velutha had knocked on his door the previous night which made Pillai the last person to have seen Velutha. Emboldened by such assurances, the Inspector takes action. When Velutha is dead, Comrade K.N.M. Pillai masquerading as “the Crusader for Justice and the Spokesman of the Oppressed” claims that the Management of Paradise Pickles had implicated Velutha in a false police case because he was an active member of the Communist Party, and that they wanted to eliminate him for indulging in “lawful Union activities” (303). Thus the chameleon Comrade Pillai shows himself to be an expert manipulator of truth, and a superb presenter of fabricated versions of reality that suit his express purposes. Again the omniscient voice of the narrator, heavily laced with sarcasm, identifies Comrade Pillai and Inspector Thomas Mathew as “mechanics, servicing different parts of the same machine” (262). Thus the chapter makes use of “inversion” to make a mockery of the grand narrative of what Communism claims to do. The slogan “Work is Struggle” loses its sheen, and holds out no promise.

But perhaps the most painful “inversion” comes in the chapter entitled “Saving Ammu”. Interestingly, what the chapter dramatises is not the “saving” but the “damning” of Ammu. Inspector Thomas Mathew must “save” himself since he cannot have the death of Velutha in custody while the twins insist that they were not abducted, but went to the History House of their own volition. Simultaneously, Baby Kochamma must “save” herself since she cannot countenance the ignominy of being accused of lodging a false FIR. Baby Kochamma picks on a convenient escape route. She “embroiders” reality, and terrorises the twins into believing that they had “murdered” Sophie Mol, and that the only way they could “save” themselves and Ammu from jail was by identifying the dying Velutha as their abductor. In sheer terror, Estha complies, and the little family of mother and kids is not “saved”, but “damned” forever. For Estha, “childhood tiptoed out. Silence slid in like a bolt” (320). For the little family, it meant “not death. Just the end of living” (321). Finally, even the last

chapter has an ironic edge to it. The title, “The Cost of living”, implies a calculation in economic terms, but the chapter content assesses the same cost in traumatic terms, in the form of a cynical comment on the cost of Ammu’s and Velutha’s transgression of the Love laws. As the narrator puts it,

they knew already that for each tremor of pleasure they would pay with an equal measure of pain The cost of living climbed to unaffordable heights; though later Baby Kachamma would say it was a Small Price to Pay. Was it? Two lives. Two children’s childhoods. And a history lesson for future offenders. (335-36)

Thus, on the basis of the above illustrations, it may be argued that “inversion” as a strategy permeates and patterns Roy’s narrative at the level of its basic structure. While on the one hand, there is the attempt, via *Ammuisms* and *Chackoisms* to wage war on the inherent prejudices that straitjacket thought and action, on the other hand there is the effort to expose the lacuna between the apparent and the real. While the chapter head suggests one version of reality, the chapter substance projects the “inversion” of that reality to proclaim its very opposite. Such a strategy serves as a fitting outlet for the barely suppressed anger that forms the undercurrent of the novel. Such a strategy also serves to give powerful expression to Roy’s savage indictment of the “Big Things” – History, Politics, Religion, Custom, Love Laws that do not allow “the scurry of small lives” to continue with the business of living. As Madhu Benoit puts it:

Roy, as behoves a writer-cum-political activist, wrote *The God of Small Things* as a head-on attack on the Kerelese caste-ridden society, and the cruel destiny it reserves for both women and untouchables . . . Roy wrote her book with a heavily loaded political message . . . (85)

While “inversion” serves as an efficient escape valve for anger, it also works in subtle ways to upset reader expectations through the clever manipulation of the ordering of the events that constitute the novel’s diegesis. To quote Kolodny again:

Extrapolated to thematic concerns, the “inversion” pattern may even structure the plot, by denying our conventional expectations for a happy ending and substituting for it an ending which is conventionally unhappy, but which, in terms of the particular work, pleases or satisfies nonetheless. (81)

How may we perceive such an “inversion” pattern in the manner in which the novel ends? It is important here to be able to decide first about what we may label as the “ending”. Does the novel end at the last page? Or does it end with the event which is chronologically the last in the novel’s diegesis? The last event in the chronology of events is the incestuous union of the twins - Estha and Rahel while the last pages of the novel dramatise the transgressive union of Ammu and Velutha. Both represent acts of transgression. Interestingly, the former ends on a note of pathos, a fitting end to a tragic tale of love, madness, hope, infinite joy and devastating sorrow – “what [the twins] shared that night was not happiness, but hideous grief”. However, the novel ends officially on a note of ecstasy with the euphoric union of Ammu and Velutha, offering in the process an illustration of “inversion” in action, and so upsetting the reader expectation of a conventional sorrowful ending to a tragic tale. Roy chooses to dwell on happiness, and provides a fairy tale ending even when the readers are already aware of the tragic sequel to these moments of stolen bliss. Such an ending in the form of an “inversion” is possible entirely on account of the novel’s narrative technique that insists on deliberately disrupting the chronology of events that make up the novel. The “inversion” is able to effectively communicate the author’s point of view. To quote Roy’s own words:

I think that one of the most important things about the structure is that in some way, the structure of the book ambushes the story. You know it tells a different story from the story the book is telling. In the first chapter I more or less tell you the story, but the novel ends in the middle of the story, and it ends with Ammu and Velutha making love and it ends on the word “tomorrow”. And though you know that what tomorrow brings is terrible, the fact that the book ends there is to say that even though it’s terrible, it is wonderful that it happened at all. (Simmons [online])

When the novel ends in the middle of the story, it represents an “inversion” of reader expectation. It is force-ended on a note of perfect harmony – “the curtain falls on two unions, one sad, albeit endowed with a certain quality of healing, the other . . . a rapture” (Benoit 84). The “inversion” of the end is able to carry the weight of a political message. What is earlier

merely hinted at, implied, suggested, assumed through Vellya Paapen's disjointed, incoherent hysteria is suddenly brought to the forefront to be delineated in loving detail. There seems to be a woman's method (inversion) in the madness. Roy's opening chapter castigates the infamous love laws. The closing chapters dramatise the blatant transgression of the love laws. When the act of transgression becomes the only note of harmony, to be revered and treasured, the author is able to craft an ending which sanctifies the act, and strongly indicts the love laws which condone an unequal and unjust world. Ted Gioia rightly states:

. . . the novel itself, despite the horror of the central story. . . closes on a lyrical note. The effect is almost akin to a rewinding of a film back to a moment before all the terrible things happened, and a lingering on that beauty of small things that contributes so much to this book's allure.

(The New Canon [online])

Thus, it is possible to conclude that "inversion" as a strategy controls not only the beginning and the body, but also the end of the novel.

It would seem then, at this juncture, that "inversion" is the only distinctive feature of women's writing that colours *The God of Small Things*. However, another feature that inhabits the narrative, and is too pervasive to be ignored is Roy's obsession with images from nature. Images of birds, beasts, insects, rain and river recur with an amazing consistency to create the under life of the novel. In fact, it could be argued that if "inversion" is able to carry "the reckless rage of a suicide bomber", Roy's fond lingering over images from nature wears "the infinite tenderness of motherhood", both traits attributed to Ammu in the novel, and proclaimed as an "unmixable mix". The novel, however, seems to rely on just such a "mix" to create its own magic and mystery.

Right at the outset, the novel opens on a barrage of images of flora and fauna that set not only the backdrop, but also the distinct ambience that in turn, work together to make "nature" a living presence through the entire course of the narrative. There are references to "bright mangoes", "red bananas", bursting "jackfruit", and "dissolute bluebottles" that set the stage for the monsoon to come. When the monsoon comes, the countryside explodes into

“immodest green” with the sudden rush of weeds, creepers, vines and moss that are home to “the whisper and scurry of small lives”, to the ratsnake, the bullfrog, the mongoose and the cabbage-green butterfly. And always hovering in the background, there is the “greygreen” river. “With fish in it. With the sky and trees in it. And at night, the broken yellow moon in it” (123). As also the old mangosteen tree that has seen, and continues to see all.

Often, an image from nature commemorates a painful moment, or bears witness to trauma and tragedy, or simply serves as a fitting simile. There is, for example, the reference to the “clinging curled claws” of the “bat baby” that crawls up Baby Kochamma’s bare midriff, and causes such “a furrywhirring and a sariflapping” (6) at Sophie Mol’s funeral. There is also the reference to a bird in flight reflected in an old dog’s eye balls that leads Estha to reflect on the miracle of how “something so fragile, so unbearably tender had survived, had been allowed to exist” (12). There is the “suddenshudder of the cold puppy” (15) that accompanies Estha on his solitary walks in the rain. Then again, Papacchi’s Moth with unusually dense dorsal tufts, that was discovered by Papacchi, but not named after him, becomes a metaphor not only for his own black moods, but also those of his subsequent progeny. When Rahel sulks at Sophie Mol’s welcome, and chafes at being loved a little less, she finds distraction in killing a column of red ants that she imagines being on their way to church. At every turn in the narrative, Roy is never in such a hurry that she neglects to mention the small things. When the old boat (responsible for subsequent tragedy) covered with moss, lichen, and fern is discovered and turned the right side up what is revealed is “a scurrying, hurrying boatworld” (202). “White termites on their way to work. White ladybirds on their way home. White beetles burrowing away from the light. White grasshoppers with whitewood violins”. Similarly, when Ammu dies by herself in a lonely hotel room, Roy’s camera eye does not omit to focus on “a platoon of ants” that “carried a dead cockroach sedately through the door, demonstrating what should be done with corpses” (162). When the

posse of policemen battle their way through tall grass and huge fern to the History House, their journey is watched over by darter birds, egrets, cormorants, storks, cranes, herons, beetles, spiders, and dragonflies. It is as though they shall bear witness to the monstrosity that is to be committed. And when the policemen raise their boots to kick Velutha to death, the narrator does not forget to mention that “brown millipedes slept in the soles of their steel-tipped touchable boots” (304). The chorus of birds and insects attends not only scenes of violence and death, but also tender scenes of love. The passion of love between Ammu and Velutha is attended by ants, caterpillars, beetles, and spiders. One frail, minute spider, seemingly so fragile, proves stout enough to outlive Velutha, and father future generations. The union of Ammu and Velutha is also presided over by “the river [that] pulsed through the darkness, shimmering like wild silk” while “night’s elbows rested on the water and watched them” (335).

It may be argued then that Roy’s obsession with nature, perhaps a characteristic of women’s writing, makes a powerful statement. Roy enjoys a curious empathy with nature, a sense of oneness with it which lends her the authority to think of human beings and animals as belonging to the same and not different worlds, as both are just as vulnerable and as liable to be crushed by something big. And on this note, it would be hard to ignore the strong ecofeminist strain in Roy’s writing. Indeed, it is possible to think of the *The God of Small Things* as the novelistic equivalent of Barbara Mor’s strong ecofeminist proclamation: “We must remember the chemical connections between ourselves and the stars, between the beginning and now. We must remember and reactivate the primal consciousness of oneness between all living things” (Eve Online).

Ecofeminism maintains that a strong parallel exists between the oppression of women and the domination of nature by patriarchal society. Patriarchal society thus becomes the prime accused in the crime of perpetuating a dualistic world view that prioritises mind over

body, spirit over matter, male over female, humans over nature. Such a world-view delineates an incriminating hierarchy of value with God at the apex, followed in diminishing value by Man, Woman, Children, Animals, Nature. Ecofeminism would like to right the wrongs of patriarchy, and its enterprise is perhaps best articulated in the following statement:

The kaleidoscopic lens of ecofeminism includes a prepatriarchal historical analysis, an embracement of spirituality, and a commitment to challenging racism classism, imperialism, heterosexism, ageism, ableism, anthropocentrism (i.e., human supremacism), speciesism and other forms of oppression. (Mcguire and Mcguire [online])

The God of Small Things is ecofeminist in its implicit indictment of the patriarchal forces that exploit the fragility of the “small things”, be they Velutha (racism), Ammu (sexism), Estha and Rahel (ageism) or fish, spider, or millipede (speciesism). Simultaneously, it also makes an explicit articulation of ecofeminist concerns. Very early in the story, Chacko, in the attempt to inculcate in the children a sense of historical perspective, informs them of the Earth Woman. He painstakingly builds the metaphor of the four thousand six hundred million year old Earth as a forty-six year old woman. The Earth Woman was eleven years old when the first single-celled organisms appeared. The first animals, creatures like worms and jellyfish, appeared only when she was forty. She was over forty-five – just eight months ago – when dinosaurs roamed the earth. The whole of human civilization as we know it began only two hours ago in the Earth Woman’s life. Chacko instructs that “the whole of contemporary history, the World Wars, the War of Dreams, the Man on the Moon, science, literature, philosophy, the pursuit of knowledge was no more than a blink of the Earth Woman’s eye” (54). Such a sweeping perspective of geological time serves to dethrone man from his position of power, and make him aware of his own insignificance – an insignificance which he shares with worms and jellyfish, and which allows him to be bracketed in equality with all creatures great and small. Having made an initial point, Roy proceeds to castigate man for his crimes against nature. She mourns the fall of the mighty Meenachal. What had

once been the lifeblood and the livelihood of the people can now boast of only dead fish and fetid garbage. Roy holds man responsible, and deplores his attempts at harnessing nature in the name of so-called development - development that demanded the exacting price of the Meenachal. Roy also laments the History House being bought by a five-star hotel chain, and the resultant commodifying of the local culture. She evaluates the cost of development – the death of a river, and the passing of a culture. The river is now a thick, toxic, smelly drain. There are signs of *No Swimming* put up at the river, but there are newly constructed swimming pools at the hotel. There are dead fish in the river, but tandoori pomfret and crepe suzette on the hotel menu. There are no magical row boats. Speedboats that emit a film of gasoline have taken their place. Also Kathakali performances are drastically abbreviated to suit the attention spans of rich tourists. Roy's anguish at the cost of development is explicit. It is on the basis of such anguish that Roy is known to be "the public voice of India's anti-globalisation movement" as also a fervent eco-feminist. An ecofeminist interpretation of the novel would require us to read the deterioration of the Meenachal, and the trading of a culture as allegorically reflective of the decline and fall of the Ipe family. Both stories meet in the chapter entitled "God's Own Country". The verandah of the History House, now houses the hotel kitchen which supervises the disembowelling of lesser mammals – pigs, goats. Nearby lies buried a child's plastic wrist watch with the time painted on it. The death of a culture is seen juxtaposed with the death of a child's innocence, and the splintering of a family. Both deaths bear the mark of oppression – the former bears the mark of oppressive globalization/neo-imperialism, the latter of racism/sexism/ageism.

Finally, to conclude, it would perhaps be fair to say that Arundhati Roy's *The God of Small Things* as a specimen of women's writing displays the following marked characteristics. There is an obsessive urge to articulate anger through the technique of "inversion", in turn made possible through the novel's constantly changing perspective and

its non-linear progression. “Inversion” accounts for the undertone of irony that runs through the novel. It colours the title, the ordering of each individual chapter, as well as the controversial end. It is as though Estha’s and Rahel’s backward reading habits, and Baby Kochamma’s insistence on living life backwards is reflected in the novel’s structure. “Inversion” ensures the effectiveness of the title in foregrounding the “small things” as the central preoccupation of the novel. It also works cleverly to expose the contrast between the apparent and the real and so upset reader expectations. It also determines the ordering of the events that constitute the novel’s diegesis. The technique of inversion allows the event of the punishment to precede the so-called crime. The crime is relegated to the end, and ironically makes possible the inversion of a happy ending to a sad story. Another feature that is too prominent to be ignored is the novel’s fondness for nature to the extent that “nature” becomes a palpable, tangible, additional character. This in turn helps to identify the strong eco-feminist consciousness that is an important undercurrent. It also enables an eco-feminist interpretation that sees the fall of a river as an allegory for the corruption of a family. Therefore in conclusion, it could be argued that Roy makes use of a woman’s weapons of “inversion” and eco-feminism to battle against patriarchal forces.

ENDNOTES

- Baneth-Nouailhetas, Emilienne. *The God of Small Things: Arundhati Roy*. Paris: Armand Colin/VUEF- CNED, 2002.
- Barsamian, David. “Arundhati Roy, The Progressive Interview.” *The Progressive* 65.4(2001): 33-39.
- Brians, Paul. *Modern South Asian Literature in English*. Westport: Greenwood Press, 2003.
- Gioia, Ted. “Review of Arundhati Roy’s *The God of Small Things*.” *The New Canon: The Best in Fiction Since 1985*. 5 July 2011. <http://www.thenewcanon.com/god_of_small_things.html>
- Klein, Naomi. *No Logo*. London: Flamingo, 2001.
- Kolodny, Annette. “Some Notes on Defining a ‘Feminist Literary Criticism.’ ” *Critical Inquiry*. 2.1(1975): 75-92.

Mani, K. Ratna Shiela. *The Critical Studies of Arundhati Roy's The God of Small Things*. Ed. Jaydip Sinh Dodiya. New Delhi: Atlantic Publishers, 1999.

McGuire, Cathleen and Colleen McGuire. "Ecofeminist Visions." *Eve Online ecofeminist visions emerging*. 5 July 2011 http://eve.enviroweb.org/what_is/main.html

Mor , Barbara. The Great Cosmic Mother. "Ecofeminist Visions." *Eve Online ecofeminist visions emerging*. 5 July 2011 http://eve.enviroweb.org/what_is/main.html

Mullaney, Julie. *Arundhati Roy's The God of Small Things: a reader's guide*. 2002. New York: The Continuum International Publishing Group Inc, 2005.

_____. " 'Globalizing Dissent'? Arundhati Roy, Local and Postcolonial Feminisms in the Transnational Economy." *Arundhati Roy: Critical Perspectives*. Ed. Murari Prasad. Delhi: Pencraft International, 2006.

Rao, Ranga. "The Book(er) of the Year" *The Hindu Magazine* Sunday, Nov. 1997.

Roy, Arundhati. *The God of Small Things*. 1997. New Delhi: Penguin Books India, 2002.

_____. "The End of Imagination." *The Guardian*. 1 Aug. 1998. 5 July 2011.
<http://website.lineone.net/~jon.simmons/roy/ar_onnd.htm (6 of 10) [4/21/2005 11:22:13 PM]>

_____. *Power Politics*. Cambridge, Mass: Southend Press, 2003.

Roy, Mary. "Interview with Mary Roy." *India Today* 27 Oct. 1997.

Simmons, Jon. Arundhati Roy, Website for Indian Literature. 1999.
<<http://website.lineone.net/jon.simmons/roy/gost/4.htm>>.

MYTHICAL WOMEN OF THE MAHABHARATA - IDEALS, ICONS AND REALITY

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Abstract

The Mahabharata is an epic of enormous value due its wide cultural influence. Its significance regarding social history in general and the woman question in particular needs to be examined. The present paper is an attempt to appraise and analyse the agency of women through its characters. Projecting certain ideals in the society, many of its women attained iconic status but these ideal women images did not constitute the complete picture. There were women like Amba, Draupadi and Kunti who assumed an assertive tenor, at times even flouting the conventions. The expression of feminist consciousness has been analysed within the backdrop of an entrenched patriarchal structure. Did the women limit themselves to their socially embedded roles or were they successful in manifesting and suggesting alternative trajectories? The paper seeks to answer this query by investigating the binaries of main plot and sub-stories, ideal and actual portrayal of women, dialogues and deeds, notions of internal versus external purity and personal and societal needs. By addressing the limitations of the approach of the mythical women of the Mahabharata, the paper probes its claim to be revolutionary.

Mythical Women of the Mahabharata -

Ideals, Icons and Reality

The Mahabharata is an epic of enormous cultural value. Due to its prominent cultural significance and also owing to the vivid images of the female characters, the gender aspect gets particularly ramified. Mythical projections serve the purpose of perpetuating and maintaining the social process through a firm grip on the society's thought, tradition and its culture. Myths wield this power through an inherent strong symbolic meaning. The Mahabharata weaves history, religion and philosophy into its innumerable stories. Women characters occupy central position affecting the action in major ways. The Mahabharata is not just attributed with the exercise of a pervasive influence; in fact its events and characters have been accorded proverbial status. Through a number of regional variations and even modern interpretations, the epic is deeply internalised in many parts of India and Asia. The episodes and characters have wielded a great influence in the day-to-day life in India, sometimes even surpassing the differences in religious orientation or time zones, a fact reflected through the Bhil, Jain or Indonesian Mahabharata and also the epic invocations in support of the freedom struggle by Gandhi, in a more direct manner or by the Parsi theatre, through subtle dramatic devices. The Mahabharata presents itself as a fifth Veda, and indeed the Indian tradition has accepted the Mahabharata as a re-articulation of Vedic knowledge. It did not claim an exclusive audience and considerably expanded its reach to include women and shudras, though only after its final redaction. Therefore, an inquiry into its creation of women image and portrayal of women characters assumes significance not only vis-à-vis 'the woman question', but also from the point of view of social history.

The primary objective of this paper is to appraise the historical record through the women characters and their roles as viewed by the writer of Mahabharata and also as perceived and perpetuated by the society. At the onset an attempt is made to identify the general constituents or traits of a woman postulated within the Epic and other religious texts which are promulgated as *strisvabhava*. The Mahabharata and many other Brahmanical scriptures deal elaborately with the essential nature of women as a general category. An effort is made to search not only for an internal coherence within these texts but to trace a similar strain in heterodox sects like Buddhism. An efficient code of conduct was also formulated to deal with and exercise control over the perplexing difficulties of feminine temperament. The norms of conduct for the women were elaborated upon the

title stridharma. The patriarchal formulation of strisvabhava and stridharma are presented as the starting point for further exploration. Even though an episode by episode or character by character explanation is not within the scope of this work, an analysis of the general tenor reflected through the lives and actions of some leading female characters of the epic follows to understand their interplay and bring out the dichotomy between societal norms and individual action

There have been attempts to challenge, analyse and even contest androcentric assumptions and gender stereotyping through reinterpretations and recasting. The feminist perspectives have attempted to challenge the ways in which female characters are represented in male-authored texts.⁶⁰ Iravati Karve's 'Yuganta' looks at certain social systems that have continued to exist since the epic time and analyses both male and female characters, questioning the inequalities and exploitative limitations imposed upon women. Shaoli Mitra's remarkable one-woman performances of two plays she wrote on Vyasa's women Nathavati Anathavat and Katha Amrita Saman - were a watershed in epic studies. Following a national seminar in Kolkata on the Pancha Kanya of Indian epics, Kavita Sharma wrote 'Queens of the Mahabharata' (Satyawati, Amba, Gandhari, Kunti, Draupadi, Ulupi, Chitrangada, Alli, Pavazhakoddi, Monnliyal, also touching on Duhsala and Shakuni's wife, and the anchorites Sandili and Sulabha). Then Badrinath Chaturvedi , followed up his study of the Mahabharata as an enquiry into the human condition with an exploration of twelve women of the epic (Shakuntala, Urvashi, Devayani, Savitri, Damayanti, Sulabha, Suvarchala, Uttara Disha, Madhavi, Kapoti, Satyawati, and Draupadi) focusing on the question of truth. By leaving Gandhari and Kunti out, both speakers of dharma, his analysis remains incomplete. Now, after his book on Karna as a Sanskrit epic hero, Kevin McGrath of Harvard University produced a painstaking examination of how Kunti, Gandhari, Damayanti, Savitri, Amba and Shakuntala function in the Mahabharata as "a true mirror for

REFERENCES

⁶⁰ Brian Black(ed.) and Simon Broadbeck(ed.), *Gender and Narrative in the Mahabharata*, Taylor and Francis, 2007, Preface, p. 9

princes”, intervening at critical junctures of the narrative to take it forward by proclaiming the true dharma of rulers.

There seem to be two streams of interpretation which also sometimes together form a part of a layered argument. On one hand it is assumed that the inherent thought stream in the Mahabharata is totally subordinate to the patriarchal norms and on the other hand the women characters have been interpreted as strong, independent and crucial players and are, therefore, assumed to challenge patriarchy. Though one school of thought has interpreted the women as strong, independent, assertive and as crucial players, yet their lives are played out largely on a melancholic note. Their actions need to be related to the general societal norms, therefore, the search for their motivations and effectiveness of their voice in strengthening the feminist perspective also form part of this investigation. The paper seeks to examine the hypothesis that Mahabharata is a revolutionary epic that provides women with an alternative course within and despite the constraints of rigid patriarchal norms, the premise for which lies in a belief in the harmony of personal and societal needs.

Women and religious scriptures

Gerda Lerner opines, “Like men, women are and also have been actors and agents of history, and women are and have been central and not marginal, to the making of society and to the building of civilisation.” Therefore, understanding of the past is enriched and expanded when gender is included as a category of analysis. It is however important to distinguish between history – events of the past, and recorded history – events of the past as interpreted by historians, which is a cultural product of the society.⁶¹ Thus, the main problem of writing a gender history is the problem of inherited biases of the records themselves.⁶² It is, therefore, necessary to compare and contrast various recorded information and explore new ones to understand the expression, acceptance and perpetuation of women images and their iconisation. Examining religious literature or epics like the Mahabharata, that enjoy wide social sanction, gains importance, as they govern

⁶¹ Gerda Lerner, *The Creation of Feminist consciousness from Middle Ages to 1870*, OUP, Delhi, 2009, p.2-4

men's relationship(s) with and within the society. Gerda Lerner identifies the lack of women's history and an absence of her own role models as a factor in the continuous oppression of women.⁶³ The imaging and iconisation of women has largely been a patriarchal enterprise, which sought to devolve a limited role to women with the sole focus on the creation of progeny, while conforming to patriarchal subordination. The attempt to portray such women as role models penetrated into the psyche of the society, in general, and women themselves, in particular. It is a common practice in many Indian households for the women to begin their day with the invocation:

Ahalya, Draupadi, Kunti, Tara, Mandodari tatha/

Panchakanyam smarenittyam mahapataka nashakam//

It is believed that by remembering these five women, all the sins were destroyed. "What is clear, therefore, is that certain ideas were formed about what an ideal woman should be and women were imaged in terms of these ideas and accordingly turned into icons."⁶⁴ These ideas were projected into the society through an appeal to the women in the scriptural-historical past. The mythical projection of these images also factors into the status and position of women. "The general subordination of women assumed "particularly severe form in India through powerful instrument of religious traditions which have shaped social practices."⁶⁵

The religious scriptures, right from the Vedic period, accord a low status to women. The Aitreya Brahman terms women the cause of all disasters, the Maitreyi Samhita links woman to vices like drinking, gambling etc. Tattiriya Brahman and Shatpath Brahman equate women with the Shudras. The epic also harps on the negative portrayal of women characters. The Bhagvad Gita also regards the birth as women, Vaishyas and Shudras as sinful births. To be born in these forms (which is not in one's own hands) has been regarded

⁶² Uma Chakravarti, *Everyday Lives, Everyday Histories: Beyond Kings and Brahmins of Ancient India*, New Delhi, Introduction, p.xxvii

⁶³ Gerda Lerner, *The Creation of Patriarchy*, New York, OUP, p.318

⁶⁴ Vijaya Ramaswamy, *Researching Icons, Representing Indian Women*, Manohar Publishers, New Delhi, 2003

⁶⁵ Uma Chakravarty, Conceptualising Brahminical Patriarchy in Early India: Gender, Caste, Class and State, *Economic and Political Weekly*, Vol. 28, No. 4, April, 1993, 579-585

as an obstacle in attaining human form.⁶⁶ The women of all castes were put on the same platform as Vaishyas and Shudras. As in the society, the menial jobs were executed by the Vaishyas and Shudras for the high-caste men, these jobs in the family were performed by women for the men. Thus, the division of labour, whether in the society or in the family was a symbol of social stratification.⁶⁷ Further, women were seen as barriers to the spiritual life. It is to be noted that almost every religion in the world in one way or the other associates women with evil, especially through gender-specific dualities. Because, as noted by S. J. Rosen, “the religious traditions have for the most part, been passed down by men and arguably for men.”⁶⁸

Strisvabhava or general traits of women in Mahabharata

The Anushasana Parva of the Mahabharata lucidly elaborates the general traits of women that constitute the Strisvabhava. Bhishma, while narrating the episode of Ashtavakra, cites these verses, “Women are the source of all evils. They have no faith on themselves. They have no virtue and religion. They are fickle-minded and selfish. They are opportunists: they try to avail every chance for fulfillment of their own desire. They can forsake all things for gratification of their evil wishes.” The passage further refers to the extreme sexuality of women.⁶⁹ Of course, this oft-quoted passage is rather an exaggerated version; the inherent intention was to pose a test to Ashtavakra and an attempt to dissuade him to marry Suprabha, the daughter of sage Vadanya. What it does reflect is the continuation of a deep mistrust of women as general category, based on the questionable notion of their uniform fickle mindedness. There are episodes in the Mahabharata, where individual characters serve as a medium to manifest or determine postulates of the essential nature of women. For instance, Yuddhishtira pronounces a curse on womankind that, “No woman would be able to keep a secret.” Badrinath Chaturvedi, in the introduction of ‘The Women of Mahabharata’ candidly admits that he had added a light-hearted footnote for this particular episode, expressing wonder whether this curse on womenfolk still operates. He, of course, deleted the footnote in the final version and also graciously admits this as an

⁶⁶ Bhagvad Gita, X.32

⁶⁷ Krishna Goswami, *Sant Kavya Me Nari*, Rohtak, Shanti Prakashan, 1989

⁶⁸ S. J. Rosen, Vaisnabi – *Women and the Worship of Krishna*, Delhi, 1996, p.236

unintentional mistake.⁷⁰ The ungracious portrayal of women's nature is not exclusive to the Mahabharata or the Brahminical literature. There are references in the Jatakas quite in consonance with the essence of the Anushasana Parva. To cite one such reference, "Wrathful are women, slanderous ingrates, the source of dissensions and strife. Their passions are insatiable as they act according to their inborn nature." The congenital fickleness of woman's nature coupled with an uncontrollable sexuality makes the woman difficult to control. The Mahabharata acknowledges the problem, "Women are the edge of a razor, poison, snakes and fire, all rolled into one...The cunning tricks of the demon are known to be unique to women."⁷¹

In the context of the Mahabharata also there are two sides of the coin or the gender analysis. On one hand, woman as a general category are portrayed as ever false and fickle. On the other hand, one school of thought upholds that both the charges- of innate falsehood and fickleness - are countered very powerfully by Vyasa in the heroines he portrays. The strength of this claim shall be dealt with a little later but apparently a strict normative code was formulated to counter the challenges of innate feminine tendencies by the name of stridharma.

Stridharma or the norms for ideal woman

Uma Chakravarty has highlighted an interesting facet that women's 'innate nature' or strisvabhava was in conflict with the norms formulated for her as stridharma. The stridharma deals with prescriptions pertaining to becoming an ideal wife, who was expected to be totally devoted and subservient to her husband (pativrata).

Vijaya Ramaswami has remarked that through mythological icons "certain ideas were formed about what an ideal woman should be and women were imaged in terms of these ideals."⁷² In the Anushasana Parva, Lord Shiva asking Uma about the dharma of women also comments that women are themselves the standard for women.⁷³ Uma's

⁶⁹ *The Mahabharata*, IX. 75-79

⁷⁰ Badrinath Chaturvedi, *The Women of the Mahabharata*, Orient Blackswan, Hyderabad, 2010

⁷¹ *The Mahabharata*, XIII.31.5

⁷² Vijaya Ramaswami, *op. cit.*, p.7

⁷³ *Anushasanaparva*.149.9-11

reply to his query is equally significant, “A husband alone is woman’s god, her friend, her support; there is neither support nor god like her husband.”⁷⁴ The wife occupies a significant position as *sahdharmini* even within the prescribed norms. In the *Vanaparva*, Nala tells Damayanti “...for a man in pain of adversity, there is no better friend or medicine than his wife.”⁷⁵ In the *Shantiparva* too, speaking in a language of great tenderness of how the Kapot, the pigeon cherished his spouse, the Kapoti (Badrinath Chaturvedi calls her the woman of another specie), he expounds the meaning of *griha*, home in which the wife occupied central place. To cite just one verse from his long speech, “There exists no friend such as wife, no recourse such as the wife. Nor there exists a companion such as wife, who helps one in the ordering of one’s life.”⁷⁶ It appears a significant role of women was recognized in making the home and family life pleasant and convenient but this was so long as they functioned to serve the interest of her husband and support him in every possible way. Her own aspirations, desires and pleasures were not accounted for. To sum up she was expected to be totally devoted and subservient to her husband and to be a pillar of strength and support to him as his true companion or *sahdharmini*. Such ideal women were imaged as icons to be the standard for other women.

Iconic women

There are many women in the epic which have iconic status even within the epic. Their actions demonstrate the practical application of the model for ideal women or *stridharma*. Iconic women such as Uma, Damayanti, Kapoti show an enormous amount of strength as well as self-respect though their actions and aspirations are totally in congruence with patriarchy reflected as the physical, social, economic or political well being of their husbands.

What is to be noted in the epic is that these upholders of the *stridharma* manifested in the portrayal of iconic women occurs mainly in the *upakhyanas* or sub stories, to be distinguished from the main plot of the *Mahabharata*. In this light they can be said to be representations of contemporary norms and not necessarily a rigid view of the epic and can also be regarded as character-specific property rather than prevalent societal practice.

⁷⁴ *Ibid.* 146.16

⁷⁵ *Vanaparva*, 61.30

But definitely they existed as an ideal paradigm and enjoyed wide acceptance that made their incorporation within the epic desirable.

Alternative approach

Many of the women characters in the Mahabharata reflect an alternative approach in the events of their lives that deviate in a diametrically opposite direction from the existing norms. There is Amba who declares her love, refuses to accept a forced alliance, attempts to redeem her love interest and failing to do so strives successfully to take revenge from Bhishma, who was responsible, albeit unknowingly, of foiling her romance. Then we also have Kunti who is accorded great veneration throughout the epic as a mother figure, yet she is the one who became an unwed mother, who abandons her first son born out of wedlock fearing a social stigma but it is her son who is stigmatized for his unknown parentage and not Kunti ever. Her begetting of sons through *niyoga* or *levirate* due to incompetence or impotence of her husband is also quite a bold step. It was taken by her without the instigation by an elder of a family to give it a social sanction. This action is also shown to be surprisingly unquestioned socially within the epic. Then there is Draupadi whose practice of polyandry is a digression from existing norms and is largely accepted. But in this case there are instances of subdued ridicule. It is also significant that this state is not Draupadi's own choice rather an external imposition on her.

These norms were internalized and were sought to be put into practice, yet it is interpreted that the actions of the epic's own female characters did not always conform to the prescribed code. The voice within the epic reinforces these ideas and ideal images, yet the characters seem to act and respond to the code in consonance with either their individual disposition or situational exigencies. Therefore, it is to be understood that the exploration of the constituents of *strisvabhava* and also *stridharma* within the epic needs to be distinguished from the individual disposition of the characters, which may or may not conform to the epic's own postulations as an ontological category. If creation of patriarchal code for women and imaging the ideal women through icons has been a male enterprise, discovering the female voice within these frozen models has largely been a feminist enterprise. It is important to understand the mythological women, as it is through

⁷⁶ *Shantiparva*, 144.13-16

them that the notion of ideal womanhood was propagated and perpetuated or challenged and contested.

Agency and patriarchal entrenchment

Though there are many instances where women play crucial roles and emerge as strong, influential characters, also seeming to challenge the injustice, yet suffering in their lives seems to be bordering on despondency. Reading the Mahabharata, we have a perpetual feeling that the women there are very lonely – be it the young fishermaid Kali wedded to the old emperor Shantanu and later the widowed empress Satyawati, or the bright and bold Gandhari wedded to the blind and cowardly Dhritrashtra, or Kunti or Madri wedded to their impotent husbands, or Draupadi wedded to her five husbands. Kunti, on one occasion, specifically speaks of her loneliness when she refers to her life at Kuntibhoja's place after her father gave her away to him. Draupadi is Nathavati anathavat – like an orphan, though she 'belongs' – all through her life, and her life ends in utter, unspeakable loneliness on the Himalayas, where she falls down towards the end of the pilgrimage and her five husbands walk away without a word to her, without a backward glance to her, without slowing down her steps. She proclaims in a modern feminist interpretation, "Heaven too must be only for men."⁷⁷

Chitra Bannerji Divakaruni, who has also attempted recasting mythical women like Draupadi in *The Palace of Illusions*, says, "... I was left unsatisfied by the portrayal of women. It wasn't as though the epic didn't have powerful, complex women characters that affected the action in major ways. For instance, there was the widowed Kunti, the mother of the Pandavas, who dedicates her life to making sure her sons become kings. There was Gandhari, wife of sightless Kaurava king, who chooses to blindfold herself at marriage...And most of all there was Panchali.....who, some argue, by her headstrong actions helps to bring about the destruction of the Third Age of Man. But in some way, they remain shadowy figures, their thoughts and motives mysterious, their emotions portrayed only when they affected the lives of the male heroes, their lives subservient to those of their fathers or husbands, brothers or sons."⁷⁸

⁷⁷ Sarabhai, M. & Martin, J., *In Search of the Goddess*, unpublished performance script

⁷⁸ Chitra Bannerji Divakaruni, *The Palace of Illusions*, Picador, Oxford, 2008, Introduction, p.xiv

There is no disagreement with the general assertive tenor of some leading feminine voices, but these voices need to be examined in relation to the prescribed norms. How the women, even major players like Kunti or Draupadi, were trying to respond to the code through their actions, whether they were challenging the patriarchal position. It needs to be examined whether their voices became a feminist voice that sought to ensure women a better status or her individuality was a personal domain directed towards a narrow cause, much within and in accordance with the societal set-up, not challenging the conventions of gender-based inequality ever at the root.

The life of Kunti is a prime example of losing personal longings, yearnings or desires and subordinating one's own individuality to the ideals cherished by the society. She must have been the driving force behind the Pandavas but her individual needs as also her emotional turmoil is subservient, if not non-existent. Simon Pearce Broadbeck argues that "...in every generation biological necessity elevates a woman to be queen and heir-mother, and the functional king needs subjects to protect and live off."⁷⁹

Kevin Mcgrath offers an explanation to women's actions. He tries to prove the primacy of the warriors' code. The feminine speech and action is solely aimed towards the preservation of this code.⁸⁰ The mother's role in securing her son's future is a major concern, highlighted through Kunti's success in moulding them and Gandhari's failure. The critical role of the wife in supplementing the mother-in-law's effort is seen in Draupadi, again in contrast to the shadowy, nameless, Kauarava queens. However, physical destruction is not their role. Even Amba has to change sex for this. Their apotheosis is possibly seen in Kunti who, after her sons have won, retires to the forest and dies in a forest fire, calm of mind, all passion spent. So too is the solitary end of Draupadi.⁸¹ In such a situation the preservation of patriline reigned supreme in shaping the direction of the agency of the women.

⁷⁹ Simon Pearce Broadbeck, *The Mahabharata Patriline: Gender, Culture and the Royal Heredity*, Ashgate Publishing, U.K., 2009, p. 261

⁸⁰ Cf. Kevin Mcgrath, *Stri: Women in Epic Mahabharata*, Harvard University Press, London, 2008.

⁸¹ Book Review by Pradip Bhattacharya, <http://www.boloji.com>, accessed on 2.8.2011

The women unexpectedly do rise to the occasion and sometimes “the arguments presented by women speakers in epics and classical tales, or in recorded history, do not always conform to the tender and peace-loving image that is often assigned to women.”⁸² In the epic story of the Mahabharata, the good king, Yuddhishtira, reluctant to engage in a bloody battle, is encouraged to fight the usurpers of his throne with ‘appropriate anger’, and the most eloquent instigation is his wife, Draupadi. In this context, Amartya Sen quotes a sixth-century version of this dialogue presented in the Kiratarjuniyam by Bhairavi. Draupadi begins with a justification for her firm tenor:

“For a woman to advise men like you

Is almost an insult

And yet, my deep troubles compel me

To overstep the limits of womanly conduct,

Make me speak up.”⁸³

Thus, it can be seen that the most clear, unstifled and even unbridled female voice, while asserting her point of view in unequivocal terms, does admit to deviating from the womanly conduct and, therefore, in a way reinforcing the stereotyped image of women. In another instance, she admits an unquestioned adherence to these norms, in a reply to Satyabhama, inquiring about her secret of keeping five husbands happy. Therefore, as far as we accept the presence of strong female presence in the epic, we also have to admit to a lack of feminist consciousness. Fortunately, this patriarchal limitation resides within the epic and a feminist perspective and recasting mythical projections is not only a possible but also an ongoing exercise. We need to recognize the deep internalization of the patriarchal norms even in the seemingly feminist assertions, which are further reinforced through the final outcome (as in the case of Amba) or through public disapproval (as in the case of Draupadi) and then identify or rediscover the boundless possibilities lying dormant within the hearts of the mythical women.

⁸² Amartya Sen, *The Argumentative Indian*, Penguin books Ltd. Great Britain, 2005, p.9

⁸³ Translation by Indira Viswanathan Peterson, *Design and Rhetoric in Sanskrit Court Epic*, State University of New York Press, New York, 2003, p.191

The Mahabharata - A revolutionary perspective?

In the modern discussions, the core of the Mahabharata is assumed to comprise of a bardic tale of war and horror. The moral and religious deliberations are later embellishments by interpolators. G. C. Pande analysed this opinion and concluded, "Such a view errs on the side of excessive reconstruction and an impoverished hypothesis. ...the basic structure, characters and mood of the Mahabharata reflect too strong a unity to be attributed to the process of fortuitous interpolation from time to time. ...The heroism of the Mahabharata too is inconceivable without its moral and spiritual dimension."⁸⁴ There is a world of idealities within the epic world but it could not have been completely isolated from the conventional or the real. If we look closely a conscious effort to give representation to various existing streams of thought is visible in the Mahabharata. The epic does proclaim boastfully "What is found here, may be found elsewhere. What is not found here will not be found elsewhere."

The valiant Damayanti supporting Nala in the wake of ironic vicissitudes of fate or the undying love of Savitri, though household legends exist as parallel or sub-stories. At the dialogic level Draupadi shows knowledge and perhaps a socialised acceptance of the existing norms. The mettle of Kunti glaringly visible in her determined actions nowhere finds an expression in words. These women are no socially isolated, objective flag bearers of feminist consciousness but their deeds and actions reflect a revolutionary approach. They are socially embedded creations but chart out revolutionary perspective in and despite an entrenchment of hierarchical, patriarchal structures.

There are two other aspects that provide insight into the uniqueness of this approach. One aspect is the contrast and conflict between the notions of internal and external purity and the other aspect deals with the resolving of personal needs with the societal. The concept of purity is redefined through an interpretation of virginity. Draupadi is blessed with the boon that she will be a virgin with each of her husband. This appears to indicate that internal purity is more important than the external measure of physical virginity. The present companionship defines purity without a shadow of the past. A further contrast between the adherence to external norms and internal motivations are presented through Kunti and Gandhari. Gandhari's love and devotion towards her husband became legendary through her

⁸⁴ Pande, G. C. , *Foundations of Indian Culture: Spiritual Visions and Symbolic Forms in Ancient India*, Books and Books, New Delhi, 1984, pp. 270-271

act of blinding herself for life on learning about his visual disability. Whatever might have been her motivations that have been variously interpreted; she displayed her congruence with societal norms all through out. On the other hand, Kunti used Niyoga, an unconventional step, to reclaim her productive and creative role. It is also significant that the drama unfolds to prove Kunti as victorious. These characters are not 'flat', not easily distinguishable into neat categories of moral and immoral. What is very meaningful is the ultimate outcome of the seemingly triumphant characters. Though able to steer the course of events to achieve their aspirations, both Kunti and Draupadi are not happy or joyful. Kunti, through her melancholic life and perhaps a repentant end and Draupadi, through a solitary end show that the epic is not taking sides.

The ultimate message of the Mahabharata lies in harmonising societal and personal needs. It moves beyond the compartmentalised characterisation of virtues and vices. While representing the fundamental patterns of human life, it tries to represent the heterogeneity of characters and existing sets of values. The Mahabharata impresses upon the women to rise to the exigent situations and meet them head on. In that sense it is never ambiguous in providing agency to the women and elevates them to a higher plane. The intentions with a view to synergise societal and personal needs were far more important than a concern about external norms and forms of purity. Though limited by underlying motivations from the perspective of feminist consciousness, in some sense, the Mahabharata manifests a revolutionary approach.

NEPALESE MIGRATION INTO ASSAM: PROCESS, PATTERNS AND CHALLENGES OF ADJUSTMENTS.

Abstract: Nepalese migration into Assam, India started after the second half of the 19th century. Though the initial immigrants were brought by the British after recruiting in the British army, majority of the later immigrants came here to explore the vast resource potentials and make a more comfortable living than back home. Resource availability and porous international boundary attracted streams of immigrants. They lacked in any pre-departure training or skills. The only capital they possessed was a small number of livestock that they had brought from Nepal and their readiness to take up any job in the destination to make a living. They made full use of the grasslands in the river islands and banks of the Brahmaputra to raise the livestock, a practice that continued for decades.

From the second decade of the 20th century, due to administrative and other socio-political reasons, they shifted their original occupation and started engaging themselves in various other economic activities. The present study attempts to analyse the pattern and process of migration of the Nepalese into Assam, their pattern of habitation, resource utilisation and the challenges faced by them during the process of their settlement.

Introduction

That humans are naturally against confinement is a truism. They have the unique capability to explore the possibilities for a better living. History has witnessed population migrations through ages. Migration often reveals the interplay of various factors which can be broadly classified into two factors - push and pull. Push factors are negative home conditions (lack of economic activities/ job opportunities, political instability, war, ethnic unrest, long term famine etc.) that propel the residents to migrate. Pull factors are the positive attributes

(better jobs and economic gains, social and political stability, better living conditions etc.) perceived to exist at the destination. Thus the decision to uproot from one place is based on the individual's evaluation of the haves and have-nots of the place of residence and probable destinations. The role played by both the factors varies from individual to individual and may be perceived differently with varying levels of skills at their possession.

In addition to the population dynamics of death and reproduction, the other critical factor is the movement of people from place to place. Individuals can make international or intraregional moves, or they may simply move from one part of the city to another. Both permanent and temporary changes of residence may occur due to many reasons. However, most often these involve a desire for economic betterment or for getting rid of adverse political conditions like war or oppression (Knox and Marston, 1998).

Study area:

Located between 24°3' N and 28° N latitudes and 89°5' E and 96°1' E longitudes, Assam is geographically very close to Nepal. It is surrounded on three sides by hills and mountains, and drained by the dense network of the mighty river systems of the Brahmaputra in the north and the Barak in the south. The Brahmaputra flows across from east to west of the state for a distance of 640 kms. The channel has an average width of 6-8 kms and is dotted with more than 600 small and large river islands locally known as *chars* or *chapories*. Some of these *chars* are permanent and some semi-permanent in nature. Assam is endowed with three categories of forest – evergreen, semi-evergreen, deciduous and degraded scrubs. The *chars* are no exception in this regard. They are covered with varieties of plants, tall grasses and shrubs along with dense forests. The state has a sub-tropical monsoon type of climate. The amount of rainfall received annually is about 2818mm. The population of Assam is composed of many ethnicities. Since ancient times various streams of people from diverse

ethnic backgrounds and culture have migrated to this melting pot; the Nepalese are considered to be a significant ethnic group among these.

Assam has witnessed several waves of Nepali migration. It had matrimonial links with Nepal and also Nepalese used to come to Assam for pilgrimage to some famous Hindu temples. But the actual inflow of Nepalese started after the historic Sugoulee Treaty of 1816, which saw the recruitment of large numbers of Nepalese in the British Army. One of the regiments, Assam Light Infantry, was transferred to Assam under captain Neufville to combat the Burmese invasion (1915-1921). The Burmese were defeated by the British and the Treaty of Yandaboo was signed in 1926. Although temporary peace prevailed in Assam, the regiments stayed back permanently in the state and came to be known as the Assam Rifles. The British govt. also encouraged the Nepalese to permanently settle down so that their offspring could be recruited in the army.

The British army personnel, during their visit to their homeland, might have encouraged their family members, relatives and friends to migrate to Assam and other parts of north-east India where they could make an easier earning. The immigrants started utilising the grasslands for livestock farming which was a new kind of occupation in the region in those days.

In view of all this, this study tries to trace the history of migration and settlement of the Nepalese in Assam, to determine the main reasons of migration and the main routes followed by the migrants. It also tries to find out how the resources available in different parts of the state were being utilised by the immigrants, whether there is any relationship between the migrant's perception of the resources and the pattern of their uses, how the socio-economic condition of the Nepalese underwent changes with the passage of time, the problems faced by the immigrants during the early years of settlements, and finally, the

present distribution of the Nepalese in Assam and the emerging status of the Nepalese in present socio-political context of the state.

Methodology:

The study attempts to deal with different aspects of the Nepalese living in Assam. To trace the history and causes of migration and the routes followed by the majority of migrant-relevant books, reports and other literary supplements (journals, books, and doctoral theses – both published and unpublished, fictions and novels) have been consulted. To understand the push factors in Nepal, the historical memoirs and Nepali literary supplements were studied. For acquiring first hand idea about the physical push factors, a few districts of eastern Nepal such as Morang district, Sunsari district, Dhankuta district, Terhathum district, Ilam district and Jhapa district were personally visited.

To achieve the objectives, seven representative areas (Figure 1 & 2) one each from Dibrugarh district (Bogibeel), Karbi Anglong district (Mugasong) and Kamrup district (Birkuchi); two areas from Baksha district (Nikashi and Bhutankhuti) and two areas from Sonitpur district (Gangmouthan and Chandmari) are chosen for household survey and interview of the residents. The selection of the study areas within the state is done considering their variable backgrounds. Each of the areas selected has some unique characteristics and background in respect of time of settlement, their initial occupations, routes and means of transport undertaken for migration etc. and their response were of immense help to fulfill the objectives stated.

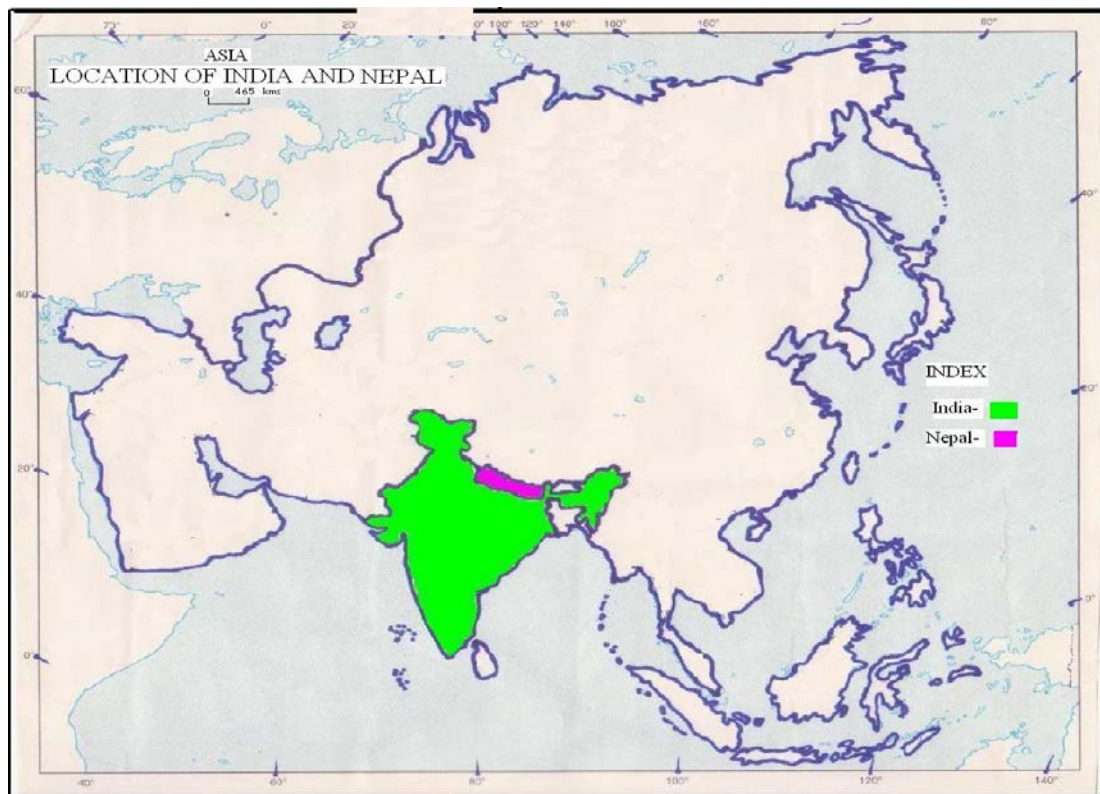


Figure-1

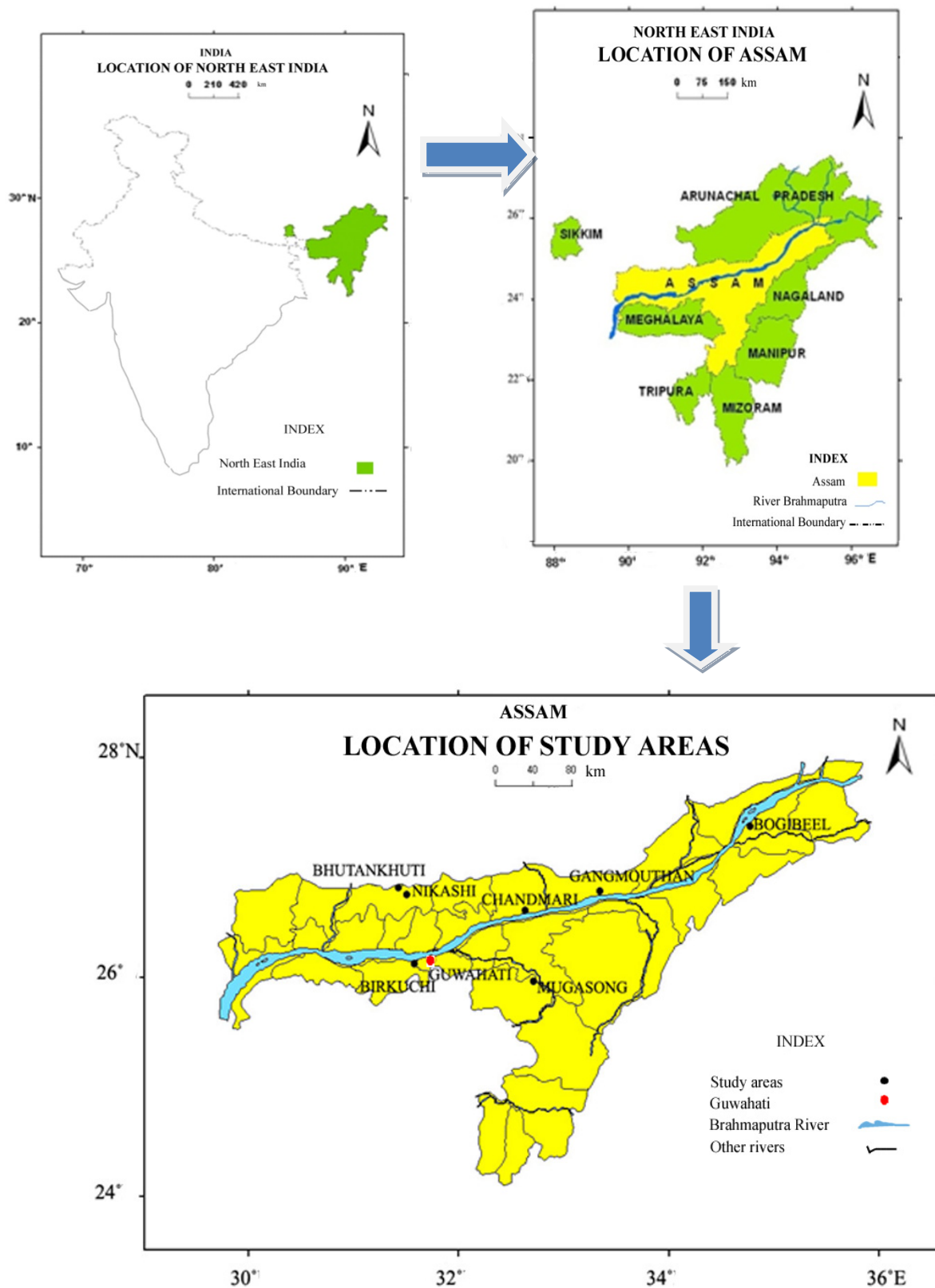


Figure-2

Process of Migration

During the time of the epic war of the *Mahabharata* the northern boundary of Pragjyotishpur (Assam) was extended up to the Bhutan hills and parts of eastern Nepal. Some of the royal families of ancient Assam and Nepal were tied with matrimonial relations also. In the year 153 AD Harshabharman / Harshadeva handed over his daughter Rajyamati for marriage to king Jaydeva II of Nepal. Similarly, the founder of Koch dynasty- Vishwasingha married to Ratnakanti from Nepal. According to historian S. V. Gyawanli, Koch princess Rupmati was married to King Pratap Malla of Nepal. The kingdom of Naranarayan was extended upto river Koshi, which is also situated in the Morang province of Nepal along with Jalpaiguri, Rangpur, Maimansingh and Koch Bihar (Jaishi, 1990). When two royal families come under matrimonial relationship there may be migration of people from both the sides (Upadhyaya, 2002). Since the ancient times the sacred places like Kamakhya, Parsuram Kunda (Assam), Dantakali, Barahakhetra and Pasupatinath (Nepal) were visited by the Hindus of both India and Nepal. Subsequently the Nepali pilgrims might have stayed back in and around the religious shrines. The presence of *Lalmohoria Panda* in Kamakhya Temple or the knowledge of Nepali graziers about the major pockets like Sadiya, Saikhowa, Dibrugarh, Ledo and Silapathar, which they gained during their frequent visit to Parsuram Kunda, may provide some ground in this regard.

However, permanent settlement of the Nepalese in greater Assam started during the British period, after 1816. Due to the expansionist attitude of the British there was a war between the British and the Nepalese (1814-16) in Nalapani. Nepali soldiers, being less in number and also ill-equipped with modern weaponry compared to the British lost the battle and the Treaty of Sugoulee was signed between the East India Company and the then king of Nepal. As a result Nepal had to surrender some of its important areas like Nainital, Garhwal, Kumaon, Darjeeling and Mussouri to the British EIC. But, in the Anglo-Nepal war, the East

India Company was impressed by the unparalleled bravery of the Nepali soldiers. It paved the way for recruiting Nepali soldiers in the British army. The British provided lucrative salary and pension to attract Nepali soldiers. In the process, a large number of Gurkhas were recruited in the Assam Light Infantry, which was formed in Cuttack in 1817. It was subsequently transferred to Assam under Captain Neufville to combat Burmese invasion (Bhandari, 1996). At present the regiment is known as the Assam Rifles.

After the Sugoulee Treaty, the British continued to recruit the Nepalese in the Indian army, much to the dislike of the ruling elites of Nepal, who believed it would deprive Nepal of fighters and weaken its military. The Government of Nepal, therefore, put a ban on the recruitment of the Gorkhas in the British Indian army. Janga Bahadur Rana, the then Prime Minister of Nepal, even prevented the members of Gorkha Regiment of the Indian army from visiting their homes in Nepal until retirement. As an alternative measure, the British Government in India decided to bring the families of Gorkhas serving in Indian army with a view to recruiting their children, if needed, in future. In this way, the British wanted to be less dependent on Nepal for recruitment of the Gorkhas.

Initially, the Gorkha soldiers on their periodic visit to Nepal were reported to have encouraged their family members, relatives and friends to migrate to Assam and other parts of N.E. India, where the prospects of employment as a soldier or a wage labourer in the oil and coal fields were brighter. Proverbs like *Money grows in the trees of Assam* were much in vogue and the energetic youths were ready to make a move towards the prosperous land. Life had already become miserable to most of the people of Nepal in the existing physiographic framework of the state. [Even today agriculture provides livelihood to some 80-90% of the population, but agricultural practice is limited only to 23% of the country's total area. Hence, with the growth of population the physiological density increases tremendously]. The hard

living, insufficient natural resources, closed-in location and educational backwardness acted as strong push factors for the Nepalese to migrate to the relatively developed neighbours – India, the most sought for destination and China, the less preferred destination due to its location beyond the Himalayas. Moreover, during the 2nd half of the 19th century Nepali Brahmins were frequently attacked by different tribal communities like Rais, Limbus etc. The movement was known as *Limbuan*. To escape from the tyranny and oppression of the Ranas and cruelty of the tribals, upper-cast Nepalese started migrating to Assam with their family and limited belongings without having a specific destination. Some of them brought some livestock with them. Nepalese, particularly the youths, started for a new land. Their motive was not to accumulate wealth, in contrast to present-day migration, but to make a living. They desperately wanted to make their lives better. In fact they neither had any skills nor had any pre-departure plans or preparations. They only assumed that Assam would provide them with varied economic opportunities which would make their lives more comfortable. The only skill at their disposal was sincerity, hard work, purposefulness and readiness to take up any job in the destination. If they got a good opportunity in a place they would settle down there permanently in due course, otherwise they would try different areas.

From 1769 to 1786 Assam was heavily de-populated due to three successive Moamoria peasant rebellions followed by three successive Burmese invasions (1815-1821). The latter is a dark chapter in Assamese history and is known as the *Maanar Akraman*. Wanton devastation of Assam by Burmese marauders reduced the population to less than a half. With the signing of the Yandaboo Treaty in 1826, the administration of Assam was taken over by the British under Captain Welsh who estimated the population of the Ahom kingdom (Assam) at about 25 lakhs. There were large empty areas in the Brahmaputra valley. The British did not want to be deprived of revenue on these uncultivated lands. They, therefore,

welcomed immigrants including the Nepalese to the province. During those days the British used some Nepalese as middlemen paying lucrative amount as commission for supplying poor Nepalese to work in coal mines and other establishments. As a result, the Nepalese who had entered Assam as labourers subsequently settled here permanently.

Nepalese were hard working and familiar to the forest environment. The grasslands provided them with potential resource base and they started utilising the grasslands for livestock farming (Upadhyaya, 1983). Natural cattle feed was abundant and there were no extra cost as such in rearing cattle except for purchasing salt. Every member of the family used to work hard for their livestock and the earning was quite high. From time to time they would go to their ancestral land and bring more people to work with them. It is through these pioneer immigrants that the news of Assam's luxuriant grassland as well as cultivable wastelands reached the people of Nepal and streams of Nepali graziers and cultivators began to arrive in the state (Bhuyan, 1971). In the earlier days of migration they preferred the river banks and islands (*chars*) and lived in isolation from the local communities. The grasslands formed a semi-permanent area for them where the Nepali immigrants started rearing cattle. They built *Khuties* in different riverine tracts. Everyday milk was collected from these *khuties* and made into the yoghurt or *ghee* which they exchanged for food items or sold to the local people (Upadhyaya, 1990).

In land-abundant Assam, the cattle rearers enjoyed the rights to graze their cattle population in the village commons and the nearby forested tracts since they occupied the *chars*. They never realised the need of growing fodder crops for cattle or permanent settlement in some place.

The government also declared those grasslands along the river banks and islands as Professional Grazing Reserves (PGRs) (Ghimirey, 1983). For example, Burhachapori in Tezpur

Subdivision got the PGR status in 1881. Not only the graziers had to pay taxes for the PGRs, they were also taxed for the buffaloes and cattle they owned.

The British government raised the grazing fees on buffalo from time to time to mobilise more revenue. In 1888, this fee was 8 *annas* (16 *annas* = Re 1) per head of buffaloes and 4 *annas* per head of cows. Thereafter, the grazing fee continued as Rs.3 per buffalo and 6 *annas* per cow. Incidentally, the milch buffaloes in the vicinity of towns were taxed at a concessional rate of Re 1 per head until 1916 and Rs 2 thereafter. Although initially an insignificant source of government revenue, these fees were indeed an expanding source because of a steady rise in Nepali immigration and other graziers (Mishing tribals, for example) along with the cattle population. The total number of buffaloes in the Brahmaputra Valley increased from 15,640 in the year 1895 to 86,325 in the year 1920 (Guha, 1977).

In the wake of the Chinese aggression of 1962, construction of new roads, particularly the strategically important border roads and link roads and the construction of 350 km long new Rangapara-North Lakhimpur-Jonai- Murkongselek railway line created tremendous scope for the employment of the Nepalese both in Assam and the NEFA(North East Frontier Agency, present Arunachal Pradesh, India). NEFA did not share the burden of the migrants because of the operation of inner line system, which did not permit non-indigenous persons to settle down permanently there. Therefore, Assam had to accommodate a larger number of the Nepali labourers (Hussain, 1989).

Routes of Migration:

Most of the early Nepali settlers had migrated from the eastern part of Nepal. Transport during 1880s was backward and the settlers came on foot, bullock cart etc. The subsequent groups used other means as and when available. As they were all motivated by a

common cause, i.e. to earn a living, there were certain common routes. The routes traced from the narrations of respondents from different areas of Assam are summarised as follows:

Since most of the immigrants reached the Indo-Nepal border on foot, it took nearly 4/5 days to come from the northern hilly districts (fig-3). to the borders. Most of them who had migrated from the eastern districts of Nepal before 1880s walked down up to Kakarvita on foot then via Coochbehar they finally arrived in Assam. It took them more than one month to reach their destination. They even brought their cattle with them considering them to be *Pashudhan* (animal wealth) in the new land.

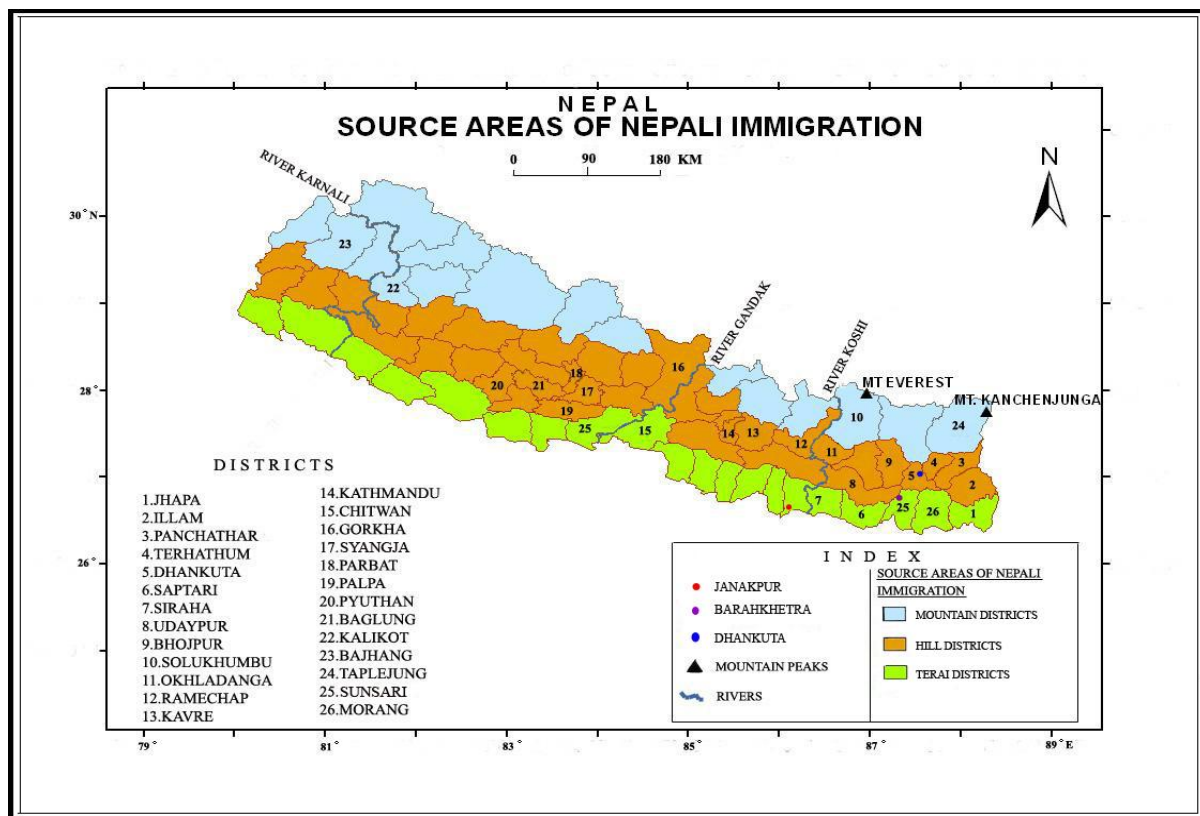


Figure-3

Some of them entered the territory of East Bengal (previously East Pakistan, now Bangladesh), from where they crossed Dauki and entered the Meghalaya plateau and then Assam from the south-west. From East Bengal some went further east up to Myanmar and then via Manipur and Nagaland they entered Assam. Other groups started their journey in

steamers from Bangladesh and reached Guwahati, Tezpur or Dibrugarh along the Brahmaputra. Some followed the roadways / railways to reach Assam. Since East Bengal Railway extended from Calcutta to Dhubri in Assam in 1902 and Assam-Bengal railway line from Chittagong in Bangladesh to Dibrugarh in Assam was in operation since 1904 the immigrants availed the train service from different stations of the then India like Katihar, Jogbani, Siliguri (now in India) and Parbatipur, Lal Monir Hat (now in Bangladesh) and then upto Rangiya by train. They reached different areas from there as per their pre-existing social network. Some of the families tried their luck in Bhutan before reaching Assam from the north-west. Others were brought by the agents to employ in the oil and coal fields /industries. They had fixed routes guided by the agents. The major routes are depicted in the fig-4.

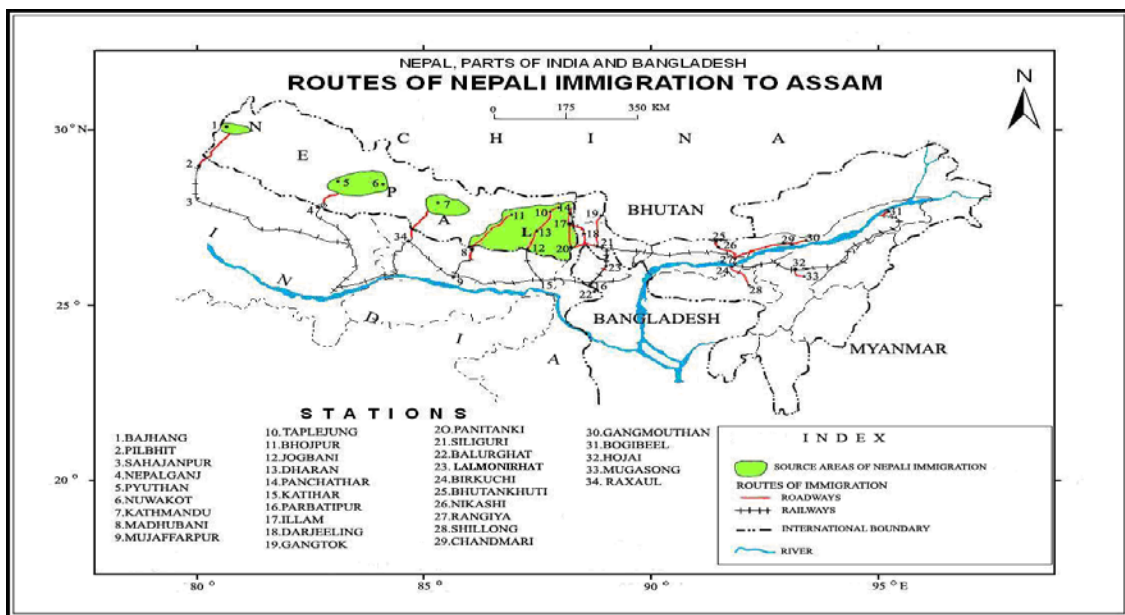


Figure-4

Distribution:

The Nepalese population in the entire Assam was estimated to be only 983 in 1872. But the census records of 1901-2001 show that there is a steady increase (Table 1). From 1901

to 1961, Darrang District (undivided) occupied the first position in terms of Nepali population. This may be due to its central location in the Brahmaputra Valley, presence of vast tract of agricultural land, lesser flood affected tracts and vast riverine areas along the Brahmaputra. So, the Nepalese considered this district as the most resourceful area where they started primarily rearing cattle. Even many Nepali people from other districts of Assam came and settled here. It is in this district that the second largest river island of the Brahmaputra – Burhachapori and others like Company Chapori, Jorsutimukh, Naste Tapu, Arimarakhuti, etc. – were located where many of the dairy farms were concentrated.

Table 1: Nepali speakers in Assam, 1901-2001

Year	Male	Female	Total	Sex Ratio (Female/1000 male)
1901	10545	4366	14911	414
1911	23520	14452	37972	614
1921	47849	29865	77714	624
1931	61128	41380	102508	677
1941	NA	NA	NA	NA
1951	73272	52048	125320	710
1961	122701	92512	215213	754
1971	192351	161322	353673	838
1981	NA	NA	NA	NA
1991	226463	206056	432519	909
2001	293122	271668	564790	927
Total	1050951	873669	1924620	831

Source: Census of India 1901-2001, Social and Cultural Tables C- Series.

The census records of 1901-91 show that there is a steady increase in the Nepali population of Assam. Another important feature to note here is that the sex ratio among the Nepalese was skewed (414 Female/1000Male in 1901) which has shown a steady increase subsequently. In the initial years, the immigrants had male predominance for obvious reasons. After spending here some years and making a careful observation of the land and acceptance of the Nepalese people they brought their wives and other family members. However, the sex ratio has always remained relatively low.

Challenges:

The Nepali immigrants left their native land with a lot of hopes and plans to work in a new land. In the initial stage of settlement, they faced many natural and cultural differences – a difference of language, climate, food etc. On the other hand, they could observe the vast resource potentialities of this land which they eagerly wanted to utilise for a better living. So, in the process of adjustment they were faced with a lot of challenges, some of which are still present but in different forms and pattern. They faced the challenges in the following broad fields - (i) economic, (ii) socio-cultural and (iii) political.

Economic challenges

The main motive behind Nepali immigration was economic betterment. In the last decades of the 19th century and the early decades of the 20th century, the total population of Assam was very less compared to its size. But the availability of various natural resources and employment opportunities attracted streams of immigrants.

Background of Economic Problems: Population Growth

Demographically speaking, Assam is characterised by a very high rate of population growth. The state experienced a growth higher than the country's average throughout the

20th century. At the beginning of the last century (1901), Assam's population was 3.29 million. It increased to 8.03 million in 1951 and 22.41 million in 1991, witnessing an average annual exponential growth rate of 1.80 percent during 1901-51 and 2.60 percent during 1951-91 as against the country's corresponding growth rates of 0.83 percent and 2.15 percent respectively. As a consequence, the percentage of state's population to the country's total increased from 1.38 percent in 1901 to 2.65 percent in 1991 through 2.22 percent in 1951 (Kar, 2001). At the beginning of the present century (2001), the state accounted for 2.51 percent of the country's total population.

As the Nepali immigration into the state had taken place in the first phase of demographic history, hence, at that time the population-resource ratio was also very low. Prior to their arrival, dairy farming as a profit making business was neither tried nor thought of by the indigenous people of the state. Thus the rapidly growing population, caused mainly by immigration of Nepali and Muslims of East Bengal, gradually started putting increasing pressure on land and other resources and thereby gave rise to new economic and environmental problems.

The British govt levied tax per head of the livestock. Like the land revenue the imposition of grazing tax was welcomed by the livestock farmers. As a result of this, PGRs were demarcated and the government assured the Nepalese graziers to make these free from encroachment by other groups, which had a positive meaning from long-term business point of view. The proposal to declare Kaziranga as a reserved forest and then a Game Sanctuary for conservation of one horned rhinoceros was initiated in the year 1903-04 and the preliminary notification was made on June 1, 1905 about converting a grazing area of 57,237.60 acres into reserve forest disturbed cattle rearing in these areas. Another area of 13,506 acres was added to the Kaziranga reserves on January 28, 1913. In 1917, a further area of 37, 529 acres was added to Kaziranga on July 26. Four temporary villagers having annual lease of land were

ordered to be shifted. Though the villagers did not submit any written objection to the proposal, compensations of (a) Rs. 50/- per household and (b) Rs. 20/- per granary were paid to the villagers. The presence of large number of domestic buffaloes belonging to Nepali graziers in the proposed area entailed lot of deliberations and caused much delay in the final constitution of the reserved forest.

Nepalese could still rear cattle in Kaziranga area after paying the grazing tax. Therefore, during winter they utilised the *chars* along the course of the Brahmaputra and during the monsoon they used to get pass for six months to utilise the PGRs (Upadhyaya, 1985). Moreover, occasional cattle diseases like Rinder pest (locally known as *Goti**) spread to the *Khuties*** causing death of a large number of cattle (Devi, 2000).

*Rinder pest (*Goti*): Rinder pest is a viral disease that affects cattle and pigs. It is highly contagious and with high mortality rate. The characteristic symptoms are high rise of fever, lacrimation etc. which tends to be fatal.

**Khuti- cattle rearing shed having nearly 100-150 cattle.

In a fateful day in 1920 the British Government ordered all the graziers of Kaziranga to vacate their grazing within 24 hours, and the officials (rangers, forester and security guards) started burning the *Khuties* and the adjacent households. There was panic and chaos everywhere for the peaceful settlers, who had never thought of this kind of potential danger. The Nepalese and the Misings (a tribal group) living here for the last 50 years with proper grazing permits felt suffocated by the atrocities of the ruling class. The villagers assembled to celebrate *Durga puja* at community level in 1920 and worshipped the Goddess Durga to find a solution (Upadhyaya, 1985). With the help of a local leader and a lawyer from Tezpur, the Nepalese got the permission to raise cattle in the peripheral region (Upadhyaya, 2002).

Eviction from Kaziranga acted as a blessing in disguise. Most of the evicted families started settling in Gangmouthan, Tezpur; Kamarpukhuri, Behali (Sonitpur District, Assam). This incidence brought an attitudinal change among the Nepalese who entered this area with an

aim to earn a better livelihood. After entering Gangmouthan they started intermixing with the local people realised the importance of education. Cultural exchange in language and lifestyle started taking place with the indigenous Assamese community. They started sending their children to schools and changed the way of living. In fact, they went a step forward to establish a high school in Gangmouthan in 1941.

In the Burhachapori area the Nepali graziers had settled for nearly five decades; slowly that area was encroached by the immigrant Muslims from East Bengal. Since 1918, immigrants from the overpopulated districts of East Bengal have been streaming into this fertile province. Most of them come particularly from the Mymensingh district. These immigrants encroached the lands set apart for professional grazing reserves and also inhabited the plain districts of Goalpara, Kamrup, Darrang, Nowgong and portions of Lakhimpur districts. Moreover the great earthquake of August 15, 1950 was a major turning point in the life of the Nepalese of Assam. As a result of the earthquake the configuration of the river drastically changed. The earthquake was followed by devastating flood which was subsequently followed by severe bank erosion. The Nepali dairy farmers and agriculturists, who had occupied both the *char* areas and the low-lying floodplains along the banks, faced a terrible blow to their livelihood. Under the changed circumstances the Nepali graziers found it very difficult and unsafe to rear cattle and keep their family members in the *chars*. As a solution to this problem they wanted to move to safer areas.

Though this process of shifting created additional financial burden i.e. to purchasing land in the urban areas at a higher value, construction of dwelling house and maintenance of two establishments but in the long run it yielded positive advantages. The chief among them was the educational enlightenment of the next generation.

Socio – cultural challenges

The initial Nepali settlers were illiterate peasants and dairy farmers. Life in the *Khuties* was centered around dairy farming and celebration of festivals, and the daily chores were of routine nature. There were untold divisions of labour in the *Khuties*. Men and women, old and young performed their duties as per their capabilities. In general, the Nepalese were very religious minded and the celebration of different festivals, *pujas*, rituals etc. continued to occupy a prime position in their social lives.

One such tradition was celebration of *Dangriya Puja*. This Puja was offered to check any type of problem concerning the reared animals, and the family members of the owners. It mainly implied worshipping Lord Shiva. *Dangriya Puja* was done with fruits, flowers, and sweet dish – *kheer* prepared from milk and opium. In some cases, people used to take a vow to complete the rituals with an offering of opium only (Ghimirey, 1983). Nepali Hindus believe that an offering of opium propitiates Shiva and immediately fulfils wishes. As a result, many Nepalese got addicted to opium. Some of the local progressive people realised the extent of the problem but felt helpless, as *Dangriya Puja*, which has been a well-established tradition for years, could not be stopped. It had already become a part and parcel of Nepalese life in the *Khuties* and anyone wanting to stop it would have to challenge the religious sentiments of the people.

Chabilal Upadhyaya, a senior Nepalese and later a freedom fighter in Naste Tapu area, assembled the younger people and motivated them to bring all the opium and the paraphernalia needed to prepare the offerings to the bank of the Brahmaputra the next morning. All of them took a holy dip in the river; chanted religious hymns and promised not to touch opium again under any circumstances. That set an example for others *chaporis* from Gamiri to Singri – Sitalmari (now in Sonitpur district, Assam) and the Nepalese were saved from a potential social evil (Upadhyaya, 1985).

Another challenge in the social sphere faced by the Nepalese since the early days of settlement was lack of proper education. In those days schools were few and far and one had to walk for miles to reach a school. It was again the initiatives taken by the able leaders of the *Khuties* that schools were established in their localities. A primary school was established in Burhachapori way back in 1935 and they brought teachers from Darjeeling (now in west Bengal, India) and even from Benaras Hindu University, Varanasi (now in Uttar Pradesh, India) to teach their children. Slowly the light of education spread like forest fire. However, the female populace still lagged behind in this regards.

The Nepali society during that time was an orthodox society and confined the womenfolk to the household. Early marriage was widely prevalent and often pre-pubescent girls were married off, to be sent back to their parental home until they attained puberty. Until 1930s Nepalese women in the study areas received no education.

Inspired by the likes of Sarojini Naidu and Vijay Laxmi Pandit, women leaders in India's freedom struggle, Nepalese leaders realised the necessity of educating the their women. A thickly populated village – Gangmouthan (Sonitpur District, Assam) was the pioneer in this regard. In the late 1930's girls in this village were sent to the Hatibandha M.V. School, the only educational institution in that area. Their attainment of education and later employment set an example not only in the district but among the Nepalese of entire Assam. Now the Nepalese started engaging themselves in various government, semi-government and non-government sectors in an independent India.

Political challenges

In 1935, as per the local self-government act, Indians could form councils. In each state, the representatives were chosen and councils were formed. Indian Nepalese could also caste votes as Indian citizens. During that time, however, the Universal Franchise wasn't

prevalent. Only one who could pay the land revenue of upto Rs. 71 and had educational qualification till sixth standard was only entitled for voting rights. There were only 28 Nepali votes in the entire Behali *Mauza* (Upadhyaya, 1983).

On a fateful day, the Deputy Commissioner, Darrang District issued the following notice to different Mouzas and one for Behali Mouza is as follows:

No: 2453-77 MD 27.4.36

To,

The Mauzadar, Behali.

It has been notified that if the Nepalese residing in your *Mauza* could show the permanent resident certificates, only those would be included in the voter's list of Assam and the interested one should apply before 15th May, otherwise no such applications will be entertained thereafter.

Dt. 25.4.36

Sd. M. Mitra.

People from different areas of the district assembled in Tezpur with their documents and met the DC under the leadership of Gobindaram Upadhyaya of Tezpur. After verifying the papers the DC commented that the Nepalese are not British citizens and so their applications were rejected (Upadhyaya, 1983). There were many queries among the Nepalese. Many Nepalese had voted in the election held in 1935. During that time there was no distinction of the categories like British, Indian or Nepalese voters. Since, the Nepalese have been residing here as permanent residents so they started wandering as to how to get back the status of a voter.

Till 1941, Nepalese had not realised much about the importance of census. They assumed it as a process repeated after every ten years to collect necessary data by the government. Prior to the 1941 census, an appeal was made by Ambikagiri Roy Choudhury,

Secretary, *Assam Siksha Prachar Samity*. He appealed all the communities of Assam (including the Nepalese) to state their mother tongue as Assamese instead of their own one. If done so, they would also get privilege to enjoy the political, economic and other rights as done by the local Assamese people. The Nepalese also enumerated themselves as Assamese.

But the seeds of imminent trouble might have already been sown for the Nepalese. During 1960 – 62 the names of many Nepalese of Garo Hills (the then Assam) and Bokakhat were not included in the voter's list even after casting votes for 1952, 1957, 1962 elections. Again that problem was also solved through the efforts made by the then MLA – B.L. Upadhyaya and Chief Minister M.M. Choudhury. In the 1971 parliamentary election, names of nearly 4500 voters of Sadiya-Saikhowa of Dibrugarh constituency were illegally deleted. Thereafter, Assam Gorkha Sanmelan (AGS), a non-political socio-cultural organisation of the Nepalese of Assam, brought to the notice of the government this issue and nearly 3500 voters could cast their votes in the next Assembly election held in 1972 (Upadhyaya, 1987).

This development took a sharp turn during the historic Assam Movement. The Assam Movement was started for a genuine cause – *Videshi Bahiskar* (to send back foreigners to their homeland). It was started as a non-violent movement. But despite of reported appeal of the AASU (All Assam Student Union) and the *Assam Gana Sangram Parishad* to make it non-violent from the grassroots level, there were sporadic incidences of violence triggered off by some disruptive elements. In the process of riots as many as 3,049 people lost their lives from January to June, 1983, of which 28 were Nepalese (Upadhyaya, 1983).

Another difficulty faced by the Nepalese was in the form of restrictions to purchase land in the tribal blocks and belts. The status of the Nepalese as a protected class in the tribal belts and blocks of Assam was withdrawn by the government vide the Assam Gazette Notification No. RSD.26/64/PT/15, dated June 27, 1969. The status was restored to them at

the consistent effort of Assam Gorkha Sanmelan in the year 1969 vide Assam Gazette Notification No. RSD. 17/85/PT.I/12 dated March 19, 1996.

Many a time the question whether the Nepalese of Assam are indigenous, local or permanent settlers are raised in the newspapers and some articles. There are some instances when Nepalese are not even considered among the local communities. Some newspaper articles raise a question mark regarding the 'local' status of the Nepalese living in Assam. No wonder, the Nepalese sometimes wonder how long it will be before they are regarded as 'locals', despite their all-round contributions. However, it is interesting to note that no communal conflicts of even minor nature between the Assamese (or any other community) and the Nepalese have ever occurred in Assam. Though a minority among the Assamese still look upon the Nepalese as foreigners even after more than 130 years, the educated and intellectual ones have embraced them as their own brothers.

Conclusion:

Assam is inhabited by a number of population groups among which the Nepalese, who have been residing here permanently since the 1880s, are important from demographic and socio-economic points of view. The Nepali immigrants had arrived and settled in different parts of the state in different periods. As a result, their response to the local environment varies from area to area within the state. The natural framework provides necessary base for the evolution of a particular occupation in an area. The migration and choice of destination was influenced mainly by social linkage and certain favourable conditions at the destination. The positive attributes of the destination were non-flooding areas, acceptable host society and productive agricultural land. The early Nepali immigrants were predominantly young males without any professional or educational qualification, unlike today. Their motive was

not to accumulate wealth but to just make a living. Their resolution to work for a living could successfully negotiate the differences in culture and adapt to new environs.

They initially utilised the virgin grasslands along the river banks and started raising livestock. They are credited for establishing a new occupation – dairy farming – in Assam. It was the way of life of the Nepalese in the initial years, but with cultural intermingling, exchange with the hosts and acquirement of education broadened their attitudes. Slowly the educated section gave up dairy farming and undertook different tertiary occupations as per their capabilities. However, a small section of the Nepalese society is still engaged in dairy farming.

The Nepalese in the earlier days of migration followed different routes to enter Assam. They mostly occupied the river banks and river islands. Declaration of Kaziranga as a game sanctuary and National Park for the protection of one horned rhino led to the eviction of *Khuties* in the Naste Tapu, Arimarakhuti and Company Chapori areas which fall in the Kaziranga area. Due to administrative reasons and natural calamity, the Nepali dairy farmers had to shift their occupation from cattle rearing to agriculture or as share cropper as per their capability. This also compelled them to change the occupancy of the area in some cases. The relocation along the Brahmaputra River and occupancy in certain newer areas especially in the foothills and urban fringes has resulted in an improved socio-cultural and economic status of the Nepalese.

The early immigrants did not realise the importance of education there were only few who felt that education is the only way for a better living. It was really very difficult to change the attitude of the people towards education. Hence, they established schools with the help of the local educated and enlightened Assamese people, and even called teachers from outside, sometimes from even outside the state. They traveled to far-flung areas on foot,

bicycles or even by boat to motivate parents to send their children to schools. The parents responded positively, but they used to send only their sons to schools. By 1930s, the females also started getting educated. Now in most of the areas, the Nepalese have attained a level of education that has caused a considerable occupational shift from primary to tertiary sector. As a result their economic condition has improved considerably which is reflected in their lifestyle, wealth, assets and facilities at their disposal. Interestingly, a marked variation exists across the Nepalese population in these regards. It may be attributed to reasons like the period and duration of settlement in the destinations, among others. Higher economic attainment has been observed among the people who settled long back or are permanently residing since long. On the other hand, lower attainment has been found among people migrated later or are still roaming from one part of the state to the other occasionally in search of a better living. In the process of shifting the concerned people have to renew their establishment leaving aside whatever they had managed to possess in their earlier settlements. This type of situation hinders the continuity of development particularly among the poorer and more vulnerable sections. In the process of settlement the early Nepali immigrants faced some challenges in the new land. These were economic, political and socio-economic challenges. Those were, however, solved by the timely efforts of the progressive Nepalese. The local Assamese leaders also provided all possible help. Though the Nepalese have uplifted themselves socio-economically and culturally, there are still some challenges faced by them. Dairy farming is the traditional occupation of the Nepalese in Assam and a small section is still engaged in it. In their earlier years they did not feel insecure except from wild animals. But the uprise of the indigenous tribal community has started creating problems in the recent years. Moreover, the population of Assam is growing rapidly, creating an acute

scarcity of grassland and open space for dairy farming. So they are not been able to maintain the cattle-buffalo-man complex.

Suggestions:

1. Dairy farming was a new occupation introduced by the Nepalese in Assam. Since it is still prevalent in some sporadic areas of the state though in much smaller scale. The Government milk co-operative sector should give some training, incentives and do marketing of the milk and milk products. This will encourage more educated youths to take up this occupation and their economic condition may get a boost.
2. In the Nepali Dominated areas a remarkable positive change in the agricultural practice has occurred. Most of the agricultural lands, which have started showing diminishing returns in food grain, should be brought under cash crops like tea, rubber, sugarcane, bamboo etc. wherever feasible. Vegetable gardening following the practice of interculture, multicultural etc. may be done by the 'green grocers' to get additional benefits.
3. There should be more mutually beneficial economic and cultural programmes evolved on the basis of experiences gained to bring the communities closer, especially in the Nepali-inhabited peripheral areas, which are relatively backward and vulnerable to natural disasters and conflicts. Eco-friendly modernisation of agriculture and other traditional livelihoods may help to attain a promising situation where all sections of people may participate and exchange their ideas, skills and domestic products.
4. In the areas where wild tuskars are causing menace, a buffer zone between the hills and forests and the agricultural lands may be created so that the movement of the elephants in the evening can be monitored and necessary precautions may be taken to drive away the animals before they cause damage to the crops.

5. As the female participation rate in economically gainful activity is low, some basic training may be provided in weaving, food processing and beautification etc. to women, particularly to the housewives so that they can utilise their spare time meaningfully and generate some income. It will also provide them some degree of economic independence.

BIBLIOGRAPHY

Bhandari, P. 1996. *Freedom Movement and Role of Indian Nepalese 1800-1950*, Anurag Offset, Jagiroad.

Bhuyan, M. C. 1971. Immigration to Assam Valley: A Geographical Analysis, *North Eastern Geographer*, Vol. 3, No.1, pp.177-89.

Devi, N. 2000. Occupational Structure and Economic Attainment among different Communities in Gangmouthan Gaon Panchayat, Sonitpur District, Assam, an unpublished M.Phil. Dissertation, Gauhati University, Guwahati.

Ghimirey, D.P. 1983. *Mero Dristiko Sero Pheroma Bura Chapari*. Tezpur (in Nepali), (published by the author).

Guha, A. 1977. *Planters Raj to Swaraj*, People's Publishing House, New Delhi.

Hussain, M. 1989. Nepalese in Assam and Asamiya National Question, *Mainstream*, Vol. 27, No 29.

Kar, B.K. 2001. Population, in Bhagabati, A.K. *et al* (ed) *Geography of Assam*, Rajesh Publications, New Delhi, pp.115-155.

Knox, P.L. and Marston, S.A. 1998. *Places and Regions in Global Context*, Prentice Hall Inc., New Jersey.

Upadhyaya, B.L. 1983. *Assame Nepaliharu* (in Nepali), Revised edition (published by the author).

Upadhyaya, B.L. 1985. *Chabilal Upadhyaya* (in Nepali), published by the author.

Upadhyaya, B. L. 1987. *Eri Aha Dinbor* (in Assamese), published by Mr. Siba Sharma, Gamiri, Assam.

Upadhyaya, B. L. 1990. *Chabilal Upadhyaya* (in Assamese), Layer's Book Stall, Guwahati.

Upadhyaya, B.L. 2002. *Tipan Tapan* (in Nepali) Published by Mrs. A. Devi Assam

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Title of the paper for ICAS 2012: **Nepalese Migration into Assam: Process, Patterns and Challenges of Adjustments.**

- ¹ <http://www.usaid.gov/country/country.cfm?CountryId=8493641>
- ¹ <http://www.usaid.gov/country/country.cfm?CountryId=8493641>
- ¹ There are many excellent accounts of the dire circumstances of the Burmese people. See in particular the work of Human Rights Watch, and also Professor D.I. Steinberg of Georgetown University.
- ¹ UNCTAD (2001).
- ¹ Besides Burma, the ACL includes Belarus and the Democratic People's Republic of Korea.
- ¹ Department of Justice (2012).
- ¹ Government of Canada (2012).
- ¹ Burma Independence Advocates (2011).
- ¹ Foreign Affairs and International Trade Canada (2012a).
- ¹ Jha (2007).
- ¹ National Post (2012a).
- ¹ National Post (2012b).
- ¹ Foreign Affairs and International Trade Canada (2012b).
- ¹ Burma Independence Advocates (2011).
- ¹ Foreign Affairs and International Trade Canada (2012a).
- ¹ Burma's constitution bars parties with imprisoned members from standing in elections; Aung San Suu Kyi was under house arrest at the time of the elections.
- ¹ BBC (2012a).
- ¹ Human Rights Watch (2010).
- ¹ BBC (2012b).
- ¹ BBC (2012b).
- ¹ BBC (2012b).
- ¹ Beginning in the 1950s, the Karen conflict is claimed to be the longest running ethnic rebellion in the world.
- ¹ BBC (2012c).
- ¹ BBC (2012c).
- ¹ Human Rights Watch (2010).
- ¹ Thuzar and Tun (2012).
- ¹ The Governor in Council refers to Canada's Governor General when acting on the advice of the Cabinet.
- ¹ Department of Justice (2012).
- ¹ Besides those against Burma, Canada has other regulations in force under the SEMA, including ones against North Korea, Iran, Syria, and Zimbabwe.
- ¹ Mr. David Kyffin, in personal communication with the author, 23 May 2012.
- ¹ Mr. David Kyffin, in personal communication with the author, 23 May 2012.
- ¹ Mr. David Kyffin, in personal communication with the author, 28 June 2012.
- ¹ Treasury Board of Canada Secretariat (2009).
- ¹ As a recent example, after the United Nations Security Council imposed sanctions on Libya on 26 February 2011, Canada had implemented those sanctions and imposed additional sanctions of its own by the following day, 27 February 2012.
- ¹ Mr. David Kyffin, in personal communication with the author, 23 May 2012.
- ¹ Mr. David Kyffin, in personal communication with the author, 23 May 2012.
- ¹ Prof. David Steinberg, in personal communication with the author, 19 August 2011, as an example.
- ¹ Mr. David Kyffin, in personal communication with the author, 23 May 2012.
- ¹ Important examples of the economic statecraft scholarship include Baldwin (1971) and Mastanduno (2001).
- ¹ Foreign Affairs and International Trade Canada (2012c).

- ¹ National Post (2012b).
¹ Bissinger (2012).
¹ Kurlantzick (2012).
¹ In personal conversation with the author, 22 December 2012.
¹ Thuzar and Tun (2012).
¹ Kurlantzick (2012).
¹ Canadian International Council (2012).
¹ National Post (2012b).

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References

- Agence-Free Press (2012, Jan. 11). "Burma cancels coal plant after opposition: official." Bangkok Post. <http://www.bangkokpost.com/news/asia/274481/>
- Baldwin, D. (1971). The power of positive sanctions. *World Politics*, 24 (1), 19-38.
- Bangkok Post (2012). "Thais in the dark on Dawei Plant." January 11. <http://www.bangkokpost.com/print/274597/>
- BBC (2012a). "More milestones in Burma." January 24. <http://www.bbc.co.uk/news/world-asia-16695353>
- BBC (2012b). "Timeline: Reforms in Burma." April 30. <http://www.bbc.co.uk/news/world-asia-16546688>
- BBC (2012c). "Burma halts construction of Thai-backed power plant." January 10. <http://www.bbc.co.uk/news/world-asia-16481290?print=true>
- Burma Independence Advocates. (2011). Burma Sanctions Regime: The half-full glass and a humanitarian myth: A preliminary assessment of political and humanitarian conditions under sanctions. <http://www.burmaadvocates.org/Burma%20Sanctions%20Assessment.pdf>
- Canadian International Council. The Natural Resources and Foreign Policy Project. <http://www.opencanada.org/projects/current-projects/natural-resources/>
- Department of Justice. (2012). Special Economic measures act. S.C. 1992, c. 17 <http://laws-lois.justice.gc.ca/eng/acts/S-14.5/FullText.html>

- Foreign Affairs and International Trade Canada. (2012a). Burma (also Known as Myanmar). http://www.international.gc.ca/sanctions/burma-birmanie.aspx?lang=eng&menu_id=55&view=d
- Foreign Affairs and International Trade Canada. (2012b). Canada sends witnesses to Burmese By-elections. <http://www.international.gc.ca/media/aff/news-communiqués/2012/03/28a.aspx?lang=eng&view=d>
- Foreign Affairs and International Trade Canada (2012c). Canada suspends sanctions against Burma, helps the country build a brighter future. <http://www.international.gc.ca/media/aff/news-communiqués/2012/04/24a.aspx?lang=eng&view=d>
- Government of Canada. (2012). Canada-Burma relations. http://www.canadainternational.gc.ca/thailand-thailande/bilateral_relations_bilaterales/canada-burma-birmanie.aspx?lang=eng&view=d
- Government of Canada. (2010). Canada's Policy on Burma. Date modified: 2010-10-26. http://www.canadainternational.gc.ca/thailand-thailande/bilateral_relations_bilaterales/canada-burma-birmanie.aspx?lang=eng&view=d
- Human Rights Watch (2010). Burma: Chronology of Aung San Suu Kyi's detention. <http://www.hrw.org/news/2010/11/12/burma-chronology-aung-san-suu-kyi-s-detention>
- Human Rights Watch (2012). Burma: Political Prisoners Released. January 13. <http://www.hrw.org/news/2012/01/13/burma-political-prisoners-released>
- International Rivers. 2011. The Myitsone Dam on the Irrawaddy River: A Briefing. <http://www.internationalrivers.org/resources/the-myitsone-dam-on-the-irrawaddy-river-a-briefing-3931#project>
- Jha, L (2007). "Canada Announces Tougher Sanctions against Burma." November 7. The Irrawaddy. http://www.irrawaddy.org/article.php?art_id=9315
- Kurlantzick, J (2012). "Burma Gold Rush." *Prospect*. April 24. <http://www.prospectmagazine.co.uk/world/burma-growth-investment-government-election-reform/>
- Mastanduno, M (2011). Economic engagement strategies: theory and practice. In *Interdependence and Conflict*. Mansfield and Pollins, (Eds.). <http://www.press.umich.edu/pdf/0472098276-fm.pdf>
- Mizzima (2012). "4000 – MW power plant project cancelled in Dawei." January 9. <http://www.mizzima.com/news/inside-burma/6379-coal-power-plant-in-dawei-cancelled.html>
- National Post (2012a). John Baird to meet Aung San Suu Kyi on landmark Burma visit. March 6. <http://news.nationalpost.com/2012/03/06/john-baird-to-meet-aung-san-suu-kyi-on-landmark-burma-visit/>

- National Post (2012b). "John Baird offers Burma democracy leader Suu Kyi honorary Canadian citizenship." March 8. <http://news.nationalpost.com/2012/03/08/suu-kyi-burma-myanmar/>
- Thuzar, M and Thun, T (2012). *By-Elections and Sanctions: Matching Action with Action*. Institute of Southeast Asian Studies. April 27.
- Treasury Board of Canada Secretariat (2009). *A guide to the regulatory process*. <http://www.tbs-sct.gc.ca/ri-qr/processguideprocessus-eng.asp>
- UNCTAD. (2001). *Generalized System of Preferences Handbook on the Scheme of Canada*. http://www.unctad.org/en/docs/itcdtsbmisc66_en.pdf
- U.S. Department of the Treasury. (2012). *Specially Designated Nationals List (SDN)*. <http://www.treasury.gov/resource-center/sanctions/SDN-List/Pages/default.aspx>

INDIA'S LOOK EAST POLICY: A STRATEGY FOR BETTER ECONOMIC TIE IN SOUTH EAST ASIA.

(Abstract)

After 1991, India's attitude towards export import business has recorded a strategic shift. The country has taken various steps to increase its trade tie with different countries particularly with South East Asian region as this region has witnessed high economic growth rate. For this, India has initiated Look East Policy. Under this policy, central government of India has taken different measures to boost trade relations with neighboring countries of north eastern part of the country. Obviously, the policy initiation has high impact in the border states of India. Now, it is high time to analyze the impact of Look East Policy on our international trade as the strategy has completed more than 20 years. For that, we have proposed a study on the topic titled "India's Look East policy: A strategy for Better Economic Tie in South East Asia". On the study, we would focus whether the policy has given the desired result or not in the trade field. The study would also focus upon the affects of the policy in the region and what to be done in the coming days for proper implementation of the policy.

(Keywords: Trade, Look East policy, Economic cooperation)

I. Introduction:

During 1990, India's foreign policy has taken a strategic shift. After India's independence of 1947, the country's foreign policy was much western oriented. The polarization of world into USA and erstwhile USSR in the cold war days had compelled India to take steps to increase relations with European countries that negates competition with USA. However the last decade of the 20th century witnessed dramatic transformation in the world of reverberations. The era of protracted conflict between the two superpowers ended with the disintegration of the Soviet Union. The changes in global order have been seen as crucial turning point in independent India's foreign policy (Brahma 2010:16). With the collapse of bi-polarity, India's role as a leader of third world countries diminishes and a kind of inferiority complex emerged in India's ruling circle vis-à-vis Southeast Asia and East Asian economic development. (Indrakumar 2009: 27). Disintegration of USSR and performance of Asian Tigers (Malaysia, Singapore, Thailand and Indonesia) have forced the country to formulate a policy that enhances its security as well as extract economic benefit in the changing liberalized scenario. Until 1990, India's foreign policy was Pakistan centric in particular and sub continental specific in general. (Indrakumar 2009:21). However the changes of world politics and internal economic factor have led the country to take proactive role in the region. So under the headship of Narashimha Rao and then Finance Minister Dr. Manmohan Singh India coined a policy known as Look East Policy (LEP). Since then every government have vigorously followed the policy to increase India's importance in the region.

India's LEP involves the development of comprehensive co-operation in various sectors particularly in the economic and political front with the countries of Southeast Asia and Asia-Pacific region . Since the aim of this study is to focus upon the economic and trade

issues of the LEP, the emphasis is given to trade related facts of LEP only. It is to be noted that formulation of policy to look towards east and starting of market oriented economy with more support from Bretton Woods institutions i.e. International Monetary Fund (IMF) and World Bank (WB) is not a mere co-incidence. The Indian Government has successfully laid a base through its paradigm shift of both economic and foreign policy. Synchronization of ideas to look towards east with its market oriented economic policy have taken place in the consideration of New Delhi as South East Asia bears critical significance for India's economic diplomacy in the era of liberalization and globalization. The region holds considerable prospects for beneficial trade and investment relations with India. India's Look East policy has strong economic imperatives and long term strategic ramifications. The domestic implications of the Look East policy has given impetus to local economics and bilateral trade and in the long run could transfer the economic profile of North-east India (Brahma 2010 : 25).

In this paper, attempts were made to highlight upon the issues of enhancement of trade link in the era of eastward policy. Economic co-operation with Association of Southeast Asian country (ASEAN) due to India's initiation through its LEP has given a boost to export-import business. The researcher, in this study has tried to analyze the extent of trade link of India with its South-East Asian counterpart in the post LEP and its changes over the last decade.

II. Objective of the study:

The main objective of the study is to analyze the economic tie of India with South East Asian countries to see the benefits of the LEP. To fulfill this main objective, following particular objectives of the study are constructed to reach the goal.

1. To compute trade business of India and ASEAN in the post LEP period.
2. To make an analysis of Indo-ASEAN export-import business during the period of 1980-1990 & 1990 onwards.

III.I Methodology and Source of Data :

Analysis of trade operation between two regions necessitates information regarding export and import. So the proposed study is based upon the information collected from secondary sources. Information has been collected from various sources including government and non-government agencies. The study is confined to the period from 1992 to 2010. The period is selected as India has initiated its LEP in 1992. However to make comparative study in the pre-LEP and post LEP data are used right from 1980 in some specific analysis. Effort has been made to make sure the data manifest representative character of the total universe. Related data are collected from Hand book on India Economy published by Reserve bank of India, Indian Economic Survey Reports, UNCTAD Statistical Handbook, Centre for Monitoring Indian Economy Publication, International Monetary Fund Reports, and Database of UNCTAD etc. To examine the trade performance between India and ASEAN countries, apart from analyzing export - import value and share, Export- Import growth rate, Trade Intensity Index (TII), trade balance parameter are used. The TII is used to determine whether the value of trade between two countries is greater or

smaller than would be expected on the basis of this importance in world trade. It is defined as the share of one country's exports going to a partner divided by the share of world exports going to the same partner. It is calculated as:

$$T_{ij} = (X_{ij}/X_{it}) / (X_{wj}/X_{wt})$$

Where X_{ij} is the value of Country i exports to Country j, X_{wj} is the value of world exports to country j, X_{it} is Country i's total exports and X_{wt} is total world exports. (Raghuramapatruni 2012: 118).

III.II Limitation of the Study:

The study is delimited to India and ASEAN trade tie in the post LEP period. In the trade analysis Indian side has given more importance and ASEAN's trade link with other economic group or individual country other than India is not taken into consideration for the analysis. The study is basically based on merchandise trade.

IV. India and ASEAN Relation:

India has age-old link with Southeast Asian countries in cultural, social, economic as well as political field. Five non-communist member countries namely Indonesia, Malaysia, Philippines, Singapore and Thailand established the Association of Southeast Asian Nations (ASEAN) on August 1976 in Bangkok. Subsequently Brunei Darussalam joined on January 8, 1984, Vietnam on July 28, 1995, Laos and Myanmar on July 23, 1997 and Cambodia on 30 April 1999. ASEAN has become a cohesive and well-developed regional organization having multi faceted objectives. In the present era of capitalist market economy, ASEAN, a vibrant regional growth zone occupies a vital "economic space" to any country pursuing the neo-liberal free market economy. (Thingnam 2010: 29-30).

India's attitude towards ASEAN during its early years was ambivalent but not hostile (Kuppuswamy 2010). The relation between the two regions have depended and widened in the last two decade since the inception of Look East strategy. It is a fundamental fact of geography that India is the immediate neighborhood of ASEAN. Both share land and maritime borders with the Myanmar, Indonesia and Thailand. In 1992, India became a sectoral dialogue partner of ASEAN. These sectors were trade, investment, tourism and science & technology. However mutual interest in wider engagement led ASEAN to invite India to become a full dialogue partner of ASEAN during the Fifth ASEAN Summit held in Bangkok in December 1995 and a member of the ASEAN Regional Forum (ARF) in July 1996 (Sen et. al 2004). After receiving positive signals from India, ASEAN nations have further paved way to intensify economic co-operation with the nation and it resulted first ASEAN-India Summit of Phnom Penh, Cambodia held in November 2002. ASEAN leaders have realized the importance of India in the southern Asia in the post cold war era and as a reciprocal measure of "Look east" they also tend to have "Look west" vision in their trade policy. In spite of having more economic co-operation than earlier, volume of trade and investment flows between ASEAN and India remained relatively low compared with other dialogue partners of ASEAN. To strengthen the trade tie between the two regions, both sides have taken various measures. A Framework Agreement on establishment of Free Trade Area (FTA) between ASEAN and India was signed by Dr. Manmohan Singh, Prime

Minister of India in the second ASEAN-India Summit held in Bali in October 2003. To enhance trade tie with ASEAN member, India has also left no stone unturned. The country has tired its level best to from a Comprehensive Economic Co-operation Agreement (CECA) with Singapore. Sub-regional co-operation between India and some of the ASEAN members such as Vietnam, Thailand, Myanmar and Laos has also accelerated .The latest agreement-named ASEAN- India Free Trade Agreement (AIFTA) which came into force on 1st January, 2010 is also envisaged as economic tie booster between India and member countries of ASEAN. Tariff reduction commitments under AIFTA may give desired result in next decade if both parties take the provision seriously in their respective trade and tariff policies. Recognizing the economic potentials of the both vibrant region of south Asia, both sides have already started economic consultations and ASEAN-India Economic Linkages Task Force (AIELTF) were constituted in this regard. The volume of trade and the trend of investment would definitely increase once the Task Force reports come out and their recommendations are followed. ASEAN has also appreciated India's response to develop a network of relation with ASEAN through other means. In this regard Mekong-Ganga Co-operation and establishment of five-member sub-regional grouping of Bangladesh, India, Myanmar, Sri Lanka and Thailand Economic Co-operation (BIMST-EC) project have already gained momentum to increase intra trade-tie. Apart from enhancing trade tie, eastward policy of India has also taken care of political and security concerns of both side. Since July 1996, India has been an active member of the ASEAN Regional Forum (ARF) and committed herself to act jointly to maintain peace and security in the Asia-Pacific region in particular and in the world in general. Apart from having commercial interest the ASEAN-India tie has grown to have other dimension also. And these will be clearly reflected in the ASEAN-India Vision 2020 in the coming days.

V. Overall Trade Pattern of World:

Before examining the trade relation of India and ASEAN countries, it is pertinent to analyze the world trade pattern to have proper understanding of the trend. From the Table-1, it is seen that the participation of developed countries in global export sector has recorded a negative trend. In 1990 developed countries contributed 72.08 percent to the global export but by 2010, it is declined by 17.93 percent and shared only 54.15 percent to world export. On the other hand developing economies that included China, India etc have shown a remarkable expansion of export share. From 29.43 percent of 1980, these economies have strengthened their export sector and achieved 41.78 percent share in 2010 in total world export. Out of developing economies, China's progress is much ahead than other countries and there was 6.58 percent increase of export share in just one decade. Comparing to China, India's export is far behind to grab world share. However during the last two decades, the country has been able to register upward growth trend of export. In 1980 India's export share to the globe was 0.42 percent and in 2010 it achieved 1.46 percent share. Out of various trade groups, performance of ASEAN is relatively better than South Asian Association for Regional Cooperation(SAARC) ,European Union (EU) etc. The global export share of 3.63 percent of ASEAN (1980) has been increased up to 6.93 percent in 2010. This expansion is a positive sign for the ten member economic group.

Table-1: Percentage Share in Total world Exports

Country	1980	1990	2000	2010

Developed Economies	65.31	72.08	65.34	54.15
Developing Economies	29.43	21.21	31.97	41.78
USA	11.1	4.27	12.27	8.42
Japan	6.42	8.24	7.53	5.07
China	0.89	1.78	3.92	10.40
India	0.42	0.51	0.67	1.46
ASEAN	3.63	4.12	6.66	6.93
EU	29.86	34.88	29.41	33.93
SAARC	0.64	0.78	0.99	1.80
APEC	30.85	38.11	48.35	47.66
Major Petroleum Exporter	15.75	6.30	6.31	5.97

Source: Self Compilation from UNCTAD Statistical Hand Book 2010 & 2011

In case of import sector, the last two decades of 20th century and first decade of 21st century have experienced major changes of global share. Developed economies with onset of recession in the mid of 2008 has lost import share and it has fallen up to 57.71 percent (2010) from 70.93 percent (1980). However developing economies have maintained its growth in global import also and able to contributed up to 40 percent by 2010. In 1980, developing economies shared only 23.9 percent of world import. China, maintaining its dominance over world trade, registered 9.09 percent import share as against 4.51 percent share of Japan in 2010. EU has covered 30.21 percent import share in 2010 as against 33.20 percent share of 1980. The import share of SAARC countries remains low at 2.73 percent in 2010. ASEAN countries, however, recovered well from their crisis and maintained 6.20 percent share in the world import sector. The association has been able to register their import growth throughout the three decade as it was only 33.16 percent in 1980. Comparing to export share, India's global import share somehow better and from 0.72 percent global import share in 1980, the country registered 2.14 percent of world import in 2010. Though the recent recession has slowed down India's GDP growth rate, in case of import the situation is still better than its other counterpart of Asia excluding China.

Table-2: Percentage Share in Total World Imports

Country/Year	1980	1990	2000	2010
Developed Economies	70.93	73.05	69.21	57.71
Developing Economies	23.9	22.53	28.99	39.09
USA	12.4	14.31	19.21	12.82
Japan	6.82	6.51	5.79	4.51
China	0.96	1.48	3.43	9.09

India	0.72	0.65	0.79	2.14
ASEAN	3.16	4.48	5.58	6.20
EU	33.20	34.30	25.19	34.21
SAARC	1.21	1.05	1.79	2.73
APEC	30.27	38.91	50.19	48.26
Major Petroleum Exporter	7.19	3.69	3.07	4.07

Source: Self Compilation from UNCTAD Statistical Hand Book 2010 & 2011

VI. Trade Pattern of India:

To understand trade pattern of a country, direction of foreign trade both in value and share are very important. The direction of export and import shows how the country is trading with other partner in the world. The trend of direction of trade further reveals the economy's attachment with other parts of the globe. The Table-3 & Table-4 have shown India's direction of export and import trade with different individual country and economic groups of the world. So far as the foreign trade is concerned, India had strong trade relations with USA up till 1990s (Datt & Mahajan 2012). More precisely we can say that India's trade with developed nations dominated India's foreign trade. But gradually that dominance has taken a declined trend. While the dominance of developed countries in India's trade has reduced since the late 1990s, the shares of Asian developing countries have gone up significantly (Francies 2011). The trend of direction can be better viewed in the Table-3. In 1991-92, the USA's share of Indian export was 2921.1 million US dollar and it was 16.35 percent share of India's total export. But by the end of 2010, this share has reduced to 10.06 percent (25596 million US dollar as against 254402.1 million US dollar of total export to world in 2010-11). On the contrary, ASEAN have abled to grab a good share of India's export after much integration of Indian economy with the ASEAN countries. In 1993-'94, the country exported only 1429.6 million US dollar to the ASEAN region and it has risen to 19414.7 million US dollar in 2010-11.

Table-3 : Direction of India's Export

(US million\$)

Year	World	EU	USA	Japan	OPEC	SAARC	ASEAN	China
1991-'92	17865.4	4826.9	2921.1	1651.5	1561.8	621.5	-----	48.2
1992-'93	18537.2	5246.8	3515.9	1436.5	1788.4	736.4	-----	141.3
1993-'94	22238.3	5796.9	3998.5	1740.9	2382.2	898.2	1429.6	279.1
1994-'95	26330.5	7030.7	5020.7	2026.6	2428.6	1215.0	1547.0	254.2
1995-'96	31794.9	8708.3	5920.4	2215.6	3079.0	1720.6	18384	332.7
1996-'97	33469.7	8655.3	6555.4	2005.9	3228.8	1701.6	2843.8	614.8
1997-'98	35006.4	9144.6	6802.9	1898.5	3527.4	1610.9	4395.5	718.1
1998-'99	33218.7	8946.6	7199.6	1652.0	3550.7	1679.2	1750.4	427.2

1999-'2000	36822.4	9382.4	8395.5	1685.4	3895.8	1394.6	2193.9	538.8
2000-'01	44560.3	10410.8	9305.1	1794.5	4850.0	1928.5	3213.8	831.3
2001-'02	43826.7	9845.9	8513.3	1510.4	522.5	2026.0	3672.1	952.0
2002-'03	52719.4	11522.5	10895.3	1864.0	6884.6	2724.1	3696.4	1975.5
2003-'04	63842.6	13890.00	1149.00	1709.3	9544.4	4148.1	4021.5	2955.1
2004-'05	83535.9	17539.6	13765.7	2127.9	13207.4	4440.7	6729.6	5615.9
2005-'06	103090.5	22385.09	17353.1	2481.3	15242.2	5547.6	7952.4	6759.1
2006-'07	126414.1	26805.0	18866.1	2862.7	20953.1	6469.5	9774.6	8293.9
2007-'08	162904.2	34490.2	20712.0 2	3853.8	26989.7	9617.2	12395.1	10828.8
2008-'09	182799.5	38965.3	20972.3	3002.1	38872.8	8440.5	17906.5	9275.6
2009-'10	178751.4	35922.2	19479.4	3613.3	37648.6	8356.5	12595.5	11532.5
2010-'11	254402.1	46817.6	25596.0	5216.5	54733.1	12706.4	19414.7	19247.2

Source: Handbook of Statistics on Indian Economy, RBI

In terms of export share, the value stands at 6.43percent in 1992-93 and 7.63 percent in 2010-11. Had the world not faced the recession from 2008, the export share of India to ASEAN could have touched a new milestone as in 2008-'09 India's export was 9.78 percent to the ASEAN. Though developed countries, despite a decline in their share over time, continued to remain more important as destinations of India's export, the gap between the shares of developed countries and Asian developing countries has reduced more sharply (www.networkideas.org). Out of different Asian economy, China becomes a dominant export partner for India. India's export value to China in 1991-92 was only mere 48.2 million US dollar. But in 2000-'01, the value recorded as maximum as of 831.3 million US dollar showing an average growth rate of almost 162 percent per year. But over the last decade it surpassed all earlier record of growth and in 2010 the annual export growth of India's export to China touched a new height of 221.53 percent. This is truly a remarkable achievement for India. Along with increased export trade with China, Southeast Asia has played a vital role in the changing export trade pattern. In case of import also, Asian dominance has overshadowed earlier trading partner of India of pre 1991 period. Import share of Asian countries including China, Japan, ASEAN in India's trade have recorded a tremendous growth. Over the period i.e. from 1991 to 2010, India's import value has increased from 19410.5 million US dollar to 352575 million dollar i.e. almost 86 percent average growth of import annually. From the Table-3, it is seen that import dependence of India upon developed country like USA, Japan, and EU are replaced by individual Country like China and economic group like ASEAN. Over the period of 20 years, India's import from China has gone up from mere 20.9 million Us dollar of 1991-'92 to a whopping 40218 million

Table-4: Direction of India's Import (US Million \$)

Year	World	EU	USA	Japan	OPEC	SAARC	ASEAN	China
1991-'92	19410.5	5665.5	1994.7	1369.3	3821.1	132.1	-----	20.9
1992-'93	21881.6	6603.0	2147.4	1427.9	4776.7	177.2	-----	126.0
1993-'94	23306.2	7002.0	2736.7	1522.1	5221.5	113.7	1484.0	302.0
1994-'95	28654.4	7114.6	2905.7	2039.9	6050.1	176.7	1989.5	760.8
1995-'96	36675.3	10303.2	3861.4	2467.6	7644.4	256.5	2821.1	812.0
1996-'97	39132.4	10624.8	3685.9	2187.4	10142.6	241.6	3722.8	756.9
1997-'98	41484.5	10680.6	3716.9	2144.9	9404.0	234.3	4473.2	1119.3
1998-'99	42388.7	10723.8	3640.2	2465.7	7765.4	465.6	5217.9	1096.7
1999-'2000	49670.7	10967.8	3563.7	2535.8	12856.7	397.7	5760.4	1286.7
2000-'01	50536.5	10510.2	3015.0	1842.2	2688.8	465.8	6555.6	1502.2
2001-'02	51413.3	10436.5	3149.6	2146.4	2965.8	571.5	6211.0	2036.4
2002-'03	61412.1	2541.7	4443.6	1836.3	3479.4	512.0	8418.2	2792.0
2003-'04	78149.1	14717.0	5034.8	2667.7	5609.2	668.8	8452.6	4053.2
2004-'05	111517.4	18713.0	7001.4	3235.1	10022.5	950.2	10939.4	7098.0
2005-'06	149165.7	25151.0	9454.7	4061.1	11171.1	1413.3	15048.2	10866.0
2006-'07	185735.2	29832.0	11736.1	4595.6	56374.8	1507.3	18928.1	17460.6
2007-'08	251439.2	38413.7	21019.3	6323.2	77310.0	2111.4	24839.8	27102.4
2008-'09	298833.9	42274.6	18441.5	7790.9	97487.9	1796.9	30896.2	32092.9
2009-'10	288372.9	38348.3	16985.4	6722.5	92360.5	1651.8	26520.3	30783.8
2010-'11	352575.0	42409.4	18531.2	8146.4	119117.3	2018.2	36028.7	40218.0

Source: Handbook of Statistics on Indian Economy, RBI

dollar in 2010-'11. In case of ASEAN countries also, the amount has risen from 1484 million dollar to 36028.7 million dollar over the period. In terms of import share ASEAN import has recorded an annual growth rate of 130 percent. This is much more than average annual import growth rate of India to the world import share over the last two decade. This growth rate signifies the integration of Indian economy with ASEAN region. It is to be noted that over this period USA's and EU's import share was 41.5 percent and 32.42 percent

respectively.

VII. Trade Between India and ASEAN:

India's endorsement of LEP to enhance trade tie with South East Asian countries has resulted increasing business between India and ASEAN. India achieved tremendous growth in exports sector with ASEAN countries. India stood in the top 10- markets of the ASEAN and merchandise trade has more than tripled which put forth the infinite potential for increased economic relations between them.(Rghuramapatruni 2012 : 117). However, the growing economic link between India and other ASEAN country can be analyzed with the bilateral co-operation. This co-operation can be better measured with the Trade Intensity Index (TII). It is to be noted that the average of intensity index is always one. If the computed index is greater than one, it indicates a higher degree of trade intensity between the two economic entities. If the results come close to zero, it implies a lesser degree of intensity between countries.

Table-5: Trade Intensity Index (TII) between India and the ASEAN

Year (I)	Trade Intensity(India's Perspective) (II)	Trade Intensity (ASEAN's Perspective) (III)
1980	1.085	1.520
1985	0.648	1.433
1990	0.896	1.515
1995	1.219	1.112
2000	1.091	1.170
2005	1.337	1.277
2009	1.876	1.478

Source: India's Trade with the ASEAN: Realities & Prospect, pp-120-121

The Table -5 shows the trade intensity between India and ASEAN region. The column- II shows the trade intensity from India's perspective and column- III of the table depicts TII from ASEAN perspective. In the column-II, it is seen that TII of India with the ASEAN nations records a higher degree of intensity. In 1980, the TII scored more than unity. But in the decade as whole, the intensity registered ups and downs and finally it is recorded as 0.896 in 1990. However after initiation of LEP, the degrees of intensity have steadily risen. Throughout the first decade of present century, the TII is only below one in two years i.e. in 1997 and 1998. Except these years until 2010, the intensity is more than unity. Declining of TII in 1997 & 1998 can be attributed to Asian crisis. The column-III of the Table- 5 has shown a slightly different behavior than the column-II. Unlike TII of Indian perceptive, ASEAN perspective reveals stable degree of intensity. In 1980 the value of TII was 1.520 and it remains at 1.515 level in 1990. But in the last decade though there is a low degree of TII i.e 1.112 (1995) and 1.277 (2000), in 2009 the value is remain at 1.478 level. It has shown that after 1990, the intensity between the countries of ASEAN and India have increased. Indian's initiation of the LEP in 1992 and with the status of full-dialogue partner in 1995, the mutual corporation has been further intensified. Is has been reflected in the growing

intensities of trade between the both regions.

No doubt, India's persuasion and reciprocal forward steps of ASEAN nations to increase trade and investment have given fruits in the commercial field. Country wise explanation of India's trade with different nations of ASEAN will reflect proper situation. Table-6 depicts India's merchandise export share with ASEAN countries in the last 15 years of time. The India's export share with country like Brunei Darussalam, Cambodia, Laos, Myanmar and Vietnam was very negligible when India becomes full dialogue partner with ASEAN in 1995. The share of these five nations is only 5 percent in India's total export trade. Since the beginning, it is Singapore who has occupied first place to have India's export market among the ten nations member group. In 1995 India exported 33.99 percent of its export to Singapore among different country of ASEAN. Indonesia with share of 24.19 percent stood second, Thailand third with a share of 17.29 percent of export from India. India's export share to ASEAN-5 comprising Singapore, Indonesia, Malaysia, Thailand and Philippines was almost 5 percent in 1995. After ten years i.e. in 2005, India's export share to Singapore is remain highest and it has touched 52.77 percent in that year. It means India exported more than half merchandise items to Singapore alone out of total export of the country to ASEAN. Over the period, ASEAN-5 is remain India's best export destination out of total ten member economy. The share of other ASEAN nations is still negligible despite various bilateral trade initiatives. The only exception out of other nations is Vietnam. In 1995 India exported 4.54 percent of exportable commodity to this country and gradually India has been able to increase its share to this tiny economy. With a marginal up and down, the share of Vietnam is at increasing trend. However out of ASEAN -5, Philippines remain a volatile market and India's export to Philippines has only touched two digit levels i.e. 10.38 percent in 2002. Other country who has got India's Export at two digit share percent was Indonesia (17.10), Malaysia (16.49), Singapore (30.65) and Thailand (16.46) in 2002. Over the period of 15 years i.e. from 1995-2010, India's export share to ASEAN-5 is remain highest. Over the period of 15 years i.e. from 1995-2010, India's export share to ASEAN-5 is remain highest. Other nations like Brunei Darussalam, Cambodia, Laos, and Myanmar are getting negligible export from India comparing to big ASEAN-5. Although India's dialogue with Thailand has been intensified in the last few years, India's export to the country is registering a decreasing trend. In 1995 India exported 17.27 percent merchandise goods to Thailand out of total export to ASEAN. But surprisingly, by 2010, the share is only 9.37 percent to the Thailand and it is even less than the export share of Vietnam. This declining trend was first set in the year 2000 itself.

Table-6: India's Merchandise Export Trade with ASEAN

Year	1995	1997	1999	2000	2002	2004	2005	2006	2007	2008	2009	2010
Partner												
Brunei Darussalam	0.26	0.09	0.06	0.11	0.10	0.07	0.04	0.36	0.06	0.09	0.14	0.09
Cambodia	0.08	0.12	0.35	0.30	0.38	0.22	0.21	0.39	0.32	0.28	0.23	0.26
Indonesia	24.19	17.74	14.38	14.86	17.10	15.96	13.51	15.12	13.59	13.68	16.78	19.82
Laos	0.01	0.01	0.06	0.13	0.04	0.01	0.06	0.02	0.02	0.02	0.15	0.04

Malaysia	14.36	19.88	20.03	19.91	16.49	13.77	11.12	10.76	13.38	15.61	19.69	15.53
Myanmar	1.10	2.00	1.53	1.62	1.64	1.49	1.14	1.00	1.18	1.22	1.16	1.18
Philippines	5.27	9.69	6.44	6.53	10.38	4.81	4.69	4.83	4.13	3.89	3.90	3.49
Singapore	32.92	31.42	29.99	29.51	30.65	45.24	52.77	49.54	46.22	45.66	38.15	39.42
Thailand	17.27	13.91	20.15	19.70	16.46	11.35	10.30	10.92	12.10	10.32	9.56	9.37
Vietnam	4.54	5.14	6.92	7.33	6.76	7.08	6.16	7.07	8.98	9.33	10.24	10.78
ASEAN	100	100	100	100	100	100	100	100	100	100	100	100

(Share in Percentage)

Source: Compilation from UNCTAD COM Trade Data Base

Table-7 reflects India's merchandise export from ASEAN in percentage share. Like export market, in import sector also Singapore maintained first position and almost 46 percent merchandise import were from Singapore to India out of all nations of ASEAN in 1995. In the same year Malaysia contributed 27.14 percent to import business to India from ASEAN side holding the second slot and Indonesia's share was 13.13 percent and it stood third among ASEAN. However though India did not export much to Myanmar, its import to India was much higher and it recorded 5.11 percent in 1995. Existence of border trade through north-east region of India worked as a booster to Myanmar. The share of Thailand in merchandise import was not very significant comparing to India's export. It means India had positive trade balance with Thailand. Out of ten nation of ASEAN, Brunei Darussalam had registered blank share along with Laos though India exported 0.26 percent to the country. The import trade was opened only in 2001. However after ten years of opening trade the share is still very negligible. The only country whose share has recorded a significant jump over the period in import sector is Indonesia. From its share of 13.13 percent in 1995, the share has gone up to 32.59 percent in 2010. It is almost 150 percent increment over the period.

Table-7: India's Merchandise Import Trade with ASEAN

**(Share in
Percentage)**

Year												
Partner	1995	1997	1999	2000	2002	2004	2005	2006	2007	2008	2009	2010
Brunei Darussalam	--	--	--	--	0.01	0.75	0.01	1.42	1.00	1.14	1.86	0.73
Cambodia	0.61	0.04	0.01	0.01	0.01	--	0.01	0.01	0.01	0.02	--	0.03
Indonesia	13.13	17.33	16.89	19.05	22.50	23.59	22.95	20.09	20.95	23.46	29.79	32.59
Laos	--	--	---	---	---	---	---	---	---	---	---	0.07
Malaysia	27.14	20.03	36.28	29.62	27.19	26.75	25.09	27.43	25.20	25.27	19.22	20.31
Myanmar	5.11	4.98	3.02	3.14	5.88	4.02	3.76	3.89	3.37	3.05	4.54	3.93
Philippines	0.63	0.71	0.86	1.17	1.87	1.35	1.18	0.89	0.93	0.74	1.05	1.35
Singapore	45.60	41.18	36.41	38.62	34.96	34.17	35.61	35.86	37.13	34.63	30.16	24.17
Thailand	7.33	6.47	6.28	7.84	6.89	8.60	10.53	9.57	10.67	10.40	11.69	13.48
Vietnam	0.45	0.26	0.26	0.54	0.69	0.77	0.87	0.84	0.74	1.30	1.68	3.32
ASEAN	100	100	100	100	100	100	100	100	100	100	100	100

Source: Compilation from UNCTAD COM Trade Data Base

In the early period of India's Look East initiative, India imported very less from Cambodia, Philippines and Vietnam.\ and their personal share was less than 1 percent in total import business of ASEAN. Though the share of India's export to Thailand has recorded negative trend in Thailand but in case of import, Thailand has successfully increased its merchandised export to India. So the share of Import of India from Thailand was 7.33 in 1995 out of total import of ASEAN region to India and in 2010, the same was 13.48 percent. It signifies Thailand also has positive trade balance in the post LEP period although India had failed to reap the benefits in terms of export share. It is only Singapore whose share shed a lot in the import front in the post LEP period. In the early period of eastward look, India imported almost 46 percent merchandise items from Singapore. But over the period this share has been diminished and in 2010 it become only 24.17 percent. The first is replaced by Indonesia by almost 2.5 times increment of import share over the same period. India's export to Vietnam though increased from 4.54 share percent of 1995 to 10.78 share percent in 2010, the trade tie in import is not the same. India imported only 0.45 percent merchandise commodity from Vietnam in 1995 and it is still below 5 percent i.e. 3.32 percent. The case is also true for Philippines also. Its import share has increased only 0.72 percent over a period of fifteen years. The share has touched only 1 percent in 2008.

The export growth rate of India to the world is 20.75 percent in 1995-96 and it remain at 20 percent level in 2000-'01. Till 2007-08, the growth rate was remain positive and it was only negative in 2009-'10. It is resulted because world has faced recession after collapse of USA and Euro economy. But in 2010-11, India's export sector has bounced back

and it registered 42.32 percent rise of export to the world. India's share to world import has shown a volatile trend. In 1995-96, the import growth over preceding year was 18.84 percent. In 2000-'01, the figure touched almost 47 percent growth. After recording negative growth rate in 2009-'10, the import growth has again spurt up and in 2010-'11, it was almost 11 percent. The export growth in the post LEP period though encouraging, the growth rate is not very consistent. In 1995-96 India's export growth to ASEAN over the year was 18.84 percent. But in 2000-01, the same rate was 46.49 percent over 1999-'00. Again in 2008-'09 the export growth rate touched a new height of 44.46 percent followed by a negative growth rate in 2009-'10. In 2010-'11, the rate has again jumped up to 54.13 percent over the earlier year.

Table- 8: India's Growth Rate of Export and Import to World & ASEAN

(In

Percentage)

Year	Growth Rate of India's Export to World over year	Growth Rate of India's Export to ASEAN over year	Growth Rate of India's Import to World over year	Growth Rate of India's Import to ASEAN over year
1995-'96	20.75	18.84	28.00	41.80
2000-'01	21.01	46.49	1.74	13.80
2005-'06	23.41	18.17	34.40	37.56
2006-'07	22.62	22.91	18.61	25.78
2007-'08	28.87	26.81	28.77	31.23
2008-'09	12.21	44.46	10.05	24.38
2009-'10	-2.21	-29.66	-9.28	-14.16
2010-'11	42.32	54.13	10.59	35.85

Source: Self compilation from the Data collected from RBI Handbook.

VIII. Major Findings:

From the above analysis it is clear that persuasion of LEP by India has affected India's trade link with Southeast Asian nations. After India become sectoral partner as well as dialogue partner of ASEAN in first half of 1990s, India emerged as major market for ASEAN countries. Rethinking in terms of policy alternative along with the opening up of Indian economy had brought tremendous changes in bilateral and multilateral trade tie of the country. The quest for new alignment of power in the post cold war had brought changes in the mind set of policy maker of the country. The analysis of India's eastward look coupled with diverse initiative to grab the emerging Asian market in the last fifteen years can be put forth in the following points.

1. In terms of value, merchandise export and import have increased in the post LEP period. In the period total annual export growth rate to ASEAN from India has registered almost 70 percent. However at same time India's overall average annual export growth rate to the world was equal to 66.2 percent. So, annual average export growth rate to ASEAN is higher than the India's average export growth rate to the world.
2. In the import field, India's annual import growth rate from ASEAN over the study period is 129 percent. At the same period India's annual import growth from world is 85.82 percent only. It signifies that in the post Look East period India's import from South East Asia has increased a lot.
3. The growth rate of export and import shows that the trade tie between India and ASEAN has gone in favor of ASEAN nation as India's import has increased much in the period than the export to the ASEAN nation.
4. Trade Intensity Index between India and ASEAN nation reveals that there is a close trade link between the two regions in the study period. The TII from India's perspective has registered a distinct change. In 1980 the score was 1.085 and in 2009 the value has risen to 1.876 level. In case of ASEAN perspective, the intensity index is always greater than one except little variation in 1991 and 1993. It exhibit that both the region have successfully strengthened their trade tie and both are important potential trade partner in the Asian region.
5. Though India has intensified commercial link with ASEAN countries, all members of the group have not able to get the fruits equally. Out of ten members ASEAN-5 is remain a major trade partner for India. Two way mutual trade with member country like Brunei Darussalam, Laos, Cambodia need more attention in future as these country also possess high potential for trade,
6. In case of trade balance the situation was good in the early period of eastward trade initiative. In 1993-'94 India's export to ASEAN region was 1429.6 million US dollar as against 1484 million dollar of import from the region thereby registered trade balance of -54.4 million dollar only. But the same trade balance has risen to -16614 million dollar in 2010-11. It has shown the trade initiative become more lucrative in the import front than the export.

IX. Conclusion:

Success of a policy initiative necessitates win-win situation for all partner. In the case of a trade policy, this win-win situation is measured by respective trade related parameter especially with export and import figure and their related measurement. As far as India's Look East initiative to enhance the business is concerned, no doubt in monetary term the trade has stretched. India's export and import business with ASEAN has expanded in the last two decade. But if we take a close look to other parameter of trade it is seen that the

initiative need more attention from India to get the desired results. So far ASEAN are more benefited from the policy initiative than India as import from this region has increased more than India's export to the region. Though there is high trade intensity between the two giant regions of Asia more steps are needed to transform these intensity to a greater economic cooperation. Hope the economic think –tank of India will realize this fact in coming days and the process of economic integration of South East Asian region with India, would remain continue for peace and prosperity of greater Asia.

References:

1. Brahma, Jayanta. Revisiting Indian Foreign Policy: Mapping the North- East on the Foreign Policy Agenda, 2010, In Gogoi, Dilip (Eds), Beyond Borders, DVS Publication, Delhi.
2. Datta, Gaurav and Aswini Mahajan, 2012, Datta and Sundharam Indian Economy, 65th Ed, S. Chand Publication, New Delhi
3. Deka, Harekrishna. 2007, India's North East: The Imperial Look, The Assam Tribune, 6 October, Guwahati
4. Francis, Smitha. 2011. The ASEAN- India Free Trade Agreement: A Sectoral Impact Analysis of Increased Trade integration in Goods, Economic & Political weekly, Vol-46, No-02, January08-14, Mumbai.
5. Indrakumar, K. 2009, Mapping India's Look East Policy: Shifting Alignments, In Look East Policy 7 India's North East, Thingnam K.S.(Eds), Centre For Alternative Discourse, Manipur
6. Kuppaswami, C.S. 2010, India's Look East- A Review, South Asia Analysis Group, 12 February, Paper No- 3662,
7. Mehta, Dr. Vinod. 2007, Building Bridges with South East Asia, The Assam Tribune, 8 November, Guwahati.
8. Nath, J. Bhaskar. 2006, Globalisation, Challenges and South Asia, The Assam Tribune, 11 December, Guwahati.
9. Raguramapatrani, R. 2012. India's Trade with the ASEAN: Realities & Prospects, Abhijit Publication, New Delhi
10. Sen, R. Mukul, G.A. and Ramkishan . R. 2004, ASEAN-India Economic Relations: Current Status and Future Prospects, ISEAS Working Paper, No- 23

11. Sharma, Roopali. 2008, India & Saarc: New Vistas in regional trade, Sumit Enterprises, Delhi
12. Sikdar, Sujit & Sankar Sarma. 2009. Analysis of Export Performance of India & China: A Comparative Study, Journal of NEICSSR, Vol-33.1, April, pp 75-89, Shillong.
13. Tarafdar, Pushpa. 2006, India's Export Policy: Trends and Prospects, Deep and Deep Publication, New Delhi.
14. Thingnam, K.S. 2009, Look East Policy & India's North East: Polemics & Perspective, Concept Publishing Company, New Delhi..
15. Wellington, S. Joseph & N, Manonmoney. 2010, Export Performance of India: Pre & Post Liberalization, The Associate Publishes, Ambala.
16. Handbook on Indian Economy, Reserve Bank of India, 2011
17. UNCTAD Statistical Handbook 2010 & 2011.
18. www.asean.org
19. www.indianbudget.nic.in
20. www.ipcs.org
21. www.networkingdeas.org
22. www.rbi.org.in
23. www.unctad.org

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Paper Title:

India's Look East policy: A Strategy for Better Economic Tie in South East Asia.

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SCHEME OF ARRANGEMENT (SOA) IN THE REHABILITATION OF ABANDONED HOUSING PROJECTS:

A CASE STUDY OF MALAYSIA

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INTRODUCTION

If a company is insolvent and is unable to pay its debts, it may be subject to a scheme of arrangement (SOA) on the application of the creditors or members or the liquidator or the company itself. The usual purpose of SOA is for the SOA manager to take over the affairs and business of a debtor insolvent company in order to settle off the debts of the creditors and once all the debts are fully paid, the control of the debtor insolvent company will be handed over back to the previous management. The SOA manager is armed with certain powers and duties in the SOA administration. The benefit of obtaining SOA is to give some time to the SOA manager to run the debtor insolvent company in order to settle its debts. Moratorium power will be given to SOA Manager against any actions and proceedings by the creditors in the course of the SOA administration. This moratorium power is to allow the SOA manager to exercise the SOA effectively without any interference by the creditors and the members of the debtor insolvent company.

In respect of insolvent housing developer company which becomes subject to SOA, similar duties are carried out by the appointed SOA manager, *viz* to take over the affairs of the company, to settle off all the debts of the creditors, to carry on any project and business left by the company if this is expedient in accordance with the law and the wish of the creditors or the members. Once all these have been dispensed with, the affairs and management of the company will be handed back to the previous management.

PROBLEM STATEMENT

It is an undisputed fact that abandoned housing projects are a negative phenomenon plaguing the housing industry in Malaysia (Md. Dahlan, 2009). The issue of abandoned housing projects began with the adoption of a housing democracy by the Malaysian government in the 1960s (Md. Dahlan, 2009). Prior to the 1960s, public housing was provided by the government itself (Agus, 1997). However, due to insufficiency of government funds and the upsurges in demand for housing ownership and needs, the government opened the door for private housing developers to participate in providing public housing to the citizens. This policy was supported by aggressive government assistances, incentives and legal means to ensure its success. Despite such efforts, the occurrences of abandoned housing projects have marred the role of private housing developers in respect of national development and safeguarding the interests of its citizen purchasers. As a result, many purchasers have become victims in abandoned housing projects (Md. Dahlan, 2009).

There are various reasons causing abandoned housing projects and the consequential problems they have caused are grave. One of the reasons is that there are insufficient housing

policy and legal provisions to avoid and prevent abandonment and to protect the interests of purchasers. In the event that rehabilitation can be carried out, the ensuing problems caused--pecuniary and non-pecuniary losses, are still left hanging and unsettled for most of the purchasers and stakeholders without any sufficient remedies and measures to address them (Md. Dahlan, 2009).

Some quarters say that the current housing policy and industry in Malaysia is still healthy, notwithstanding the plight of purchasers of abandoned housing projects, poor workmanship of the houses and other housing problems. The problem of abandoned housing projects only represents 1-3% of the total housing projects. The remaining 97%-99% of housing projects succeeds. Thus, the current system of housing delivery and policies should be continued regardless of the plaguing occurrences of abandoned housing projects' and their negative consequences befalling the purchasers (Hassan, A.B & Tala, Z., 2010).

Unfortunately, these are some of the statements made by persons in authority in Malaysia's housing industry. Nonetheless, despite these statements, there are still inadequate measures taken by the government to alleviate the problems of abandoned housing projects, not even the current newly established Division of Rehabilitation of Abandoned Projects under the Department of National Housing, Ministry of Housing and Local Government ('MHLG') can. The measures taken are still 'too little too late' in the face of the catastrophe caused by abandoned housing projects. The fallen preys are the aggrieved purchasers themselves. The law governing the housing industry in Malaysia – the Housing Development (Control and Licensing) Act 1966 and its regulations (Act 118) is evidently unable to fully address the problems of abandoned housing projects. The court also seems indecisive in protecting the interests of the aggrieved purchasers in abandoned housing projects. This is partly due to 'too many conflicting considerations and equities' that the court needs to deal with in cases involving abandoned housing projects. Thus in certain circumstances, the rights and interests of the purchasers may not be fully appreciated and taken into consideration by the court. The problem becomes more severe where housing developer company is subject to the insolvency administration. In the insolvency administration, the insolvent ailing company becomes bankrupt and all the assets and moneys will be used to settle off the debts of the creditors and there may not be any sufficient monetary balance which can be used to rehabilitate the abandoned housing projects and to compensate the aggrieved purchasers (Md. Dahlan, 2009).

In the opinion of the author, there are three major reasons leading to the abandonment of housing projects, in Malaysia, viz (Md. Dahlan, 2011a):

- 1) Absence of a better housing delivery system such as the 'full build then sell' system;
- 2) No mandatory legal requirement for obtaining housing development insurance; and,
- 3) No specific legal provision governing the rehabilitation schemes.

Grievances and Troubles Faced by Purchasers

The obvious problem faced by purchasers when housing development projects are abandoned in Malaysia is that they are unable to get vacant possession of the housing units on time as promised by the vendor-developers (Md. Dahlan, 2006). The statutory standard sale and purchase agreements of housing accommodation (Schedules G, H, I and J) provide

that the developer shall complete the construction and deliver vacant possession within two years (for landed property) or three years (for flats), as the case may be, from the date of the sale and purchase agreement. If the development of the project is abandoned, the units may be completed later than two or three years, after the date of the sale and purchase agreement. However, in the worst circumstances, the developer may be unable to complete the project at all, and this may mean it remains abandoned for a long time unless it can be rehabilitated and completed (Md. Dahlan, 2007b).

Further, despite the fact of the project being abandoned, the purchasers will still have to bear all the monthly installments to their respective lenders (for repayment of the housing loan granted). Otherwise the purchased lots together with the building to be erected thereon, which provides security for the housing loan to the lenders, will be sold off and if there are shortfalls in the amount owing, in the worst case scenario, the purchasers may be made bankrupt. As a consequence of having been unable to occupy the planned housing units, the purchasers also have to rent other dwellings, thus adding to their monthly expenses (Md. Dahlan & Md. Desa, 2010).

Even when there is a plan for rehabilitation of abandoned housing projects, the plan may not be easy to carry out as various problems associated with the rehabilitation have to be settled. These problems are, by and large, associated with the fact that the project has been too long overdue without any prospect of revival. To rehabilitate it may require additional hefty costs and expenditure, which the balance of funds in the Housing Development Account (HDA) or the balance of purchasers' loan funds in the hands of the financier may not be enough (Md. Dahlan, 2011a).

The rehabilitation problems may also emanate from difficulties in reaching consensus and getting cooperation from purchasers, defaulting abandoned developers, financiers, bridging loan lenders, contractors, consultants, technical agencies, the local authority, the land authority, the state authority and the planning authority. The trouble may be due to technical and legal problems faces in the attempt to rehabilitate a project. It follows that due to the abandonment and the ensuing complications, the ordinary machinery and enforcement of the housing, planning, building and development laws become defunct, frustrated and jammed, at the expense of the public purchasers. This also includes the inability of the public purchasers to take legal action against the defaulting developer because such actions may not be beneficial or possible (Md. Dahlan, 2006).

RESEARCH QUESTIONS

The research questions are these:

- 1) Whether the rights and interests of aggrieved purchasers in the abandoned housing projects of the insolvent housing developer companies which are subject to SOA administration are fully protected? And,
- 2) If not protected, how could the SOA law be improved and improvised for the benefits and protections of the purchasers' interests?

OBJECTIVES OF THE PAPER

The objectives of this paper are these:

- 1) To study the existing SOA legal provisions under the Companies Act 1965 (CA) and the case law insofar as these provisions deal with the problems of abandoned housing projects and its rehabilitation;
- 2) To study the rights and interests of the purchasers in abandoned housing projects whose housing developer companies are subject to SOA; and,
- 3) To suggest certain legal provisions to improve the current law governing SOA administration so that the law can sufficiently able to deal with the problems of abandoned housing projects and its rehabilitation.

LITERATURE REVIEW

Currently, a housing project in Malaysia can be deemed to have been abandoned when (Official Portal of the Ministry of Housing and Local Government, 2011):

- a) The construction activities on site of the housing project have consecutively stopped for six months or more, after the expiry of the Sale and Purchase Agreement (S&P) executed by the developer and the purchaser; or,
- b) The developer has been put under the control of the Official Receiver; or,
- c) The developers admit in writing to the Housing Controller that they are unable to complete their projects; and,
- d) The problematic project is endorsed as an abandoned housing project by the Minister of Housing and Local Government pursuant to section 11(1)(c) of the Housing Development (Control and Licensing) Act 1966 (Act 118)

Scheme of Arrangement ('SOA')

The interests of the purchasers in abandoned housing projects of the insolvent housing developer companies may also be protected with the provisions of scheme of arrangement ('SOA') pursuant to section 176 of the Malaysian Companies Act 1965 ('CA'). According to section 176(1) of the CA, the Court may, on application of the insolvent company or creditors or members or liquidator, as the case may be, order a meeting of compromise or arrangement of the creditors or members of the company with the company to settle their debts towards the creditors. This compromise and arrangement must first be supported by three fourth majority of the creditors or members of the insolvent company (section 176(3) CA). It is submitted that the 'compromise and arrangement' may include the plan for rehabilitating the abandoned housing projects and paying damages to purchasers.

Recent Development on Measures in Dealing with Abandoned Housing Projects

Recently the Malaysian government has announced certain measures to deal with the problems of abandoned housing projects. This includes the proposed amendments to Act 118. The proposed amendment is this--any housing developers who have abandoned their abandoned housing projects will be subject to a criminal penalty. This will come into effect with the enforcement of the new amendment to Act 118 that all licensed housing developers who failed to complete a housing project or have caused the abandonment of

the project shall be deemed to have committed a criminal offence. Upon conviction, such a developer is liable to a fine of not less than RM (Ringgit Malaysia) 250,000.00 and not more than RM500,000.00 or to be jailed up to three years, or both. This is provided under a new section in Clause 9 of the Housing Development (Control and Licensing) (Amendment) Bill 2011. Apart from that, Clause 5 of the bill, which is aimed at replacing Section 8A of Act 118, will also give the buyer the rights to terminate the sale and purchase agreement if the developer refused to continue implementing the project after six months from the date of the agreement. Furthermore Clause 3 of the Bill, which is aimed at amending Section 6 of Act 118, states that the deposit to obtain housing development licence to be increased from RM200,000 to three per cent of the estimated cost of the project. This is to ensure that only developers who have sufficient financial ability will be allowed to implement housing projects. Clause 8 of the Bill, which is aimed at amending section 16AD of Act 118 to increase the minimum penalty of RM10,000.00 for non-compliance of tribunal award to a maximum of RM50,000.00. On the other hand, clause 6 is aimed at amending sub-section 16N (1) of Act 118 to give more power for the tribunal to hear claims on a sale and purchase agreement involving unlicensed housing developer. The proposed clause 10, however, aimed at amending section 24 of Act 118 to increase the maximum fines for any violations of the law to RM50,000.00 from RM20,000 previously (The Edge Property.com Every Thing Property, 2012).

The author commends the above move by the government. However, the above approach in making the abandoned housing developers criminals only serve as a penal measures and not preventive. The best method to arrest the occurrences of abandoned housing projects in Malaysia, it is submitted, is by way of introducing the “full build then sell” concept of housing delivery. The above penal provisions may not be effectual if the enforcement and implementation of the law is weak due to insufficient professional staff, inadequate administrative logistics, insufficient legal and technical knowledge of the staff and inefficient administration of the housing regulatory bodies (MHLG). Thus, the problems of abandoned housing projects still cannot be totally eliminated.

In another new development involving abandoned housing projects are the initiatives adopted by PEMUDAH. PEMUDAH is short name for “the Special Task Force to Facilitate Business”. PEMUDAH was formed by former Prime Minister, Abdullah Ahmad Badawi on 7 February 2007, out of an obvious need for closer collaboration between the public and private sector to enhance the public service delivery and improve Malaysia’s business environment. The teams forming PEMUDAH consists of the relevant government agencies, private agencies and employee representatives. According to PEMUDAH, in order to deal with the problems of abandoned housing project, government should adopt Build-Then-Sell Concept (BTS) in the Malaysian housing industry (PEMUDAH Annual Report 2011, 2012).

Nonetheless BTS has not been defined by PEMUDAH. However, the question is whether this BTS is a “full build then sell” or a “*quasi* build then sell” concept? If it is a “full build then sell” i.e the developer is required to duly complete the construction of the houses and only upon the receipt of CF or CCC, will the developer sell the houses, then this proposed BTS is the most appropriate measures to deal with the problems of abandoned housing projects. This method will totally eliminate the problems of abandoned housing projects.

On the other hand, if BTS means a “*quasi* build then sell”, or a “10-90 concept” i.e the purchaser only needs to pay 10% of the purchase price on the signing of the sale and purchase agreement and the 90% purchase price will only be paid to the developer on the duly completion of the houses, the author is still doubtful and skeptical as to whether this concept can eliminate the occurrences of abandoned housing projects altogether? This is because there is no guarantee that during the course of development using this concept (*quasi* build then sell or 10-90 concept), the developer will not abandon the project.

PEMUDAH also proposed Home Completion Insurance or Guarantee Scheme to face the problems of abandoned housing projects. In the opinion of the author this proposal (Home Completion Insurance) is a very good suggestion as this means can settle the problem of insufficiency of fund on part of the defaulting developer and facilitate the rehabilitation by white knights. Nonetheless the details of this proposal are yet to be worked out. It is hopeful that this proposal and its details can be workable and sufficient to deal with the problems of abandoned housing projects satisfactorily (PEMUDAH Annual Report 2011, 2012).

PEMUDAH in their final proposal also proposed that the schedule of payment for the respective agreements (Schedules G, H, I and J) should be amended. The proposal also aims to ensure that the title and the vacant possession can be made simultaneously (PEMUDAH Annual Report 2011, 2012).

Other initiatives as proposed by PEMUDAH in order to curb the occurrences of abandoned housing projects are as follows (PEMUDAH Annual Report 2011, 2012):

- 1) Proposed the government to apply Build-Then-Sell (BTS) Concept by licensed developers which to be fully implemented by 2015 with the house buyer *shariah* compliance financing scheme; and
- 2) Proposed to the government that certain amendment to the of Housing Development (Control and Licensing) Act 1966 (Act 118) be made which included:
 - Increase in deposit from RM200,000 to three per cent of total estimated physical development cost which also includes professional fees for the Housing Development Account (HDA);
 - House buyers having the option to cancel their Sale and Purchase Agreement (SPA) in the event that the project does not take place within six months of the agreement being signed;
 - Extending the House Buyers’ Claims Tribunal (TTPR) scope to enable house buyers to claim damages from unlicensed housing projects;
 - Imposing a maximum penalty of RM50,000 from RM20,000 for any offence made by developers to any provision under the Act 118;
 - Prosecute developers responsible for abandoned housing projects; and
 - Definition of “Housing Developer” has been expanded to include liquidators where their role is to revive abandoned projects should the developer companies go for liquidation.

The government is also planning to conduct a study to unravel the problems faced by the aggrieved purchasers who are victims in abandoned housing projects. According to the Housing and Local Government Minister, Datuk Seri Chor Chee Heung “A special committee will be formed to look into this issue and to find ways to assist them.” At present, he said, buyers who took housing loans from the government would have their loans cancelled if they became victims of abandoned projects. “They will be considered for another housing loan, or have their four per cent interest rate deferred,” he added (New Straits Times, 2012).

Further the Minister said, MHLG has taken several initiatives to assist victims of abandoned housing projects. He said the initiatives included providing a verification letter to funding institutions that the projects have been abandoned and assist buyers to discuss how their loans could be resumed after rehabilitation works started. “Such loans would be subjected to the funding institution’s valuation and based on the merits of each case but if the buyer is not assisted, a complaint can be lodged with the ministry which would be referred to Bank Negara Malaysia (BNM)”, the Minister explained. Chor said MHLG has also proposed for a working paper to be presented to the National Economic Council in order for BNM to recommend ways to assist the victims of such projects if the funding institutions fail to give them due consideration. He added that the government and related parties in the industry were discussing holistic ways to best implement the build and sell system (The Star, 2012).

FINDINGS

The findings of this research paper are as follows:

- 1) The interests of the purchasers in abandoned housing project may be protected with the provisions of scheme of arrangement (‘SOA’) pursuant to section 176 of the CA. Accordingly, the Court may on application of the insolvent company or creditors or members or liquidator, as the case may be, order a meeting of compromise or arrangement of the creditors or members of the company with the company to settle their debts towards the creditors. This compromise and arrangement must first be supported by three fourth majority of the creditors or members of the insolvent company;
- 2) Nonetheless in the opinion of the author to obtain the approval of the creditors or members may not be that easy in the SOA. The applicant must prove that the proposed compromise and arrangement would be beneficial specifically to the creditors and the members of the insolvent company. Otherwise, the proposed compromise and arrangement may not be actualized. In the rehabilitation of abandoned housing projects, the paramount consideration is the funds to finance the rehabilitation and the guarantee that all the authorities (such as the lender banks, local authority, planning authority, technical agencies, housing authority and land authority) are agreeable to support the purported rehabilitation and the completion of the rehabilitation itself. If these matters cannot be ascertained or the rights of the creditors and the members would be

- detrimental as consequence of carrying out the rehabilitation, the creditors and the members may not approve the proposed compromise and arrangement;
- 3) Be that as it may, the aggrieved purchasers also may become the creditors to the insolvent housing developer company, provided they are the judgment creditors. They may apply for an SOA against the insolvent housing developer company either to carry out rehabilitation and/or to pay them damages and compensations. Nonetheless they must get three fourth majority of the creditors or member of the insolvent housing developer company in order to support their application for an SOA. This can be illustrated in *Capital Dynasty Sdn Bhd (in liquidation) v Chiang Bing & Ors* [2009] 8 MLJ 841; and,
 - 4) The initiatives and proposals by the government and PEMUDAH are good move to face the problems of abandonment of housing projects, particularly in respect of the BTS, Home Completion Insurance or Guarantee Scheme and that the definition of “Housing Developer” has been expanded to include liquidators where their role is to revive abandoned projects should the developer companies go for liquidation. Following this proposal, the CA and Act 118 needs some amendments to give effect to this proposal.

ANALYSES OF THE FINDINGS

It is evident that in the SOA administration to obtain the approval of the creditors or members for the SOA manager to carry out rehabilitation of the abandoned housing project left by the insolvent company may not be easy. In fact, the applicant must prove that the proposed compromise and arrangement would be beneficial specifically to the majority of the creditors and the members of the insolvent company. Otherwise, the proposed compromise and arrangement may not be actualized. In the rehabilitation of abandoned housing projects, the paramount consideration is the funds to finance the rehabilitation and the guarantee that all the authorities (such as the lender banks, end-financiers, local authorities, planning authorities, technical agencies and land authorities) are agreeable to support the purported rehabilitation and the completion of the rehabilitation itself. If these matters cannot be ascertained or the rights of the creditors and the members would be detrimental in consequence of carrying out the rehabilitation, the creditors and the members may not approve the proposed compromise and arrangement i.e to rehabilitate the abandoned housing projects or any compromise and arrangement to secure the purchasers’ rights and interests.

In *Capital Dynasty Sdn Bhd (in liquidation) v Chiang Bing & Ors* [2009] 8 MLJ 841 (High Court at Kuala Lumpur, presided by Ramly Ali J), the court allowed the application of the liquidator on behalf of the wound up company (petitioner being an abandoned project developer) to have a scheme of arrangement (SOA) be conducted for the benefits of the scheme creditors (consisted of the aggrieved purchasers, unsecured and the secured creditors), pursuant to section 176(1), (3) and (4) of the CA. The SOA was proposed by the liquidator after a proposal was made by a company by name of Blackstone Eight Sdn Bhd (‘Blackstone’) to purchase the completed building, the uncompleted buildings, the sold units and unsold units together with the land from the wound up company and the purchasers. Blackstone’s offer was subject to the agreement that a SOA should be held and approved by the court. However the respondents (Majority of the respondents above fall into the category of

purchasers whose units have not been disclaimed by the secured creditor ('unredeemed purchasers')) objected the application for SOA. The objections premised on the following matters:

- a) that some of the interveners have fully paid or have paid up 90% of the purchase price of their respective units and the fact that some of the respondents have been provided vacant possession of their units with the issuance of the certificate of fitness by the local authorities, the respondents cannot be deemed as creditors of the petitioner and as such cannot be considered as scheme creditors under the SOA; and,
- b) the respondent are also taking issue on the involvement of the secured creditor being classified together as a scheme creditor and allowed to vote during the CCM (Court Convened Meeting).

Nonetheless the court dismissed the objection of the respondents on the ground that the majority of the creditors (including the aggrieved purchasers) would obtain benefits from the SOA as Blackstone was agreeable to purchase the project and the units, thus settling all the problems of the liquidators and the debts of the scheme creditors, secured creditors and the unsecured creditors.

The application for SOA can be made either by the company or the creditors or the members of the company (section 176(1) CA). The court may grant the application and a period of not more than ninety days (90) or such longer period as the court may for good reason allow for the SOA to be carried out (section 176(11) CA). The court may also grant a restraining order against any proceedings to the creditors or members in order for the SOA be implemented smoothly (section 176(10) CA).

It is opined, the existence of SOA even with the recent proposed recommendations by the Corporate Law Reform Committee (CLRC) to improve the SOA may not fully favour the aggrieved purchasers' interests in abandoned housing projects for example to enable rehabilitation be carried out. This is premised on the ground that the majority of the creditors or members of the company may not agree to such a proposal or that many complications and problems may occur affecting the rights and interests of the creditors or the members if rehabilitation or the compromise and arrangement be carried out in the SOA.

It is trite fact that, most of the rehabilitation of abandoned housing projects were left to the discretion of the rehabilitating parties with the cooperation and assistance of the chargee lender banks, purchasers, local planning authorities, local authorities, technical agencies, the states and federal authorities, the end-financiers, the land offices and MHLG. The stringent laws governing housing development, land, banking, planning and building, were mostly made relaxed and flexible to accommodate the needs and to facilitate the due execution of the rehabilitation scheme. For example in *Hongkong and Shanghai Banking Corporation Ltd v. Kemajuan Bersatu Enterprise Sdn. Bhd* [1992] 1 LNS 26 (High Court), the court allowed the application of the creditor to appoint a provisional liquidator pending the disposal of a winding up petition for the purpose of rehabilitating the abandoned housing project carried out by the respondent company. Similarly in *Bank Bumiputra Malaysia Berhad v Sintisis Sdn Bhd & 2 Ors* [1995] 1 LNS 268 (High Court of Malaya at Kuala Lumpur),

the court allowed the receiver and manager to carry out rehabilitation of the abandoned housing project left by the defaulting housing developer company. In this case, the first defendant (Sintisis Sdn. Bhd--a housing developer) was the registered proprietor of the land held under Lot 155, Mukim Grant 1995 and Lot 2758 Grant 26584, Mukim of Tebrau, Johore Bahru. The first defendant developed this land into a housing development project. To finance this project, the first defendant obtained, bridging finance facilities subject to a first legal charge on the said land and guarantees of the second and third defendants. However later, the first defendant was subject to a receivership. The business and affair of the first defendant were controlled by the appointed receiver and manager. This receiver and manager was appointed by the court and was required to undertake rehabilitation of the abandoned project left by the first defendant.

Nevertheless, there are situations where there are no required help and facility to smooth out the rehabilitation scheme, to the detriment of the purchasers desiring the project so abandoned to be revived. For example in *Mohammad bin Baee v. Pembangunan Farlim Sdn. Bhd.* [1988] 3 MLJ 211, the court refused the application of the purchasers to have the abandoned housing project revived by the newly appointed receiver and manager because of the difficulty to supervise the rehabilitation process. However, the court granted damages to the purchasers. In other situations, the court allowed the application of the creditor bank to order the foreclosure of the project land charged on the default of the borrower developer in the repayment of the bridging loans, to the detriment of the purchasers' right to have the project revived. This problem also occurred in *Wong Fook Tooi & Anor v Perwira Indra Sakti Sdn Bhd* [Suit No. D-28-51-2006] (High Court of Malaya at Kuala Lumpur), whereby in this case the housing developer company was wound up by the court on the application of the aggrieved purchaser. The aggrieved purchaser applied to the court to compel the developer to complete the abandoned housing project left. The court disallowed the application of the aggrieved purchaser on the ground that this will prejudice the interests of the creditors. Instead, the aggrieved purchaser is only allowed to file proof of debts ('POD') to the liquidator.

Thus, there is no guarantee that when the insolvent housing developer companies abandon the housing projects, the projects can be duly rehabilitated, and thus detrimental to the interests of the purchasers. As a result of the lack of clear provisions in the CA and the insolvency law and that there is no clear policy of the court in dealing with the insolvent housing developer companies whose housing projects are abandoned, the purchasers suffer grievances and losses consequences to the default of the housing developer to complete the housing project.

In the author's observation the details of the proposals made by the government and PEMUDAH recently have as yet been worked out and actualized. If the proposals can be actualized and be made as parts of the law governing housing development, the problems of abandoned housing projects and its consequences, to a certain substantial degree, can be eliminated. Further, the proposal of PEMUDAH that the definition of "Housing Developer" should be expanded to include liquidators where their role is to revive abandoned projects should the developer companies go for liquidation, it is opined, is not sufficient. The definition should also include as well, it is submitted, the receiver and manager, SOA manager and the other insolvency managers such as the judicial manager and the Corporate Voluntary Arrangement manager.

RECOMMENDATIONS AND CONCLUSION

It is the view of the author that the insolvency approach via SOA administration as applicable in Malaysia tend to be a creditors-centric approach. The result is that if insolvent housing developer companies subject to SOA abandon their housing projects, the aggrieved purchasers may not get any or full protection under the said insolvency approach detrimental to their rights and interests. It is submitted that, a special rehabilitation legal regime and the requirement that the applicant developer to possess housing development insurance/Home Completion Insurance/Guarantee Scheme, be introduced in the Housing Development (Control and Licensing) 1966 (Act 118) and the corresponding housing legislations in Sabah and Sarawak (East Malaysia), to protect the rights and interests of the aggrieved purchasers in abandoned housing projects, particularly when the insolvent housing developer companies enter SOA administration. The purpose of imposing this insurance is to protect the interests of the purchasers when the housing projects carried out by the insolvent housing developer companies are abandoned. This protection may serve as a 'backup' monetary means to fund the rehabilitation of the abandoned housing projects. The following provisions are proposed to be inserted in Act 118.

HOUSING DEVELOPMENT (REHABILITATION OF ABANDONED HOUSING PROJECT) REGULATIONS

In the exercise of the powers conferred by section 24 of the HOUSING DEVELOPMENT (CONTROL AND LICENCING) ACT 1966, the Minister makes the following regulations:

Citation and Commencement

These regulations may be cited as the Housing Development (Rehabilitation of Abandoned Housing Project) Regulations.

Interpretation

'Completion of the rehabilitation' means when the rehabilitated project has been duly commenced in accordance with the specifications, plans and laws, Certificate of Completion and Compliance has been obtained from the principal submitting person, the rehabilitated unit and the title to the unit are ready for delivery of vacant possession and transfer to purchaser on the required settlement of the purchase price'.

'Development period' means the period within which a developer shall have to complete the development of the purported housing project, either in 24 or 36 months, as the case may be, in accordance with the terms of the statutory standard sale and purchase agreement(s) entered into with the purchaser(s).

'Incapable Developer' means the incapable developer which is defined under section 3 of the Act.

'Insurance' means scheme of housing development insurance approved by the Controller for the purpose of the grant of a housing developer's licence, pursuant to section 6(1)(h) of the Act, viz to cover all losses and damages for non-compliance, defective and sub-standard works, abandonment and to cover the costs for carrying out any rehabilitation of the

purported housing development project due to disappearance, insolvency, death and inability of the developer’

‘Parties to the rehabilitation’ means the purchasers, the previous defaulting developer and its directors, the rehabilitating party, the technical agencies, the appropriate authority, the Financiers, the lender bank, the consultants, the contractors and other persons incidentally involved directly or indirectly in the opinion of the Controller’.

‘Regulation 1989’ means the HOUSING DEVELOPMENT (CONTROL AND LICENSING) Regulations 1989.

‘Regulation 1991’ means the HOUSING DEVELOPMENT (HOUSING DEVELOPMENT ACCOUNT) Regulations 1991.

‘Rehabilitation Manager’ means any person deemed fit by the Controller to carry out the rehabilitation of the abandoned housing project.

‘Statutory Standard Sale and Purchase Agreement’ means the sale and purchase of housing unit agreement either in Schedule G or Schedule H or Schedule I or Schedule J of the Regulations 1989.

‘The Act’ means the HOUSING DEVELOPMENT (CONTROL AND LICENSING) ACT 1966 (Act 118).

Regulation 1:

‘On the expiry of the development period, yet the purported housing project is still not completed, or in respect of the incapable developer, during the development period, in the opinion of the Controller that the developer is not able to duly complete or carry out the development of the project, the Controller may issue a request notice to the said developer to complete the same and notify him that in the event the purported development still cannot be completed within another one year from the date of the notice, or in respect of the incapable developer, on the expiry of the development period, the project shall be deemed an abandoned housing project and forthwith, shall be vested in the hands of the Controller for rehabilitation purpose’.

Regulation 2:

‘For the purpose of carrying out any rehabilitation of the abandoned housing project, on the expiry of the extended one year period, or in respect of the incapable developer, on the expiry of the development period, as mentioned in Regulation 1 of these Regulations, and after notification for the taking over of the project from the developer and published it in the Gazette, the Housing Controller may appoint any rehabilitating party to undertake the rehabilitation of the said project’.

Regulation 3:

‘The rehabilitation manager shall first use the purchasers’ available funds still available in the hands of the Financiers or in the Housing Development Account for meeting the costs of rehabilitation.’

Regulation 4:

'The withdrawal of the moneys from the Housing Development Account by the rehabilitating party, shall be subject to the provisions in Regulation 1991'.

Regulation 5:

'Only if the available funds in the hands of the Financiers and that the moneys in the Housing Development Account are not enough to meet the rehabilitation costs, shall then the rehabilitating party invoke the insurance coverage in respect of the housing development project, to cover the shortfall until completion'

Regulations 6:

'The insurance moneys shall also be deposited into the Housing Development Account and the withdrawal shall be subject to the provisions in Regulation 1991.'

Regulation 7:

'The rehabilitation carried out by the rehabilitation manager shall be subject to terms and conditions of the Controller, the Act and its regulations and the statutory standard sale and purchase agreement between the purchasers and the previous defaulting developer executed earlier insofar as the Controller deems expedient and necessary'.

Regulation 8:

'No person shall take any action whatsoever against the rehabilitation manager and the project under rehabilitation, pending completion thereof'.

Regulation 9:

'The rehabilitation shall be completed as soon as practicable and the rehabilitation manager shall observe and comply with the provisions in the Act and its regulations unless exempted in writing by the Controller insofar as the Controller deems necessary and expedient in the interest of the public'.

Regulation 10:

'Parties to the rehabilitation shall render necessary cooperation warranting the completion of the purported rehabilitation'.

Regulation 11:

'Any person who contravenes any provision under these Regulations shall be guilty of an offence and shall, on conviction, be liable to punishments pursuant to section 21 of the Act'.

Regulation 12:

“Nothing in this regulation shall prejudice and bar the rights of the purchasers to invoke the provisions in the Act and its regulations against the incapable developer”

In respect of the definition of ‘Abandoned Housing Project’, the following definition should be adopted in Act 118.

Addition to section 3, of Act 118:

‘Abandoned Housing Project’ means any housing development project where the developer fails to complete it within one year after the request notice to complete has been served by the Controller to the said developer or in respect of the incapable developer, after the expiry of the period within which a developer shall have to complete the construction of the project either in 24 or 36 months, as the case may be, in accordance with regulations made controlling the rehabilitation of abandoned housing projects.’

‘Incapable Developer’ means any developer who is in the opinion of the Controller, on whatever reasons, is not able to duly complete or carry out the construction of the purported housing development project during the period within which a developer shall have to complete the construction of the project either in 24 or 36 months, as the case may be.’

For the purpose of rehabilitating abandoned housing projects, it is proposed, once a problematic housing project falls under the definition of “abandoned housing project”, the Minister of Housing and Local Government shall order that such a project be rehabilitated pursuant to the regulations of abandoned housing project (Md. Dahlan, 2006). It is proposed this power be provided in section 11(1)(cb), as follows:

Additional section 11(1)(cb) of Act 118:

‘direct that, once any housing project has become an abandoned housing project, the project so abandoned shall be subject to rehabilitation in accordance with the regulations made under this Act’

It is also proposed that, one of the conditions for the applicant developer to obtain a housing developer’s licence is to possess a housing development insurance (or home

warranty insurance or PEMUDAH calls it Home Completion Insurance or Guarantee Scheme). With this requirement, the purchasers' interests are protected against any abandonment and its ensuing consequences, losses and other kinds of housing problems. The insurance could also cover any shortfall in the costs for carrying out any rehabilitation and thus ensuring the project could be duly completed and finally could protect the purchasers' rights. The proposed provision is as follows:

Additional section 6(1)(j) of Act 118

6. Conditions or restrictions for the grant of a licence.

(1) Subject to the exercise of power of waiver by the Minister under subsection (2), the licence applied for under section 5 shall not be granted-

a) ...

j) 'If the applicant developer is not in possession of a valid housing development insurance, approved by the Controller, to cover all losses and damages for non-compliance, defective and sub-standard works, abandonment and to cover the costs for carrying out any rehabilitation of the purported housing development project due to disappearance, insolvency, death and inability of the developer'

In addition, certain amendments need to be made to the provisions relating to SOA and the proposed Corporate Law Reform Committee's (CLRC) SOA to accommodate and facilitate the duties, powers and functions of the rehabilitation manager under a specialized rehabilitation legal regime under Act 118. The following amendments to the CA relating to the SOA are proposed:

1) section 176(1) CA:

"Subject to any other written laws, where a compromise or arrangement is proposed between a company and its creditor...the Court may on the application in a summary way of the company or of any creditor....order a meeting of the creditors..."

2) section 176(3) CA:

"Subject to any other written laws, if a majority in number representing three-fourths in value of the creditors...agrees to any compromise or arrangement the compromise or arrangement shall if approved by the order of the Court be binding on all the creditors..."

3) section 176(4) CA:

"The Court may grant its approval to a compromise or arrangement subject to such alterations or conditions as it thinks fit and to other written laws"

The effect of the above proposed provision with the added word 'subject to any other written laws' and 'and to other written laws' will be this: the order of the Court relating to any agreement in the SOA of the abandoned housing developer companies shall not, at any rate, affect the powers of the rehabilitation manager to carry out rehabilitation in accordance with provisions of the proposed regulations governing rehabilitation of abandoned housing projects under Act 118. This proposed provision will smoothen the rehabilitation administration.

These proposed legal provisions can protect the interests of the purchasers and other stakeholders in abandoned housing projects, whose housing developer companies are subject to SOA administration, for example by allowing rehabilitation to be duly carried out and getting appropriate damages.

REFERENCES

Reported Cases

- Aw Yong Wai Choo & Ors v. Arief Trading Sdn Bhd & Anor* [1992] 1 MLJ 166.
Bank Bumiputra Malaysia Berhad v Sintisis Sdn Bhd & 2 Ors [1995] 1 LNS 268.
Bank Bumiputra Malaysia Bhd. V. Mahmud Hj. Mohamed Din & Anor [1989] 1 CLJ 326 (Rep); [1989] 1 CLJ 1048.
Buxton & Anor v. Supreme Finance (M) Bhd [1992] 2 MLJ 481.
Capital Dynasty Sdn Bhd (in liquidation) v Chiang Bing & Ors [2009] 8 MLJ 841
Cempaka Finance Bhd v. Willow Construction Sdn Bhd & Ors [2000] 4 MLJ 557.
Hongkong and Shanghai Banking Corporation Ltd v. Kemajuan Bersatu Enterprise Sdn. Bhd [1992] 1 LNS 26.
Keng Soon Finance Berhad v MK Retnam Holdings Sdn Bhd & Anor [1989] 1 MLJ 457.
Kim Wah Theatre Sdn. Bhd v Fahlum Development Sdn. Bhd [1990] 1 LNS 42; [1990] 2 MLJ 511.
Lim Chee Holdings Sdn Bhd v. RHB Bank Berhad (Formerly Known As Kwong Yik Bank Bhd) [2005] 6 MLJ 497.
Mohammad bin Bae v. Pembangunan Farlim Sdn. Bhd. [1988] 3 MLJ 211.
Perwira Habib Bank (M) Bhd v. Bank Bumiputra (M) Bhd [1988] 3 MLJ 54.
Perwira Habib Bank v Oon Seng Development Sdn. Bhd (1990) 1 MLJ 447.
Pilecon Engineering Bhd v Remaja Jaya Sdn Bhd. [1997] 1 MLJ 808; [1996] 1 LNS 105.
Public Finance Bhd v. Narayanasamy [1971] 2 MLJ 32.
Sri Binaraya Sdn. Bhd v. Golden Approach Sdn Bhd. (Poly Glass Fibre (M) Bhd, Applicant) [2002] 6 MLJ 632.
Tai Lee Finance Co Sdn Bhd v Official Assignee & Ors [1983] 1 MLJ 81.
Tan Ah Tong v Perwira Affin Bank Bhd & Ors [2002] 5 MLJ 49.
Wong Fook Tooi & Anor v Perwira Indra Sakti Sdn Bhd [Suit No. D-28-51-2006]
Wong Thai Kuai & Anor v Kansas Corporation Bhd [2007] 3 CLJ 263; [2007] 4 MLJ 33.
Yew Chye Heng and Other v. Venice Hill Resort Living Sdn. Bhd [2007] MLJU 0444.

Statutes

- Companies Act 1965 (Act 125) (Malaysia). Kuala Lumpur: International Law Book Services Sdn. Bhd.
Housing Development (Control and Licensing) Act 1966 and its regulations (Act 118) (Malaysia). Kuala Lumpur: International Law Book Services Sdn. Bhd.
Kedah Uniform Building By-Laws 1984 (Kedah, Malaysia).
Selangor Uniform Building By-Laws (Amendment) 2007 [Sel.P.U.9] (Selangor, Malaysia).
Selangor Uniform Building By-Laws 1986 [Sel.P.U.26/1985] (Selangor, Malaysia).
Uniform Building By-Laws 1984 (Malaysia). Kuala Lumpur: International Law Book Services Sdn. Bhd.

Books

- Agus, M.R. 1997. Historical Perspective on Housing Development in *Housing The Nation: A Definitive Study*. Kuala Lumpur: Cagamas Berhad.
McConville, M & Chui, W. H. (Eds). 2007. *Research methods for law*. Edinburgh: Edinburgh University Press.

- Md. Dahlan, N.H. 2011. *Comparative Housing Sale and Purchase Agreements Under the Malaysia, Singapore and New South Wales, Australia*. Sintok: UUM Press.
- Md. Dahlan, N.H. 2011. *Legal Issues in the Rehabilitation of Abandoned Housing Projects*. Sintok: UUM Press.

Journal Articles

- Md. Dahlan, N.H & Aljunid, S.Z.S.A.K., 2010. Shariah and Legal Issues in the Bay' Bithaman al-Ajil (BBA): A Viewpoint. *Shariah Law Reports*, 3, July to September, pp. 90—123.
- Md. Dahlan, N.H & Aljunid, S.Z.S.A.K., 2011. Shariah and Legal Issues in House Buying in Malaysia: The Legality of Bay' Bithaman al-Ajil ('BBA') with Special Reference to Abandoned Housing Projects. *Pertanika Journal of Social Sciences and Humanities*, 19(2), September 2011, pp. 349—368.
- Md. Dahlan, N.H & Md. Desa, M. R., 2010. Rehabilitation of Abandoned Housing Projects: A Comparative Analysis On Laws and Practices in Peninsular Malaysia and New South Wales, Australia. *US-China Law Review*, 7, No. 8, August 2010, pp. 1—26.
- Md. Dahlan, N.H., 2006. Abandoned Housing Projects in Malaysia: A Legal Perspective. *Malayan Law Journal*, 6, pp. xxviii—xxxiii.
- Md. Dahlan, N.H., 2007a. Rehabilitation of Abandoned Housing Project: Experience of An Abandoned Housing Developer Through the Help of A Government Agency. *Malayan Law Journal*, 1, pp. lxxxiv—cxxvi.
- Md. Dahlan, N.H., 2007b. Rehabilitation of Abandoned Housing Project in Peninsular Malaysia by A Purchasers' Voluntary Scheme: A Case Study. *Malayan Law Journal*, 4, pp. clvii—cxcvi.
- Md. Dahlan, N.H., 2009. Are the Statutory Standard Sale and Purchase of House Contracts in Peninsular Malaysia Compatible with Islamic Law? *Malayan Law Journal*, 5, pp. i—xxxiii.
- Md. Dahlan, N.H., 2011a. Legal Issues in the Rehabilitation of Abandoned Housing Projects of the Liquidated Housing-Developer-Companies in Peninsular Malaysia. *European Journal of Social Sciences*, 23, No. 3, September 2011, pp. 392—409.
- Md. Dahlan, N.H., 2011b. Rehabilitation of abandoned housing projects: A Comparative Analysis Between the Law and Practice in Peninsular Malaysia and the Republic of Singapore. *Commonwealth Law Bulletin*, 37, No. 1, March 2011, pp. 145—174.

Thesis

- Md. Dahlan, N. H., 2009. *Abandoned Housing Projects in Peninsular Malaysia: Legal and Regulatory Framework*. Ph.D. in Law. International Islamic University Malaysia.

Internet

- The Star Online, 2011. 290 face bankruptcy over abandoned housing projects. [online] <<http://thestar.com.my/news/story.asp?file=/2011/11/24/nation/9968150&sec=nation>>[Accessed 1 December, 2011]
- The Star, 2012. Initiatives to assist victims of abandoned housing projects. [online]

<<http://thestar.com.my/news/story.asp?file=/2012/4/24/nation/20120424191151&sec=nation>> (accessed on 3 May, 2012).

Companies Commission of Malaysia. n.d. *Review of the CA – Final Report*. [online]<<http://www.ssm.com.my/en/docs/CLRCFinalReport.pdf>> [Accessed 30 March, 2011]

My Sinchew.com. n.d. Abandonment of housing projects to be criminal offence. [online] <<http://www.mysinchew.com/node/66542>> (accessed 30 November, 2011);

New Straits Times, 2012. Panel to help abandoned projects' victims. [online] <<http://www.nst.com.my/nation/general/panel-to-help-abandoned-projects-victims-1.67610>> (accessed 3 May, 2012).

New Straits Times, Letters to Editor. 2011. Abandoned Houses: Bravo to the Housing Ministry. [online] <<http://www.nst.com.my/opinion/letters-to-the-editor/abandoned-houses-bravo-to-the-housing-ministry-1.7463>>(accessed 30 November, 2011).

PEMUDAH Annual Report 2011. 2012. About PEMUDAH. [online] <http://www.pemudah.gov.my/c/document_library/get_file?uuid=f3a4588b-3300-46d9-8ec8-1e58221129b4&groupId=10124> (accessed on 3 May, 2012)

Penang/Property-Penang Property, House for Sale and Rent Blogspot. 2012. Initiatives to assist victims of abandoned housing projects. [online] <<http://penangproperty.blogspot.com/2012/04/initiatives-to-assist-victims-of.html>>(accessed 3 May, 2012).

Portal Rasmi Kementerian Perumahan dan Kerajaan Tempatan, 2011. Definisi Projek Perumahan Terbengkalai. Retrieved. [online] <<http://www.kpkt.gov.my/kpkt/index.php/pages/view/181>>[Accessed 12 August, 2011]

The Edge Property.com Every Thing Property. n.d. Abandonment of housing projects to be deemed as criminal offence. [online] <<http://www.theedgeproperty.com/news-views/8844-abandonment-of-housing-projects-to-be-deemed-as-criminal-offence.html>> [accessed 30 November, 2011]

Yahoo News Malaysia, 2012. Initiatives to assist victims of abandoned housing projects.[online] <<http://my.news.yahoo.com/initiatives-assist-victims-abandoned-housing-projects-103233028.html>>(accessed on 3 May, 2012).

Interview

Dato' Abu Bakar Bin Hassan & Dato' Zainudin bin Tala. 2010. *Abandoned Housing Projects in Malaysia*. Interviewed by Nuarrual Hilal Md. Dahlan. Department of National Housing, Ministry of Housing and Local Government, Pusat Bandar Damansara, Kuala Lumpur. Note taking. 13 August, 2010.

UNDERSTANDING CHINA'S ASCENDING MARITIME POWER: CHINA'S MARITIME SECURITY POLICY-MAKING ON SOUTH CHINA SEA DISPUTE

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Abstract

China's maritime power has been rapidly ascending in the past three decades along with its exceptional economic development. Nevertheless, what makes regional countries more suspicious of China's rapid rise is that even though Beijing constantly advertises its "peaceful development" policy, the Chinese government's maritime operations in South China Sea have become more assertive in recent years. This research aims to answer why there is a gap between China's assertiveness and its reassuring rhetoric. With a detailed examination of the decision-making process of China's maritime security policy on South China Sea disputes, this research argues that the "Fragmented Authoritarianism" framework is applicable to characterize China's maritime security policy-making nowadays. Given the fragmented nature of this process, China lacks clear and well-coordinated policies on South China Sea dispute and therefore fails to undertake consistent government operations. This phenomenon implies that the fragmented decision-making process associated with an ascending Chinese maritime power would impose more impacts upon regional stability in Asia.

Introduction

Since 2009, China has changed its previous policy of shelving disputes with neighbouring countries and undertook a more hard-line position on its territorial claims in South China Sea (England 2010; Shen 2011; Thayer 2011). Assertive maritime operations undertaken by People's Liberation Army Navy (PLAN) and other Chinese paramilitary maritime enforcement forces have constantly lead to maritime standoffs between China and other South China Sea claimants. Given China's assertiveness, regional countries and United States have unanimity warned the negative implication of China's assertiveness for regional security in Asia-Pacific (Tofani 2012). In addition, some argue that the Chinese government is considering the sovereignty issue in South China Sea as one of China's core interests, another example of China's assertive position on the dispute (*Zeen News* 4 July

2010). Although this issue is not officially acknowledged by Beijing, the unclear intentions of the Chinese government substantially make neighbouring countries more distrustful of China's ascending maritime power.

China's assertive operations in South China Sea not only lead to a more insecure strategic environment in the region but also undermine Beijing's pledged "peaceful development" policy which states that China will never seek hegemony or military expansion either now or in the future (Information Office of the State Council of the People's Republic of China 2009). There is apparently a gap between what China pledges and what it has done. What is the factor contributing to the gap between China's "peaceful development" policy and its assertive maritime operations in South China Sea? In other words, if China's primary strategy is to pursue "peaceful development" and seeks for a more harmonious international environment, why would it undertake such actions against its pledges? To solve this blizzard puzzle, this paper seeks to explore the nature of China's ascending maritime power by analysing process of Chinese maritime security policy-making on South China Sea dispute.

"Fragmented Authoritarianism (FA),"⁸⁵ a heuristic model to study China's political system, is provided as a good theoretic framework of this research. Since late 1980s, the FA model has become a leading theoretical framework for the study of China's economic projects and relevant decision-making process (Mertha 2008). The FA model mainly focuses on the discussion of structural allocation of authority, inter-agency bureaucratic bargaining behaviours, and their influence upon the policy outcome since the reform era (Lieberthal 1992). Therefore, "[p]olicy outcomes result from incorporating the interests of the implementation agencies into the substance of the policy itself," and "policy outcome are often at a considerable variance with the initial goals of the policymakers at the top" (Mertha 2008, p. 5). In the case of China's maritime security policy-making on South China Sea dispute, this paper aims to examine the inter-agency interactions and bargaining when the government is deliberating policies concerning this troublesome issue.

⁸⁵The terminology of "Fragmented Authoritarianism" was firstly introduced in a conference on China's bureaucratic practice in Tucson, Arizona, on June 19-23, 1988. Prior to the conference, relevant researches had been made. For more on this topic, see Lampton 1987; Oksenberg 1982.

This paper argues that the FA model, with more players included in the decision-making process such as Chinese think tanks and public opinions, is applicable to analysis China's maritime security policy-making nowadays. Due to the fragmented nature of China's policy-making process, China's pursuit of maritime power is influenced by various players, under different circumstances. Not a single player can dominate the decision-making and each player tries to magnify the significance of their performance so as to obtain more funding or prestige. Consequently, the decision-making process is defectively coordinated, making a gap between the assertive naval operations and Beijing's "peaceful development" policy. This phenomenon implies more unpredictable reactions should there be new maritime disputes between China and its neighbours in the future, making the regional order more insecure.

The Fragmented Decision-making Process

Aiming at the analysis of decision-making process of China's economic projects in the reform era, the FA model devotes itself to the study on the structural allocation of authority and the behaviours of the players relevant to the process of policy deliberation. It argues that the authority below the peak of the Chinese political system is fragmented and disjointed, and the fragmentation is based and has been enhanced by the reform policies (Lieberthal 1992). With fewer coercive mandates from the top leaders, the policy arena is governed by the incorporation of interests of government organs into the policy itself, and policy outcomes are made by an incremental process of bureaucratic bargaining (Lieberthal and Oksenberg 1988; Mertha 2009). Such a fragmented process would generate some implication of China's policy deliberation: the protracted decision-making process, inconsistent policy outcomes and the distortion of policy implementation. The FA framework is subsequently revised and extended by Andrew Mertha's 2008 research. Mertha argues that:

[n]on-traditional members of the policy-making process in China, local (that is, sub-provincial) officials, the media, NGOs, and individual activists have successfully entered the political process precisely by adopting the strategists necessary to work within the constrain of the FA framework (Mertha 2008, p. 157).

In addition, the FA model is no longer merely applicable to China's decision-making process relevant to economic or energy projects. The decision-making of China's maritime security policy today reveals a nature characterized by the FA model as well. The phenomenon of "Five Dragons Stirring up the Sea" is a good example. It means that China's maritime security policy and relevant enforcement operations have been complicated and stirred up by its paramilitary maritime forces— China Maritime Surveillance (CMS) of the State Oceanic Administration (SOA), Fishery Law Enforcement Command (FLEC), Maritime Safety Administration, The Maritime Police and General Administration of Customs (Goldstein 2010). The defectively coordinated interactions among these government agencies clearly echo the features and implications of the FA model for China's decision-making process: a protracted decision-making process without specific policies made by multiple players in the political process, fervent bureaucratic bargaining and competition for individual interests and prestige, and inconsistent behaviours made by different government organs. The case of South China Sea dispute can therefore help to rectify the applicability of the FA model to the decision-making process concerning China's maritime security policy.

Major Players in the Process

To make appropriate analysis of the decision-making process of China's maritime security policy, it is necessary to identify who the major players in the process are. David Lampton and his colleagues' study on Chinese foreign and security policy-making would inform this thesis about a nuanced understanding of who the major players in the political game are. The study identifies several major players which can exert their influence upon the deliberation of policies: the top leadership, the government agencies at central level, the Chinese military— People's Liberation Army (PLA), local authorities, and public opinion (ed. Lampton 2001). Among these government agencies, Ministry of Foreign Affairs (MFA), Chinese Communist Party (CCP) Propaganda Department its mouthpiece media, the paramilitary maritime enforcement forces and state-owned enterprises (SOEs) are constantly involved in China's maritime disputes with neighbouring countries (International Crisis Group 2012; Jakobson and Knox 2010). In addition, some argue that the role of Chinese think tanks should be considered given its climbing presence in the decision-making apparatus (Bondiguel and Kellner 2010; Cabestan 2009; Liao 2006; Zhao 1992).

Having new players in the decision-making process also means that the entire political process has become more pluralized. A fragmented political system endows these players with more room to manoeuvre without being constrained by their supervisors. The lack of a coercive central decision-making apparatus helps interested parties to set on their own agenda, to advocate their preferred policies, and to execute policies favourable to their interests (Mertha 2009).

The Top Leadership

In a political system characterized by the FA framework, the Chinese authority at the top peak remains strong. The 25-member CCP Politburo and the 9-member Politburo Standing Committee (PSC) are the supreme organs in the Chinese political hierarchy. In terms of the operation of these organs, consensus building is an important principle that all CCP leaders should obey. For instance, even though PSC is the ultimate decision unit in the political hierarchy, none of the nine members of PSC has the absolute power to dominate any important decisions, and the final decision has to be consulted by the full members of the PSC (Lu 2001). PSC and Politburo are also arenas where unsettled disputes among subordinate agencies should be appealed to. Consultations or consensus which cannot be reached at lower level are expected to be settled here.

Ministry of Foreign Affairs

Despite the final decision-making is made by the PSC members, those decisions cannot be made without the reference to more specialized information and analysis from the Chinese bureaucrats. With a full pool of professional diplomats and experts, MFA serves two functions regarding China's maritime security policy formulation and consultation process. First, it provides policy analysis and recommendations to the decision makers. Second, it receives daily reports from China's embassy all over the world and processes diversified information received overseas and passes it onto the decision makers (Jakobson and Knox 2010; Lu 2001). In addition to providing daily information and policy analysis, MFA is China's chief executive organ in dealing with foreign affairs as well. Generally speaking, in the fragmented decision-making process, major issues reviewed by the PSC are made in

principle or in merely broad policy guidelines, and MFA's task is therefore to convert these principles into substantial policies or plans. In other words, if the policy guidelines made by PSC is the "bones of the policy," then MFA's mission is to add "flesh and blood" to policy guidelines, providing MFA more power in influencing the foreign policy (Lu 2001, p. 50).

CCP Propaganda Department and Government Mouthpiece Media

CCP Propaganda Department exerts some influence upon the process of China's policy-making as well. Just like what the department is named, the main purpose of this government organ is to propagate. Domestically, it is responsible for propagate the ideology of communism and uphold the legitimacy of the CCP regime; internationally, it seeks to articulate China's foreign policy and the nature of the Chinese soft power (Cabestan 2009; Hsiao and Cheek 1995). Propaganda Department supervises all Chinese newspapers, journals, books, broadcasting, television, movies, and literature and art publications (Hsiao and Cheek 1995). In the fragmented policy process, the mobilization of Chinese audience's nationalistic sentiment is regarded as a good instrument for the Propaganda Department to undertake its mission of upholding the legitimacy of CCP as well as strengthen its own bureaucratic prestige domestically. In addition, given that in the past two decades public opinion's role in the decision-making process has been increasingly significant,⁸⁶ the Propaganda Department which controls the mass media therefore holds more bargain chips within the bureaucratic bargaining process.

China's Paramilitary Maritime Enforcement Forces

China's paramilitary maritime enforcement forces have been playing a more significant role in China's management of disputes over maritime territory or resources. In a fragmented political system, each government agency tries to gain more bureaucratic prestige or interests through undertaking more assertive operations which can best demonstrate their accomplishment and provide them with more leverage for future bargaining. Among China's "five dragons," CMS and FLEC play most significant roles in the

⁸⁶ For more analysis of public opinion's role, see Gries 2004; Hong 2005; Hughes 2006; Tang 2005.

South China Sea dispute. (Hoffman 2012; *The Japan Times* 25 June 2012). Particularly, SOA is provided with research capability as well as its administrative might. It publishes various reports on China's maritime affairs and the annual "Report on China's Maritime Development" which is presented to the policy makers and provides them a detailed analysis on China's maritime affairs (Li 2010). In addition, along with FLEC, CMS's assertive operations had ignited several maritime standoffs in the disputed South China Sea. The 2009 *Impeccable* Incident and the 2012 Sino-Philippine standoff in Scarborough Reef are good examples. These assertive operations substantially unsettled the security environment in Southeast Asia which clearly contravened Beijing's "peaceful development" policy, albeit doing so can boost their bureaucratic prestige domestically.

State-owned Enterprises

In terms of China's policy on maritime disputes, the role of China's state-owned oil companies are prominent given their investments in the oil field located on the seabed on disputed waters. In particular, China National Offshore Oil Corporation (CNOOC) plays the most significant role in China's maritime disputes given that the company has the capacity of both research and deep-water exploitation (*Xinhua News* 9 May 2012).⁸⁷ CNOOC's drilling operations on disputed oil fields in South China Sea constantly lead to new rounds of maritime disputes between China's and its Southeast Asian neighbours (Spegele 2012). Additionally, the fragmented energy bureaucratic system without a clear agency to coordinate various interest parties has impeded good energy governance in China (Downs 2008). Resembling other government agencies, for the purpose of maximizing its industrial interests, Chinese SOEs undertake some operations which are inconsistent with the centre's preference.

The Chinese Military

⁸⁷ CNOOC initiated the research of deepwater drilling in 2006. Five years later, CNOOC launched China's maiden deep-water drilling platform "CNOOC 981" in a sea area 320 km southeast of Hong Kong at a water depth of 1,500 metres. The maximum operating depth is 3,000 metres.

PLA is an active advocate of a more hardliner position on maritime territorial disputes (Jakobson and Knox 2010; Swaine 2012). In a fragmented political process, PLA can exert its bureaucratic influence upon the maritime security policy-making through several different approaches. First, given the demise of paramount leaders, the PLA's role of "king-maker" is what all Chinese civilian leaders cannot ignore, and CCP civilian leaders understand that it is very important to respect senior PLA generals' opinion and to authorize PLA more directorial and budgetary independence (You 2006, p. 57). Second, PLA takes part in the policy-making process via its seats in CCP's Leading Small Groups. When China encounters major crises, the opinion from the military has always been heard at the very top level of the political hierarchy. Throughout the consultation and consensus-building process, PLA can provide civilian leaders with vital intelligence based on their own expertise. Third, PLA constantly exert its influence upon the decision-making through other beyond-the-system approaches. For instance, PLA naval strategists may see media as best platform to propagate their assertive claims which justify their quest for more defence budget. Nevertheless, these demands for China's assertiveness, not necessarily representative of the official view of the military, constantly inflame a more nationalistic or xenophobic sentiments which may further complicate the decision-making process (International Crisis Group 2012).

Local Authorities

The economic reform has reshaped the central-local relationship in China and made local government –especially those of coastal provinces– more interested in economic liberalization and promoting trade relations with foreign governments or companies (Yang 2007). This therefore leads to more localities' interests in involving China's foreign affairs. In the fragmented political system, Chinese leaders in Beijing have been aware of the need to coordinate with local government and the locality has enjoyed more roles in the decision-making process. Nevertheless, some coastal governments such as Guangdong and Hainan also have their own economic development agenda, their own maritime resource development projects, and its local maritime law enforcement departments such as the provincial bureau of fishery. With these strategic aims and administrative strengths, these

local governments are eager to expand their economic activities, including tourism and fishery, albeit some of these economic activities are made in disputed waters.

Chinese Think Tanks

The fragmented decision-making process and more diversified foreign issues in the past three decades substantially provided Chinese think tanks with more leverage to shape the decision-making process. There are several approaches Chinese think tanks utilize. The first approach is passing think tank scholars' voices onto the decision-makers via policy research reports submitted to the government. China's primary foreign and security policy organs such as Ministry of Foreign Affairs and Ministry of State Security have their own associated think tanks.⁸⁸ With professionalized experiences and knowledge, think tank experts can negotiate with other government officials or persuade decision-makers to undertake policies they favour in the consensus building process. The second approach is, similar to PLA strategists, using the media as a platform to utter their opinions to the general public. However, even though Chinese think tanks and intellectuals nowadays have greater capacity to influence the decision-making process, there are still noteworthy differences between academic and policy-oriented positions (Beeson and Li 2012). This would lead to unfolding debate over a certain disputed issue and therefore makes the of policy-making process protracted.

Chinese Public Opinion

Even though China nowadays still imposes strict control over its public media, the distribution of the information is no longer fully dominated by the government. On the other hand, the decisions made by the Chinese government, to a certain extent, are influenced by the mass media. Just like other countries, winning the support from general public is the most important task for Chinese leaders. They understand that general public opinion can be treated as a good tool for supporting the government or vice versa. CCP

⁸⁸ For instance, The Chinese Institute for International Studies is associated with Ministry of Foreign Affairs and the Chinese Institute of Contemporary International Relations is associated with Ministry of State Security.

leaders have been forced to pay more attention and be more sensitive to the impact of China's public opinion while making major policy decisions (Qi 2010). For instance, the new nationalistic sentiment in search for a greater Chinese maritime power in Chinese people's mindset can be easily observed from newspapers, TV programs and the internet nowadays. Consequently, when making decisions relevant to China's maritime disputes with foreign countries or PLAN's operations, decision-makers in the government need to pay additional attention to how the Chinese people see these issues and how the government can earn most support from the general public.

The Inconsistent Government Behaviours and the Waning Role of MFA

Regarding its claim to South China Sea, the position of the Chinese government is quite clear: China has indisputable sovereignty over the South China Sea. Nevertheless, the problem which China has now is not its adamant claim but the inconsistent government behaviours. Even though Chinese leaders pledge to do is pursuing a "peaceful development" and creating a "harmonious ocean,"⁸⁹ there are no clear or consistent policies undertaken by various Chinese government organs relevant to China's maritime disputes in South China Sea. Given the defectively organized inter-agency coordination, some government organs constantly urge more assertive maritime operations to show China's will while others advocate reconciliatory approaches to solve the dispute.

The Chinese Navy, the China Maritime Surveillance and the Fishery Law Enforcement Command constantly undertake assertive operations in the waters of South China Sea, leading to a series of maritime confrontations between China and other South China Sea claimants. These assertive operations significantly undermine MFA's efforts to manage its ties with regional countries. A good example is the 2011 maritime disputes over the Reed Bank, a seamount located in the west of Palawan Island. Four months before the incident, on November 4, 2010, MFA declared that China would make its effort to establish a new security concept which highlights mutual trust, mutual benefit, equality and cooperation. (*Xinhua News* 4 November 2010). MFA's declaration was believed to respond to

⁸⁹ The concept of "harmonious ocean" was firstly proposed by Chinese President Hu Jintao in 2009 when he attended PLAN's naval parade celebrating the 60 anniversary of the Chinese Navy.

neighbouring countries' suspicion of China's effort to rank South China Sea as one of its core interests (Tran 2011). Nevertheless, MFA's soften tone did not last long and the goodwill was immediately neutralized by PLAN's assertive operations in the waters off the coast of Reed Bank on March 2, 2011 (Hookway 2011). In response to PLAN's aggressiveness, the Philippine President Aquino III also conducted two approaches: announcing measures to strengthen the Philippine Military's preparation for defending the Spratly Islands and, after an interval of two years, challenging the principle of China's sovereignty claim to the Spratly Islands (Storey 2011). Apparently, this incident weakened MFA's credibility and its efforts to develop a more cooperative environment in South China Sea.

In addition, CMS and FLEC's assertive operations in South China Sea also compromise MFA's strategy to solve the South China Sea dispute. From MFA's point of view, the dispute should be solved through bilateral dialogues (*Xinhua News* 28 June 2011). In particular, the US involvement in the South China Sea disputes should be the least thing that MFA wishes to see. To this end, MFA utterly claims that the Chinese government do not wish the ASEAN countries to encourage America's initiatives (Raine 2011; *The China Post* 26 July 2010). The Chinese Ambassador to the Philippines Jianchao Liu also argues that the Sino-Philippine disputes over the Spratly Islands should be regarded as a bilateral issue and any attempts to involve a third party such as the United States should be unwelcomed (Mabasa 2011). Nevertheless, CMS and FLEC's maritime patrol operations in the disputed waters have contributed to the revision of American government's strategic plan in Asia.

The 2009 *Impeccable* Incident, a maritime clash between FLEC vessels and U.S. ocean surveillance vessel *U.S.N.S. Impeccable* 120 kilometres off Hainan Island's coast, was a good example. This incident immediately led to a diplomatic crisis between Washington and Beijing. China argued that the Chinese vessels did not harass the U.S. ship but simply tried to make the ship stop violating the international and Chinese law within China's claimed EEZ (*The Economist* 12 March 2009). Nonetheless, the Americans did not accept China's explanations and believed that the Chinese government's position was inconsistent with international law and international norms. The incident substantially contributed to the mutual distrust concerning China's rapid naval build-up as well as a new U.S. campaign to balance off Chinese naval power in South China Sea (Valenica 2009). Moreover, the prolonged 2012 Sino-Philippine Scarborough standoff between FLEC and CMS vessels and

Philippine Coast Guard boats also made the United States or suspicious of China's rapid rise. For instance, in April 2012, the United States and the Philippines held a joint military exercise off the Palawan coast near the disputed Spratly Islands (Orendain 2012). Pentagon's latest plan to base 60 percent of its naval capacity– including 6 aircraft carrier battle groups– in the Asia-Pacific theatre before 2020 was also believed to be a countermeasure against China's assertiveness and possible escalation of maritime confrontation in the future (*BBC News* 2 June 2012; Lam 2012).

Other than the defectively organized inter-agency coordination, MFA itself undertakes inconsistent policies or stance on South China Sea disputes as well. The 2010 controversy over defining South China Sea as China's core interest clearly demonstrated this problem. This controversy firstly surfaced in March, 2010 when some news papers reported this story. According to the news report, Chinese diplomats told U.S. Deputy Secretary James Steinberg and Asia Director of National Security Council Jeffery Bader, at a closed-door meeting in Beijing, that the Chinese government would not tolerate any interference in the South China Sea which is now part of China's core interest of sovereignty. This was alleged to be the first time that the Chinese government labelled South China Sea as a core interest, on par with Taiwan and Tibet (Lee 2010; Wong 2010). This report was interpreted in Washington as a Chinese effort to elevate the issue on a par with the Taiwan issue which Beijing would seek any possible means to protect, including war (Storey 2010). Nevertheless, MFA subsequently denied that it had ever made such kind of announcement and believed that Mr. Steinberg and Mr. Bader misinterpreted Chinese officials' comments at the March 2010 meeting (Swaine 2011). This controversy revealed that MFA itself has internal disagreement regarding whether South China Sea is China's core interest or not.

Not only being overwhelmed by managing maritime disputes ignited by other Chinese hardliners, MFA officers are also criticized by nationalistic Chinese netizens given their dovish stance. Therefore, labelling South China Sea as a core interest of China would be a strategy for MFA to earn more support domestically and sustain its bureaucratic prestige. This is not an unusual phenomenon in China. As Peking University Professor Yizhou Wang argues,

[t]o earn more budgetary fund or a higher bureaucratic prestige, Chinese officials like to emphasize the significance of a certain issue which is related to their jobs..... SOA and FLEC naturally would not refute the idea labelling South China Sea as a core interest (Y. Wang 2011, p. 132-133).

However, given the fact that the initiative of labelling South China Sea as China's core interest has never been endorsed by the top leaders, the waning influence of MFA upon China's foreign and security policy-making is again verified. In short, the debate over the "validity" of the March 2010 meeting and other government organs' assertive operations in South China Sea which undermine MFA's credibility clearly reveal a fact that MFA's role in the decision-making is fading. In other words, MFA has become a "minority department" in the making China's foreign and security policy.⁹⁰ Instead, the main function of MFA today is not shaping China's maritime security policy-making but more like paying the role of "fire fighters" – conducting damaging control should there emerges a diplomatic crisis.⁹¹

Competing for the Maximisation of Individual Interests

In the FA model highlights the types of resources and strategies which can provide government organs with leverages in the bargaining process so as to maximize each organ's individual interests, especially in the domain of the ministerial level. In the case of China's maritime security policy-making on South China Sea dispute, the inter-agency competition is evidently clear at the ministerial level as well. The proposal of establishing "Ministry of Oceanic Affairs (MOA)" is a good example.

Currently, the supervision organ of China's maritime affairs is State Oceanic Administration, a sub-ministry agency subordinated to the Ministry of Land and Resources. In light of the climbing significance of maritime resource and transportation, there has emerged a voice for more resources for SOA and promoting the administrative level of SOA to a ministerial agency in charge of China's maritime affairs (*Xinhua News* 5 March 2012). SOA is unsurprisingly the number one beneficiary of this proposal. To facilitate the

⁹⁰ Author's interview in Beijing, November 7, 2011

⁹¹ Author's interview in Qingdao, November 19, 2011.

realization of this proposal, for instance, SOA frequently highlights the unstable security environment in the South China Sea region and urges the government to contribute more resources and energy to China's South China Sea campaign through reports it publishes (State Oceanic Administration 2011; State Oceanic Administration 2010). Furthermore, senior SOA officials constantly comment on the South China Sea issue and argue for a stronger CMS fleet so as to safeguard China's maritime interests (He 2011). SOA's aims are twofold: justifying CMS's assertive operations in South China Sea and resonating with the voice of MOA advocates.

On the other hand, the proposal of establishing MOA should be an undesirable thing which FLEC and its superior Fishery Bureau of Ministry of Agriculture wish to see, given that their power to supervise China's fishery affairs would be forced to surrender to MOA should it be founded. To fight for their own bureaucratic prestige and budget, FLEC and Ministry of Agriculture have strong incentives to undertake more outspoken actions which can demonstrate their irreplaceable performance. Not only dispatching more ships to the disputed waters but also more assertive initiatives were advocated by Fishery Bureau officials. For instance, Zhuang Wu, director of the Administration of Fishery and Fishing Harbour Supervision of the South China Sea, claimed in July 2009 that given neighbouring countries' increasing patrol missions in South China Sea, China should construct fishery administration bases on China's occupied features in this area so that the Chinese government can have the capability to respond more rapidly to foreign fishermen's "invasion" of Chinese waters (Raine 2011).

Inviting journalists to join FLEC's patrol missions is a common strategy for the Fishery Bureau to earn more support domestically. For instance, "FLEC No. 311" patrol vessel welcomed Chinese journalists on board to interview the crew members during the ship's regular patrol mission in South China Sea in October, 2011 (Feng 2011). Another example is the interview with the crew members of "FLEC No. 46012" (Xia and Zhao 2011). These stories about how FLEC crew members devoted themselves to safeguard China's interests in South China Sea and how they fought the "enemies" are great materials for advertising FLEC's bureaucratic image in China. Nevertheless, undertaking such high profiled fishery patrol operations in the disputed waters has constantly led to protests lodged from other South China Sea claimants and further exacerbated the unsettled environment.

Another example of inconsistent policies caused by inter-agency competition is MFA's positions on America's military deployment in Australia. MFA spokesperson Weimin Liu, when commenting on U.S. military deployment in Australia at MFA regular press conference on November 16, 2011, claimed that "it is worth debating whether strengthening and expanding military alliance is appropriate and consistent with the common aspiration of regional countries and the whole international community" (Ministry of Foreign Affairs of PRC 2011a, n.p.). Mr. Liu's remarks signalled the Chinese government's discontentment and the mistrust of America's military plans. Nevertheless, on the second day Mr. Liu quickly softened the government's position by stating that "China does not object to the development of normal bilateral relations between countries. We also hope that.....countries will take into consideration the interests of others as well as regional peace and stability" (Ministry of Foreign Affairs of PRC 2011b, n.p.). Making such a "sudden turn" within 24 hours is due to the tense inter-agency competition between the Propaganda Department and MFA, given that MFA noticed that undertaking a hard-line position would help to shape a domestic image that MFA is following the steps of the Chinese mouthpiece media (Jiang 2011; Qiu 2011). Such an image may further weaken MFA's bureaucratic influence and prestige given that it may make MFA the follower of Propaganda Department. Consequently, an inter-agency contest of strength between MFA and CCP Propaganda Department led to the inconsistent positions of the government.

In addition to the inter-agency competition at the ministerial level, local government such as Hainan Province government also undertakes some policies inconsistent with that of the central government. One example is the controversy of Hainan government's proposed project to develop tourism industry in Paracel Islands. Given China's special central-local government relationship, local governments have had more leverage to implement policies which favour local interests. Local provinces today incline to pursue their own interests through implementing several local initiatives, albeit not all of which are endorsed by the central government (Raine 2011). In the case of the tourism plan in Paracel Islands, the Hainan Province government has been hungering for welcoming tourists to the disputed islands so as to boost local economy. Responding to Hainan Province government, the Vietnamese government, another adamant claimant of Paracel Islands, condemned Hainan's plan given that it would do nothing but further complicate the South China Sea

situation (*Agence France-Presse* 8 January 2010). Regardless of Hanoi's discontent, the Hainan government still initiated the research of the tourism plan in 2011 and openly announced in April, 2012 that the islands will soon be open to tourism (*China Review News* 4 April 2012). Nevertheless, Hainan government's proposal was immediately denied by the National Tourism Administration which stated that the Administration hasn't had obtained any information regarding this project (*China Review News* 4 April 2012). Such kind of conflicting policy made by local and central government significantly makes China's South China Sea more complicated and inconsistent.

Finally, similar to the government organs which seek to maximize their bureaucratic interests, Chinese think tanks provide diversified analysis/policy recommendations to the decision-makers based on their institutional preference as well. For instance, MFA prefers a more moderate stance on solving disputes with foreign countries and its subordinate think tanks with no doubt follow the same baseline. A famous MFA-funded academic institute which brings together senior officials and leading scholars is the Foreign Policy Advisory Group (FPAG).⁹² FPAG deals primarily with China's long term foreign and security policy and is believed to have direct access to top leaders (Jakobson and Knox 2010). Concerning the South China Sea disputes, Dunxin Xu, counsellor of FPAG and former Chinese ambassador to Japan, advocate a more moderate solution to shelve the disputes and pursue a win-win situation (*Xinhua News* 23 September 2009). In addition, when commenting on the issue of China's core interests, Zhengang Ma, counsellor of FPAG and former Chinese ambassador to the United Kingdom, only mentions the Taiwan and Tibet, retorting upon people who argue Beijing has labelled South China Sea as a core interest (*Xinhua News* 18 August 2011).

It can be observed that FPAG analysts have a more moderate tone regarding the South China Sea disputes than the hardliners in China Institute of Contemporary International Relations (CICIR) and other military-related institutes.⁹³ For instance, Da Wei, research professor at the Institute of American Studies of CICIR, retorts the notion of an "arrogant" or "tough" China and tries to justify the disputed issue of China's labelling South China Sea as a

⁹² According to the charter of the institute, the conveners of the institute are the Party Secretary-general of MFA and Deputy Foreign Minister.

⁹³ CICIR is administratively and fiscally put under Ministry of State Security and is believed to have direct access to CCP top leaders.

core interest (Wei 2010, p. 102). Such kind of institutional preference could lead to the complication of the decision of whether China should undertake a more assertive approach to manage the South China Sea disputes. More importantly, the ambiguous policies undertaken by the Chinese government regarding whether South China Sea is China's core interest and whether Beijing will only choose peaceful means to solve the disputes clearly reveal that the diverged bureaucratic preference of these influential think tanks essentially ruffle the decision-making process.

The Blossoming Nationalistic Public Opinion

Whenever there is a maritime conflict between China and other foreign country in South China Sea, the blossoming nationalistic sentiment in China would force the government to make immediate or even hardline responses. Pressure from the Chinese netizens could easily make the top leaders stuck between a rock and a hard place: they hope to pacify the furious Chinese people while cannot afford the price of escalating the confrontation with China's adversary. A good case of the influence of public opinion upon China's South China Sea policy-making is the 2001 EP-3 collision incident. After the EP-3 collision incident on April 1, 2001, unlike the hesitant and reticent stance of the official stance, there was a landslide of anti-American online nationalistic campaign (J. Wang 2011). One China's leading online forum "Forum on a Stronger China (*Qiangguo Luntan*)," for example, had more than 800 postings on this issue in first two days (Lu 2005). A few days later, President Jiang Zemin replaced his low-key stance with a tougher tone on this incident, which was believed to be largely given the pressure from the angry Chinese online public opinion even though Jiang wished to solve this dispute more rationally rather than emotionally at the beginning (*Epoch Times* 17 May 2001). This incident clearly revealed the predicament which the Chinese leaders faced: they had to deal with the angry Chinese netizens on one hand while avoided a full-scale Sino-American confrontation on the other.

On the other hand, not only the CCP leaders have realized the importance to "listen to the Chinese people," Chinese government officials also have learned how to manipulate the public opinion so as to solicit more domestic support. For instance, CCP Propaganda Department and its mouthpiece news agencies are experts of the manipulation of China's

public opinion. They endeavour to create a more nationalistic domestic atmosphere which can consolidate the legitimacy of CCP government. For instance, regarding the 2012 Sino-Philippine Scarborough Standoff, the government mouthpiece newspaper *Global Times* made a series of hardline commentaries on the disputes, arguing that China should not hesitate to undertake a stronger position against the Philippines and be ready for a possible military clash.⁹⁴

PLAN also understands how to advertise its bureaucratic image domestically. In July 2010, three PLAN fleets conducted a jointed live-fire exercise in South China Sea. This military exercise, used to be reported as the largest military drill in PLAN's history, included PLAN's most advanced surface warships and submarines– the 051C *Luzhou* destroyers, the 052B and 052C *Luyang* destroyers, the 054A *Jiangkai* frigates, the *Sovremenny* destroyers and the *Kilo*-class attack submarines (The International Institute for Strategic Studies 2010). It was a PLAN's effort concerning domestic consumption given that the exercise was unprecedentedly reported in detail by the PLA Daily with significant headlines, a good pathway for PLAN to solicit more support from the Chinese people. Even though this exercise was highly commended by the Chinese people and helped the PLA to uphold its domestic image as the guardian of China's interest and pride, it did raise regional countries' concerns. As Ian Storey argues, this large-scaled military exercise would be viewed negatively by other neighbouring countries given that it is an example of China's increasingly assertive operations in the South China Sea (Storey, cited in Schearf 2010).

Conclusion

Due to bureaucratic interests, Chinese governmental organs have each preferences and stance concerning what the best policy to manage China's maritime security policy on South China Sea dispute is. This phenomenon is in accordance with the fragmented decision-making process in China which is caused by intense competition and bargaining among government organs (Yang 2011). By "flexing the muscles" and advocating for assertive South China Sea policies, hardliners in the government believe that doing so can help them to earn

⁹⁴ For example, see *Global Times* editorials on April 13, April 24 and May 9.

more support from the Chinese people so as to generate greater budgetary funds and bureaucratic prestige. In addition to ministries at central level, based on the concern of maximizing local interests, Chinese local governments today enjoy more freedom to implement some controversial policies at the expense of a consistent central-local policy coordination.

Several non-state actors today play more significant role in the making of China's maritime security policy, contributing to a more pluralized political process. Given institutional interests, think tanks associated with MFA logically incline to provide decision-makers more moderate analysis and recommendations regarding the South China Sea disputes, while military-related institutes tend to support more assertive policies against other claimants. Diversified institutional preference could lead to the complication of the decision-making of whether an assertive or moderate policy should be implemented. Additionally, Chinese decision-makers has learned the importance to take public opinions into consideration given that the consolidating the support from the general public is the primary task to uphold the legitimacy of the CCP. Even though a more nationalistic public opinion may offer MFA more bargain chips when negotiating with foreign countries, it can bring the decision makers lots of difficulties on the other hand (Qi 2010). Especially in the aftermath of a crisis such as the 2001 EP-3 incident, the fervent Chinese nationalistic public opinion can easily make the decision-makers stuck between a rock and a hard place.

In particular, China's decision-making process concerning the South China Sea in recent years reveals a fact that MFA has been losing its bureaucratic influence and power. MFA is challenged by other hardline bureaucrats, military persons and netizens given its moderate positions. Moreover, the controversy of labelling South China Sea as a core interest demonstrates not only illustrates MFA's problem of internal coordination but also demonstrates its failure of persuading the decision-makers at the top to accept their ideas. MFA nowadays is more like an executive branch or crisis management organ, less similar to a decision-making organ.

In sum, in a fragmented decision-making process driven by players with diversified individual interests, Chinese decision-makers have found that it is very difficult for them to make a well-deliberated and consistent policy to manage China's maritime disputes with

neighbouring countries. Decisions are made expediently at the expense of a comprehensive deliberation of maximizing the interest of the country. Moreover, the waning influence of MFA, a primary foreign policy-making organ, means that the power vacuum left by MFA would be attractive to other decision-makers in the political process. This could lead to more intense inter-agency competitions and make the decision-making process more fragmented. This phenomenon implies that in the foreseeable future China would still be unable to deliberate a well-planned policy to manage the South China Sea dispute given the fragmented policy-making nature. The inconsistent Chinese policies on South China Sea are therefore believed to continue in the foreseeable future. At a broader level, this research implies that an ascending Chinese maritime power with a fragmented decision-making process would impose more impact on the efforts to sustain power of balance and regional security in Asia. One serious challenge is that the future course of the development of the Chinese maritime power is unpredictable. This should be a serious question that regional countries should pay more attention to, especially given the fact that the strength of China's naval and maritime enforcement is ascending day by day.

Notes

Bibliographic References

- Beeson, Mark and Li, Fujian. 2012. "Charmed or Alarmed? Reading China's Regional Relations", *Journal of contemporary China*, vol. 21, no. 73, pp. 35-51.
- Bondiguel, Thomas and Kellner, Thierry. 2010. "The Impact of China's foreign Policy Think Tanks", *BICCS Asia Paper*, vol. 5, no. 5, pp. 1-32.
- Cabestan, Jean-Pierre. 2009. "China's Foreign and Security Policy Decision-making Processes under Hu Jintao", *Journal of Current Chinese Affairs*, vol. 38, no. 3, pp. 63-97.
- Downs, Erick S. 2008. "China's 'New' Energy Administration", *China Business Review*, vol. 35, no. 6, pp. 42-45.
- England, Vaudine. 2010. "Why Are South China Sea Tensions Rising", *BBC News*, 3 September, viewed 2 July 2011, <<http://www.bbc.co.uk/news/world-asia-pacific-11152948?print=true>>.
- Feng, Hua. 2011. "Yu Taifeng Bodou: Zhongguo Yuzheng Nanhai Huyu Jingli Shengsi Kaoyan [Fighting against Typhoon: The Ordeal FLEC Crew Experienced in South China Sea]", *People's Daily*, 23 October 2011, viewed 9 January 2012, <<http://mil.huanqiu.com/china/2011-10/2108342.html>>.
- Goldstein, Lyle J. 2010. *Five Dragons Stirring up the Sea: Challenge and Opportunity in China's Improving Maritime Enforcement Capabilities*. Newport, RI: China Maritime Studies Institute, US Naval War College.
- Gries, Peter .H. 2004, *China's New Nationalism: Pride, Politics and Diplomacy*. Berkeley and Los Angeles, CA: University of California Press.
- He, Zhongren. 2011. "Tuijin Nanhaiqu Haijian Gongzuo Puxie Xinpianzhang [A New Chapter of CMS Operations in South China Sea]", *China Ocean News*, 15 February, viewed 2 December 2011, <http://manage.oceanol.com/?optionid=465&auto_id=10785>.
- Hoffman, Samantha. 2012. "Sino-Philippine Tension and Trade Rising amid Scarborough Standoff", *China Brief*, vol. 12, no. 9, pp. 13-16.
- Hong, Junhao. 2005. "The Internet and China's Foreign Policy Making: The Impact of Online Public Opinions as a New Societal Force", in *China's Foreign Policy Making: Societal Force and Chinese American Policy*, eds. Yufan Hao and Lin Su. Burlington, VT: Ashgate, pp. 93-110.
- Hookway, James. 2011. "Philippine Oil Vessel Confronted by China, Surprising New Dispute", *The Wall Street Journal*, 4 March, viewed 30 November 2011, <<http://online.wsj.com/article/SB10001424052748703300904576178161531819874.html>>.
- Hsiao, Ching-Chang and Cheek, Timothy. 1995. "Open and Close Media: External and Internal Newspapers in the Propaganda System", in *Decision-making in Deng's China: Perspectives from Insiders*, eds. Carol L. Hamrin and Suisheng Zhao. Armonk, NY; London: M. E. Sharpe, pp. 76-87.
- Hughes, Christopher R. 2006. *Chinese Nationalism in the Global Era*. London; New York: Routledge.
- Information Office of the State Council of the People's Republic of China. 2009. *China's National Defence in 2008*, viewed 1 May 2010, <http://www.china.org.cn/government/central_government/2009-01/20/content_17155577.htm>.
- International Crisis Group. 2012. *Stirring up the South China Sea (1)*, viewed 30 April 2012, <<http://www.crisisgroup.org/en/regions/asia/north-east-asia/china/223-stirring-up-the-south-china-sea-i.aspx>>.

Jakobson, Linda and Knox, Dean. 2010. "New Foreign Policy Actors in China", *SIPRI Policy Paper*, no. 26, pp. 1-51.

Jiang, Xun. 2011. "Meiriyin Jieru Nanhai Wenti Zhongguo Jizhuanwan Yingbian [China Suddenly Altered Position on the Involvement of U.S., Japan and India in South China Sea Dispute]", *Yazhou Zhoukan*, vol. 25, no. 48, pp. 68-72.

Lam, Willy. 2012. "China Deploys Pugilistic Foreign Policy with New Vigour", *China Brief*, vol. 12, no. 12, pp. 3-5.

Lampton, David, ed. 2001. *The Making of Chinese Foreign and Security Policy in the Era of Reform, 1978-2000*. Stanford, CA: Stanford University Press.

Lampton, David. 1987, "Chinese Politics: The Bargaining Treadmill", *Issues & Studies*, vol. 23, no. 3, pp. 11-47.

Lee, Peter. 2010. "U.S. Goes Fishing for Trouble", *Asia Times*, 29 July, viewed 14 December 2011, <<http://www.atimes.com/atimes/China/LG29Ad02.html>>.

Li, Yangyang. 2010. "Zhongguo Haiyang Fazhan Baogao 2010 Shoufa [China's 2010 Report on Maritime Development Firstly Published]", *People's Daily*, 11 May, viewed 25 May 2011, <<http://military.people.com.cn/GB/1076/149138/11566490.html>>.

Liao, Xuanli. 2006. *Chinese Foreign Policy Think Tanks and China's Policy towards Japan*. Hong Kong: The Chinese University Press.

Lieberthal, Kenneth. 1992. "Introduction: The Fragmented Authoritarianism Model and Its Limitations", in *Bureaucracy, Politics, and Decision Making in Post-Mao China*, eds. Kenneth Lieberthal and David Lampton. Berkeley and Los Angeles, CA: University of California Press, pp. 1-30.

Lieberthal, Kenneth and Oksenberg, Michael. 1988. *Policy Making in China: Leaders, Structures, and Processes*. Princeton, NJ: Princeton University Press.

Lu, Lucian. 2005. "Ministry of Foreign Affairs in the Age of the Internet", in *China's Foreign Policy Making: Societal Force and Chinese American Policy*, eds. Yufan Hao and Lin Su. Burlington, VT: Ashgate, pp. 111-121.

Lu, Ning. 2001. "The Central Leadership, Supra-ministry Coordinating Bodies, State Council Ministries, and Party Departments", in *The Making of Chinese Foreign and Security Policy in the Era of Reform, 1978-2000*, ed. David Lampton. Stanford, CA: Stanford University Press, pp. 39-60.

Mabasa, Roy. 2011. "China Airs View on Spratlys Issue", *Manila Bulletin*, 15 April, viewed 10 January 2012, <<http://www.mb.com.ph/node/314240/china-air>>.

Mertha, Andrew. 2009. "Fragmented Authoritarianism 2.0: Political Pluralisation in the Chinese Policy Process", *The China Quarterly*, no. 200, pp. 995-1012.

Mertha, Andrew. 2008. *China's Water Warriors: Citizen Action and Policy Change*. Ithaca, NY: Cornell University Press.

Ministry of Foreign Affairs of PRC. 2011a. *Foreign Ministry Spokesman Liu Weimin's Regular Press Conference on November 16, 2011*, viewed 11 December 2011, <<http://www.fmprc.gov.cn/eng/xwfw/s2510/2511/t879281.htm>>.

Ministry of Foreign Affairs of PRC. 2011b. *Foreign Ministry Spokesman Liu Weimin's Regular Press Conference on November 17, 2011*, viewed 11 December 2011, <<http://www.fmprc.gov.cn/eng/xwfw/s2510/2511/t879769.htm>>.

- Oksenberg, Michael. 1982. "Economic Policy Making in China", *The China Quarterly*, no. 90, pp. 165-195.
- Orendain, Simone. 2012. "Philippines, U.S. Begin Military Exercises as Standoff with China Continues", *Voice of America*, 15 April, viewed 26 June 2012, <<http://www.voanews.com/content/philippines-begin-military-exercise-us-as-standoff-with-china-continues-147553755/180245.html>>.
- Qi, Jianhua. 2010. *Yingxiang Zhongguo Waijiao Juece De Wuda Yingsu* [Five Drivers of Chinese Foreign Policy Decision-making]. Beijing: Central Compilation and Translation Press.
- Qiu, Liben. 2011. "Chaoyue Daoguang Jianying De Youhuo [Beyond the Enticement of War Games]", *Yazhou Zhoukan*, vol. 25, no. 48, pp. 4.
- Raine, Sarah. 2011. "Beijing's South China Sea Debate", *Survival*, vol. 53, no. 5, pp. 69-88.
- Schearf, Daniel. 2010. "China Conducts Military Exercise in South China Sea", *Voice of America*, 30 July, viewed 10 December 2011, <<http://www.voanews.com/english/news/China-Conducts-Military-Exercise-in-South-China-Sea-99615779.html>>.
- Shen, Hongfang. 2011. "South China Sea Issue in China-ASEAN Relations: An Alternative Approach to Ease the Tension", *International Journal of China Studies*, vol. 2, no. 3, pp. 585-600.
- Spegele, Brian. 2012. "Vietnam Protests CNOOC's Plans in Disputed South China Sea", *The Wall Street Journal*, 16 March, viewed 16 June 2012, <<http://online.wsj.com/article/SB10001424052702303863404577285152075207704.html>>.
- State Oceanic Administration. 2011. *China's Ocean Development Report, 2011*. Beijing: Ocean Press.
- State Oceanic Administration. 2010. *2010 Report on China's Maritime Reinforcement*, viewed July 20 2011, <<http://www.soa.gov.cn/soa/hygb/xzgb/webinfo/2011/05/1304230574019625.htm>>.
- Storey, Ian. 2011. "China and the Philippines: Implications of the Reed Bank Incident", *China Brief*, vol. 11, no. 8, pp. 6-9.
- Storey, Ian. 2010. "China's Missteps in Southeast Asia", *China Brief*, vol. 10, no. 25, pp. 4-7.
- Swaine, Michael. 2012. "China's Assertive Behaviour Part Three: The Role of the Military in Foreign Policy", *China Leadership Monitor*, no. 36, pp. 1-17.
- Swaine, Michael. 2011. "China's Assertive Behaviour Part One: On Core Interests", *China Leadership Monitor*, no. 34, pp. 1-25.
- Tang, Wenfang. 2005. *Public Opinion and Political Change in China*. Stanford, CA: Stanford University Press.
- Thayer, Carlyle. 2011. "China's New Wave of Aggressive Assertiveness in the South China Sea", *International Journal of China Studies*, vol. 2, no. 3, pp. 555-583.
- The International Institute for Strategic Studies. 2010. "China's Three-Point Naval Strategy", *IISS Strategic Comments*, vol. 16, no. 37.
- Tofani, Roberto. 2012. "Hidden Depths in South China Sea Tensions", *Asia Times*, 13 April, viewed 20 May 2012, <http://www.atimes.com/atimes/Southeast_Asia/ND13Ae03.html>.
- Tran, Truong Thuy. 2011. *South China Sea Dispute: Implications of Recent Developments and Prospects for Coming Future*. Hanoi: Diplomatic Academy of Vietnam.

Valencia, Mark. 2009. "The Impeccable Incident: Truth and Consequences", *China Security*, vol. 5, no. 2, pp. 22-28.

Wang, Jun. 2011. *Cyber Nationalism and China's Foreign Affairs*. Beijing: China Social Science Press.

Wang, Yizhou. 2011. *Creative Involvement: A New Direction in China's Diplomacy*. Beijing: Peking University Press.

Wei, Da. 2010. "Has China Become Tough", *China Security*, vol. 6, no. 3, pp. 97-104.

Wong, Edward. 2010. "Chinese Military Seeks to Extend Its Naval Power", *The New York Times*, 23 April, viewed 14 December 2011, <http://www.nytimes.com/2010/04/24/world/asia/24navy.html?pagewanted=all>.

Xia, Guannan and Zhao, Yeiping. 2011. "Zhongguo Yuzheng 46012 Hao Yuzhengchuan Fu Nansha Zhixing Huyu Xunhang Renwu [FLEC No. 46012 Patrol Vessels Commences Patrol Operation in the Spratly Islands]", *Xinhua News*, 10 July, viewed 9 January 2012, <<http://news.sohu.com/20110710/n312968939.shtml>>.

Yang, Guangbin. 2011. *Zhongguo Zhengzhi Fazhan De Zhanlue Xuanze* [The Strategic Choice of China's Political Development]. Beijing: China Renmin University Press.

Yang, Yong. 2007. "Zhongguo Waijiao Zhong De Difang Yinsu [Local Factors in Chinese Diplomacy]", *International Review*, vol. 88, no. 4, pp. 42-47.

You, Ji. 2006. "Hu Jintao's Consolidation of Power and His Command of the Gun", in *China into the Hu-Wen Era: Policy Initiatives and Challenges*, eds. John Wong and Hongyi Lai. New Jersey; Singapore: World Scientific Publishing, pp. 33-60.

Zhao, Quansheng. 1992, "Domestic Factors of Chinese Foreign Policy: From Vertical to Horizontal Authoritarianism", *The Annals of the American Academy of Political and Social Science*, vol. 519, no. 1, pp. 158-175.

INFLUENCE OF JAPANESE MILITARISM ON PARK CHUNG HEE

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Abstract

This paper attempts to explore political decisions of Park Chung Hee, former president of South Korea, by analyzing the influence of Japanese fascism on him. Through his school days in Teacher's College and clerical life in common school, Park assimilated Japanese fascism. Park's fascist tendency and militarism became heightened through the military service in Kwantung Army, let alone his educational background in Japanese Manchurian Military Academy and in Imperial Japanese Army Academy. Those experiences connected fascism with anti-Communism, for both academies and Kwantung army saw Soviet as their main enemy. After, he was involved in a purge in the army, for he temporarily joined the South Korea Labor Party. This event intensified his hatred toward communism. Fascism, coupled with his rigid 'anti-Communist' perspective, has guided him to extremely militaristic decisions like 5.16 coup, and to fascist resolution like the Revitalizing Reform. On the basis of this analysis, in conclusion, this paper aims to point out that anticommunism in South Korea is not just formed by North Korea but has its foundation in Japanese fascism.

Introduction

Under Park Chung Hee's regime, Korean society underwent economic development, ups and downs in Inter-Korean relations, and confrontation between desire for democratization and dictatorship during the 1960s and 1970s. Thus, there has been any amount of researches into the dynamic times. Researches on Park mostly focused on economic development and industrialization of Korea, security policies and overseas deployment of armed forces.⁹⁵ Many of them concentrated on evaluating

⁹⁵ Following are references regarding Economics: Lee, Wan-Bom. 2005. "Long-term Economic Development Plan of Park Chung Hee and the United States", in *Issues and Subjects in Researches on Park Chung Hee era*, Jung Sunghwa edit, Seoul: Sunin; Kim, Il-Young. 1995. "The Analysis and Evaluation of Politico-Economic Development under Park Regime", *Korean Political Science Review*, Vol.29 No.2, pp. 181-215; Sang-young Rhyu. 1996. "Between World System and State: Park Chung-Hee's Choice

policies under Park's regime. There are two main groups regarding evaluation on Park's regime. One side insists economic development under Park's regime should be highly evaluated. They claim that postponement of political development and unification were inevitable consequences of effective economic growth. The other side points out that negative consequences of Park's development policies such as dependence on foreign countries, inequality, anti-democratic aspects should not be undervalued. They assert that quality of life was rather worsened under Park's regime.⁹⁶ With the strong sense of anti-Communism, progressive movement didn't have firm foundation to grow and mature in Korean society.⁹⁷ In this manner, it is hard to find a study focused on Park Chung Hee himself, as large numbers of them handle Park's influence on Korean Society.⁹⁸ Supposing that there are, they are usually comparisons on achievements and personalities among former presidents.⁹⁹

However, there has been insufficient discussion on why he left that kind of legacy. This study tries to show Park's political decisions can be understood better with Japanese militarism. Some studies already insisted that Park was affected by Japan.

of Industrialization Strategy", *Korean Political Science Review*, Vol.30 No.1, pp. 151-179; Lee, Deok-jae. 2009. "The economic policies in the era of Park Chung-Hee government: political economy of a double-edged sword", *Quarterly Review of Korean History*, Vol.74, pp. 79-112. Regarding Security and Military deployment: Choi, Yongho. 2005. "Korean troops deployment to Vietnam and Park Chung Hee" in *Issues and Subjects in Researches on Park Chung Hee era*, Jung Sunghwa edit, Seoul: Sunin; Ma, Sang-Yoon. 2003. "Security, Democracy and Park Chung Hee's Road: The Origins of the Yushin System Revisited", *The Korean Journal of International Studies*, Vol.43 No.4, pp. 171-196 Cho Chul Ho. 2007. "President Park Chung Hee's National Defense Policy of Self-Reliance and the Development of Nuclear Weapons", *Critical Review of History*, Vol. 80, pp. 356-373.

⁹⁶ Kim, Il-Young. 1995. "The Analysis and Evaluation of Politico-Economic Development under Park Regime", *Korean Political Science Review*, Vol.29 No.2, pp. 181-215

⁹⁷ Sohn, Bong-Scuk. 1983. "Political Culture and Anti-Communist Ideology in Korea", *Korean Political Science Review* vol. 17, pp.81-94

⁹⁸ Chun, Inkwon. 2006. *A Biographical study of Park Chung-Hee's political thoughts and actions*, Seoul: Ehaksa, PP. 11

⁹⁹ Park, Jongmin. 2008. "Presidential Identity and Leadership Behaviour of Korean Presidents: Content Analysis of *Daehan News* From 1953 to 1994", *Korean Journal of Journalism & Communication Studies*, Vol.52 No.3, pp. 151-180

However, those studies didn't really provide reasonable evidences for why we can assume Park was influenced by Japan. Tracing back his experiences, this study will examine whether Park had to assimilate Japanese ideologies. Subsequently, this study will figure out which parts of Japanese militarism affected Park. Lastly, we will show Park's political decisions and behaviors that were affected by Japanese militarism. This study does not aim for value judgment over those parts that seem to be affected by Japanese militarism. Neither, this study insists Park was pro-Japanese. The purpose of this study is just investigating the reasons why Park behaved in that manner.

Material and Methods

1. Documentary analysis

This study explores how Park formed Japanese militarism perception and changed it before the outbreak of Korean War. One's perception is influenced by the time and space he faces. Thus, the analysis is based on the passage of time and Park movement. This study analyzes the process of formation and change of influence of Japanese fascism on Park's based on three periods; from Daegu Teacher's College to Mungyeong Common School (1932-1940), from Japanese Manchurian Military Academy to Kwantung Army (1940-1945), from South Joseon Defense Academy until the start of Korean War (1946-1950).

As Park was under Japanese colonial rule for 28years, it is important to analyze the influence of the Japanese Empire on his perception. In that sense, "Teacher's College" is an appropriate organization to look, as it was established to foster teachers who can reproduce the ideologies of the Japanese Empire. In addition, adolescence has a critical role in building up one's value system. For these reasons, this study traces Park's anti-Communism perception formation process from Daegu Teacher's College.

From 1940 to 1945, Park received professional military education and started his career in the Army, while moving around Manchu and Japan. Thus, regarding changes he went through both physically and psychologically, this period is worth analyzing separately. Park returned to Korea after independence. Soon, he was commissioned second lieutenant after several months of education in South Joseon Defense Academy. However, he was involved in mass military purge, for he joined

South Korea Labor Party. He suffered greatly from this purge event as military took a front position in his life. Those two factors are worthy of attention in the third period.

The period this study targeted is before the Korean War. Anti-Communism originally meant animosity toward Communism, but in South Korea it became including hostility toward North Korea after the Korean War. Since the Korean War broke out, for South Koreans, it has been so natural to have antipathy toward both Communism and North Korea. Moreover, as one of the soldier at that time, Park was obliged to be anti-Communist unless he goes to the North. Also, after taking office, he had to be anti-Communist as a president. Therefore, this study focuses on the period before everybody became anti-Communist, which means the pre-Korean War era.

2. Japanese Fascism

This study analyzes Park's anti-Communist aspect focusing on fascism. That's because fascistic factors are found in the way Park's anti-Communism perception realized in his rule. We can find his various aspects related to militarism, nationalism, totalitarianism, and elitism in his political life especially in his anti-Communism policies.

Fascism was formed as a reaction toward rational enlightenment. It says individual identity can only manifest itself through the whole. Moreover, it says individual identity must be entirely absorbed into the community or social group.¹⁰⁰ Therefore, fascism has a strong "anti-character" like anti-rational, anti-liberal, anti-conservative, anti-capitalist, anti-bourgeois, anti-communist. Among those aspects, anti-communism is more dominant than anti-capitalism. Fascism criticizes financial capital but shows more permissive attitude toward industrial capital and private ownership. As economic development contributes to prosperity of nation, economic activities are encouraged. Since national restoration is the top priority, both proletariats and capitalists should function as producers rather than two different classes conflict each other with their own class interest. The point that fascism contradicts against communism is 'class'. In fascism, nation and state are far more important than class. Giovanni Gentile asserted that "Fascism... while being a party, a political doctrine, is above all a total conception of life. Like Catholic, if he is Catholic, invests with his

¹⁰⁰ Heywood, Andrew. 2007. *Political Ideologies*, 4th edition, Palgrave macmillan, p. 203

religious feelings the whole of his life...so the Fascist... must always remember he is a Fascist!"¹⁰¹ In addition, forming hierarchy among races, fascism throws complains that could have made trouble inside toward outside the country by categorizing laborers in upper level of hierarchy with racism. As "classes are included in races", "the feasibility" of Communism and of class struggle were eliminated.¹⁰² Fascism also opposes to internationalism of Marxism, for it is impossible to unite with proletariats in other countries within fascism.

Since the type of fascism he faced in person was Japanese fascism, this study examines how Park's fascistic ideology was formed and how it is related to his anti-Communism by illuminating his experience under Japanese fascistic system.

According to Maruyama Masao, Japanese political thinker, the fascist movement in Japan had begun with, resistance to the left-wing movement or alleged "bolshevization" even from the preparatory period. At the same time, movements close to true fascism also came into existence, such as Society of Those Who Yet Remain, inaugurated by Kita Ikki in 1919. Initiated as a fanciful small group in preparatory period, this right-wing movement begun to link itself with militarism, absorbing "right-wing elements over a wide field", and promptly "came to wield actual political power" in the second stage, from the Manchurian Incident to the February Incident.¹⁰³ After the February Incident, fascism in Japan finally formed the political structure which addressed to "the strengthening of *State control from above*[Italics added]". Maruyama points out that the Japanese fascist movement also shared typical elements of common fascist ideology. In other words, it shared not only the rejection of individualistic liberalism, parliamentary politics, but also reverence for foreign expansion, military build-up, and war. Above all, it involved struggle against Marxism to the greatest

¹⁰¹ Gentile, Giovanni. 1925. "Che cosa è il fascismo? (What is fascism?)", lecture delivered in Florence on 8 Mar, repr. in *Che cosa è il fascismo* (Vallecchi: Florence, 1925) in *Fascism*, Roger Griffin ed., 1995, New York: Oxford University Press

¹⁰² Neocleous, Mark. 1997. *Fascism*, University of Minnesota Press, pp. 41-48

¹⁰³ The February Incident was a coup d'état carried out by young officers in the Imperial Japanese Army. They assassinated several leading politicians such as finance minister. They thought Japanese politicians were corrupted and wanted to reorganize Japanese political system into the one that gives more power to the emperor Hirohito. However, the emperor didn't agree with their idea and asked them to disperse. Thus, participants went back to their units and leaders either turned themselves in police or committed a suicide.

extent, because fascism, as stated by Maruyama, can occur only as a "perpetuum mobile towards the goal of total organization of the counter-revolution"¹⁰⁴

Analysis on Park's perception according to time line

1. From Daegu Teacher's College to Mungyeong Common School (1932-1940)

By the time Park entered Daegu Teacher's College, 1930s, *Japanization* policy was actively imposed in Korea. Ugaki Kazushige, governor general at that time, enforced coercive program of ethnic assimilation in the schools.¹⁰⁵ Teacher's College was established as "an institution that fosters instructors who can educate students to be loyal subject of Japanese Empire so that contributes to maintenance of colony system". Also, another purpose of this academy was to cultivate "instructors who have appropriate qualities in militaristic system".¹⁰⁶ As all students lived in dormitory under surveillance and got education in a military way, Teacher's College was similar to military academy.¹⁰⁷ Here, Park received an education based on Japanese fascism. Having 5 years of his adolescence, which is especially sensitive period, under continuous supervision and militaristic discipline must have influence on his way of thinking and acting.¹⁰⁸

Totalitarian values were highly featured in education of Teacher's College. The priority rule which decides the purpose and direction of teacher training, *Ordinance on Chosun Education*, stipulates that students must "cultivate moral virtue". At that point, "virtue" can be pursued on the premise allegiance to the current state system. In addition, students could hardly take a defiant attitude against the institution, for personal aspect such as ideology, behavior or hobby was also evaluated as well as

¹⁰⁴ Maruyama, Masao. 1963. *Thought and Behaviour in Modern Japanese Politics*, ed. Ivan Morris, London: Oxford University Press, pp.26-35, 176.

¹⁰⁵ Gorden, Andrew. 2002. *A Modern History of Japan: From Tokugawa to the Present*, Oxford University Press, pp. 190-191

¹⁰⁶ Lee, Kihun. 2002. "Teacher Training in Colonial Period – Centering Around Daegu Normal School", *Critical Studies on Modern Korean History*, vol. 9, pp. 41-76; Cho, Gabje. 1998. *Spit on my grave* vol. 2, Seoul: Chosun Ilbosa, p.18

¹⁰⁷ Lee, Kihun. 2002; Chung, Jae-kyoung. 1992. *Great man Park Chung Hee*, Seoul: Jipmoondang, p. 45; Cho, Gabje. 1998, p. 18

¹⁰⁸ Lee, Kihun. 2002

scholastic performance. Militarism was another characteristic of Teacher's College education. Military drill and gymnastics were emphasized among many courses. The college took military drill inspect so important that put students in extra military training. Daegu Teacher's College, Park's school, even made 4th grade students get trained in the army during vacation.¹⁰⁹

From 5years of group life, discipline and military training, students "unconsciously assimilated fascistic and totalitarian tendency." Immediately after Park graduated, between 1939 and 1940, several students in Daegu Teacher's College formed a secret organization. Fascistic factors such as elitism or militarism manifested itself in their movement. Since they did not have any sponsors outside, we can regard their way of thinking reflects "level of consciousness of normal students in Teacher's College". As the curriculum was not revised after Park's graduation in 1937, it is very likely that he was also tinged with fascism. Moreover, Park was poor at most of the courses, but outstanding in military drill and history. Park's history teacher belonged to the Imperial Way faction, which makes it possible to imagine his lecture was "highly affected by totalitarianism and heroism".¹¹⁰ Judging from those circumstances, it is highly possible that Park sympathized with Japanese fascism, even though he hated Japan.

Look into other factors that might have influence on Park's ideology, socialism was quite widespread among students at that time. The college sought out students in "socialism reading club" and expelled them. Park might have encountered socialism, but he neither was implicated in expelling event nor mentioned anything about socialism related issues or people. Also, at that time in Korea, socialism was more affiliated with nationalism than communism. One of those expelled said that he never heard about 'class struggle' in the reading club.¹¹¹ As class struggle and dictatorship of the proletariat was the core of communism,¹¹² it is hard to conclude that Communism pervaded Teacher's College at that time. Thus, no one can assert that teacher school had certain influence on Park's anti-Communism in this period.

¹⁰⁹ Lee, Kihun. 2002

¹¹⁰ Lee, Kihun. 2002. p. 70

¹¹¹ Chung, Jae-kyoung. 1992. pp. 51

¹¹² Schwarz, Fred. 1970. *What is Communism Lecture Series*, Chantico

Meanwhile, the institution was build up to cultivate personnel the Japan Empire can easily manipulate, but nationalism was widespread among Korean students a reaction against it. It is told that Korean teachers in Daegu Teacher's College aroused national consciousness in the class by lecture or speech. Also, students subscribed Korean newspapers and didn't wear Geta in dormitory.¹¹³ However, nationalism of students of Daegu Teacher's College was not close to anti-Japanese Empire or anti-imperialism but to fascism.

Graduates of Teacher's College were obliged to serve as instructor (Hundo) in common school for a while.¹¹⁴ Park worked at Mungyeong common school. In those days when he worked in Mungyeong common school, it seemed like he educated nationalism in the class just like his old teachers in the past. Students of Park remembered he tried to arouse nationalism among students and scolded rude Japanese contractor¹¹⁵

Ironically, however, despite of his hatred toward Japan, Park get in to the another institution of Japan, the Japanese Manchurian Military Academy. Teacher training made one "integrated into strength and stability of the Empire" and think problem of nation as "problem in the system". In Park's case, "dissatisfaction as an instructor of colony turned into ambition to achieve a rise in Empire system".¹¹⁶

All things taken together, through the process of getting education from Teacher's College and reproducing it by himself, he assimilated Japanese fascism. We can assume that he also accepted anti-Communism in the logic of fascism. Fascism that inhered in his philosophy, will be reinforced by another education and career experiences later.

2. From Japanese Manchurian Military Academy to Kwantung Army (1940-1945)

As serving as military official takes an important role in Park's life, taken both duration and psychological impact into account, military related experience is

¹¹³ Chung, Jae-kyoung. 1992. pp. 48-52; Cho, Gabje. 1998, p. 30

¹¹⁴ Lee, Ki-Hoon. 2007. "The Social Status of the Teachers assigned at Common Schools and their Perception of themselves", *Quarterly Review of Korean History*, vol. 63, pp. 99-135

¹¹⁵ Chung, Jae-kyoung. 1992. pp. 59-61

¹¹⁶ Lee, Kihun. 2002. p.72

worth consideration. Park found his way into professional soldier by going to Manchurian Military Academy. Park resigned from instructor in Mungyeong common school. Then, he sent a letter wrote in blood to Arikawa Suiti who was his instructor in military drill course in Teacher's College. Arikawa wrote him letter of reference. With the help of Arikawa and Jaeho Kang, Park's acquaintance back home, Park entered Manchurian Military Academy located in Hsinking.¹¹⁷

Manchurian Military Academy was established mainly for two reasons. For internal reason, it aimed to stabilize Manchuria and to suppress anti-Japanese armed groups. For external reason, Japanese Army attempted to build up stable front against the Soviet Union. Manchurian Military Academy was not regular 4 years course but 2 years preparatory course. Every year, 10,000 students applied for this academy. This fact shows that youths who want to elevate their social position within the Empire system increased.¹¹⁸

Students woke up at 5 in the morning, after then went through roll-call and recite *Imperial Rescript to Soldiers and Sailors* to start the day. It commended the ranks to serve the emperor with "loyalty and valor".¹¹⁹ Their life was full of tension without rest. Also, they had to bow to a shrine. Regarding curriculum, the class contents were similar to preparatory course of Imperial Japanese Army Academy. Taking a closer look, students learned internal alchemy for 67 hours, Japanese history and world history for 114 hours, and instructions for 115 hours. Even in the history class, students received spiritual education emphasizing "martialism", Japanese "Way of the warrior", and "Japanese spirit".¹²⁰ Judging from information above, we can say education in Manchurian Military Academy was based on fascism.

In addition, Kanno Hiroshi served as one of the instructors in Manchurian Military Academy.¹²¹ He took part in the February Incident. He was expelled from Japan but worked in Manchurian Military Academy with the help of his acquaintances.

¹¹⁷ Chung, Jae-kyoung. 1992. pp. 70

¹¹⁸ Sin, Jubaek. 2002. "Korean Officers in the Manchu Government Army And the Korean Army", *Critical Studies on Modern Korean History*, vol. 9, pp. 77-132

¹¹⁹ Gorden, Andrew. 2002. pp. 66-67

¹²⁰ Sin, Jubaek. 2002.

¹²¹ Chun, Inkwon. 2006. pp. 70-76

There is no record regarding how the relationship between Park and Kanno Hiroshi was. Still, with the fact that Park expressed interest in the February Incident¹²² and he chose military coup d'état as a solution for social problems in mind, it is likely that Kanno's ideology had influence on Park. In this line of thinking, it is possible that Park already thought about seizing power by military coup d'état or remodeling the state in Manchuria.¹²³

In the same vein, Kita Ikki who was an ideological leader of the February Incident and spiritual mentor of the young blood in Imperial Way faction could have affected Park's ideology. Kita asserted that Japan should exclude "evil impact" by reorganizing current system and the diet with the help of military coup d'état and start powerful Emperor system. Kita saw that one's self is individual and one's larger self is state. Accordingly, he pictured the relationship between individual and state as one's self is becoming or spreading to one's larger self. He thought, in the end, individuals have no option but to converge into the state.¹²⁴ After Park took power, he also asserted that "we should abandon the self and be committed to the larger self." when mobilizing people.¹²⁵ According to *An Outline Plan for the Reorganization of Japan*, Kita thought it is ideal if "a set of production ministries" manage redistribution of wealth and economic development.¹²⁶ Park had similar idea. Kita and Park have common in trying to solve problem in society with military coup d'état or strong government and in emphasizing commitment to state rather than individual autonomy.

Nevertheless, Park's nationalism was not the kind that confronts with the ruling class or current system. Experience of discrimination in Manchurian Military Academy strengthened the Park's sense of rivalry against Manchurian or Japanese. Even though he is a nationalist from colony, he pursued to success within the system rather than break the system. Thus, "nationalism that is compatible with the fascistic

¹²² Chun, Inkwon. 2006. p. 89; Lee, Kihun. 2002

¹²³ Hwang, Byoung Joo. 2009. "Park Chung Hee and the Desire for Success in Modern Korea", *Critical Review of History*, vol. 89, pp. 257-283

¹²⁴ Kenichi Matsumoto. 2010. *Hyoden Kita Ikki*, Korean language edition, Seoul: Gyoyangin

¹²⁵ Hwang, Byoung Joo. 2009.

¹²⁶ Gorden, Andrew. 2002. p. 167

Empire system” involved the possibility to “be fascistic without introspection” after the Empire collapsed.¹²⁷

Park not only showed outstanding performance in two years of preparatory courses but graduated at the top among Manchurians.¹²⁸ Accordingly, he got privileged admission to Imperial Japanese Army Academy. The reason why the authority sent Korean students to Imperial Japanese Army Academy was to strengthen homogeneity and ties between Korean and Japanese soldiers.¹²⁹ However, Seobjun Lee, one of the classmates, recollected that Park was not fully Japanized. Basically, the curriculums of Imperial Japanese Army Academy and Manchurian Military Academy were similar, for originally curriculum of Manchurian Military Academy was created based on that of Imperial Japanese Academy.¹³⁰ Park also got excellent results in Japan. Park graduated Imperial Japanese Army near the top, the third.

After graduation, he was assigned to 636 unit of Kwantung Army located in border area between the Soviet Union and Manchuria as a probational officer. Completed the probation period, he was educated in Manchurian Military Academy for 2 weeks. Subsequently he was assigned to the 8th infantry division located in Rehe, Northern China in 1944, one year before independence. The main mission of the 8th infantry division was to suppress 17th division of Eight Route Army under Mao Zedong.¹³¹ The 8th infantry division had to subdue red guerrillas while maintaining regiment size formation. The main enemy of Kwantung army was the Soviet Union.¹³² Manchurian Military Academy itself was build up to provide human resources to form a strong battle line against the Soviet forces.¹³³ At that time, there was no end of border dispute between the Soviet Union and Japan regarding Manchuria and Mongolia. At

¹²⁷ Lee, Kihun. 2002. p.74

¹²⁸ Chun, Inkwon. 2006. p. 89

¹²⁹ Park, Minyoung. 2004. “A Study of the Repatriation of Koreans in the Manchuria Army”, *Journal of Korean Independence Movement Studies*, vol. 22, pp. 137-163

¹³⁰ Sin, Jubaek. 2002.

¹³¹ Chun, Inkwon. 2006. p. 90

¹³² Tobe, Ryoichi, 2003. *Modern Japanese Army*, Korean language edition, Seoul: Korean Military Academy Hwarang-dae Research Institute

¹³³ Sin, Jubaek. 2002.

last, those disputes brought about Nomonhan Incident. Nomonhan Incident broke out just 1 year before Park entered Manchuria Military Army. Thus, it is natural to imagine that antipathy toward the Soviet Union was very strong by the time Park came to Manchuria. Thus, it is very likely that Park learned malice toward the Soviet Union, and that malice formed a foundation of his anti-Communism perception. In fact, he showed strong aggressiveness toward the Soviet Union when criticizing Communism. Also, he perceived the Soviet Union threaten Korean nation in his writings later.¹³⁴

In July 1945, Park was promoted to a first lieutenant. Accordingly, he faced independence at that position. On 9th August 1945, the Soviet Union attacked Manchuria and Korea, and Kwantung Army and Manchurian Army lost the battle. Among 4 Koreans in the 8th infantry division, 3 of them including Park did not come back to Korea directly, but went to Beijing. They joined Korean Liberation Army there. Korean Liberation Army was practically a group of people waiting for returning home rather than an army. In those days of September 1945, directly after the collapse of the Japanese Empire, Beijing was crowded with the ranks and military officers who had served in Manchurian Army or Imperial Japanese Army and young men from various parts of China.¹³⁵ Park took the position of company commander of the 2nd company of a battalion of the 3rd detachment of Korean Liberation Army and also trained some soldiers of Korean Liberation Army.

Antagonistic relationship between the left wing and the right wing, one of the most severe problems in post-colonial Korea, already started in Korean Liberation Army. Someone who had been in the Korean Liberation Army remembered that “Communists sometimes had ideology disputes all night and disobeyed to commander Park’s order.”¹³⁶ Once, communists raised a cry against Park, for he prevented communists from going to Communist party meeting in training session.¹³⁷ Taken those anecdotes together, we can assume that Park didn’t assimilate with Communism even though many Communists were serving in the Korean Liberation Army.

¹³⁴ Park, Chung Hee. 1962. “Ordeal and Journey of Nation” in *The objective of Korean Nation in Addresses to Korean Nation*, 2006 edition, Seoul: Donsuhbook. All Park’s writings are included in this book.

¹³⁵ Park, Minyoung. 2004.

¹³⁶ Chun, Inkwon. 2006. p. 96

¹³⁷ Cho, Gabje. 1998. P. 163

Through his experiences in Manchurian Military Academy, Imperial Japanese Army Academy, and Kwantung Army, fascism in Park's mind was strengthened. Especially, the influence of the February Incident and of thorough military training could have intensified his militaristic aspect. Also, his nationalism was fortified as a reaction to discrimination against Koreans. On the other hand, his wrath toward the Soviet Union would have been consolidated while serving in the Kwantung Army, as its main enemy was the Soviet.

3. From South Joseon Defense Academy until the start of Korean War (1946-1950)

Not long after the independence, Park enrolled Joseon Defense Academy. Ironically, Jaegyu Kim who assassinated Park later also went to Academy and they had time together. After taking 3 months of courses, Park graduated in December and was commissioned second lieutenant of South Joseon National Defense Force. South Joseon Defense Academy was formerly Military Language School. U.S. military administration originally planned to constitute Military Language School with 20 executives each of Korean Liberation Army, Imperial Japanese Army, and Manchurian Army. However, Korean Liberation Army rejected this plan, for they want to "act with pro-Japanese betrayers". Thus, South Joseon Defense Academy consist of mainly former Imperial Japanese Army, and Manchurian Army members.¹³⁸ In other words, majority of the students had been educated in the frame of Japanese fascism. Within that kind of environment, we can assume that students could easily maintain their values and ideology rather question and discard it.

Military authorities didn't make an issue of it. For example, among 110 military officers who were Military Language School graduates, around 87 had experiences in Imperial Japanese Army, and 20 in Manchurian Army.¹³⁹ Therefore, Park's fascistic ideology which had been formed and reinforced through Daegu Teacher's College, Manchurian Military Academy and in Imperial Japanese Army Academy was not changed significantly after entering South Joseon Defense Academy.

¹³⁸ There were soldiers from Japanese and Manchurian Army in Korean Liberation Army. Yet, it seems like Jo only included Koreans who never had experiences in one of those Armies; Jo, Hyunwoo. 1989. "Park Chung Hee, from commissioned officer in the Japanese Army to President", *Monthly Mal*, vol. 42, pp. 136-139.

¹³⁹ For those from Manchurian Army, Hyunwoo Jo recorded it as 27 and Ju-Baek Shin as 21.

In 1948, Yeosu-Suncheon Rebellion sparked a sweeping purge in military. At that moment, Park was also purged from the army because he had joined the South Korea Labor Party. Many servicepersons were branded Communists and sentenced to death during that purge. Yet, Park proved that he is not Communist by confessing core information regarding organogram of the South Korea Labor Party. Thanks to joint guarantee of Sunyeop Baek, Ahnil Kim, Changryoung Kim, servicemen who were safe from the purge, he was cleared of charge. Even, James H. Hausman, a U.S. advisory councilor, suggested to the then president Syngman Rhee that amnesty be given to Park.¹⁴⁰ He was dismissed, but worked in intelligence office not as serviceperson but as a civil servant, with the help of Sunyeop Baek. Fortunately, he could spare his life but he was tortured severely in the prison. Even after the purge is completely over, still the suspicion surrounding him seemed unlikely to be easily dispelled. This memory could have amplified his antipathy toward Communism.

The Korean War gave Park an opportunity to resolve others' doubts on him. On the day of outbreak of the War, 25th June, he was back home. However, he immediately came back to Seoul on 27th June and proved his ideological "soundness". Following the Korean War, anti-Communism became so natural in South Korea. Of course, Park's anti-Communism perception must be strengthened.

4. Manifestation of Japanese Fascism in Park's political behaviors (1961-1979)

Heretofore the study examined how Park assimilated to Japanese fascism. Political behaviors and policies of Park proved that he was affected by Japanese fascism. Aspects that show the influence of Japanese fascism on Park can be divided into four parts. In terms of Park's reform type, agriculturalism, industrial development, and labor policies we can find the legacy of Japanese fascism. Those four parts are unique characteristics of Japanese fascism.¹⁴¹ Thus, if those distinctive features are manifested in Park's regime, it is reasonable to say that he was influenced by Japanese fascism.

First of all, Japanese fascism was mainly promoted by political power inside existing state institutions which were bureaucrats and military authorities. Heroism and

¹⁴⁰ Chung, Jae-kyoung. 1992. p. 108

¹⁴¹ Maruyama, Masao. 1963. pp. 25-83

Shishi Conciousness, sort of noble duty of “men of high purpose”, in Japanese fascism restrained popularization of fascism. Tachibana Kosaburo who had provided philosophical background to fascistic terror such as 5.15 incident and 2.26 incident argued that only small number of group can lead the revolution and especially militaries are qualified for that kind of mission.¹⁴² It is different from German fascism which organized and mobilized the public. Some of Park’s political activities are compatible with this side of Japanese fascism. He came to power through coup d’état with military authorities not with people. Also, the type of Park’s reforms can be categorized as “Revolution from Above”.¹⁴³ He pushed revolutionary policies in many areas from society to economy. Those reforms mainly reflected Park’s own opinion and only a few of military high command and economic advisors’. He unilaterally pushed policies without gathering opinions of the public. Also, in revitalizing reform system every part of society was under control of Park, bureaucrats and military.

In addition, the agrarianism in Japanese fascism affected Park. According to Maruyama, “on the one hand, there is a tendency towards an ever-greater strengthening of absolute State sovereignty focused on the Emperor; on the other, a tendency to centre the conception of Japan on provincial rather than on State affairs.” At this point, the right wing was divided into two. One side purely put the ‘agriculture-first’ principle first and focused on rural area. The Other side affirmed high level of industrial development and then tried to put those industries under state control. In many cases two parts were compounded. Since the Meiji era, emphasis on rural area has been immanent in Japanese thoughts. In 1887, Japanism already put stress on agrarian improvement.¹⁴⁴ Park started the New Community Movement in 1970. One of the aims of the movement was to bridge the gap between urban and rural areas. This movement encouraged people to work hard in accordance with “Deiligence, Self-Help, Collaboration” principle. Also, the government invested in building up and improving rural infrastructure.

The other side of the ‘agriculture-first’ principle, industry affinity, also affected Park. Tachibana thought large scale machinery industry was allowable if it is

¹⁴² Maruyama, Masao. 1963. pp. 51-53

¹⁴³ Kim, Seok Gun. 2012.

¹⁴⁴ Maruyama, Masao. 1963. pp.38- 41

controlled well.¹⁴⁵ Also, Japanese bureaucrats believed uncontrolled profit seeking rarely did much good for nation. In 1937, Army Headquarters and officialdom of Japan imposed Five-Year Plans mainly about “targeting certain industries for growth and channeling capital in their direction”. Small number of bureaucrats called “economic general staff” managed plans and regulated those industries.¹⁴⁶ It seems that Park had similar thoughts with them. Park started series of 5 Year’s Planning of Economic Development in 1962. The first 5 Year’s Planning mainly invested in social infrastructure and key industries such as oil refining and chemistry industry. In addition, one of the aims of the Second Planning was industrial development by promoting chemistry, steel and machinery industry.

However, in contrast to German fascism, Japanese fascism belittled laborers. The National Socialist German Workers’ Party (Nazi) claimed to stand for laborers. However, peasants and merchants were more valued than factory workers under Japanese fascism. Sometimes exploitation of workers was taken for granted.¹⁴⁷ In 1940, the cabinet dispersed 500 labor unions.¹⁴⁸ Similarly, Park systemized state control of labor with the labor act amendment and new-established state apparatuses form the military government. Especially under the Yushin system, the labor unions were suppressed and related activities were prohibited. The Special Measures for Safeguarding National Security and the National Security Act ideologically repressed labor movement.¹⁴⁹

Results and Discussion

Fascism gives priority to the command of the ruler over the constitution. In Korea, even after democracy was settled down, the will of the supreme power sometimes predominated over the constitution in the name of security. Under Park’s

¹⁴⁵ Maruyama Masao. 1963. P. 43

¹⁴⁶ Gorden, Andrew. 2002. pp. 192-193

¹⁴⁷ Maruyama, Masao. 1963. pp. 48-50

¹⁴⁸ Gorden, Andrew. 2002. p. 211

¹⁴⁹ Shin, Chi-Ho. 2008. “The State and Labor Relations under Park Chung Hee Regime”, *The Korean Labor*, vol. 16, pp. 81-120

rule, that situation happened several times.¹⁵⁰ Typical examples are 5.16 coup d'état and Revitalizing reform. Another example is the student protest in 1961. In May, a bunch of students organized a protest in front of Panmunjom insisting South-North student dialogue is needed. Park took this event as negative. He thought that was "a dangerous situation caused by infantile students misled by Communist demagoguery".¹⁵¹ He mentioned this in the chapter explaining the legitimacy of his coup d'état of his book. As he put the state above everything a protest against the state is very seditious and also Communistic. For him, this kind of social confusion is threatening enough to legitimize the military coup d'état.

All things taken together, we can assert Park's political behaviors and decisions has its root in Japanese Fascism. His Japanese Fascism inspired him to choose an excessively militaristic way such as 5.16 coup d'état and a fascistic way such as Revitalizing Reform (Yushin). This Fascistic tendency was gradually formed in various institutions he had been in under the Japanese Empire system; Daegu Teacher's College, Mungyeong Common School, Japanese Manchurian Military Academy, Kwantung Army, South Joseon Defense Academy and Korean Military. As a result, this study observed that Park's militaristic perception has developed over time and showed different characters in each period as follows. First of all, in Daegu Teacher's College and Mungyeong Common School, Japanese fascism firmly established itself in Park's mind. After that, through Japanese Manchurian Military Academy, Imperial Japanese Army Academy, and Kwantung Army, his militaristic and fascistic aspects were strengthened and anti-Communism was combined with it. Especially, antipathy toward the Soviet Union was formed in this period, for he took it as main enemy. Even after independence, "Japanese" fascism was not criticized in South Joseon Defense Academy and Korean Military, which means Park was likely to keep fascistic attitude. More over, the purge in military made him find Communism repellent.

With the process mentioned above, Park built up strong Anti-Communism and reflected it in his policy. Anti-Communism Perception restricted ways of thinking

¹⁵⁰ Kim, Dong-Choon. 2011. "War-Politics in Korea under the Cold War and Anticommunist Order: State Violence and limit of the Rule of Law", *Economy and Society* vol. 89, pp. 333-366

¹⁵¹ Park, Chung Hee, 1971. "Victory of Faith and Yearn for Freedom" in *Strength of Korean Nation in Addresses to Korean Nation*, 2006 edition, Seoul: Donsuhbook, pp. 698

and patterns of behavior of Korean people in various aspects. In Korean Society, being “critical” or “away from the mainstream” has been regarded as “leftist-leaning”, “impure”, “pro-Communist”, or “pro-North Korea”.¹⁵² Vladimir Tikhonov pointed out Korean military culture underlies authoritarian culture widespread in Korean society. He criticized that if the military who had contributed to maintenance of fascistic regime, such as Park’s and Chun’s, keep to old customs, one cannot say Korean civil society reformed fascist country.¹⁵³ The fact that those who mainly participated in creating military culture have experiences in Kwantung Army or Japanese Army reinforces the view that fascistic aspects of current Korean society has its origin in Japanese fascism.

Conclusions

After all, the coercive Anti-Communism system during the Park era was formed not as a reactive policy against North Korea but on the basis of Japanese fascism. Accordingly, when we talk about “Park’s legacy” in Korean Politics, we have to consider Japanese fascism underlies that system with the dispute over Park’s pro-Japanese versus anti-Japanese tendency aside.

Therefore, to discuss the reasons why progressive and the left movements had been suppressed and pluralism had been undervalued in South Korea or to devise possible solutions to this problem, we have to analyze the impact of Japanese Fascism as well as that of North Korea. Without due consideration on Japanese Fascism, no one can see the essence of the problem.

References

Cho, Gabje. 1998. *Spit on my grave* vol. 2, Seoul: Chosun Ilbosa

¹⁵² Kwon, Hyuk-Bom. 2000. “Anti-Communism circuit in my body and authority” in *Fascism inside Us*, Seoul: Samin

¹⁵³ Tikhonov, Vladimir. 2000. “Korean Militarism that destroys humanity” in *Fascism inside Us*, Seoul: Samin

- Cho Chul Ho. 2007. "President Park Chung Hee's National Defense Policy of Self-Reliance and the Development of Nuclear Weapons", *Critical Review of History*, Vol. 80, pp. 356-373
- Chung, Jae-kyoung. 1992. *Great man Park Chung Hee*, Seoul: Jipmoondang
- Chun, Inkwon. 2006. *A Biographical study of Park Chung-Hee's political thoughts and actions*, Seoul: Ehaksa
- Gorden, Andrew. 2002. *A Modern History of Japan: From Tokugawa to the Present*, Oxford University Press
- Griffin, Roger edit. 1995. *Fascism*, New York: Oxford University Press
- Heywood, Andrew. 2007. *Political Ideologies*, 4th edition, Palgrave macmillan
- Hwang, Byoung Joo. 2009. "Park Chung Hee and the Desire for Success in Modern Korea", *Critical Review of History*, vol. 89, pp. 257-283
- Jo, Hyunwoo. 1989. "Park Chung Hee, from commissioned officer in the Japanese Army to President", *Monthly Mal*, vol. 42, pp. 136-139
- Jung, Sunghwa edit. 2005. *Issues and Subjects in Researches on Park Chung Hee era*, Seoul: Sunin
- Kenichi, Matsumoto. 2010. *Hyoden Kita Ikki*, Korean language edition, Seoul: Gyoyangin
- . 2006. *Park Chung Hee Era and Modern History of Korea*, Seoul: Sunin
- Kim, Dong-Choon. 2011. "War-Politics in Korea under the Cold War and Anticommunist Order: State Violence and limit of the Rule of Law", *Economy and Society* vol. 89, pp. 333-366
- Kim, Il-Young. 1995. "The Analysis and Evaluation of Politico-Economic Development under Park Regime", *Korean Political Science Review*, Vol.29 No.2, pp. 181-215
- Lee, Deok-jae. 2009. "The economic policies in the era of Park Chung-Hee government: political economy of a double-edged sword", *Quarterly Review of Korean History*, Vol.74, pp. 79-112
- Lee Kihun. 2002. "Teacher Training in Colonial Period – Centering Around Daegu Normal School", *Critical Studies on Modern Korean History*, vol. 9, pp. 41-76
- Lee, Ki-Hoon. 2007. "The Social Status of the Teachers assigned at Common Schools and their Perception of themselves", *History and Reality* vol. 63, pp. 99-135
- Lim, Jihyun edit. 2000. *Fascism inside Us*, ed. Seoul: Samin

- Ma, Sang-Yoon. 2003. "Security, Democracy and Park Chung Hee's Road: The Origins of the Yushin System Revisited", *The Korean Journal of International Studies*, Vol.43 No.4, pp. 171-196
- Mariko Asano Tamanoi edit. 2005. *Crossed histories: Manchuria in the age of empire*, University of Hawai'i Press.
- Maruyama, Masao. 1963. *Thought and Behaviour in Modern Japanese Politics*, Ivan Morris edit., London: Oxford University Press
- Neocleous, Mark. 1997. *Fascism*, University of Minnesota Press
- Park, Chung Hee. 1962. *Addresses to Korean Nation*, 2006 edition (collection of Park Chung Hee's writings), Seoul: Donsuhbook
- Park, Jongmin. 2008. "Presidential Identity and Leadership Behaviour of Korean Presidents: Content Analysis of *Daehan News* From 1953 to 1994", *Korean Journal of Journalism & Communication Studies*, Vol.52 No.3, pp. 151-180
- Park, Minyoung. 2004. "A Study of the Repatriation of Koreans in the Manchuria Army", *Journal of Korean Independence Movement Studies*, vol. 22, pp. 137-163
- Rhyu, Sang-young. 1996. "Between World System and State: Park Chung-Hee's Choice of Industrialization Strategy", *Korean Political Science Review*, Vol.30 No.1, pp. 151-179
- Schwarz, Fred. 1970. *What is Communism Lecture Series*, Chantico
- Shin, Chi-Ho. 2008. "The State and Labor Relations under Park Chung Hee Regime", *The Korean Labor*, vol. 16, pp. 81-120
- Sin, Jubaek. 2002. "Korean commissioned officers and Korean Army in Manchukuo Army", *Journal of Korean Historical Studies* vol. 9, pp. 77-132
- Sohn, Bong-Scuk. 1983. "Political Culture and Anti-Communist Ideology in Korea", *The Korean Political Science Review* vol. 17, pp.81-94.
- Tobe, Ryoichi, 2003. *Modern Japanese Army*, Korean language edition, Seoul: Korean Military Academy Hwarang-dae Research Institute

ASSESSMENT OF POWER SECTOR REFORM POLICY IN BANGLADESH:AN ANALYTICAL ANALYSIS

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Abstract

Access to power has become essential to the functioning of modern economies as it has been considered as a strategic determinant of economic and social progress. Providing access to affordable and reliable electricity to all citizens by 2020 is a befitting national goal of the Government of Bangladesh. Power is one of the major reasons of unsatisfactory GDP growth and Bangladesh has recognized the power sector as a priority states and decided to implement rigorous reform steps in this sector. In Bangladesh, the reform process involves a combination of restructuring, regulation, commercialisation, and privatisation. However, reforms have encountered significant difficulties and policy makers have the reform path considerably more complex than anticipated. This happens partly because of the diverse political, economic and structural contexts of the country and partly because of the common prescription of the donor agencies. Additionally, policy makers and reformers tend to underestimate the political difficulty in many tariffs to cost recovering level, the level of corruption and other fiscal leakages.

1. Introduction

Power and energy are prerequisites for higher economic growth, poverty reduction and social development. Economic growth is also positively linked to energy and power usage and affected by its availability. The conventional wisdom is that energy is used in the production of almost all goods and services and it plays a crucial role in the

development process not only by enhancing the productivity of factors of production, but also on promoting higher living standards.

Bangladesh also considers energy and power as a pre requisite for her technological, societal and economic growth. However, energy security in Bangladesh is threatened by spiralling population growth, rapidly growing demand for energy, scarcity of fossil fuel resources, vulnerable climatic conditions, technical constraints, organisational problems and lack of political transparency in the decision making processes. Bangladesh is currently unable to ensure necessary power supplies to meet the power demand of the country. In fact, power crisis is one of the major problems in Bangladesh since her independence which is becoming more acute now a day as the gap between demand and production is increasing. It is therefore, essential to take steps ensuring necessary power supplies and their proper distribution to all uses and users throughout the country to support steady socio-economic development in Bangladesh.

Government of Bangladesh has also recognized that the pace of power sector development has to be accelerated in order to achieve overall economic development of the country. To upgrade the socio-economic condition and to alleviate poverty, electricity sector has been prioritized by the government. Nearly 75% of the population is urban and only about 30% of the rural households have access to grid electricity. The current rate of expansion in electrification is only about 400,000 new households gaining access every year and at such rate it would take more than 40 years to reach all households. Rural electricity access rates have to increase dramatically to accomplish the Government's stated goal of providing universal electricity access by 2020. Considering the potentiality of the renewable energies, Government has encouraged implementing off-grid renewable energy technologies, such as Solar Home Systems (SHS) and micro-wind power systems in coastal areas and mini-hydro projects in the

mountainous regions as a priority. It has been estimated that power outage in Bangladesh results a loss of annual industrial output of \$1 billion. Power is one of the major reasons of slow GDP growth and the government of Bangladesh has recognised the power sector as a priority sector. Government has decided to build more power projects through private sector and public private partnership as a step of rigorous reform strategies.

In principle, a reform should be undertaken in the developing countries if it will have a positive welfare economic impact. There is a widespread variation behind the motivations of electricity reform between developed and developing countries because of the different driving forces. In developed countries, the principle aim has been to improve the economic and financial performance of relatively efficient systems, whereas in developing countries, the main objective is to tackle the burden of subsidies, improve service quality, reduce high transmission and distribution losses, and provide electricity to all the population. The present paper critically analyses the reform initiatives implemented in Bangladesh with their outcomes.

2. Motivations and Main Instruments of Power Sector Reform

Many researchers argue that the need for embarking on comprehensive power sector reform arose from two primary concerns: firstly, the dissatisfaction over the poor technical, financial, and managerial performance of the state-owned electricity utilities. Secondly, the inability of utilities and the government to mobilize sufficient investment capital for the electricity subsector's development and expansion.

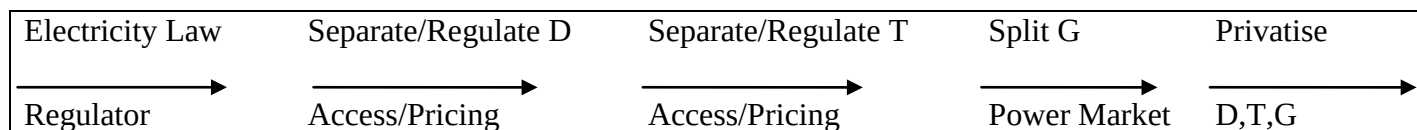
Electricity sector reforms are multidimensional activities with increasing factors and a variety of impacts. The process generally involves a set of concrete steps or measures based on a specific model of reform. At one level, these measures involve structural and organisational changes to the industry, and at another level there is a requirement for appropriate institutional arrangements such as legislation and new agencies. Many

countries with small systems may be well advised to initially aim for simpler but more feasible solutions such as the Single Buyer Model (SBM). In the SBM, an independent entity or the transmission utility is mandated to purchase electricity from competing generators and resell this to distribution utilities.

A World Bank survey on the state of energy reform in developing countries focused on six key steps to electricity sector reforms: (i) Corporatisation or commercialisation of the core utility; (ii) Enactment of an ‘Energy Law’; (iii) Establishment of an independent regulatory authority; (iv) Restructuring of the core utility; (v) Private investment in green field sites; and (vi) Privatisation (Bacon, 1999).

Newbery (2002) shows a schematic illustration of the main steps and implementation sequence of a model generic reform model.

Figure 1: Main Steps in a Generic Reform Model



The electricity reform must have a clear legal basis and steps such as restructuring, private participation, and establishment and role of regulatory bodies often require new legislation. This has generally been achieved in the form of an electricity law or act. The legal basis for restructuring of reform also signals a country’s commitment to implementing the reform and reduces the uncertainty associated with issues such as property rights and conflict resolution procedures. Most reforms require a degree of restructuring of the sector. The aim is to separate the potentially competitive activities (generation and supply) from the natural monopoly segments (transmission and distribution). Careful consideration should be given to the initial restructuring of the sector, as any new structure will tend to create vested interests that may resist or complicate subsequent adjustments to the structure of the sector.

Distribution business should be subjected to regulation which can result in considerable efficiency improvements. Cost reflective pricing through tariff re-balancing can take place at this stage and in order to eliminate or reduce (cross) subsidies. Privatisation can improve revenue collection and energy losses. However, these issues are sensitive and rate increases and disconnections for non-payment have social implications and need political approval. Privatisation per se cannot replace and must be separate from government responsibility in these areas. If the government is not able to initiate appropriate measures, private (and often foreign) ownership alone could, at best, only partially achieve this. Such issues should ideally be addressed before ownership form of distribution business is decided. Failure to do so will inevitably affect the private investors' willingness to pay for the distribution companies and investments in system expansion.

Transmission activity should be separated from generation and establish the former as separate entity. A clear division of these activities is a prerequisite for effective competition in the generation segment. Vertical ownership between generation and distribution can lead to discrimination against other generators, distort competition, and discourage new entry. Generation capacity can be divided into several units and establish a competitive wholesale electricity market. The critical issue is to create sufficient number of firms for a competitive market. Wholesale markets can be structured as Single Buyer Model, marginal cost-based pools, and price-based spot market.

Where privatisation is desirable and feasible, this should preferably start with the distribution networks. Privatisation of the generation segment can take place after the structure, regulation, and ownership of distribution companies is clear. Privatisation of transmission grid is less pressing and can take place at the same time or later when

workable network congestion and system expansion arrangements are in place. It should be noted that the privatisation is not an indispensable part of reform.

The main reform objectives of countries in the South Asian region are as follows:

- (a) To attract private investment in the sector, including foreign capital;
- (b) To rationalise sector activities and to take measures conducive to improvement and development of the sector;
- (c) To manage sector activities in an economic, efficient and competitive manner;
- (d) To reduce dependence on state support;
- (e) To ensure affordable and quality supply to consumers but at the same time allowing the utilities a fair chance of recovering their costs.
- (f) To provide electricity to all consumers especially in rural areas.

3. Power Sector Scenario in South Asia

Power sector in South Asia is quite diverse. Nepal has a small and largely undeveloped electricity market; on the other extreme, India ranks among the top ten in the world in terms of generation capacity. Coal plays an important role in India, while Hydropower has a significant share in Nepal and Srilanka. Natural gas plays an important role in Pakistan and Bangladesh. However, there are a number of similarities among these countries including the following (Bhattacharyya, 2007):

- i) Per capita electricity consumption in these countries ranks very low by international standard.
- ii) The level of electricity access is low, especially in rural areas between 15 per cent and 50 per cent.
- iv) The state budgetary support constituted the main source of funding for the sector for a long time. But deteriorating financial situation of the state does not allow continuation of the same practices, affecting growth of the sector.

- v) State still plays a dominant role in the electricity sector and often acts as the policy maker, regulator and owner of the electric utilities. In many cases, the state failed to exercise its power in a balanced manner.
- vii) Despite private entry in generation, vertically integrated operation remains most common form of market organisation. Single Buyer Model is the reform model adopted in most of the countries of the region.
- viii) The supply quality is poor, often as a result of inadequate supply capacity, poor maintenance and inappropriate policies.
- ix) The electric utilities are in a state of severe financial distress due to poor tariffs, abysmal operating performance, and a legacy of inappropriate power procurement practices and policies.
- x) Each country is facing high demand growth due to relatively stronger economic performance in recent years.

4. Power Sector Scenario in Bangladesh

Bangladesh, with its 160 million people in a land mass of 147,570sq km is an emerging economy of South Asia successfully maintaining sustained economic growth of least 6% since last decade resulted a considerable high electricity demand each year. However, the demand could never been met due to inadequate generation addition in the past. Load shedding had been increased. Moreover, outstripping electricity demand-supply gap has been constraining further economic progress as required to move ahead middle class economy. Recognizing this fact the present government has prioritized this sector right from the election manifesto. As per election manifesto of the present government electricity generation in the country would be 7000 MW by the year 2013, 8000 MW by 2015 and 20,000 MW by the year 2021. The government has already declared its vision for power sector which has gone far beyond that.

The power generation is heavily dependent on fossil fuels, mainly natural gas, which accounted for 84.02% of the total installed electricity generation capacity (5936MW) in 2010 (BPDB, 2010). The share of electricity in final energy consumption has also been increasing. Therefore, it is expected that Bangladesh will require more electricity in future as a consequence of many factors affecting the future demand, like population growth, on-going social changes, and the restructuring of the Bangladesh economy together with the expected technological development, particularly in the industrial sector.

Power generation in Bangladesh was mono-fuel dependent, i.e. indigenous natural gas since 2009 considering its apparent huge availability. About 84% of generated power comes from natural gas and the rest is from liquid fuel, coal and hydropower. The present share of renewable energy is only 0.5%.

Table 1: Power Generation by Fuel Type in FY 2010	
Generation Source	Percentage
Natural Gas	84.02
Diesel	5.15
Furnace Oil	4.42
Hydro	4.23
Coal	2.19
Source: Bangladesh Power Development Board 2011	

Bangladesh lacks sufficient electricity generation capacity and electricity grid networks to electrify the whole nation and has never enjoyed 100% electrification (Uddin and Taplin, 2008). Only 49% of the households have access to grid electricity, the supply of which is unreliable because of the lack of generation capacity as well as unreliable primary energy feed to the generation plants. As a result, frequent rationing of electricity by the providers during the summer months area common phenomenon. In

general, the country's power generation units have been persistently unable to meet up system demand over the last few decades. Electricity supply to remote rural areas is characterised by high transmission and distribution costs and transmission losses, and heavily subsidised pricing. The Government of Bangladesh (GOB) finds it very difficult to respond to the on-going electricity crisis because of insufficient electricity supply compared with demand linked with low levels of power generation from installed capacity due to low efficiency, increased household energy demand specially during the summer season and electricity requirements for agriculture during the dry season, rapid urbanisation, lack of investment in new power generation units, and most importantly limited but diminishing fossil fuel reserves.

Additionally, with the expansion of agricultural and industrial activities in Bangladesh, the demand for electricity also keeps rising. Having faced all the constraints with the existing demand, it is almost impossible for government to provide electricity in different sectors.

Table 2: Bangladesh's Power Sector at a Glance (FY 2010)	
Electricity Growth	10% in FY 2010(Average 7% since 1990)
Generation Capacity (June, 2011)	6727 MW
Total Consumers	12 Million
Transmission Lines	8,500 Km
Distribution Lines	2,700,000 km
Per Capita Generation (Including Captive Power Plant)	236 kWh
Access to Electricity	49%
Source: Bangladesh Power Development Board, 2010	

Present power Generation Capacity:

There are total 36 private operators in the country and they are generating 3193 MW of power which is 47% of the total generation. Most of them are Gas based with only 106 MW being generated from furnish oil.

Table 3 : Power Generation capacity in Bangladesh (January, 2011)		
Public Sector		
SL.		Generation Capacity (MW)
1.	BPDB	2620
2.	APSCL	659
3.	EGCB	255
	Subtotal	3481 (59%)
Private Sector		
1.	IPPs	1271
2.	SIPPs (BPDB)	99
3.	SIPPs (REB)	226
4.	15 YR. Rental	168
5.	3/5 YR. Rental	441
6.	Quick rental	988
	Subtotal	3193 (41%)
Total		6727
Source: Bangladesh Power Development Board 2011		

Table 4: Present Structure of Power Sector in Bangladesh at a Glance	
Apex Institution	Power Division, Ministry of Power, Energy & Mineral Resources (MPEMR)
Regulator	Bangladesh Energy Regulatory Commission (BERC)
Generation	1. Bangladesh Power Development Board (BPDB) 2. Ashuganj Power Station Company Ltd. (APSCL) 3. Electricity Generation Company of Bangladesh (EGCB) 4. North West Power Generation Company Ltd. (NWPGL) 5. Independent Power Producers (IPPs)
Transmission	Power Grid Company of Bangladesh Ltd (PGCL)
Distribution	1. Bangladesh Power Development Board (BPDB) 2. Dhaka Power Distribution Company (DPDC) 3. Dhaka Electric Supply Company Ltd (DESCO) 4. West Zone Power Distribution Company (WZPDC) 5. Rural Electrification Board (REB) through Rural Co-operatives
Source: Power Division, Ministry of Power, Energy and Mineral Resources, Government of the People's Republic	

Severe power crisis compelled the Government to enter into contractual agreements for high-cost temporary solution, such as rental power and small IPPs, on an emergency basis, much of it diesel or liquid-fuel based. This has imposed tremendous fiscal pressure. With a power sector which is almost dependent on natural-gas fired generation, the country is confronting a simultaneous shortage of natural gas and electricity. Nearly 400-800 MW of power could not be availed from the power plants due to shortage of gas supply. Other fuels for generating low-cost, base-load energy, such as coal, or renewable source like hydropower, are not readily available and Government has no option but to go for fuel diversity option for power generation.

5. Main Power Reform Objectives in Bangladesh

The power sector reform started in the late 70's which is limited to a few countries, but by the 90's widespread reform activity has been extended to many other countries. The process involves a combination of Restructuring, Regulation, Commercialisation, and Privatisation. According to the World Bank, power sector reform seeks to improve performance: financial performance, supply side efficiency and demand side efficiency. Power sector reform is challenging the decades old power structure in which governments monopolised electricity generation, transmission and distribution. A shift in ownership and control of energy assets and services from public to private sector has been a key focus of reform. In a large number of developing countries especially in South Asia including Bangladesh, reform of the power sector started from a market structure that was dominated by a state-owned national power utility with a legally endowed monopoly and a vertically integrated supply chain encompassing power generation, transmission, distribution and customer services.

The core reform programmes adopted by countries have tended to include the following three main elements:

1. Restructuring the industry in order to enable the introduction of competition. This means breaking up, or ‘unbundling’, the incumbent monopoly utilities, possibly into separate generation, transmission, distribution and retail suppliers of electricity.
2. Privatisation of the unbundled generators, transmitters, distributors or suppliers.
3. Development of a new regulatory framework. Instead of direct regulation by a government department, the establishment of ‘independent’ or quasi-independent regulatory bodies, in the forms of offices and commissions, has been favoured, drawing particular on the regulatory models of the USA and UK.

Other reasons for power sector reforms include the following:

1. Introducing Competition: increasing the number of players in the market to ensure increased quality of service as well as lower tariffs.
2. Tariff Reform: adjusting tariffs in order to remove subsidies thus ensuring they become cost-reflective.
3. Minimizing Government’s Regulatory Role: shifting the regulatory mandate from the Ministry/Department of Energy to an “Independent” regulatory agency to ensure a level playing field.
4. Amending Electricity Acts: reviewing electricity acts to establish a sound legal basis for power sector reforms.

GOB issued its Vision and Policy Statement on Power Sector Reforms in February, 2000, with the following objectives:

1. Bringing the entire country under electricity service by the year 2020 in phases
2. Making the power sector financially viable and able to facilitate economic growth
3. Increasing the sector’s efficiency

4. Introducing new corporate culture in the power sector entities
5. Improving the reliability and quality of electricity supply
6. Using natural gas as the primary fuel for electricity generation
7. Increasing private sector participation to mobilise finance
8. Ensuring reasonable and affordable price for electricity by pursuing least cost options
9. Promoting competition among various entities

6. Power Sector Reform Policy in Bangladesh

Bangladesh Power Development Board (BPDB) was established in 1972 as a public sector organisation with the responsibility for power generation, transmission and distribution of electricity throughout the country. The foremost priority in the reform agenda of the Government is to establish a legal framework for enabling business transaction in the new environment. The roles of regulation and operation would be segregated to evolving functional entities according to the structural needs of reformed power sector; Bangladesh Energy Regulatory Commission will be responsible for regulation of the sector. The Government shall, however, issue policy directives on matters concerning electricity including measures necessary for the overall planning and coordination for the development of the electricity sector.

Power sector reforms¹⁵⁴ started in late 70's with the creation of Rural Electrification Board (REB). In respect of the reform program following achievements have been made so far:

1. Rural Electrification Board was created in 1977
2. Rural electrification program has been successful:
 - 70 Nos. Palli Biddyt Samity, PBS (Rural Electric Cooperatives) established
 - Area coverage increased, so far 50,360 villages are electrified.

¹⁵⁴ See table 6 in Appendix for the history of energy and power sector reform policies in Bangladesh

- Electricity Supplied to 7.3 million consumers out of country's 10.4 million consumers in 2007.
 - Significantly positive impact on poverty reduction and social benefits to the rural people.
3. In early nineties, unbundling of the power sector as a part of reform started with the creation of Dhaka Electric Supply Authority (DESA) in 1991. However, DESA did not perform well.
4. A high power Inter-ministerial Committee on "Power Sector Reform in Bangladesh" (PSRB) was constituted in 1993. The report of the committee was approved by the Government. The committee's recommendations included:
- Unbundling of the sector according to functional lines
 - Corporatization of sector entities
 - Establishment of an independent Regulatory Commission
5. As a result of implementation of PSRB, the Power Grid Company of Bangladesh Limited (PGCB) and Dhaka Electric Supply Company Limited (DESCO) were created in 1996.
6. Power Cell was created under the Ministry of Power, Energy & Mineral Resources in 1995 to facilitate power sector reforms and to promote private power development
7. The National Energy Policy adopted in 1996 which recommended among others
- Sector unbundling
 - Private sector participation
 - Establishment of an Energy Regulatory Commission
8. "Private Sector Power Generation Policy of Bangladesh" was adopted in 1996.
9. The Government approved "Policy Guidelines for Small Power Plants (SPP) in Private Sector" in 1998

10. Government reconstituted board of directors of corporatized entities for good governance.

7. Power System Master Plan 2010 (PSMP 2010)

In order to develop the Bangladesh power sector, a Power Sector Master Plan (PSMP) was in place in 2005. The PSMP 2005 was mainly based on gas with the perception that Bangladesh has abundance of gas reserve. But the reality is reverse, as such even the existing gas based power plants could not be operated due to the shortage of adequate gas pressure and gas reserve is alarmingly depleting. Meanwhile, the government has declared its vision 2021 to provide electricity for all. To accommodate the changed scenario and the govt.'s vision 2021, a new PSMP 2010 has been undertaken considering coal as dominant primary fuel for the attainment of stable power supply up to the year 2030 in consideration of the diversification of fuel resources.

The PSMP 2010 includes an optimum power development plan and identification of the potential power plant sites based on the fuel diversification study. It has been developed with fundamental conditions of the development e.g. demand forecast, procurement of primary energy resources, optimum power development plan, future optimum power supply structure including the positioning of gas-fired power plants, and so on. The fundamental objective is also to attain stable power supply by achieving the 3Es i.e., Economic Growth, Energy Security and Environmental Protection simultaneously. The government of Bangladesh set the maximum target to reduce poverty as soon as possible by achieving high economic growth, which could be achieved through a stable and efficient power system. Considering the fuel diversification issue, the PSMP 2010 aims to acquire the fuel composition ratio would be coal 50% (30% domestic coal and 20% imported coal),

natural gas 25% (including LNG), 5% liquid fuel and 20% nuclear including renewable and cross-border trade, thus prioritizes the use of domestic primary energy sources. However, in this case domestic energy supplies are not enough to fulfil the rapid demand growth for electricity and natural gas, it would be necessary to tap into other power sources from abroad.

The PSMP 2010 recommends revising the tariff structure to recover maintenance costs and future investment for plant and equipment due to the fact that the current tariff does not envisage funding for neither appropriate maintenance nor future system expansion. While the prevailing tariff policy adheres to the cost reflection, it has also been recommended that the power development surcharge into the power tariff be introduced for the purpose of funding the development of the power system and/or energy saving projects.

The government fully recognizes the fact that public sector investment alone is not sufficient to achieve its target and has aimed at mobilizing resources from the private sector investments. The government has been promoting the development of infrastructure through the promotion of Public-Private Partnership (PPP) as the policy to develop public services via private sector investment.

In line with the Power system Master Plan 2010, an interim generation plan up to 2016 has been prepared. Government has taken short, medium and long term plan. Under the short term plan, Quick Rental Power Plants will be installed using liquid fuels/gas and capable to produce electricity within 12-24 months. Nearly 1753 MW is planned to be generated from rental and quick rental power plants. Under the medium term plan, initiatives have been taken to set up power plants with a total generation capacity of 7919 MW that is implementable within 3 to 5 years' time. The plants are mainly coal based; some are gas and oil based. In the long term plan, some big coal fired plants will

be set up, one will be in Khulna South and other will be in Chittagong, each of having the capacity of 1300 MW. Some 300-450 MW plants will be set up in Bibiana, Meghnaghat, Ashugonj, Sirangonj and in Ghorashal. If the implementation of the plan goes smoothly, it will be possible to minimize the demand-supply gap at the end of 2012.

8. Achievements of Power Reform Policy in Bangladesh

Along with the other reform policies, Bangladesh also experienced institutional reforms in the energy sector by dividing Ministry of Power, Energy & mineral Resources (MOPEMR) in to two divisions a) Energy and Mineral Resources (EMR) Division and b) Power Division and so far has the following achievements:

1. Bangladesh Petroleum Exploration and Production Company Limited (BAPEX) transformed to an Exploration and Production (E & P) company.
2. Independent Power Producers (IPP) involved in power generation.
3. Separate Companies of Bangladesh Power Development Board (BPDB) for power generation, transmission and distribution. (Sector Unbundling)
4. Bangladesh Petroleum Corporation (BPC) ensures petroleum supply during irrigation.
5. Bangladesh Energy Regulatory Commission (BERC) established in 2004.
6. BERC has started making decisions on Energy (petroleum, gas, electricity) Tariffs from 2008 in place of Government Administered Tariffs.
7. The government has been extremely successful to enhance and increase the performance of the distribution entities due to continuous monitoring and evaluation. The distribution entities have also taken various steps to improve the

electricity distribution system, heighten consumer satisfaction, and decrease the overall system loss.

8. Power Generation has increased to some extent.
9. With proper load management, irrigation for Agriculture was given the fullest support which contributed to bumper harvests during the crop seasons.
10. Solar Home System (SHS) has got momentum.
11. The System Loss comes down by a small margin.
12. System Loss in Gas distribution has been tackled with notable success through proper management and monitoring.
13. Access to Electricity increases.
14. Corporisation of Sector Entities.

9. Some Lesson of Experiences of Power Reform Policy

South Asian developing countries had initiated some form of electric power sector reform in the 1990's because of the consistent pressure of multi-donor agencies like the IMF and the World Bank which had been initiated in late 80's. Despite having wide range of possibilities ranging from minimal structural changes to complete structural disintegration of the activity of the industry (Hunt and Shuttleworth, 1996; Tenenbaum et al., 1992 and Newbery, 1999), not much progress had been made so far in the region. This happens because of the uniform prescription of the external lending agencies without paying much attention to the economic and institutional environment of the country (Sharma et al, 2004).

In many developing countries, electricity reforms take place within institutional settings that are characterised by unstable political systems, interventionist governments, unclear legislation on property rights, lack of judicial independence and credibility, and corruption. Regulatory framework should be in line with the institutional endowment of

the country and policy makers need to make realistic assumptions with regard to the political and institutional endowments of the countries (Levy and Spiller, 1994; Bergara et al., 1997). Emerging empirical evidence supports the importance of establishing appropriate institutional and regulatory framework. Guasch (2003, 2004) shows that weak regulatory governance, political cycles and opportunism, flawed contract design, and external shocks are the main factors leading to renegotiations (although less frequently in electricity) of infrastructure concessions. Guasch (2003) also finds that contract renegotiations are more likely in the absence of a regulator.

In many developing countries, prevalence of economic corruption and political opportunism is a significant source of inefficiency in the electricity sector. Also, some of the required changes associated with implementing electricity reforms can create the conditions for corruption and political opportunism (World Bank, 2002). Ultimately, many of the losers from corruption in the sector are likely to be the poorer groups of customers (Lovei and McKechnie, 2000). Corruption tends to limit private participation and competition, and increases the cost and risk of business. Corruption can also hamper the reform process, weaken public acceptance, and result in political pressure to stop the reforms. Bo' and Rossi (2004) find that inefficiency in the use of resources in electricity distribution companies is associated with country-level corruption. In addition, sector-level corruption has an adverse effect on the financial health of companies through high non-technical energy losses and low rates of revenue collection (Smith, 2004). Further, corruption can influence the behaviour and investment strategies of private investors (Henisz and Zelner, 2001).

Privatisation alone is not sufficient enough to ensure successful reform strategies. Although privatisation has been considered as one of the main instrument of reform policy, the theory and empirical evidence on the merits of private ownership and

privatisation in the context of market oriented infrastructure reforms are inconclusive(Jamasb et al, 2004; Mota, 2004; Zhang et al, 2002). Private ownership together with competition and regulation of networks is expected to result in cost efficiency, lower prices, reduced system losses and improved revenue collection (Newbery, 2002, 2004).

All the South Asian countries have undertaken some form of reform but none has attempted complex models so far. Similarly, most of the countries have not made much progress in reform.

Table 5: Status of Power Sector Reform in Asian Developing Countries						
Country	IPP Entry	Independent Regulation	Reform Act Enacted	Market Structure	Ownership of Generation	Ownership of Distribution
Bangladesh	1992	2003	No	Urban/Rural Segmentation; Functional Separation	Mixed, but mostly state owned	State Owned
India	1991	1997	2003	Mostly Vertically Integrated	Mixed, but mostly state owned	State Owned except in two states
Pakistan	1994	1995	No	Functional Separation introduced	Mixed, but mostly state owned	State Owned, except one area
Nepal	1992	1994	No	Vertically Integrated, Functional Separation introduced	Predominantly State Owned	State Owned
Srilanka	1996	2003	2002	Vertically Integrated	Mostly State Owned	State Owned
Source: S.C. Bhattacharya (2007)						

10. Constraints and Barriers to Implement Power Reform Policy

In Bangladesh, reforms have encountered significant difficulties and policy makers have the reform path considerably more complex than anticipated. This happens partly because of the diverse political, economic and structural contexts of the country and partly because of the common prescription of the donor agencies. Additionally, policy makers and reformers tend to underestimate the political difficulty in many tariffs to cost recovering level, the level of corruption and other fiscal leakages. Also, electricity systems in Bangladesh lack the necessary regulatory framework, experience and skilled human resources. Further, reforms are constrained by weak institutional endowment of the economic and political systems.

Successful reforms can improve the efficiency of the sector and offer lower prices, and better quality service. At the same time, flawed reform design and ineffective regulation and competition can undermine the benefits of reforms. Some of the barriers and constraints underlying in implementing the power reform policies are as follows:

1. Lack of coordination among the organizations
2. Increase of corruption
3. Financial indiscipline
4. Ultimately handicapped organization
8. National organization BPDB purchasing electricity in higher price from IPPs & selling in lower price –Ultimately financially being looser.

11. Conclusions and Recommendations

Bangladesh has implemented rigorous power reform initiatives in the last two decades in line with the reform objectives. However, the country cannot reap the full benefit of the reform programmes. There are four crucial factors which are the reasons behind the unsatisfactory progress of electricity reform in Bangladesh. These four factors are, namely instability of rule makers, poor overall acceptance, slow adoption and poor transition management. Acceptance of the new rules of the game by various

stakeholders, adoption of the organisations to the changed environment and proper transition management were other important factors. Corruption also hinders the pace of the reform policy in Bangladesh.

Some Recommendations:

1. As the domestic energy resources of Bangladesh are extremely limited, the option for importing Hydropower from Nepal, perhaps also from Bhutan and India, should be pursued mutually beneficial Ganges-Brahmaputra-Meghna (GBM) regional cooperation on energy. The cooperation regime may include the establishment of a Regional Electricity Grid among co-riparian of the GBM river systems.
2. Energy and power sector must be made efficient through the improvement of management and operational aspects relating to generation, transmission, and distribution. In this context, it is essential to curb the system loss and pilferage, improve transparency and accountability, remove financial constraints, and introduce proper billing system and collection procedures.
3. Political consensus for long term energy development programme, energy reforms, and equitable distribution of energy should be reached to ensure policy continuation in the sector.
4. A Credible Regulatory Institutions should closely monitor the implemented reform policies.
5. As Misuse, System Loss and Corruption in power sector are main issues regarding the power crisis, priority should be given to control misuse and corruption in power sector than generation of power.
6. Corruption should be reduced at any cost as it tends to limit private participation and competition, and increases the cost and risk of business. Corruption can also

hamper the reform process, weaken public acceptance, and result in political pressure to stop the reforms.

7. Regulatory Framework should be in line with the institutional endowment of the country and policy makers need to make realistic assumptions with regard to the political and institutional endowments of the countries.
8. Cost reflective Tariffs and proper Subsidy schemes are crucial for the sustainability of reform policies.
9. Initiatives should be taken to develop skilled manpower required for the power sector considering the renewable energy sources.
10. Effort should be given to control load demand by using Compact Fluorescent Lamp (CFL), transformation of holiday, proper load management, encouraging Independent Power Producers (IPP) and reducing transmission loss.
11. Importance should be given to the renewable energy considering its role for off grid electrification in the country.
12. Solar power does have the potential to have a significant market share in the future because of the availability of sunlight and further reduction in costs. Private investment should be encouraged in using Solar Photovoltaic (PV).

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References:

1. Bacon, R. W., 1999, "A Scorecard for Energy Reform in Developing Countries", Public Policy for the Private Sector, Note No. 175, The World Bank, Washington, D.C.
2. Bergara, M., Henisz, W.J., and Spiller, P.T., 1997, "Political Institutions and Electric Utility Investment: A Cross-Nation- Analysis." University of California Energy Institute, Program on Workable Energy Regulation (POWER), Working Paper PWP-052.
3. Bhattacharyya, SC, 2007, "Power Sector Reform in South Asia: Why slow and limited so far?", Energy Policy, pp. 317-332.
4. Guasch, J.L., 2003, "Infrastructure Concessions in Latin America and the Caribbean: The Renegotiation Issue and Its Determinants", Infrastructure and Financial Markets Review 9(2), June, Sustainable Development Department, Infrastructure and Financial Markets Division, Inter-American Development Bank, Washington, D.C.
5. Guasch, J.L., 2004, "Granting and renegotiating infrastructure concessions", World Bank Development Studies Series, World Bank, Washington, D.C.
6. Henisz, W.J., and Zelner, B.A., 2001, "The Political Economy of Private Electricity Provision in Southeast Asia", Reginald H. Jones Center Working Paper WP 2001-02, The Wharton School, University of Pennsylvania.
7. Hunt, S., and Shuttleworth, G., 1996, "Competition and Choice in Electricity", Wiley, London.
8. Jamasb, T., Mota, R., Newbery, D., and Pollitt, M., 2004, "Performance of Electricity Sector Reforms: A Survey of Practice and Evidence", Cambridge Working Papers in Economics CWPE0439, CMI Electricity Project CMI EP 47, Department of Applied Economics, University of Cambridge.

9. Levy, B., and Spiller, P.T., 1994, "The institutional foundations of regulatory commitment: a comparative analysis of telecommunications regulation", *Journal of Law Economics and Organisation* 10 (2), pp. 201–246.
10. Lovei, L., and McKechnie, A., 2000, "The Costs of Corruption for the Poor-The Energy Sector", *Public Policy for the Private Sector Note 207*, World Bank, Washington, D.C.
11. Mota, R.L., 2004, "Comparing Brazil and USA Electricity Distribution Performance: What was the Impact of Privatisation?" *Cambridge Working Papers in Economics CWPE 0423*, Department of Applied Economics, University of Cambridge.
12. Newbery, D., 1999, "Privatisation, Restructuring and Regulation of Network Utilities", MIT Press, London.
13. Newbery, D., 2002, "Issues and Options for Restructuring Electricity Supply Industries", *Working paper CMI EP 01/DAE 0210*, Department of Applied Economics, University of Cambridge.
14. Newbery, D., Jamasb., Mota, R., and Pollitt, M., 2005, "Electricity Sector Reform in Developing Countries: A Survey of Empirical Evidence on Determinants and Performance", *World Bank Policy Research Working Paper 3549*.
15. Rossi, MA., and Bo, ED., 2004, "Corruption and Inefficiency: Theory and Evidence from Electric Utilities", *Haas School of Business, University of California-Berkeley*.
16. Sharma, D., Madamba, S.E., and Chan, M.R.L., 2004, "Electricity industry reforms in the Philippines", *Energy Policy* 32 (13), pp. 1487-1497.

17. Smith, T.B., 2004, "Electricity theft: a comparative analysis", Energy Policy 32, pp. 2067-2076.
18. Tenenbaum, B.R., Lock, X., and Barker, J., 1992, "Electricity privatization: structural, competitive and regulatory options", Energy Policy 20, 1134-1160.
19. Uddin, SN., and Taplin, R., 2008, "Toward Sustainable Energy Development in Bangladesh", The Journal of Environment Development 17, pp. 292-315.
20. Zhang, YF., Parker, D., and Kirkpatrick, 2008, "Electricity Sector Reform in Development Countries: An Econometric Assessment of the Effects of Privatisation, Competition and Regulation", Journal of Regulatory Economics. Vol. 33(2), pp.159-178.

Appendix	
Table 6: History of Energy and Power Sector Reforms in Bangladesh	
Year	Reform
1972	1) Bifurcation of East Pakistan Water and Power Development Authority (EPWAPDA) and 2) Creation of Bangladesh Power Development Board (BPDB), with the responsibility for power generation, transmission and distribution of electricity throughout the country. The foremost priority in the reform agenda of the Government is to establish a legal framework for enabling business transaction in the new environment. The roles of regulation and operation would be segregated to evolving functional entities according to the structural needs of reformed power sector.
1978	Creation of Bangladesh Rural Electrification Board (REB).
1985	Liberalisation of Government policy with more private opportunities.
1991	New Public Sector Utility: Dhaka Electric Supply Authority (DESA) was created. (Unbundling the Power Sector)
1993	Power Sector Reform in Bangladesh (PSRB) was constituted recommending unbundling of the sector according to functional lines, corporatisation of sector entities and establishment of an Independent Regulatory Commission.
1995	Legalisation of Private Participation under a new Energy Policy.

1996	1) Creation of Power Grid Company of Bangladesh (PGCB) and Dhaka Electric Supply Company Limited (DESCO), 2) “Private Sector Power Generation Policy of Bangladesh” was adopted and 3) The National Energy Policy was adopted in 1996.
1998	Policy Guidelines for Small Power Plants (SPP) in the Private Sector adopted.
2001	Corporatisation of BPDB owned Ashuganj Power Station as a public limited company (APSCL).
2003	Corporatisation of Distribution system of 19 administrative District of Western areas named “West Zone Power Distribution Company Limited”.
2007	Guidelines for Remote Area Power Supply Systems (RAPSS) adopted.
2008	1) DESA converted into new company: Dhaka Power Distribution Company(DPDC) and 2) Policy Guidelines for Enhancement of Private Participation in the Power Sector.
2009	Renewable Energy Policy of Bangladesh, adopted a) to harness the potential of Renewable Energy resources and the dissemination of Renewable Energy Technologies (RETs) in rural and urban areas, b) to enable, encourage and facilitate public and private sector investment in Renewable Energy (RE) projects, c) to develop sustainable energy supplies to substitute indigenous non-renewable energy supplies, d) to scale up the contribution of RE to electricity production, e) to facilitate the use of RE at every level of energy usage, f) to promote development of local technology in the field of RE and g) to promote clean energy for the Clean Development Mechanism (CDM).
Source: Compiled by the Author	

ELECTRONIC GOVERNMENT: POLITICAL BENEFITS AND INCONVENIENCES

Yahya Fozi 155

Abstract:

One of the concepts which is discussed so broadly in political and administrative fields in many countries of the world in recent decades is the concept of "Electronic Government". This article examines the political benefits and damages of e-Government and also the strategies to reduce these damages will be studied..

E-Government has the potential to participate the citizens governing processes by putting them through interaction with policy makers throughout the policy cycle and at all levels of government. Thus, this step of e-government can include advisor bodies established between citizens/governments. These bodies are online communities where individuals can exchange their ideas, so the public awareness of issues increases. In fact this phenomenon has bestowed one of the key tools for achieving the ideals of good governance by providing facilities so that citizens and civil society organizations could monitor the processes of various public sectors democratically.

Keyword: Electronic Government , Democracy, good governance

Introduction

One of the concepts which is discussed so broadly in political and administrative fields in many countries of the world in recent decades is the concept of "Electronic Government". This article examines the political benefits and damages of e-Government and also the strategies to reduce these damages will be studied..

The features of Electronic Government

There are different definitions for e-Government. We can conclude this meaning by considering all of them: Electronic Government (e-gov) is the use of information technology, internet, and other new technologies by the government and public organizations. This will provide necessary facilities for adequate access to the information and governmental services, improvement of the quality of services, and it grants broader opportunities for participation in the democratic processes (Hughes, : 1998, p 75). In brief, four kinds of implementation form the main pillars of e-Government (Davison: 2005, p 24) which are:

1. The interaction between government and citizens (G2C, government to citizen). This interaction is the most important and the most extended implementation of e-gov.

¹⁵⁵ -Associate Professor of Political Science Imam Khomeini International University, Qazvin, Iran,

2. Relationship between governments (G2G, inter-agency relationship). This eases the relationship between governments.
3. Government and business enterprises relationship (G2B, government to business enterprises). It was the first relation which was developed; therefore the needs of the business community were paid attention to. These services are multi-faceted. Economic enterprises, supplier, and customers interact with each other.
4. The interaction between government and employees (G2E, government to employees). This type of relationship is to strengthen the internal governmental network and human resources information exchange is very important.

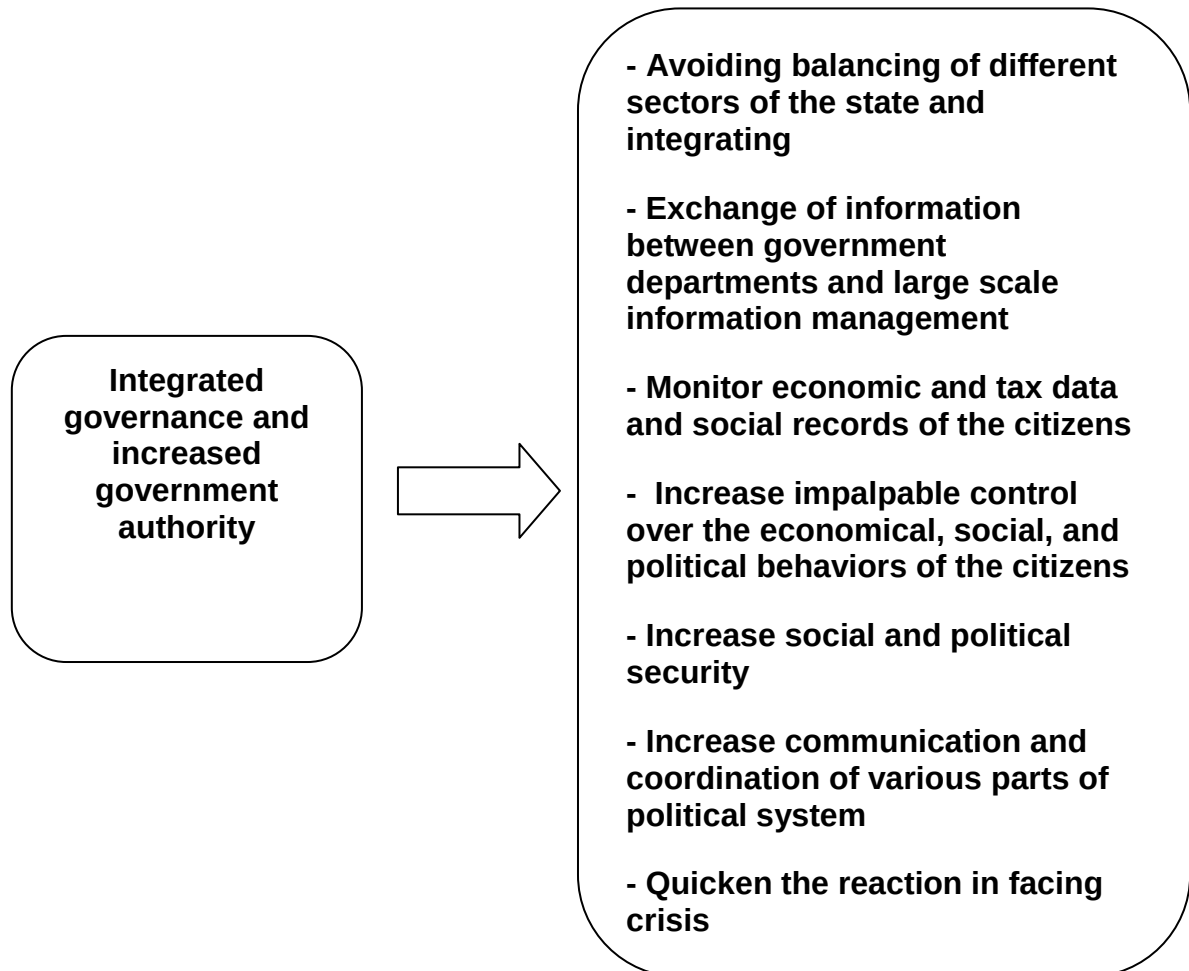
The political benefits of Electronic Government

The most important political benefits of electronic government can be summarized as preparing the grounds for integrated governance mechanism, as well as deepening good governance indicators. We are going to study these benefits:

2-1- Electronic Government paves the road to an integrated governance and strengthening the government authority

Integrated and network governance is one of the goals of e-gov that can be particularly important for the national security of the countries. Focus on strengthening internal relations between the concepts of e-government and integrated government is the infrastructure of new strategies of the e-gov in the countries. The ultimate goal of integrated governance is to improve collaboration between public servers on one hand and on the other hand is an impalpable but effective control of the citizens, and also strengthening the government authority in order to provide national security.

For this purpose the government reengineers the internal and inter-government processes through integrated governance with effort to meet the needs. This will lead to increased capability and capacity of the government's immediate and rapid response to information received from multiple servers. The increase in ability to respond to crisis is another advantage of integration. Moreover the compatibility and information security will increase through the creation of common standards. It also improves the policy coordination between multiple public servers and the faster and more effective implementations of government decisions through data and information sharing.



2-1-2- Electronic Government paves the road to good governance

Including other political benefits of the e-gov, we can mention deepening the indicators of good governance.

Theory of good governance is a paradigm for sustainable human development with the practical interaction of the three sectors of government, private sector, and the civil society. A fundamental basis for good governance features are the eight indicators which are discussed by the United Nation Development Program (UNDP) and the World Bank (World Bank).

) These indicators are as following:

1. **Participation:** Participation means the presence of all the people in the various decisions both directly and through representatives legitimate institutions.

Strengthening this civil partnership will have an important role in leading to the creation of public confidence in government.

E-Government has the potential to participate the citizens governing processes by putting them through interaction with policy makers throughout the policy cycle and at all levels of government.

To achieve this goal, ICT is necessary to create mutual and multi-sided communication channels, which allows users to announce their views on legislative or political projects.

Thus, this step of e-government can include advisor bodies established between citizens/governments. These bodies are online communities where individuals can exchange their ideas, so the public awareness of issues increases. In fact this phenomenon has bestowed one of the key tools for achieving the ideals of good governance by providing facilities so that citizens and civil society organizations could monitor the processes of various public sectors democratically. Electronic Government provides the condition that the politicians pay the same attention to the needs of citizens. And this is an example of maturity of democracy thanks to information technology.

2. Rule of law: Establishment of good governance system requires not only legal frameworks which are fair and impartial but also the ruling of those regulations in the society. In e-gov with the help of easy, fast, and cheap access of people to information and communications, related to laws, the rule of law is deepened with public scrutiny that results in the capability of individuals in questioning and being aware of their social rights and the rule of law in all affairs.
3. Transparency: Transparency means the free flow of information and easy accessibility to it for all relevant stakeholders. Information should be enough and understandably available and on the other hand making and implementing decisions should follow certain rules and regulations. One of the results of electronic government is transparency and access to the state information. Equal access of citizens to information and public resources would make the direct supervision of individuals and free criticism and suggestion to the non-governmental sectors and citizens happen (Finger and Picard, 2003).
4. Responsiveness: Good governance requires that institutions and decision-making processes provide the necessary services to all the stakeholders within a reasonable time frame. Achieving this goal is only possible if the decision maker organizations have a sense of responsibility towards supplying demands

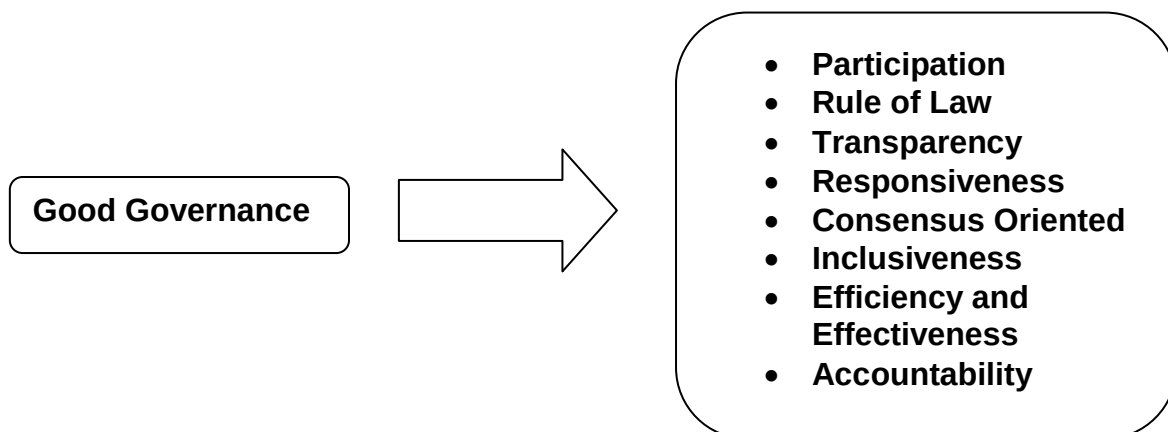
and desires of individuals. Electronic Government can improve this responsibility by reflecting demands and desires of the people in the community to the authorities.

5. Consensus oriented: Good governance requires leading the various tastes and interests in society to a widespread consensus which has the best and most benefit for the whole society. E-gov can make an enormous change in the traditional forms of ruling community affairs by the use of information technology and transform the relationship between government and citizens. Electronic Government leads to developing ways through which the information flows vertical and diagonal and therefore covers a wide section of society, and a greater volume of information between the government and the civil society members and also between the government agencies will flow.
6. Inclusiveness: Health and welfare occurs in a society when all its members feel that they are involved and effective in the society. This is not possible except by creating opportunities for the vulnerable levels of the society to improve their welfare. In good governance all the individuals should have equal opportunities. Welfare in a society is depended on ensuring that all members feel they are stakeholders in the community. To accomplish this all vulnerable groups should have necessary support to increase their capabilities. E-Government, with regards to its high capacity, can provide access to justice by creating equal opportunities.
7. Efficiency and effectiveness: Good governance means that decision maker institutions and organizations always have peoples' needs in mind and use the existing resources in an efficient way. E-gov is a tool that is trying to use the knowledge and the new technology of information and communication to reduce the gap between the state and the people, and help the citizens to receive the services they need with lower costs, more speed, and more desirable quality from governmental organizations.

Electronic government has increased the performance by turning the relation between government and citizens into citizen-oriented government from state-oriented government, renovating the state through the processes based on new technologies, enhancing the speed and quality of services, reducing

unnecessary tasks, and the gradual changing of the government agencies dominant culture to focus on the customer and his needs.

Accountability: Accountability is vital for good governance. Not only governmental institutions but also private sector and civil society organizations should be accountable to the public and all the stake holders. It should be noted that accountability is not applicable without transparency and rule of law. Politicians would find out that countless eyes are watching their performance in e-gov and that hiding issues from the public would be difficult. E-Government will pave the road to direct dialogue between citizens and public authorities and thus this type of communication is far more effective than the traditional relationship between citizens and government and this will help considerably to the realization of accountability and responsiveness in public sector organization (Tek Nath 2002 pp.25-36).



Therefore e-Government provides extensive facilities to form ideals of good governance. It helps importantly to improve the processes of providing services in public sectors, to accelerate providing the services to citizens, to make the government officials more accountable, the transparency of information, to reduce the gap between individuals and politicians, more effective participation of citizens and members of civil society in the process of public decision making, to expand social justice through equal opportunities to access information, etc. It helps to create an accountable, legal, transparent, and modern government on one hand, and effective participation of all citizens in government activities on the other hand (Okut Yuma, 2003).

2-2- Inconveniences of Electronic Government

Despite the benefits of the Electronic Government, it also faces significant damages that can be pointed as following:

2-2-1- National Security threats

Electronic information faces more complex and more diverse threats. Therefore maintenance and security of information has achieved a specific position in the world of communication, science, and technology. The main purpose of information security is to use the set of policies, guidelines, tools, hardware and software to provide an environment free from threat in production, refining, transmission and distribution of information in all public and private sectors. These threats may include unauthorized copying or stealing information, manipulating information, and other threats in finance. Prevention of disruption in the country's information system and expansion of these threats doubles the importance of information security and specifically the security of networks (dpsecure).

2.2.2-The Vulnerability Increase of Courtiers in Critical Situations

The potential threats such as war, terrorism and natural disasters like earthquake and so on are another kind of inconveniences which can be a major threat for e-Governments by destroying the infrastructures and communications. This makes the governments not only expand the e-Government but also take the local strategy for specific situation into consideration.

B. Reduction of Inconveniences of e-Government

However the e-Government can facilitate the upheaval and create new and efficient administrative processes, but can't solve all frauds and inefficiencies and is not able to overcome all the barriers against civil partnership. Moreover, the achieving an e-Government would not occur by purchasing more computers or creating more websites. But, e-Government is a process which requires programming, permanent allocation of resources and political will. According to these issues, it is necessary to consider the following points:

B.1- Developing Local Strategies and the National Program for Using New Technologies

The first step in developing e-Government's strategy is to provide a definition. It means, the policy makers should know that what they are exactly looking for. Any government, according to its special condition, can define the sphere of influence of this phenomenon when tries to develop the e-Government strategy.

After this stage, the development of the strategy is required. This strategy is important in terms of guiding the scientific and engineering processes and approaches in a way that is in the line with e-Government.

This strategy should encompass the stages such as:

- defining the e-Government structure and its key components and elements

- Identifying the audiences and users of e-Government facilities and determining the required policies in order to support e-Government objectives and recognizing the condition of each country and its potential crisis.

B- Creating Digital Culture

All experts emphasize on the important role of creating culture and making public the use of IT in official and commercial affairs. Governments' overviews and their initial studies for implementing e-Government plan has shown that the main problem in creation and development of e-Government is not the technology, but the problem arises from this question that "if the society is ready to accept ongoing extensive changes?" It seems that the lack of technologic structure isn't the only challenge, but non-proliferation of culture of this kind of governance among the society and public organizations and their perceptions, especially the government attitude toward cyberspace is another major challenge which needs required attention to be taken.

C- Providing Local Experts in the Field of IT

A fundamental element in success of e-Government is the existence of human experts in new Communication and Information Technologies. Also, the people should be able to use and understand (Information Communication Technology (ICT) and create local context. The governments can produce this human capital by their training policy. In the other words, people should be educated in the field of ICT which is of necessity for permanent localization of e-Government.

D- Strengthening the Security Mechanism

Development of information security and transferring process should be properly taken into consideration more than ever. The e-Government can't achieve its potential objectives without creating trust and security for the people and commercial units. People need to have trust in security of transfer, process and storage of information through networks.

Providing the Legal Infrastructures

Any e-Government plan requires developing a legal framework for protecting the privacy, computer crimes persecutions, the creation and strengthening of credibility assessment authorities and legal digital signature. In other words, a

legal infrastructure to support and implement e-Government should be included as follows:

- E-Government Act: it allows the government to provide administrative procedures, functions and services in digital form.
- Data Protection Act: it deals with protecting and maintaining the privacy of personal information.
- Freedom of Information Act: it provides broad access to public information.
- The Digital Signature and Electronic Authentication Act: it allocates electronic identity and recognizes digital signatures and documents.
- The Network Fraud and Abuse Act: it protects digital intellectual property rights

Conclusion

In general, we can conclude that in current situation e-government is not an option, but it is a necessity to improve the political system performance and strengthen the government on the one hand and move in the direction of having efficient and well reign. Nowadays, many countries by compiling and implementing the e-government projects endeavor to adjust themselves for new facts and environment to benefit from its advantages. They attempt to reduce the e-government inconveniences, since if the e-government plans are designed and implemented in an efficient and targeted way, profound organizational reforms will be done in public section. But, it should be added that e-government will not occur by purchasing more computers or constructing more web sites rather e-government is a process which needs planning, sustainable resource allocation and political will. A stable and liable is formed on the basis of a precise strategy founded upon local needs and conditions of any country.

Reference :

Davison, Robert M. Christian Wagner and Louis C.K. Ma (2005), from Government to E- Government Information Technology and People, vol. 18. No.3.pp.280-299, Emerd Group Publishing Limited.-<http://www.worldbank.org/wbi/governance/pdf/trowish.pdf>
Dhakal, Tek Nath (2002): "Non-Government Organizations in Grassroots Development: Implications and Challenges" in Public Administration Journal Vol XVII, No. 1, July 2002, Kathmandu, pp.25-36.
<http://www.dpsecure.net/electronic.htm>
Hughes, own E (2003), Public Management and Admin: An, third edition, Palgrave
Hughes, own E. (1998), Public Management Administration: An Introduction. Second edition. Macmilan Press, Ltd

Information Communication Technology
Nath, 2002
Okut Yuma, 2003
Research Center of Parliament of Islamic republic of Iran.
Tek Nath (2002 pp.25-36.
The research Center of Parliament of Islamic republic of Iran
United Nations Department of Economic and Social Affairs, 2009.
United Nations Department of Human Development
United Nations Department of Human Development.
[www/Uncgr.ch/development/governance.html](http://www.Uncgr.ch/development/governance.html) & UINE SCA, 2007: 101.

COMPARING THE STRUCTURE OF THE INTERNET TO THE BUDDHIST CONCEPT OF SELFLESSNESS

Abstract

The Internet is real, but it isn't an object; it is a network of networks. While this concept may seem new, it has existed for at least 2,500 years in the Buddhist idea of anatta. This paper explores the similarities between the structure of the Internet and the concept of anatta. It will also examine how an understanding of these two seemingly different things can benefit practicing Buddhists.

Introduction

There is no Internet.

At first, this seems like a foolish idea because millions of people use it every day. Yet if someone were to point to the Internet - to physically touch the Internet - what would they be touching? Does it even have physicality? The Internet is real, but it isn't an object; it is a connection of machines and the data they transmit between themselves (Gralla 2007). While this concept may seem foreign, it has existed for at least 2,500 years in the Buddhist idea of anatta.

There is no I, no real, unchanging me; this is a tough concept for most people to grasp, but it is the rough translation of the Pali word anatta (Carlisle 2006). For millennia, anatta has been a cornerstone of the Buddhist religion and many people have struggled to fully understand it because of its apparent abstract nature (Carlisle 2006). Within the last few decades though, a real-world model of this concept has emerged - the structure of the Internet.

As with anatta, no one "runs" the Internet; no one is behind the scenes doing all the work (Gralla 2007). Technology scholars and Buddhist monks seem to talk about the same idea: The Internet and us as individuals do not require someone (an "I") to make things happen; everything flows depending on the vessel (human form or Internet backbone) and conditions present at any moment.

This paper will examine the similarities between the structure of the Internet and the Buddhist concept of anatta. A textual analysis of some Buddhist writings

(called suttas) on anatta will be conducted to provide a workable understanding of the idea. After the comparisons have been made, the paper will look at how a better understanding of this relationship might benefit Buddhist practitioners with their perception of this key concept within the religion.

Review of Concepts

We tend to think of the Internet as a “thing” to which we can connect. In fact, the Internet is simply a network of networks. It was created with that specific purpose in mind - to be a safe way for various computers to share information.

Internet Structure

In the late 1960's, researchers and the U.S. military began considering ways for computers to exchange information and envisioned a “galactic network” (Licklider & Taylor 1968). The Department of Defense was concerned that a Soviet missile strike could knock out its computer system, so it needed a way to spread data among many locations. Researchers also wanted a network, but for a different reason -they wanted to share their information with colleagues (Okin 2005). In 1969, the military funded a computer network called ARPAnet¹⁵⁶ and this became the first Internet (Okin 2005). The original Internet was minute compared to what it would become; it only connected a few computers at four west coast universities.

During the following decades, a need for a faster, non-military computer network emerged. In the late 1980's, the National Science Foundation created that option and named it NSFnet. One important upgrade from ARPAnet to NSFnet was the use of high-speed transmission lines to carry information - a fiber optic cable called a

backbone (Gralla 2007). NSFnet's original high-speed backbone transmission line connected nearly 200 smaller computer networks together, thus giving the Internet its structure. By the mid1990's, private, commercial companies began to lay down their own backbone transmission lines across the world and most Internet traffic shifted from the NSFnet backbone to the privately owned lines by 1995 (Okin 2005). Today, companies such as IBM and Sprint own the backbone lines connecting computers throughout the world.

A simplified model of the Internet's structure can be imagined in three layers. The top layers are the backbone lines. The various companies that own backbone transmission lines sell access to those lines to businesses called Internet service providers, or ISP's (Gralla 2007). Top-level lines connect to one another at computers called Network Access Points or NAP's (Daley 2007). The NAP's are a physical link between networks that allow the companies to share information that travels on their individual backbones.

At the middle level, ISP companies, like AT&T and AOL, sell access to the backbone to consumers, and that access is called Point of Presence, or POP (Daley 2007). Without an ISP, consumers would have to directly access the actual backbone transmission lines themselves, or to put it another way, consumers would need their own POP to the backbones. Not everyone can access it themselves because of the limited geographic area the backbone actually travels through, so ISP's act as go-betweens (Gralla 2007). On the lowest level are consumers, which send and receive information, usually through their ISP, via the backbones (Gralla 2007). There are

¹⁵⁶ ARPAnet stands for the Advanced Research Projects Agency network, which was a division of the military that developed top secret systems and weapons during the

other methods for consumers to receive information, through an Internet-enabled phone for example, but the basic structure and pathways remain the same.

The above example assumes a single consumer or household is the Internet user, but the same process can be seen working when computers are connected together in a local or regional network, such as with a college campus or business. Information from these networks, sometimes called LAN's and WAN's still has to go through a NAP if a user wants to send information across the Internet (Gralla 2007). There is a certain amount of information that doesn't travel on the backbone, and that would be any data that one user in a LAN or WAN sends to another user in the same LAN or WAN.

An example of this process takes place on a college campus. One student can send another student an email without that information going out on the backbone because all of the school's computers are probably networked together; that is, all the information goes into and out of computers owned or leased by the school. If a student wants to email a friend in another state, that information is sent via the backbone. The machines that control how the information travels are called routers.

Routers are the decision making part of the Internet (Gralla 2007). These computers choose how and when to send information across networks. Routers can join two or more networks together or can be stationed along the path of just one network to send information. Routers "talk" with one another and "decide" the best path for a piece of information to cross the Internet based on considerations like traffic volume and proximity of the data's destination (Daley 2007). Routers keep the

Cold War.

Internet traffic moving and make sure it all gets to the right location. A simplified definition of the Internet structure might read something like this:

Data travels between computers on network lines connected together to form one network - the Internet. Information flows across the backbone lines and is accessed at Network Access Points by middle men in the form of ISP's, WAN's, etc. and consumers then gain access to the Internet through these middle men. How that information proceeds is controlled by routers.

The structure of the Internet can be seen as a combination of its parts, none of which are the Internet themselves. Network lines, like the backbone, carry the information but are not "The Internet." The same is true for routers, ISP's, NAP's and the remaining components. No one thing embodies the Internet, there's nothing we could carry into the repair shop if the Internet broke down. Calling it "the" Internet implies that there is some physicality to it, even though there is not, as Gralla's (2007) definition pointed out: The Internet is a network of networks, nothing more.

One of the most striking characteristics of the Internet is its constantly changing nature, which isn't reliant on a controller. No one "runs" the Internet; there is no one computer that all Internet traffic goes through (Gralla 2007). The data on the Internet and the amount of computers connected to it change moment to moment based on the conditions that have arisen in that particular moment. People log in and out of the Internet all the time, changing its structure as well as sending varying amounts of data across the network depending on what they hope to accomplish. Seen this way, the Internet is not a thing, but instead is understood as a flow of constant changing phenomena which are governed by whatever conditions arise. This definition is almost the exact one used by Buddhists to describe an individual person.

Anatta: Buddhist Concept of Selflessness (No-Self)

The Buddhist religion started more than 2,500 years ago by a man named Siddhartha Gautama. The early days of Siddhartha are summed up well by the Buddhist website Buddhanet.net (2012a):

Siddhartha Gautama, known as the Buddha, was born in the sixth century B.C. in what is now modern Nepal. His father, Suddhodana, was the ruler of the Sakya people and Siddhartha grew up living the extravagant life of a young prince. According to custom, he married at the young age of sixteen a girl named Yasodhara. His father had ordered that he live a life of total seclusion, but one day Siddhartha ventured out into the world and was confronted with the reality of the inevitable suffering of life. The next day, at the age of 29, he left his kingdom and newborn son to lead an ascetic life and determine a way to relieve universal suffering.

For six years, Siddhartha submitted himself to rigorous ascetic practices, studying and following different methods of meditation with various religious teachers. But he was never fully satisfied. One day, however, he was offered a bowl of rice from a young girl and he accepted it. In that moment, he realized that physical austerities were not the means to achieve liberation. From then on, he encouraged people to follow a path of balance rather than extremism. He called this The Middle Way.

That night, Siddhartha sat under the Bodhi tree, and meditated until dawn. He purified his mind of all defilements and attained enlightenment at the age of 35, thus earning the title Buddha, or "Enlightened One." For the

remainder of his 80 years, the Buddha preached the Dharma in an effort to help other sentient beings reach enlightenment.

The Buddha lived for decades after his enlightenment and taught his followers the way to liberation; this path is called the Dharma or Dhamma. A major part of the Dhamma is the actual teachings the Buddha gave to his disciples, and these are called the sutras, or suttas. The combination of the suttas, along with other writings, such as proper monastic behavior, makes up the Buddhist canon of texts called the Tripitaka or Tipitaka (Buddhanet.net 2012b).

Buddhism is split into at least two major schools of thought, called vehicles. Theravada is the oldest form of Buddhism and is mostly practiced in countries such as Thailand and Sri Lanka (Buddhanet.net 2012b). Mahayana Buddhism is newer but probably more familiar to the West with the Japanese Zen (Chan in Chinese) and Tibetan¹⁵⁷ practices. Each tradition uses a different language for the suttas; Pali for Theravada and Sanskrit for Mahayana (Buddhanet.net 2012b). In addition, each vehicle has different suttas that make up its Tipitaka, though both groups usually recognize the legitimacy of the other sutta choices (Buddhanet.net 2012b). Terms familiar in the West, like karma, come from the Mahayana/Sanskrit background, while their Theravada/Pali equivalent (kamma) may seem less familiar.

One of the core teachings in Buddhism is about existence. There are three truths that every Buddhist strives to understand: Impermanence (*anicca* in Pali), Unsatisfactoriness (*dukkha*) and selflessness (*anatta*) (Gnanarama 2000). The first two concepts are the easiest for most people to grasp. Anicca means all things change; nothing is permanent and dukkha is the unhappiness we get from not understanding

anicca (Gnanarama 2000). We want things to be stable, to never change after we get everything just the way we want it, but on an intellectual level, we know that won't happen. Change is the reality of the world; everything grows and then dies. Dukkha comes about when we cannot accept this fact, when we cling to the notion of permanence (Gnanarama 2000). Once again this notion can be understood at least on some level; when you can't accept things the way they are, you suffer¹⁵⁸. The third Buddhist fact about existence is the most difficult to realize.

Anatta is often translated as no self or egolessness, but selflessness may be an easier translation to understand. In the Buddhist context, selflessness does not have the same connotation that Westerners are used to; here selflessness means void of a separate self (as opposed to putting others' needs first.) "The Buddhist theory of anatta teaches that neither within the body, nor within the mental phenomena and external phenomena can be found an entity, self-existing, abiding, immutable substance called 'Self,'" (Gnanarama 2000, p. 30). When we say "I am happy," there is no "I" to be happy, only happiness to be experienced. Because of its counterintuitive nature, there are many suttas that deal with anatta.

The first mention of anatta is the Anatta-lakkhana Sutta, which was the second teaching the Buddha gave after his enlightenment. This talk, presented to a group of monks with whom the Buddha practiced, opens with a question:

"Form, monks, is not self. If form were the self, this form would not lend itself to disease. It would be possible [to say] with regard to form, 'Let this form be thus. Let this form not be thus.' But precisely because form is not self, form

¹⁵⁷ Some scholars place the Tibetan schools in their own category called Vajrayana.

¹⁵⁸ Dukkha is often translated as suffering.

lends itself to disease. And it is not possible [to say] with regard to form, 'Let this form be thus. Let this form not be thus.'"

(Accesssttoinsight.com 2012c).

The Buddha then said feeling is not self, perception is not self, thoughts are not self and consciousness is not self (Accesssttoinsight.com 2012c). With this teaching, the Buddha pointed out everything in existence is empty of an individual self, that nothing exists outside of other things. This concept is the core of anatta and can be understood better through a metaphor used by Dhamma teacher Joseph Goldstein.

When we see a rainbow, it appears to be a single, solid object, but upon closer inspection we see that there is no "thing" called rainbow; there's just water particles reacting to sunlight in a certain way (Goldstein 2007). A rainbow appears because certain conditions arise but it only exists as a series of smaller pieces. Goldstein (2007) points out that the term rainbow is still useful, but it's ultimately not the truth we see. Selflessness (anatta) can be understood in this way, too. While it may be helpful to say "my" body and "my" feelings, anatta states that there is no "I" behind the phenomena making it happen; things arise because certain conditions come together at a certain time (Goldstein 2007).

When the concept of anatta is brought to the specific experiences that arise in each of us (thoughts, bodily sensations, etc.) the word in Pali for that is *santana* (Nyanatiloka 1980). *Santana* can be translated as continuity, but usually implies only the continuity of an individual with regards to anatta. When talking about the flow of a person's consciousness and thoughts, the prefix *citta* is added to make the word *citta-santana* (Nyanatiloka 1980). The same idea can be seen when talking about a person's physical continuity, that is, the flow of all the things that happen to and within the

body; the Pali word is *rupa-santana* (Nyanatiloka 1980). The important thing to note is the word *santana*, with all its prefixes, replaces the concept of an individual person.

When seen from this perceptive, there is no “I;” only the continuity of thoughts, feelings, etc. *Anatta* shows the selflessness of all phenomena, while *santana* points out that things just flow along. There is no one behind the scenes, choosing which emotion we feel and deciding what direction our lives take. It all happens according to what conditions are present at the moment and what choices were made in the past. This process is known as *kamma* (Nyanatiloka 1980).

The concept of *kamma* is best known in the West by its Sanskrit name of *karma*. This idea is often misunderstood as a sort of vengeance or payment; do something good and you’ll get a reward. The translation of *kamma* is action (Nyanatiloka 1980), or better put, this is because that was. There is no intelligence in *kamma* that judges the purity of someone’s action. Instead, *kamma* is simply the realization that everything happens for a reason (Gnanarama 2000). Nothing “just happens” on its own. Because everything is connected, everything is dependent on something else for its appearance and continuation, which is called the law of Dependent Origination. (Gnanarama 2000).

Method

The comparison of the Internet structure to the Buddhist concept of *anatta* relies on a textual analysis of Buddhist suttas and the use of a conceptual metaphor - this is similar to that. The language used to describe both Internet life (“surfing the web”) and Buddhism (“reaching for enlightenment”) is full of metaphors, but can metaphors be used to provide real insight into differing structures? Previous research

has shown that comparison of metaphors within a group of texts can be used to gain clearer understanding of the subjects being examined.

Metaphors can be examined in at least two contrasting ways - naming or conceptual (Lakoff & Johnson 1987). The naming device theory sees metaphors as “attaching words to concepts they ordinarily wouldn’t go with,” (Lakoff & Johnson 1987, p. 73) while the conceptual view sees metaphors as a way to understand one thing in terms of another (Lakoff & Johnson 1987). The advantage to the conceptual view is that metaphors can then be used by people as a way of understanding their world. “In recent years, considerable evidence has been amassed for the conceptual view, based on the role of the metaphor in reasoning,” (Lakoff & Johnson 1987, p. 73). The use of metaphors is a legitimate practice, and it’s one that can assist with learning.

Taniguchi (2003) examined how people use metaphors when describing the Internet and how that affects their view of the digital world. “Metaphors dealing with the Internet have hit the mainstream and are perhaps some of the most important and heavily used technological metaphors today,” (Taniguchi 2003, p. 13). We use easily understood metaphors to visualize the technology that we cannot understand or do not want to take the time to learn. “The power of the metaphor originates in its ability to transform our understanding of concepts, ideas and forms,” (Taniguchi 2003, p. 13). Metaphors like “Information Superhighway” make it easier to comprehend how the Internet functions, though we must be careful to recognize the metaphor is just a near-description, not the actual object (Taniguchi 2006). Technology metaphors aid in understanding, but leave room for deeper insights.

Buddhist suttas contain many stories and metaphors. While examining the Heart Sutta, Lu & Chiang (2007) studied the use of metaphors. Ideas in the text are

almost entirely presented as metaphors, like the saying, “Form is empty and emptiness is form,” (Lu & Chiang 2007). “Without studying linguistic uses in Buddhist texts, (past researchers) naturally lose sight of one of its important aspects: metaphors,” (Lu & Chiang 2007, p. 334).

This study analyzes the suttas of the Theravadan Tipitaka, which are written in Pali. This paper also incorporates the Pali versions of words, instead of their Mahayanan counterparts. One reason for choosing the Theravada texts is they date from the time just preceding the Buddha’s death and are seen as closer to the actual wording he used (Nhat Hanh 1991). In practice, though, either group’s Tipitaka could be used because the essential suttas are found in both sets. The author’s choice of the Theravadan Tipitaka is due more to his familiarity with the Pali language than a belief that one group’s Tipitaka is better. Multiple Pali-to-English translations of each sutta were studied, as well as the original Pali writings themselves, though only one version of each sutta is mentioned to keep references from being overly complicated.

Conclusions

The structure of the Internet may, at first glance, appear to be unique, but the similarities between it and the Buddhist concept of selflessness are many. There is no single, physical object called Internet and no one controls it, just as there is no “I,” no one who lives inside your mind, making decisions. It may be easier to grasp the idea that there is no one managing the Internet than it is to comprehend the basics of selflessness, since anatta is considered one of the most difficult concepts in Buddhism to understand (Nyanatiloka 1980). An examination of some specific similarities between the two may help with understanding.

1. The backbone transmission lines are the vessels through which the information travels, but they themselves are not the Internet. An individual is also just a vessel of changing conditions. As stated in the many of the suttas, such as the *Satipatthana Sutta* (Nhat Hanh 1991) and the *Anatta-lakkhana Sutta*, the physical form, thoughts, emotions and such are not the individual (Accesssttoinsight.com 2012c).

We can see that no one runs the Internet; that there is no central computer that all net traffic goes through, but we have a much harder time seeing that inside of ourselves, seeing that there is no solid form of “I.” Goldstein (2007) attempted to bring insight into this concept with thought experiment.

If a person lost a finger, would they no longer consider themselves as “I,” or would they think “I lost a finger,” (Goldstein 2007). Most people would think “I” still exist; I’m just missing a finger, but how far can you go with this? If you lost both arms and legs, would you still think “I lost my arms and legs;” is there a point at which you could lose part of your body and not be “I?”

This analogy can also be applied to the Internet. How many routers and/or computers have to be broken until “the Internet” no longer exists? The reason the Internet was created in the first place is to avoid that very possibility, the chance that a Soviet nuclear strike could wipe out the United States’ computers (Okin 2005). The Internet is not a thing; not something you can touch, but is in fact a network of networks (Gralla 2007).

2. Information contained in the Internet is always changing, every day there is different material than on any other day. In every moment, an individual also

experiences different thoughts, emotions, etc.; they are never the same as they were before. Both just flow.

The Internet is nothing but connections amongst computers, so the structure of that network of connections changes every moment as new computers log onto and off of the system. Also the information that flows across the Internet changes as people access information. It is impossible to take a snapshot of the Internet's structure and say this is how it looks, because it only looked like that at the precise moment the snapshot was made and will change a moment later. There's no permanent, unchanging thing known as "the Internet." This concept, as it relates to an individual, is called *santana* in Buddhism.

The Venerable Narada Maha Thera, a Buddhist monk, simplifies the meaning of *santana*, "Buddhism does not totally deny the existence of a personality in an empirical sense. It only attempts to show that it does not exist in an ultimate sense. The Buddhist philosophical term for an individual is *Santana*, i.e., a flux or a continuity. It includes the mental and physical elements as well." (1933)

The Buddhist concept of *santana* fits well with this view of the Internet. The individual does not exist, according to *santana*; instead that concept is replaced with the idea of constant changing phenomena (Nyanatiloka 1980). You cannot say this is how I am because who "you" are changes moment to moment. As soon as you take a snapshot of me, it's no longer valid because something about me will have changed.

The analogy Goldstein (2007) used to discuss the physical self can also be applied to the mind. When we think "my" mind, what are we talking about? Thoughts, emotions, sensations, etc., change from moment to moment, so when we think "my mind" is it everything in our mind right now, or at some point in the past, or what it

will be in the future? The same is true of the Internet - at what moment can we freeze it and say this is it?

3. The structure of the Internet is directly related to conditions. The same is true of our everyday lives. Things happen because certain conditions come together at a certain time.

Networks and information change every moment on the Internet, but these changes are due to tangible conditions. People turn off their computers, new data is uploaded and so on. Information doesn't just spontaneously appear on the Internet out of nowhere. The reality of the Internet's structure may be constant change, but those changes can be traced back to concrete causes. The Internet looks a certain way at any one moment because certain conditions (users, data, etc.) came together at a certain point in time to make it that way, and only for that moment.

For Buddhists, kamma works in just this way, too (Nhat Hanh 1991). Things happen in your life because of past choices you and others have made. Nothing just pops out of thin air. Every present moment is dependent on the past, things are now a certain way because of previous decisions and actions. The Internet cannot spontaneously create new structure (i.e. new data, networks, etc.) anymore than we can create new thoughts and feeling that are not based on something else.

The Buddhist law of dependent origination (from the *Loka Sutta*, among others) states that things are connected (dhammatalks.org, 2012). Poet John Donne summed up this idea well for Westerners when he said: "No man is an island entire of itself; every man is a piece of the continent, a part of the main," (Poemhunter.com 2009). To use Donne's work as a metaphor, the Internet is not an island unto itself either; it exists due to the connection between all its parts. Our lives can be defined

too by Gralla's (2007) explanation of the structure of the Internet; both are a network of networks.

Discussion

Overlap exists between the structure of the Internet and the Buddhist concept of anatta. The next question is, does this knowledge help either field understand themselves better? The comparison metaphor is difficult to carry forward when examining how Internet architects might use an understanding of anatta. It would be easy to make an esoteric prediction about the need for them to "let things go," but this does not really show the capability of understanding the comparison between anatta and the structure of the Internet. The group that would receive the greatest benefit might be the 380 million Buddhists worldwide (CIA.gov 2012).

The Buddhist suttas speak about the advantage of understanding anatta in many works, including the *Alagaddupama Sutta* (Accesssttoinsight.com 2012d) and the *Majjhima Nikaya I* or *Calasaccaka Sutta* (mettanet.org, 2008). In these teachings, the Buddha talks of how a deep understanding of anatta leads to a new view of the world; no self is the key that opens new possibilities. The concept of anatta is one of the most complicated ideas in Buddhism and is often referred to by metaphor, like Goldstein's (2007) rainbow example. The Internet is something most people have had some contact with, and by having a real world example of anatta, Buddhists might be able to help followers to better grasp the idea.

One of the most straight-forward descriptions of what happens after the concept of anatta is realized comes from the *Majjhima Nikaya I* or *Calasaccaka Sutta*. In it, the Buddha points to three areas of understanding that change once a person becomes completely aware of anatta. "When this much is done, the (monk) is perfect

with desires destroyed, the holy life lived, what should be done, done, the weight put down, come to the highest good, the desires 'to be' destroyed and the knowing is released. The mind of a (monk) so released is endowed with three nobilities: The nobility of vision, the nobility of method and the nobility of release," (mettanet.org 2008). The Pali words for the three nobilities are dassanànutтариyena (vision), patipadànutтариyena (method) and vimuttànutтариyena (release). In this sutta, the Buddha is speaking directly about the benefits of realizing anatta.

Because of this sutta's importance, the author consulted a Buddhist monk, who is fluent in Pali, to provide an alternate translation of the three nobilities. For dassanànutтариyena (vision), the monk preferred the translation of "great way of seeing things" (Bhante Sujatha, personal communication February 15, 2009). This points to an understanding of how things really are, not just a better vision. Patipadànutтариyena (method) was translated as "great path" by Bhante Sujatha. The great path can be seen as a great way of living, a way of structuring your life around things that bring true fulfillment. Bhante Sujatha translated vimuttànutтариyena (release) as "liberation." When seen together, the three nobilities point to a "complete person; the way an enlightened being is living," (Bhante Sujatha, personal communication, February 15, 2009).

To understand anatta is to become enlightened, which is the goal of the Buddhist faith. It may be easier to grasp the Internet's structure because of its role in our everyday lives. Instead of trying to see there is no person that I call "I", Buddhists might find it simpler to see that the Internet has many of the same characteristics as the doctrine of no self, and by using those insights, gain a deeper understanding of

anatta. Recognizing the similarities between the structure of the Internet and anatta could be the “back door” into deeper realizations for many devotees.

The shortcoming in this approach is that to truly understand anatta, one has to experience it firsthand; an academic understanding of the idea is not enough (Goldstein 2007). Realizing the similarities in the Internet’s structure may help point to anatta, but it cannot replace the experience of “tasting the truth” for oneself. The Buddha preached that understanding the true nature of anatta is liberation, not just seeing it on an intellectual level. The Internet’s structure might be make a convenient way to approach at the concept of no self, but the practitioner still has layers to go through that the metaphor cannot illuminate for him.

Bibliography

Accesstoinsight.com 2012a, Dhamma: A gradual training. Available from: <<http://www.accesstoinsight.org/ptf/dhamma/index.html>>. [4 June 2012]

Accesstoinsight.com 2012b, Tipitaka: Pali Canon. Available from: <<http://www.accesstoinsight.org/tipitaka/index.html>>. [4 June 2012]

Accesstoinsight.com 2012c, Anatta-lakkhana Sutta: The discourse on the not-self characteristic. Available from: <<http://www.accesstoinsight.org/tipitaka/sn/sn22/sn22.059.than.html>>. [4 June 2012]

Accesstoinsight.com 2012d, Alagaddupama Sutta. Available from: <<http://www.accesstoinsight.org/tipitaka/mn/mn.022.than.html>>. [4 June 2012]

Buddhanet.net 2012a, History of the Buddha. Available from: <<http://www.buddhanet.net/e-learning/buddhistworld/buddha.htm>>. [4 June 2012]

Buddhanet.net 2012b, The canon. Available from: < http://www.buddhanet.net/e-learning/history/s_canon.htm>. [4 June 2012]

Carlisle, C 2006, ‘Becoming and Un-becoming: the theory and practice of Anatta.’ Contemporary Buddhism, vol. 7, no. 1, pp.75-89

CIA.gov 2012, World fact book. Available from: <<https://www.cia.gov/library/publications/the-world-factbook/index.html>>. [31 May 2012]

Dhammatalks.org 2012, Surveying the World (Loka Sutta). Available from: <http://www.dhammatalks.org/Archive/Writings/udana_v120215.pdf>. [13 June 2012]

Daley, B 2007, Computers are your future, Pearson Prentice Hall, Upper Saddle River, NJ.

Gnanarama, P 2000, Essentials of Buddhism. The Corporate Body of the Buddha Educational Foundation, Taiwan.

Goldstein, J 1991, Anatta / Selflessness (audio recording). Available from: <<http://www.dharmaseed.org/teacher/96/?q=anatta>>. [31 May 2012]

Goldstein, J 2007, Anatta. Available from: <<http://www.dharmaseed.org/teacher/96/?q=anatta>>. [31 May 2012]

Gralla, P 2007, How the Internet works, Que Publishing, Indianapolis.

Licklider, J & Taylor, R 1968, 'The Computer as a Communication Device.' Science and Technology.

Lakoff, G & Johnson, M 1987, 'The Metaphorical Logic of Rape.' Metaphor & Symbolic Activity, vol. 2, no. 1, pp. 73. Available from: Academic Search Premier [15 January 2009]

Lu, L & Chiang, W 2007, 'Emptiness We Live By: Metaphors and Paradoxes in Buddhism's Heart Sutra.' Metaphor & Symbol, vol. 22, no. 4, pp 331-355. Available from: Academic Search Premier [15 January 2009]

Mettanet.org 2008, Majjhima Nikaya I (Calasaccaka Sutta). Available from: <<http://www.mettanet.org/tipitaka/2Sutta-Pitaka/2Majjhima-Nikaya/Majjhima1/035-culasaccaka-sutta-e1.html>>. [29 February 2009]

Maha Thera, N 1933, Buddhism in a Nutshell Available from: <<http://www.accesstoinsight.org/lib/authors/narada/nutshell.html#ch8>>. [13 June 2012]

Nhat Hanh, Thich 1991, Old path white clouds. Parallax Press, Berkeley.

Nyanatiloka 1980, Buddhist dictionary: Manual of Buddhist terms and doctrines. Buddhist Publication Society, Kandy, Sri Lanka.

Okin, J 2005, *The Internet revolution: The not-for-dummies guide to the history, technology and use of the Internet*. Ironbound Press, Winter Harbor, ME.

Peterson, I 1999, 'Diagnosing the Internet's ills.' *Science News*, vol. 155, no. 3, pp. 37. Available from Academic Search Premier database [22 January 2009]

Poemhunter.com 2009. No man is an Island. [Electronic version]. Available from: <<http://www.poemhunter.com/poem/no-man-is-an-island/>>. [15 February 2009]

Taniguchi, M 2003, 'Internet Metaphors Matter.' *New Directions for Teaching & Learning*, Available from: Academic Search Premier database. [15 February 2009]

VIRTUE ETHICS OF BUDDHISM: AN ASIAN CONTRIBUTION TO THE WORLD CULTURE

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Abstract

Ethical theories committed to Buddhist moral sensibilities assure each person's dignity and recognize her or his unique place and needs. Though utilitarian ethics and deontological ethics may fail to some degree in these respects, Buddhist virtue ethics offers standpoints that resonate more faithfully the need of contemporary world. This proposed paper will argue that among the three broadly recognized ethical theories, namely, utilitarian, deontological and virtue ethics, Buddhist ethics is virtue ethics, and it could be positioned to avoid the serious flaws of the former two. Utilitarian ethics regards 'the other' as a means toward the end of calculating the common good and deontological ethics cannot make distinctions between the relative needs of 'the other,' whereas virtue ethics by going inward and encouraging agents to cultivate respect for the uniqueness of 'the other' makes up for the flaws in other two theories. This is what the Buddhist ethics is all about. This is a unique Asian contribution to the world culture.

Keywords: Philosophy, Ethics, Buddhism

1. Introduction

The Buddhist tradition which is a denial of substance (*ātman*) and all that that implies is opposed to the *aupaniṣadic* tradition. There is no immutable and inner core of things. Everything is in flux. Existence, for the Buddhist is momentary (*kṣaṇika*), unique (*svalakṣaṇa*) and unitary (*dharma-mātra*).¹ "Buddha is generally hailed as the initiator of the rationalist trend in Indian philosophy, rationalism being understood as contrasted with dogmatism and authoritarianism."² But the first reactions to the Brahminical speculations and authoritarianism came from the Materialist thinkers of India.³

¹ C. D. Sebastian, *Metaphysics and Mysticism in Mahāyāna Buddhism*, Delhi, Sri Satguru Publications, 2005, Pp. 1- 34

² A.K. Chatterjee, "Insight and Paradox in Buddhist Thought", in *Anviksiki: Research Bulletin of the Centre of Advanced Studies in Philosophy*, Vol.6, 1973, Varanasi, Banaras Hindu University, pp.181-82

³ The Materialist thinkers of India represented one branch of the naturalistic tradition, and the other was the *Ājīvikas*. There are different names by which the Materialists were called - the *Cārvākas*, the

However, Buddhism stands out to be the most powerful reaction to orthodoxy and dogmatism.

Orthodox systems of Indian philosophy have the *Vedas* and *Āgamas* as the authoritative sources. The Buddhist discourse in the *Dīgha Nikāya*,⁴ that refers to sixty-two philosophical systems and metaphysical views regarding the nature of 'self' and 'world', ascertains that those were the contributions of two basic sources: *experience* and *reason*.⁵ However, the two are not exclusive. Buddha considered these sources of information as the basis for metaphysical speculations. He referred to and characterized the metaphysical speculations as *adhivuttipada*, which would literally mean 'overstatement'.⁶ This metaphysics was 'a tradition-oriented one', and Buddha reacted against this over dependence on the revealed authority and tradition. Hence, Buddha said, "*Atta dīpo bhava*", "be light unto yourself."

Further, Buddhism has been often treated as a dissent and reform movement in the history of "that elusive system of socio-religious organization, which in due course of time, became loosely known as 'Hinduism'".⁷ This is not correct. There had been the *Śramaṇa* tradition in the Indian soil of thought and practice which was prevalent side by side with Vedic tradition. Professor A.K. Narain is of the strong opinion that the *Śramaṇa* tradition is antedated to the Vedic tradition, and Buddhism is a part of the *Śramaṇa*. He writes, "I consider Buddhism as a part of an independent tradition of indigenous origin, which antedated the Vedic Brahmanic and was known as *Śramaṇa*. It is an irony of Indian history that Buddhism, and for that matter Jainism too, are regarded as heterodox against the heterogeneous Vedism – an 'Indo-European' gift to South-Asia – which is taken as orthodox. This *Śramaṇa* tradition ran counter, and sometimes even parallel, to the Brahmanic."⁸ Thus, Buddhism's root is in *Śramaṇa* tradition, which had been a powerful stream of thought and tradition.

2. Virtue Ethics

Lokāyatas, the *Bārhaspatyas* etc. The main Materialist teachers were Ajita Kesakambali, Pūraṇa Kassapa, and Pakudha Kaccāyana. Their teachings are generally considered a part of the heterodoxy. For further details see David J. Kalupahana, *A History of Buddhist Philosophy: Continuities and Discontinuities*, Delhi, Motilal Banarsidass Publishers Pvt. Ltd., 1994, pp.13-21.

⁴ C. D Sebastian, "The Sutta-Piṭaka: Its Significance and Essence" in *Jnanatirtha: Journal of sacred Scriptures*, II(1), 2002, Pp.70-71

⁵ *Dīghanikāya* 1:12ff

⁶ *Dīghanikāya* 1:13

⁷ A. K. Narain, "Toward a New history of Buddhism", in *Studies in the History of Buddhism*, A. K. Narain (Ed), Delhi, B. R. Publishing Corporation, 2000, p. xxi

⁸ A. K. Narain, "Toward a New History of Buddhism", p. xxi

Ethics is a branch of philosophy. It is moral philosophy or philosophical thinking about morality, moral problems, and moral judgments.⁹ Ethics is the theory, whereas morality is the practice. If one looks at the morality *per se*, one could find three kinds of morality: *personal*, *universal*, and *absolute*.¹⁰ Further, ethical theories could be classified into three: *consequentialist* ethical theory,¹¹ *deontologist* ethical theory¹² and virtue ethical theory (virtue ethics).

Virtue ethics had been influential in moral philosophy from ancient times. It suffered a neglect in the twentieth century in the West. Morally worthy conduct does not need to have a notion of 'obligation' or 'moral law' (deontology) between the action and the agent, or need not look at the end result of such actions (consequentialism), but social emotions like love and friendship can become the moral motivation. The Aristotelian

⁹ William K. Frankena, one of the leading moral philosophers of late 20th century, classifies three kinds of thinking that relate to morality: 1) The *descriptive empirical inquiry*, which could be historical and scientific, such as done by the anthropologist, historians, psychologist and sociologists. In this category the aim is to describe or explain the phenomena of morality and to work out a theory of human nature in relation to ethical questions. 2) The *normative thinking*, in relation to 'what is good, right, or obligatory' and subsequently forming some normative judgment as a conclusion. 3) The '*analytical, 'critical,' or meta-ethical*' thinking, which tries to answer logical, epistemological, and semantical questions like 'what is the meaning of morally right or good.' For details see: William K. Frankena, *Ethics*, 2nd edition (New Delhi: Prentice-Hall, 1999), 4-5.

¹⁰ This sort of classification has been made by Harry Browne, and according to him, *personal morality* is an attempt to consider all the relevant consequence of one's actions, that is, one acts in ways that one hopes will bring the best consequence to one. This is self directed. *Universal morality* is meant to apply to all in the world, and this is not self-directed, but coming from someone else. *Absolute morality* is a set of rules to which one has to surrender one's happiness, as there is an authority outside of the individual. Absolute morality is the most common type, and it suggests that God commanded that we live by certain rules. For a detailed exposition on these three types of morality see: Harry Browne, "The Morality Trap," in John R. Burr and Milton Goldinger (ed), *Philosophy and Contemporary Issues*, 9th edition (New Delhi: Prentice-Hall, 2008), 193-198.

¹¹ Consequentialist ethical theory is a broad normative theory that bases the moral assessment of acts, rules, institutions, and the like exclusively on the goodness and value of their consequences. *Utilitarian ethical theory* is entirely a consequentialist theory.

¹² Deontologist ethical theory is based on the idea of 'duty' or 'obligation' to do certain things and not to do certain things. Here the action judged on the basis of 'prohibition' or 'obligation.' By and large, in deontological ethical theory God's command to do or not to certain things are signified. Some take recourse to the *categorical imperative* of Immanuel Kant in this theory. Immanuel Kant's *Groundwork of the Metaphysics of Morals* is notable for the categorical imperative, which is central to Kant's moral philosophy. Kant argues for an a priori basis for morality by saying "... this *categorical* ought represents a synthetic proposition a priori..." [Immanuel Kant, *Groundwork of the Metaphysics of Morals* 4: 454, Mary Gregor (tr and ed), Cambridge: Cambridge University Press, 2007), 58].

notion of *eudaimonia* (*eudaemonia* or *eudemonia*) or ‘happiness’¹³ explicitly brings home the idea that ethics is properly an account of the conditions for leading a good life.

In virtue ethics, ethics is more concerned with life. Bernard Williams, one of the most influential thinkers of analytic philosophy in the late twentieth century, was against any theory based approach to ethics. Ethical life was primary concern for him, not so much of theory. He writes: “Morality has always been connected not only with law and politics, but also with the meaning of an individual’s life and his or her relations to other people. In these connections, the authority of theory over moral life remains quite opaque.”¹⁴ Ethics is all about personal life, for Bernard Williams, and not for theoretical ambitions. An author writes referring to Williams, in this sense, “good ethics should abandon theoretical ambitions” because it “deals with personal life rather than public policy.”¹⁵ Ethics concern is all about ‘real life’ and a fidelity to it.¹⁶

3. Buddhism and Virtue Ethics

Buddhism is an ethical religion, and “Buddhism as a moral system has an infinite variety of names and ideas in morality.”¹⁷ Further, “the Buddhist morality, therefore, in

¹³ Aristotle, *The Nicomachean Ethics*, Book 1: 4 (1095a15–22)David Ross (tr) Lesley Brown (notes and introduction) (Oxford: Oxford University Press, 1980), 5

¹⁴ Bernard Williams, “Contemporary Philosophy: A Second Look,” in N. Bunnin and E. P. Tusi-James (ed), *The Blackwell Companion to Philosophy* (Oxford: Blackwell, 1996), 36

¹⁵ Peter Railton, “Toward an Ethics that Inhabits the World,” in Brian Leiter (ed), *The Future of Philosophy* (Oxford: Clarendon Press, 2006), 269

¹⁶ “There is another strand in his (Bernard Williams) remarks. He begins his essay expressing a hope that philosophy can get beyond the twentieth-century *Kulturkampf* of ‘analytic’ vs. ‘continental’ philosophy, and that the methods of analytic philosophy can be divorced from a proprietary, artificially-narrowed conception of the proper goals or domain of philosophy, and put in the service of a more adequate general conception of the goal of understanding ethics and its place in human life – truer to ‘the psychology of the people’s actual lives,’ as he put it. Moreover, to advocate the role of literature in moral thought may be to take seriously the imagination, rather than encourage us in the direction of the imaginary. Again, the key for Williams seems to be a kind of fidelity to real life.” [Peter Railton, “Toward an Ethics that Inhabits the World,” in Brian Leiter (ed), *The Future of Philosophy* (Oxford: Clarendon Press, 2006), 269]

¹⁷ Shundo Tachibana, *Ethics of Buddhism* (Richmond, Surrey: Curzon Press, 1994), 57

spite of the fact that the system has so many precepts and instructions,¹⁸ is in its foundation autonomous, more autonomous than the morality of any other religion.”¹⁹

Ethical theories committed to Buddhist moral sensibilities assure each person's dignity and recognize her or his unique place and needs. Though *utilitarian* ethics and *deontological* ethics may fail to some degree in these respects, Buddhist virtue ethics offers standpoints that resonate more faithfully the need of contemporary world. Among the three broadly recognized ethical theories, namely, utilitarian, deontological and virtue ethics, Buddhist ethics is virtue ethics, and it could be positioned to avoid the serious flaws of the former two. Utilitarian ethics regards 'the other' as a means toward the end of calculating the common good and deontological ethics cannot make distinctions between the relative needs of 'the other,' whereas virtue ethics by going inward and encouraging agents to cultivate respect for the uniqueness of 'the other' makes up for the flaws in other two theories. This is what the Buddhist ethics all about.

David J. Kalupana, one of the contemporary philosophers who writes on Buddhist philosophy, argues cogently for a pragmatic, experientially grounded, understanding of Buddhist thought²⁰ and when it comes to Buddhist ethics, he situates it in its historical context, contrasting with the deontological ethical theory of the *Upaniṣadic* tradition on the one hand and on the other the utilitarian theory of the ancient Indian practical thought and *realpolitik* of Kauṣiyan legacy. In the *Upaniṣadic* tradition there is the moral absolutism and in the Kauṣiyan legacy there is the moral relativism of self –

interest.²¹ Virtue ethics puts greater emphasis on the ethical assessment of the agents

¹⁸ Buddhism has many precepts which the Buddha laid down for the guidance of his disciples. Thus, Buddhism might seem to be a system in which the followers have to observe and follow the precepts and injunctions of the Buddha. But the Buddha himself had instructed his followers to be a light unto themselves, and not to turn to the Buddha, or his teaching for guidance. His words go like this: And whosoever, Ananda, either now or after I am dead, shall be a lamp unto themselves, and a refuge unto themselves, shall betake themselves to no external refuge, but holding fast to the truth as their lamp, and holding fast as their refuge to the truth, shall look not for refuge to anyone besides themselves..” [Digha Nikaya 2: 100-101 and Samyutta Nikaya 5: 154.]

¹⁹ Shundo Tachibana, *Ethics of Buddhism* (Richmond, Surrey: Curzon Press, 1994), 89-90

²⁰ See David J Kalupahana, *A History of Buddhist Philosophy: Continuities and Discontinuities*, Honolulu: University of Hawaii Press, 1992

²¹ For details see David J. Kalupahana, *Ethics in Early Buddhism*, Honolulu: University of Hawaii Press, 1995

and their inner motives, than on their actions.²² Buddhism has never considered individual good as separate from the good of others, and the motive of meritorious action must always be the good of the other sentient beings.

3.1. Virtue Ethics in the Buddhist Pañcaśīla Precepts

Now let us consider some aspects of Buddhist ethics. Let us first take the Pañcaśīla principles of Buddhism. The set of five precepts is known as the five *śikṣapada*hi in Sanskrit literature. It is called *sikṣapada* in Pāli which might refer to the special rules for the monks only.²³ They are also known as the *śikṣapadas* of an *upāsaka* or lay man.²⁴ Every lay man has to make a vow to follow²⁵ these five precepts immediately after accepting the faith in Buddha, Dharma, and Sangha.²⁶ In Pāli, they are also mentioned as Pañca-sīla,²⁷ and this has come down to us under the same names down through the ages.

3.1.1. First Principle: Refrain from taking the lives of living beings

This is the first among the five noble precepts. This is non-violence or non-killing in simple words, which we call as *ahiṃsā*²⁸ This is the key-note of Buddhism, and the

²² Michael Slote, *From Morality to Virtue*. NY: Oxford University Press, 1992, 89

²³ The *Vinaya* I: 83

²⁴ The *Avadāna Śātaka* I: 340: 1

²⁵ The *Avadāna Śātaka* I: 301: 4; I: 324: 10

²⁶ Taking refuge in the three Jewels of Buddhism is an integral part of Buddhist faith. Buddha, Dharma (Doctrine and Teaching of Buddha) and Sangha (Confraternity) are the three continuants in the Tri-Ratna. It is expressed in the three refuges: “*Buddham āraṃham gacchāmi; Dharmam āraṃham gacchāmi; Sangham āraṃham gacchāmi*” (= I take refuge in Buddha; I take refuge in Dharma; and I take refuge in Sangha).

²⁷ The *Samyutta Nikāya* II: 68; The *Anguttara Nikāya* III: 203; The *Sutta Nipāta* 394 -399, etc.

²⁸ The word *Ahiṃsā* comes from the desiderative form of the Sanskrit verbal root “*han*” (= to kill) with the negative prefix “*a*”, and it means “non-killing”. Though it sounds negative, *Ahiṃsā* has a positive meaning. It means positive love in the form of compassion (*karuṇā*) and friendship (*maitrī*) towards all beings in thought, word and deed.

same could be found in Jainism and Hinduism as well. The scripture says: “He (human) should not kill a living being, nor cause it to be killed, nor should he incite another to kill. Do not injure any being, either strong or weak, in the world.”²⁹ This is the ethics of non-injury which all others inherited from Buddhism in Indian soil.³⁰ In our own times Mahatma Gandhi had been an ardent advocate of non-violence.

The rule of *Ahimsa* is important for both monks/nuns and lay people. It was against war and violence in the society, which has got relevance in every age and place. The Buddha’s followers are asked, by this principle, to believe in the kinship of everything that lives. It speaks of that great philosophy of life which inculcates in us the noble ideal of love: hatred should be conquered by love; harm should be conquered by good. Non-killing (*Ahimsa*) is the highest virtue. It is said in the scripture: “Suffering disappears for him to the same extent that he gets rid of thoughts of harming anyone.”³¹ *Ahimsa* or non-killing is neither a treaty nor a law made by human beings. It is in itself a natural law. (One can pose the question whether one form of life is the food of some other forms taking recourse to *Jivo jivasya bhojanam* principle. I am not denying the natural order here, anyway). However, humans must be taught this natural order. For this, Buddha made non-killing a fundamental condition for human survival. “Never kill”, this is the entire message of the precept. One who completely believed in it and who really realized it was the Emperor Ashoka (BC 269 – 232), who lived in this great land of India 200 years after the demise of Buddha.³²

²⁹ The *Suttanipata* II: 14

³⁰ *Ahimsa* gets pre-eminence in both the *rama* traditions, namely Buddhism and Jainism. *Ahimsa* is the first among the five *Mahavratas* of Jainism. Hinduism too has given prominence to *Ahimsa* and some scholars are of the opinion that both Buddhism and Jainism have borrowed this noble concept from Hinduism, which could be true.

³¹ The *Dhammapada*: 390

³² There kindled in Ashoka an ardent desire to conquer the world. He made wars. He even massacred his own people. After the terrible killing, he came to realize that at the end of the day only sorrow remains. *Sarvam dukham dukham*. There came a monk to speak to him: “Change your policies, if you wish to conquer the world. Let the people of the world live instead of killing them. Make a vow that you will never kill, and apply this to politics and state policy. Believe in the teaching of Buddha, and hold fast on to the precept of non-killing.” Emperor Ashoka did not wait for any more time; he became a follower of Buddha, and preached non-violence thereafter.

This noble precept applies to the non-killing of humans, animals and other living beings. Life is dear to all creatures. This has got far reaching implications. All the living beings, irrespective age, sex, size, from the time of their conception in the mother's womb are under this precept's purview. This precept wards off the scope for recent ethical issues like euthanasia and abortion. *Euthanasia* as a practice that involves intentional and deliberate taking of life is contrary to the basic Buddhist ethical teachings because it violates the first of the Five Precepts (*Pañcāśīla*). Both *active* and *passive* forms of the practice, even when accompanied by a compassionate motivation with the intention of avoiding suffering are ruled out. It is true that the term "euthanasia", as it is used today, has no direct equivalent in canonical Buddhist literature. It was heartening to read the news that very recently on 25 January 2012 the Parliamentary Assembly of the Council of Europe (PACE) adopted a Resolution stating that 'euthanasia must always be prohibited.' This resolution articulates a strong principle for life and against euthanasia. This is the first time euthanasia has been so clearly rejected by a European political intuition.³³

Again the *question of abortion* is also applicable in this precept. Abortion as a moral problem is not discussed at length in Buddhist literature. However, there are sufficient references in the Pāli Canon and other ancient sources to indicate that the practice was regarded as gravely wrong. Buddhist disapproval of abortion is related to its belief in rebirth and its teaching on embryology. It is widely held that conception marks the moment of rebirth, and any intentional termination of pregnancy after that time is a deliberate breach of the first precept in *Pañcāśīla*, namely *ahimsā*. By and large, this constitutes to be the avowed view of most of the Buddhists. However, this position is not reflected in the abortion statistics in Buddhist countries. In the Buddhist countries of south-east Asia, abortion is generally illegal unless there is threat to the mother's life.³⁴

³³ See <http://www.europeandignitywatch.org/day-to-day/detail/article/council-of-europe-bans-euthanasia.html> accessed on 4 April 2012.

³⁴ Illegal abortions are common with an annual figure of 300,000 per annum in Thailand. In certain East Asian countries abortions are even more numerous, and a figure of one million per annum or greater is sometimes cited for countries such as Japan and South Korea. In Japan a memorial service known as "mizuko kuyo" has come into practice as a response to the large number of abortions carried out in recent decades.

Vegetarianism has got something to do with the doctrine of *Ahimsā*. The Buddhists did not regard the animal world with disdain.³⁵ They acknowledged the rights and virtues of the dumb beasts. The animals should be shown compassion and love, for every being has got the essence of Buddha-hood.³⁶ This feeling of love and compassion, as against injury and violence, led to the condemnation of hunting and flesh-eating.³⁷ The Mahāyānists also gave great importance to vegetarianism.³⁸ The Mahāyānist interpretation of *Ahimsā*, as applied to the animal world, has been accepted by the vast majority of Indians,³⁹ though one might find non-vegetarianism very much prevalent in the Buddhist community.⁴⁰

3.1.2. Second Principle: Refrain from Stealing

“Mizuko kuyo” is the practice of making offerings to the spirits of aborted fetuses. This practice takes the form of a memorial service held at a Buddhist temple in which a statue resembling a young child in the form of a Buddhist monk is set up and prayers are recited. Offerings and prayers are made by the relatives of the aborted fetuses each year on the anniversary of the abortion. Women who have had abortions find the memorial service comforting. It is also believed that such memorial services will avert misfortunes for the family caused by the angry spirit of the aborted child (See Damien Keown, *A Dictionary of Buddhism*, Oxford, Oxford University Press, 2003, 4 and 178-179).

³⁵ Gautama Buddha was born as a hare, a swan, a fish, a quail, an ape, a woodpecker, and an elephant in his previous existence. Avalokiteśvara preaches to the worms and insects which can rise to the position of a Buddha after many eons (The *Bodhicaryavatāra* VII: 18).

³⁶“*Sarva-sattvas-tathāgata-garbhā*”(=all living beings possess the essence of Buddha or Buddha- nature). For details see C. D. Sebastian, *Metaphysics and Mysticism in Mahāyāna Buddhism*, Delhi, Sri Satguru Publications, 2005, 102 – 143.

³⁷ The *Jñāna-Māhātmya* 217: 14; 166: 7

³⁸ The *Lankāvatāra-sūtra* devotes a long chapter on vegetarianism and there we find many arguments adduced. There is no reason why the meat of some species should be eaten, while other species are spared: hence meat of all kinds should be regarded as uneatable. Meat is impure and repulsive, as it is always blended with blood and the secretions of the body. It is not right to spread terror and agony among animals, which flee from man as from a ruthless demon. Men are not carnivorous by nature, like the tigers and wolves. For details see The *Lankāvatāra-sūtra*: 244, 245, 246, 248, 257, 259, etc.

³⁹ Har Dayal, *The Bodhisattva Doctrine in Buddhist Sanskrit Literature*, London, Routledge & Kegan Ltd., 1932, 200 – 201.

⁴⁰ A monk can eat meat, if it is not especially cooked for him, as he is only sharing the meal with others which is made for them. See The *Śālistambī-Samuccaya* (of Śāntideva): 144: 14; 131:12; 174.

The second noble precept is refraining from taking anything from anywhere knowing it (belongs to another). Whatever is not given by others should not be taken.⁴¹ It means non-stealing.

Theft, robbery, burglary, shoplifting, larceny, pilfering etc. should be avoided. The scripture says: “A disciple should avoid taking anything from anywhere knowing it (it belongs to another). He should not steal nor incite another to steal. He should completely avoid theft”.⁴² Monks and nuns should live only by alms. Lay men are asked to live on right livelihood by fair means. Earning one’s livelihood by underweight, fraudulence, bribery, ingratitude, crookedness, mutilation, persecution, confinement and oppression are forbidden according to this noble precept. One is asked to refrain from covetousness. ‘Do not covet those things of the other’, is the key-note of this injunction. One should be content with one’s own possessions. A Bodhisattva does not steal even a leaf or blade of grass;⁴³ and we are asked to follow the footsteps of the Bodhisattvas. This noble precept of non-stealing is found in both Hinduism and Jainism, and they employ the term ‘*asteya*’ for this precept. This principle applies to all of us who are faced with the challenges of corruption in today’s world, whether in public life, political life or even in the armed forces, which has been a matter of discussion these days in the media.

3.1. 3. Third Principle: Refrain from Unchastity

Right conduct with regard to sexual life is the subject matter of this precept. This is called as *Kāma-mithyācāra*. It is said in the scripture: "A wise man should avoid unchastity as (he would avoid falling into) a pit of glowing charcoal. If unable to lead a celibate life, he should not go to another’s wife.”⁴⁴ One should avoid false conduct in sexual life. A monk/nun has to abstain from the sexual life completely. A life of *brahmacharya* was advocated for the Sangha (order of monks and nuns). As for the layman/woman this precept meant to remain faithful to one’s life partner in the matter

⁴¹ This is known as *adattāhā viratī*. We see also *adatta-haraṇam*. See The *Mahāvastu* I: 107: 14

⁴² The *Suttanipāta* II: 14

⁴³ The *Dāśabhūmikā-sūtra*: 23

⁴⁴ The *Suttanipāta* II: 14

of sexual life. It is said that one should not cast longing eyes on the life partners of others. One should not harbour even a lustful thought with regard to other married people. Adultery is like a poison that mars and destroys human life, even if it is committed in secret.⁴⁵ This principle brings together all that we speak of in sexual

ethics.

3.1.4. Fourth Principle: Refrain from Telling Lies

This precept is about truthfulness and honesty. In Indian tradition we have the equivalent term as *Satya*. One is given the injunction to speak the truth and nothing but the truth. The scripture says: “Having entered a royal court or a company of people he should not speak lies. He should not speak lies (himself) nor incite others to do so. He should completely avoid falsehood”.⁴⁶ One’s actions should be in harmony with his words. One should not tell a lie even in dreams. Truthfulness is the highest spiritual austerity.⁴⁷ One should become neither a slanderer, nor act as tale-bearer. Honesty in private and public life is envisaged in this precept. Much of our *professional ethics* could be tempered and fine tuned by this precept.

One should avoid harsh words and also frivolous talks. Refraining from telling lies has got a wide range nuances as we have just mentioned above. It is known as *māṇava-vṛata virati* and *anṛta-vacanā vrati*, which literally mean ‘abstain from telling lies’. It implies speaking at the proper time which is relevant and instructive. It also implies avoidance of gossip and even flattery. ‘Sweet speech’ is the means of teaching the dharma. One’s words should be pleasant, true, and conducive to the Good.⁴⁸ Our speech should express the hope that all will grow in faith, virtue, knowledge, charity and wisdom.⁴⁹ It is wonderful contribution of Buddhism that right speech gets

⁴⁵ The *Dāh-bhāmika-sūtra*: 23; The *Jñāka-Mā*: 85:10

⁴⁶ The *Suttanipāta* II: 14

⁴⁷ The *Bodhisattva-vadāna-kalpalatā* II: 841: 41

⁴⁸ The *Aśā-Sahasrikā-Prajāpāramitā* 323: 12; 326: 4

⁴⁹ The *Bodhisattva Bhūmi* 86a: 5: 2

prominence in one’s life. “The rules with regard to speech were increased and amplified by the Buddhists.”⁵⁰ It is a typical characteristic of Indian ethical systems that the duty of pleasant speech is especially emphasized.

3.1.5. Fifth Principle: Refrain from Intoxication

The fifth precept in the code of Pañcāśīla is abstinence from having intoxicants. It is probable that the prohibition of the alcoholic beverages was at first indented only for the monks and nuns (It must be possible that the Buddha did never want his disciples take recourse to intoxicants and drugs as it had been with some ascetics of the day who use to have them for trance and ethereal feelings/experiences). It was subsequently given or imposed on to the lay people. The scripture says: “A layman who has chosen to practice this Dhamma should not indulge in the drinking of intoxicants. He should not drink them nor encourage others to do so; realizing that it leads to madness. Through intoxication foolish people perform evil deeds and cause other heedless people to do likewise. He should avoid intoxication, this occasion for demerit, which stupefies the mind, and is the pleasure of foolish people.”⁵¹ The Mahayanist carried on vigorous propaganda against the use of alcohol. The *Mahāvīryūtpatti* speaks of liquor-drinking as a sin. In the *Kumbha-jātaka* we see Śrīyāśā describing the evil consequences of alcoholism.⁵² We are aware of the evil consequences of alcoholism and drug addiction in our world. This principle has much to do with our contemporary state of affairs where many suffer from drug abuse.

Having dealt with the five precepts in the Pañcāśīla, let us look at the virtue ethics in the four Brahmavihāras of Buddhism.

3.2. Virtue Ethics in the Four Brahmavihāras of Buddhism

⁵⁰ Har Dayal, *The Bodhisattva Doctrine in Buddhist Sanskrit Literature*, 197

⁵¹ The *Suttanipāṭa* II: 14

⁵² Śrīyāśā's *Jātaka-Mālā*, H. Kern (Ed), Boston, 1891, 100ff.

The cultivation of social emotions has a significant place in Buddhism, particularly in Mahāyāna Buddhism. Buddhism always emphasized an active life emanating from contemplation. After his enlightenment, Buddha continued his religious life doing good to all

beings. He urged his monks to do the same.⁵³ Buddha had exhorted his disciples to go around the world and preach the truth for the welfare and liberation of the people, as he loved his fellow creatures and had compassion for them. One's actions should come from the meditative life where one always reflects on the sublime things or states of life. One cultivates good qualities by a constant meditation on them. In the Buddhist literatures we find a set of four virtues of life which is called mysteriously *Brahma-vihāras* or the Stations of Brahma,⁵⁴ namely, Love or Friendliness (*Maitrī*), Compassion (*Karuṇā*), Sympathetic Joy (*Muditā*), and Equanimity or Impartiality (*Upekkhā* or *Upekka*). This set of four virtues is meant to regulate our attitude to others and these virtues speak of the social emotions or feelings in Buddhism. These four states are for one's personal spiritual growth as well.⁵⁵

3. 2.1. Love or Friendliness (*Maitrī* or *Mettā*)

Maitrī (*Mettā* in Pāli) is love or friendliness. *Maitrī* is a feeling that is directed towards those who are happy in life (as *karuṇā* is shown to those who are unhappy and afflicted). Its opposite is *vyāpāda* or malice. It is characterized by the desire to do good to others and provide them with what is useful.⁵⁶ Loving-kindness is the warm-hearted concern for the wellbeing of others. Its opposite is anger, cruelty jealousy and attachment. Love is epitomized by the heart-felt wish, "May all beings be happy".⁵⁷

⁵³ "Caratha bhikkhave cārikam bahu-jana-hitāya bahu-jana-sukhāya lokānukampāya atthāya hitāya sukhāya deva-manussānam." – The Vinaya 1, 21

⁵⁴ *Visuddhimagga* chapter 9, 105 – 106 (*Visuddhimagga* by Buddhaghosa C.A.F. Rhys Davids (Ed), 2 Vols., London, Pali Text Society, 1920 -21)

⁵⁵ C. D. Sebastian, "The Four *Brahmaviharas* of Buddhism: The Cardinal Virtues", *Jnanatirtha: International Journal of Sacred Scriptures*, VI (1), 2006, Pp. 25- 35.

⁵⁶ *Āta-saṅhasrikā Prajñāpāramitā* 1411: 1 (P. Ghosa (Ed), Calcutta, Bibliotheca Indica, 1902 – 133)

⁵⁷ "Sabbe sattā sukhitā hontu ti diṇṇāyena hitasukhupanāyanakāmatā mettā...", *Sutta Nipāta Commentary Being Paramatthajotika II*, London, Pali Text Society, 1916, p. 128

The feminine noun in Pāli, *mettā* (or love) is always qualified or contextualized in such a way as to indicate that love at the level of access, concentration or absorption is intended. In other words, the material on love is strictly limited to the meditative cultivation of the

wish for the wellbeing of others. Love is particularly recommended for abandoning anger and preventing its recurrence.

In fact anger and hatred vanish where there is love. One is exhorted to get rid of anger and hatred by the cultivation of love and friendliness. The *Dhammapada* says, “‘He abused me, he beat me, he defeated me, he robbed me’ – in those who harbour such thoughts hatred will never cease. ‘He abused me, he beat me, he defeated me, he robbed me’ – in those who do not harbour such thoughts hatred will cease. For hatred is

not ceased by hatred at any time. Hatred is ceased by love. This is an eternal law.”⁵⁸

One who cultivates universal love at the level of absorption gains eleven rewards: 1. He sleeps well. 2. He dreams pleasant dreams. 3. He wakes up easily. 4. He is dear to humans. 5. He is dear to non-humans. 6. His deities protect him. 7. He can concentrate quickly. 8. His complexion is radiant. 9. He is not affected by fire, poisons and weapons. 10. He dies unconfused. 11. If he has no higher achievement than his love, then at death he ascends to the pleasurable world of Brahmā.⁵⁹

We are warned in the Buddhist scriptures that cultivation of *mettā* or friendliness might lead to worldly greed and degenerate into passionate and sensuous love. The emotionally tainted obscurations (*kleśāvaraṇas*) are listed in the *Abhidharma* ⁶⁰as the

10 primary and 20 secondary *kleśas* or defilements. These are further divided into the obscurations that can be removed by insight and those that can be removed by the cultivation of insight (*dhyāna*). They all could be further summarized into the main three vices of *rāga*, *dveṣa*, and *moha*. Sometimes these three are also explained in terms of the five depravations of attachment (*rāga*), aggression (*dveṣa*), ignorance or

⁵⁸ The *Dhammapada* 3 – 5

⁵⁹ The *Anguttara Nikāya* XI: 16, named the famous “*Mettā Sutta*”

⁶⁰ The *Dhamma-saṅgī* 1229 and 1548

infatuation (*moha*), pride and jealousy. However, jealousy is rooted in *dveṣa* and pride in *moha*. Thus all the defilements and depravations could be summarized into these three main

vices.⁶¹ These three vices could be eliminated or eradicated only by the cultivation of the Brahma-vihāras. Further, according to Buddhist tradition, concentration and wisdom (*dhyāna* or *samādhi* and *prajñā*) are necessary to transmute friendliness into “self-less love” which we put into practice everyday (*mettā*). “The alchemy of *dhyāna* is said to cleanse friendliness of its exclusiveness and make it unlimited.”⁶²

3.2.2. Compassion (Karuṇā)

Compassion is a sublime feeling in Buddhism. Compassion is epitomized by the heart-felt wish: “May all beings be free from suffering.”⁶³ In the discourses, the feminine noun *karuṇā* (compassion/ mercy) is always qualified or contextualized in such a way as to indicate that compassion at the level of access concentration or absorption is intended. The material on compassion is limited strictly to the meditative cultivation of the wish that others be free from suffering. Compassion is particularly recommended for abandoning harmfulness. The spirit with which one should embrace this noble state is narrated in the Code of Pācāyika in Buddhism, especially the first noble precept of *Ahimsā* which we have seen above.

Karuṇā or *Mahā-karuṇā* is an attribute of a *Bodhisattva* and a perfect Buddha. It should be rendered in English by such words as “love”, “pity”, “mercy”, “compassion”, and all their synonyms or approximate synonyms put together. We cannot convey an adequate idea of what *karuṇā* means by one equivalent word in English. It is, perhaps, the word that occurs most frequently in Mahāyāna literature. A *Bodhisattva* shows his *karuṇā* chiefly by resolving to suffer the torments and agonies of the dreadful purgatories

⁶¹ C. D. Sebastian, *Metaphysics and Mysticism in Mahayana Buddhism*, New Delhi, Sri Satguru Publications, 2005, 172 – 173 and 203 – 204

⁶² Edward Conze, *Buddhist Thought in India*, London, George Allen & Unwin, 1983, 84

⁶³ “...*aho vata imamhā dukkhā vimucceyun’ ti adināyena ahitadukkhāpanayanakamā karuṇā...*, *Sutta Nipāta Commentary Being Paramatthajotika II*, p. 128

during innumerable ages, if need be, so that he might lead all beings into perfect Enlightenment. He is consumed with grief on account of the sufferings of others, and does not care for his

own happiness. He loves all beings, as a mother loves her only child. He is like a mother, a father, a relative, a friend, a slave, and a teacher for all beings. *Karuṇā* is the life and soul of Buddhist Religion. When a Bodhisattva cultivates the attitude of regarding others as equal to himself, he gets rid of the notion of “I and you” and “Mine and yours”.⁶⁴ He feels the joys and sorrows of others as his own, and never prefers his own happiness to that of others. He loves and cares for others as he loves and cares for himself. He is also always ready to exchange his happiness for the miseries of others. He gives himself for the sake of others. He returns good for evil, and even helps those have injured him. He identifies himself with the lowly and the poor and looks upon himself as if he were the person identified.⁶⁵

Buddhist motivations for social activity could be traced from *maitrī* (*mettā*) and *karuṇā* or love and compassion. Venerable Bhikkhu Paṇḍita, one of the Thailand’s most famous monks, considers love and compassion to be the basis for an altruistic social activism. He says that love and compassion together constitute a “love that is self-sacrificing and self-forgetting, a love that helps one’s neighbour.”⁶⁶ Further, Friendliness and Compassion become cardinal virtues of prime importance in Mahayana Buddhism. Compassion (*Karunā*), in particular, impels the Bodhisattva as strongly as Wisdom (*Prajñā*), and provides the motive to give up his personal liberation and strive for the liberation of all sentient beings.⁶⁷

3.2. 3. Sympathetic Joy (*Muditā*)

The word for Sympathetic Joy is *Muditā* and this word has been variously translated as “appreciation”, “satisfaction”, “delightfulness”, and “happiness in the happiness of all”.

⁶⁴ The *Mahāyāna-sūtrālamkāra* 19:17

⁶⁵ The *Bodhicaryāvatāra*: 8

⁶⁶ Donald Swearer, *Buddhism in Transition*, Philadelphia, Westminster Press, 1970, 69

⁶⁷ See for details C. D. Sebastian, “The *Bodhisattva* Ideal in Mahayana Buddhism”, in *Jnanatirtha: International Journal of Sacred Scriptures*, 4 (2), 2004, 134 – 146

This attitude or feeling is said to be directed towards the virtuous and righteous persons (*puṇyāmakeṣu*). Its keynote characteristics are joy, faith, and freedom from

despondency, craving, jealousy, insincerity and hostility. It also means an attitude which is against the hardhearted competitiveness. It is normal view, that is, “legitimate interests” in any affair.

Buddhist thought is psychologically so encompassing that it covers all aspects of human nature and psyche. If Compassion motivates one to participate in the sufferings of others, Sympathetic Joy impels one to partake of the happiness of others. *Muditā*, for that matter, sees the prosperous condition of others, and is very much glad about it, and shares the happiness of others. Logically speaking, one must expect that we should welcome the happiness of our fellow-men more than their misery. It is so hard for human beings to have the concept of generous admiration for the good fortune or achievement that goes beyond one’s own. There is a tendency, invariably in all, of feeling of resentment against the superiority and advantageous positions of others. In the deeper layers of one’s mind, if one carefully looks into oneself, one harbours a definite aversion to the happiness and success of others. Envy and jealousy are strong and deep-seated, though we hardly ever admit it. All the time human beings jealously compare their lot with that of others who are more successful and feel bad about others’ success and happiness. The practice or meditation of *muditā* would lift one above the discontentment.

3.2.4. Impartiality or Equanimity (*Upekā*)

The fourth sublime state is called *Upekkhā* in Pāli and *Upekā* in Sanskrit, which would mean ‘impartiality’, ‘equanimity’, or even ‘detachment’. This is the hedonistic neutrality or indifference, or even a zero point between joy and sorrow. This is a state in which the practitioner raises himself above the ordinary cares and concerns of social life and detaches himself from all hustle and bustle of life. *Upekā* is an important term in Buddhist philosophy. It consists in preserving the same mental attitude in all situations of life: in joy and sorrow, in fame and obscurity, and in gain and loss.⁶⁸ It

⁶⁸ The *Caryāpiṭaka* XV: 4, 11. The *Jāṭaka* states: “His equanimity (*upekā*) was not disturbed, even when the villagers tried to vex him by spitting or by offering garlands and perfumes, and thus he acquired the Perfection of *upekkhā*” (The *Jāṭaka*, chapter 1).

denotes a mental state of equilibrium under all favourable and unfavourable conditions. It also signifies the practice of impartiality in one's actions towards others. It is an impartial and equal treatment to a friend and foe, relatives and non-relatives. There is neither anger nor affection towards all. One who cultivates this sublime state or *brahma-vihāra* does not hurt or injure any living being. He does not love or hate anything or anyone. Gold and stone are same to him.⁶⁹ Thus, the achievement of an impartial non-interference represents the highest possible perfection in one's life. This principle should be applied in our personal life and professional life, so that one can get rid of the maladies of favouritism.

4. Conclusion

Having analysed the most important facet of Buddhist ethics so far, we are in a position to submit that ethical theories committed to Buddhist moral sensibilities assure each person's dignity and recognize her or his unique place and needs. Though utilitarian ethics and deontological ethics may fail to some degree in these respects, Buddhist virtue ethics offers standpoints that resonate more faithfully the need of contemporary world. This proposed paper will argue that among the three broadly recognized ethical theories, namely, utilitarian, deontological and virtue ethics, Buddhist ethics is virtue ethics, and it could be positioned to avoid the serious flaws of the former two. Utilitarian ethics regards 'the other' as a means toward the end of calculating the common good and deontological ethics cannot make distinctions between the relative needs of 'the other,' whereas virtue ethics by going inward and encouraging agents to cultivate respect for the uniqueness of 'the other' makes up for the flaws in other two theories. This is what the Buddhist ethics is all about. This is a unique Asian contribution to the world culture.

⁶⁹ The *Mahāvastu* III: 422: 6. We see the same in *Bhagavadgītā* 14: 24: "He remains the same (in his own true nature) in pleasure and pain, regards a clod of earth, stone and gold alike, is same to the agreeable and disagreeable, firm, and remains the same in censure and praise."

Japan in the Siamese Press between the Russo-Japanese War and the End of the Absolute Monarchy in Siam (1932)

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ABSTRACT

Protected from censorship through foreign ownership and the stipulations of unequal treaties, the Bangkok press was the medium of harsh criticism of the Siamese absolute monarchy. So far, however, little attention has been paid to the role of Imperial Japan in this criticism and in the popular Siamese nationalism before the overthrow of the Siamese absolute monarchy in 1932, although Japan was an important benchmark of ‘progress’ and successful modernization by an Asian nation for the emergent Siamese middle class. At the same time using Japan as a benchmark when criticizing the perceived slowness of reforms in Siam or the lack of popular rights at home also served as a rhetorical tool to outflank the discourse of the official nationalism that stressed that not all ‘Western’ institutions were suitable for ‘Oriental’ Siam. Underlying the references to Japan in the Siamese press was a worldview adopted from the colonial powers in Asia: The division of humanity into separate races – with Siam and Japan both belonging to the ‘Oriental/yellow’ race – and the linear progression of mankind towards higher degrees of ‘civilization’ – a path on which Japan was understood to have advanced much further than Siam.¹⁵⁹

I. Introduction

Conventional histories narrating the genesis of the nation-state of Siam/Thailand¹⁶⁰ stress the fact that the country was never directly colonized. The former multiethnic realm based on a Southeast Asian, Buddhist conception of kingship was successfully transformed by enlightened monarchs into a bounded and centrally administrated nation-state and market economy with a modern military and educational system (Grabowsky, 2010, pp. 130-133; Wyatt, 2003, pp. 185-209; Terwiel, 2011, pp. 204-229). Because Siam was never directly colonized, the predominant form of nationalism at this stage is often seen as a hierarchical official nationalism¹⁶¹ of which King Vajiravudh¹⁶² (Rama VI, r. 1910-1925) is the best

¹⁵⁹ I am indebted to Professor Klaus Vollmer (LMU Munich) and Professor Junko Koizumi (Kyoto University) for comments on a previous version of this paper. I am also grateful to the Japanese Society for the Promotion of Science, who made my current stay at the University of Kyoto possible through their generous scholarship program.

¹⁶⁰ Before the official name change in 1939 Thailand was known as Siam. The ethnic majority group, however, always referred to themselves as Thai.

¹⁶¹ The term ‘official nationalism’ was coined by Seton-Watson (1977) to describe the attempt to strengthen the state through creating a homogenous nation out of a multi-ethnic realm and basing the legitimacy of continuing dynastic rule on the claim of representing this nation (p. 148).

¹⁶² Personal names are written according to the common transliteration in the literature.

known contributor and promoter, who in line with cultural nationalism¹⁶³ stressed the importance of the preservation of – especially political – traditions and the culture of Siam (Batson, 1986, pp. 12-15, Vella, 1987, pp. xiii; also Terwiel, 2011, pp. 231-233, 238-240; Grabowsky, 2010, pp. 147-149; Wyatt, 2003, pp. 210, 215f). But the social effects of the world financial crisis in the late 1920s triggered a coup by a “tiny group of conspirators” (Wyatt, 2003, p. 230) in 1932 resulting in the establishment of a constitutional monarchy, a development that however had neither any effect on the daily life of the vast majority of the rural population nor had its backing (Terwiel, 2011, pp. 258-261; Grabowsky, 2010, pp. 152-156; Wyatt, 2003, pp. 234-236;).

In contrast several recent intellectual histories of Siam have called this ‘linear’ narrative into question, stressing that in spite of the independence of the Kingdom of Siam, it was the colonial world that provided the very building blocks and concepts for the reforms, e.g. the notions of a bounded nation-state, race, ‘progress’ and ‘civilization’ and especially the political community of the nation, that kept Siam independent and enabled the Bangkok monarchy to establish for the first time direct rule over the realm. Furthermore these new concepts are now understood to have been contested from the very beginning (Charnvit, 2000, p. 122; Copeland, 1993, pp. 9-11; Thongchai, 1994, pp. 3f).

These challenges came from a literate and cosmopolitan middle class, who emerged in the course of the formation of the absolutist state¹⁶⁴, the introduction of modern education, and the integration of Siam into the world economy, and whose aspirations were based on a meritocratic worldview. When faced with the reality that they could not satisfy their ambitions due to a political system in which patronage remained powerful, they turned to a popular form of nationalism¹⁶⁵ arguing for change in favor of the nation and increasingly voiced their grievances in the Bangkok press. In this regard Siam was comparable to the

¹⁶³ Hans Kohn, one of the founding fathers of the academic inquiry into nationalism (Özkırımlı, 2010, p. 31), has introduced the influential differentiation between two distinct types of nationalism: liberal and individualistic ‘civic nationalism’ versus authoritarian and collective ‘cultural nationalism’ (Kohn, 2005 [1944], pp. 329-332; Kohn, 1955, pp. 29-37). In contrast, the scholar of nationalism John Hutchinson has advanced the view that cultural nationalism is a predominately integrative and creative ideology, because it can play a decisive part in solving the crisis of identity in the modern world by helping to reconcile the sense of rootedness derived from tradition and indigenous culture with modern society, which is often felt to be alien due to its import of foreign concepts, languages, and institutions. While Hutchinson acknowledges that a cultural definition of a particular nation must necessarily be contested and conflicted due to the lack of clearly identifiable characteristics, his discussion of ‘cultural nationalism’ does not consider the possibility that the reconciliation of culture/tradition and modern institutions is in itself a highly contested political process legitimating particular claims for power (e.g. Hutchinson, 2005; Hutchinson, 1987).

¹⁶⁴ Following Kullada (2004) absolutism as used here refers to “a historic process” in which a centralized administration under the Bangkok monarchy was created.

¹⁶⁵ The term ‘popular nationalism’ is adopted from Copeland (1993), who uses it to describe the intellectual movement that expressed itself in the Bangkok press demanding popular sovereignty.

surrounding colonial states, where local “disenfranchised urban literati” (Copeland, 1993, pp. 12) challenged the colonial state and its assertion of the unsuitability of self-rule and where often Japan was looked up to (Kullada, 2004, pp. 126f, 178-181; Copeland, 1993, pp. 163f).

The following paper shall investigate the references to Japan in the Bangkok press in the context of this contested definition of the nation in the time between the Russo-Japanese War and the end of the absolute monarchy in 1932. While these references have so far received very limited attention,¹⁶⁶ the visitor of the newspaper collections at the National Library in Bangkok is surprised by the large number of comparisons between Siam and Japan as well as references to Japan aimed at criticizing the status quo in Siam, which can be found across the many different publications of that period.¹⁶⁷

II. Results and Discussion

i. Conceptual Changes of Legitimate Authority

Underlying the institutional reforms in Siam during the 19th and early 20th century since the rein of King Mongkut (Rama IV, r. 1851–1868) was a new *weltanschauung* centered around the linear ‘progress’ of mankind towards higher degrees of ‘civilization’ exemplified by Europe. Through the acceptance of this new ethos, which was expressed through the adoption of ideas and practices from Europe via the colonies, the court not only found a way to engage with the colonial powers successfully but also to redefine their own role from the most meritorious to the most ‘civilized’ thereby translating their legitimacy into this new era. While the practices adopted included such mundane things as dressing, eating and

¹⁶⁶ The limited attention given to these references is of course due to good reasons. In comparison to other regions of Southeast Asia there was neither considerable Japanese immigration to Siam, nor did trade between the two countries matter significantly until the end of the absolute monarchy (Swan, 2009, pp. 17-34, 230-234). Additionally the Japan insistence on being treated similar to the European powers and the USA and be granted extraterritorial jurisdiction surely did not earn her much goodwill among the Siamese elites (Ishii & Yoshikawa, 1987, pp. 131-133; Nishino, 1984, p. 49). And while Pan-Asian ideas did play a role in the discussions of foreign policies in Meiji-Japan, when being clarified, cultural unity based on the use of Chinese characters and the heritage of Confucianism was at least as important as an assumed racial relationship. Furthermore faced with the discussion of the “Yellow peril” in Europe and North America from the late 19th century onwards, Japanese governments preferred to stress the differences between Japan and continental Asia (Saaler, & Szpilman, 2011, pp. 10-20, 34; Saaler, 2007, pp. 2-14).

¹⁶⁷ The paper is based on primary sources in the collection of newspapers and magazines at the rare prints and microfilm archives of the National Library of Thailand in Bangkok accessed between August 2011 and February 2012. In English: Bangkok Times Weekly Mail, Siam Observer, Bangkok Daily Mail. Thianwan’s magazines: Tunwiphāphotchanakit and Siriphotchāk. In Thai: Bamrung Mūr ang, Bāngk ๑๕๕๕, Bāngk ๑๕๕๖, Dūang Pratīp, Khāo Sayām, Khāo Sot, Khāo Talāt, Krung Thēp Rīwū, Satrī Thai, Thai Khasēm, Thai Mai, Thai Num, Thai T ๑๕๕๕ Thai Tai, Thong Thai, T ๑๕๕๕.

consumption habits, the process of adaption was selective resulting in the localization and hybridization of the respective concepts. In contrast to material wealth and technological progress, the notion of the universal applicability of values and institutions for defining the status of being ‘civilized’ was rejected, e.g. in regard to Christianity, monogamy and popular sovereignty. This strategy formed not only an essential part of the defense against colonialism through the avoidance of orientalist power relations, but also a way to retain or strengthen the relative superiority in Siam through the creation of a new sphere of power relations between the center and the periphery of Siam (Pavin, 2005, pp. 4-6; Peleggi, 2003, pp. 28-31; Charnvit, 2000, pp.119f; Thongchai, 2000, pp. 529f, 533f, 538; Thongchai, 1994, p. 9-12). As Charnvit (2000) has points out, in the time of the absolute monarchy being ‘civilized’ according to the official nationalism was closely linked to being an obedient citizen contributing to the progress of the country and state (p.121).

ii. Early challenges and Japan

Not only was the claim for a royal prerogative to define to which degree ideas and institutions were fundamental parts of ‘civilization’ and ‘progress’ or ‘Western’ objects not suitable for Siam was challenged from the very beginning, but also Japan was employed as an example to criticize the pace of reform from the beginning, as the country was perceived to be generally comparable to Siam: an independent Asian country reforming itself to become ‘progressive’ and ‘civilized’ and to catch up with the colonial powers.

The petition by a group of young officials serving in Europe addressed to the King proposing a faster reform program in 1885 is widely referred to as it is the first time that the government was criticized with explicit references to the new political concept of the nation – it was also the first time that Japan was referred to as an example to follow (Kullada, 2004, pp. 105-108; also Terwiel, 2011, pp. 204f; Wyatt, 2003, pp. 184f). The first actual attempt to overthrow the absolute regime followed three decades later, a coup attempt that was discovered in 1912 (Kullada, 2004, pp. 154-178 also Terwiel, 2011, pp. 235-237; Wyatt, 2003, pp. 213f). The coup leader used an essay for recruitment called “The Decline and Progress of a Country”, in which the government was criticized as prone to corruption due to the fact that the king was above the law and did not serve the interests of the people. This “key document” referred explicitly to Japan linking her ‘progress’ to her constitutional monarchy. This coup attempt is now generally understood to be an early “political manifestation” of the popular nationalism that had developed on the basis of the contradiction within the absolute monarchy. Contradictions, that would finally lead to the successful coup in 1932 (Kullada, 2004, p. 161-173, 178; also Barmé, 2002, p. 3; Barmé, 1993, pp. 22-24).

iii. Official Thai Nationalism

Murashima (1988) shows that the formulation of an official nationalism based on the three pillars of the nation, the monarchy and Buddhism was not newly created by King Vajiravudh, but had begun already in the last twenty years of the 19th century, when the new political concept of the nation was introduced to integrate the realm and to fend off colonial encroachments. King Chulalongkorn’s (Rama V, r. 1868-1910) well known reply to the petition by Siamese diplomats in Europe for political reforms and the introduction of Western political principles in 1885 can be regarded as the first piece of nationalistic writing by a Thai king. In this reply as well as in King Chulalongkorn’s speech on unity from 1902 the importance of the Siamese monarchy for the country as well as the unsuitability of the wholesale acceptance of ‘Western’ ideas is stressed. King Vajiravudh later based his nationalism on these key ideas already developed by his father and also by his uncle Prince-

Patriarch Wachirayan (1860-1921) and refined it with his knowledge acquired in England (pp. 84, 87-90; also Murashima, 1986, pp. 5f, 13, 18, 23f). Following the discovery of the coup attempt in 1912, King Vajiravudh addressed the educated, urban population directly through a number of newspaper essays under the penname Asvabahu (Murashima, 1986, p. 37).¹⁶⁸ Additionally the Chinese revolution had a profound impact on the kingdom as the growing number of immigrants became increasingly political active, while the increasing number of women settling down in Siam caused slower assimilation. The “Others” of the Thai nation according to King Vajiravudh were not the Western powers nor the colonized neighbors, but similar to the ‘divide et impera’ approach of the surrounding colonial states these Chinese immigrants that were the “key agents of economic modernization and political modernity in Siam” and thus the only group of people that could challenge the absolute monarchy (Hau, 2012; Kasian, 2003, p. 247; Kasian, 1997, pp. 76-80). Immigration could however not be controlled because the economy depended on cheap Chinese labor (Barmé, 1993, pp. 24-26; Murashima, 1988, p. 90; Batson, 1986, pp. 84f; Murashima, 1986, p. 28).

iv. Official Thai Nationalism and Constitutionalism

The main aim of the nationalist writings of King Vajiravudh was to rationalize the continuing existence of the absolute monarchy in the face of growing discontent (Vella, 1987, pp. 60f). To do so they essentially followed along the lines of the colonialist discourse of oriental despotism arguing that self-rule was not suitable for Asians – presented as homogenous and fundamentally different from Europeans – in general and for Siam in particular due to the long history of monarchical rule and the low level of education among the Siamese. Often the internal troubles in China and Turkey after the respective revolutions were employed as examples in favor of the absolute monarchy:

“...It is all very well to talk about Democracy, Liberty, and Republicanism to those who have a European education, but what would an ordinary Chinaman understand by such terms? (and an ordinary Siamese for that matter!) How should a Chinese workingman understand the benefit of Democracy or Republicanism? The country has for centuries been under monarchical rule, ... no one could convince the Chinaman of the necessity, nor the advantage of abolishing such an institution (the monarchy), ...” (Vajiravudh, 1912, p. 5, similar e.g. pp. 10, 21, 22, 26, 30f, 33).

In other writings the ‘racial’ suitability of the “Orientals” for self-rule was called into question, thus implying that constitutional government in Asia was not a matter of time or education, but a fundamental issue:

“... while constitutionalism may suit Western peoples, it certainly disagrees with Orientals as a whole... The Turks being Orientals, constitutionalism with them was more of a poison than a medicine. ...” (Vajiravudh, 1912, p. 35, similar e.g. p. 37f, 45, 49).

These doubts were shared by his brother and successor King Prajadhipok (r. 1925-1935, Rama VII) who wondered whether “certain racial qualities” for self-governance were needed, which the “Anglo-Saxons possess to a high degree” (Prajadhipok, 1974a, p. 15; Prajadhipok,

¹⁶⁸ The articles published 1912 in the English language Siam Observer were subsequently published as a book, “A Siam Miscellany”.

1974b, p. 48). Similarly, Prince Dhani voiced his doubts, whether “an eastern people” such as the Thai were not better ruled through “patriarchal rule” (Batson, 1974, p. 43).

People arguing contrary to the king were dismissed as either being jealous, for having an utopian outlook of the world, or because they suffered from a “cult of imitation” without understanding what they were talking or writing about due to their low level of education. In essence, critics were denied the ability to discuss the suitability of ‘Western’ concepts and institutions for themselves (Kullada, 2004, pp. 128f; Copeland, 1993, p. 162; Murashima, 1986, pp. 30, 38-41).

v. Japan in the Siamese Press

Japan became an object of admiration in the Siamese press from the early 20th century onwards. The English language press in Bangkok provided ample evidence that Japan was considered a fundamentally different case than Siam by the colonial powers and especially by Britain and painted a predominantly positive picture of the empire following Japan’s participation in the military expedition to put down the Boxer rebellion in 1900 and the conclusion of the Anglo-Japanese Alliance in 1902. In articles like “Japan and Russia. Statement of Marquis Ito”, published in *The Bangkok Times Weekly Mail* on 20 March 1900, Japan was presented to the reader in Bangkok as a rising power that was already accepted as generally equal to the European powers, while “In China. Japan to the rescue. Will advance to Peking at once.” (*The Bangkok Times Weekly Mail*, 8 July 1900) implied that Japan had become the predominant power in East Asia even the Europeans had to rely on. But at the same time the English language press also published for its British readers in Bangkok the racial stereotypes (e.g. “Asiatic courage”, *The Bangkok Times Weekly Mail*, 10 August 1900. Japan is not mentioned in this article) as well as the idea of the “Yellow Peril” popular with the readers in Europe and North America (e.g. “The Yellow Peril. Sir Robert Hart’s views”, *The Bangkok Times Weekly Mail*, 1 December 1900) confirming the fundamental differences between Asians and Europeans.

Without doubt the most important event that led to the perception of Japan as an Asian power equal to the colonial powers was Japan’s victory over Russia in 1905. Already in late 1904 a Japanese businessman had opened the first public cinema in Bangkok. The program included scenes taken during the Japanese-Russian War, feudal battle reenactments and films on Japanese cultural life. The overall impression on the audience must have been that Japan was powerful and ‘progressive’, yet remained a distinctively Asian nation (Barmé, 2002, pp. 44f). At the same time *The Bangkok Times* continued to present Japan favorably stressing the patriotism of the Japanese, a virtue usually only associated with Europeans (e.g. “The Japanese Officer”, *The Bangkok Times Weekly Mail*, 9 September 1905), and reporting extensively about the Anglo-Japanese Alliance (e.g. the editorial on the alliance and also on the Japanese victory at Tsushima, *The Bangkok Times Weekly Mail*, 30 September 1905) even printing the full text of the renewed agreement between Japan and Great Britain in late 1905 (“The Anglo-Japanese Treaty”, *The Bangkok Times Weekly Mail*, 30 September 1905).

vi. Early Critical Journalism: Thianwan

The publicist, merchant and lawyer Thianwan (1842-1915) is generally regarded as one of the very few critics and advocates of change outside the limited government circles at the beginning of the 20th century. While initially regarded as a “unique” or “exceptional” character (Vella, 1986, pp. 78f; Rosenberg, 1980, p.6), more recent scholarship understands him to be one of the first Siamese intellectuals stemming from the middle-class that began emerging in the second half of the 19th century. Being his longest lasting publication, his

journal *Tunwiphāphotčhanakit* (1900 to 1907) can be seen as his main oeuvre (Rosenberg 1980, p. 46). While the circulation must have been very limited, Charnvit (2000) links Thianwan's writings to the beginning public discussions of issues of political interest resulting in the coup attempt of 1912 (pp. 129f).

Throughout his writings, Japan is presented as a case for admiration by Thianwan (Vella, 1986, pp. 84, 89; Rosenberg, 1980, p. 76f13), who saw it as a progressive and powerful country that nevertheless, remained Asian:

"...I have examined the case of the Japanese, a people of the East having yellow skin... They have reformed the administration and protected their country ... Keep in mind that it has been only 60 years since they started their reforms.¹⁶⁹ ... The third time they fought with Russia, a great nation and a large country and therefore people thought that Japan was extremely capable, comparing her to a mouse fighting a tiger. In regard to the war between Japan and Russia, there was at first no one among the smart people around the world who thought that Japan could capture Port Arthur. Now we understand that Japan is truly gifted. If we observe carefully the laws and customs of improving and taking care of the country employed by the Japanese government, we understand that Japan is equal to the Europeans in all regards, with the only exceptions being the color of their skin and the timing (of reaching this level of 'civilization' and prosperity), because Japan has established herself (as a power) just recently and in a very short time, not over a long period of time like the Europeans, ..." (Thianwan, 1906, pp. 1507f; own translation).

And according to Thanet (2005) the epithet "jewel of the common man" (burut ratana kh ๑๑๗๕๑) (manchon) for one of the renowned early Thai novelist as well as a journalist, was based on Thianwan's compliment for Japan as a "jewel" (ratana) (Thanet, 2005, pp. 83, 102f1).

In his writings, which Charnvit (2000) summarizes as a program of actions to make the country 'civilized' (p. 127), and which therefore directly challenged the interpretive sovereignty of the monarchy, Thianwan argued for a change in the government system to let the people participate in the political decision making process – using explicitly the word parliament in transcription – and giving them the right to free speech, prerequisites in his opinion for the people to develop a sense of patriotism and act accordingly to make the country more 'civilized' (Nakarin, 2010, pp. 26, 124f; Thanet, 2005, p. 83; Vella, 1986, pp. 84f; Rosenberg, 1980, Chapters 3, 4). In the case of Japan, 'progress' and prosperity were directly linked to these political rights:

"... When will it please our lord to let us speak according to our knowledge and our opinions? Before I die, I would like to see freedom and civilization in our country. To give one's opinions – no matter who one is – is to the benefit of one's country. I believe that if you open the path to prosperity this way, quite some people will speak up. ... And I believe that our country will become prosperous quickly. People that have acted evil will be afraid of people, who dare to speak truthfully, thus maybe

¹⁶⁹ Literally "60 years since they cut their hair" possibly referring to a Japanese edict from 1871 forcing Samurai to cut off their topknots.

improving their conduct. The good people will be glad to speak, and happy as well as confident that good people will have the power according to the laws of the country. If they are aware of something or have a specific opinion about something, they will speak up right away and there will be a competition of virtuousness ... in the realm, and our country will be strong and firm. Unity of the people through their common love of the country will arise. The people will be able to love their lord and repay his kindness and will devote their lives to fighting the enemies with all their power and without surrendering. And soon we will be like Japan. We will be civilized and will have the power to defend ourselves. This will make the other nations stop looking down on us and they will respect us, like England has recently shown her love for Japan....” (Thianwan, 1907, pp. 1913f; own translation).

In spite of his death in “relative obscurity” without having achieved much success in any of his professions (Vella, 1986, p. 82), Thianwan left a lasting impression on Siam, because of his ability to put his thoughts into printing (Barmé, 2002, p. 23). His reform demands would be echoed in the commentaries and editorials of the popular press in the decade before 1932.¹⁷⁰ His admirer Kulap for example would work as a newspaper writer and editor in the late 1920s and early 1930s (Barmé, 1995, p. vi, xvii; Smyth, 1990, pp. 6-9).¹⁷¹

vii. Japan in the Siamese Press before the End of the Absolute Monarchy

The criticism of the absolute monarchy grew during the reign of King Vajiravudh due to his unwillingness to reform the administration or reduce the court’s spending, which was seen as excessive. During this period education would become accepted as the premier way to improve one’s station in life. But due to the now firmly established administrative and military institutions and the government’s precarious financial situation, vacancies in the government sector were limited, creating the explosive social combination of educated urban youth and unemployment. The result was an increasing number of writers publishing newspapers and magazines read by a growing middle class contributing letters themselves that voiced their grievances in the press. Demands for a parliament continued to become louder in the seventh reign after initially high hopes in the new government were

¹⁷⁰ Flood (1975) sees in Thianwan’s writing one of the “intellectual origins” of an emergent radical intelligentsia from the 1930s onwards (p. 57).

¹⁷¹ Kulap went to Japan in 1936 to study the newspaper business there upon an invitation by the Asahi newspaper group. Following his return, Kulap published his best known work, “Behind the picture” (Khā nglang phā p) about the ill-fated romance between a noblewoman spending her honeymoon in Japan and a Thai student in Japan (Barmé, 1995, p. vii, xviii; Smyth, 1990, p. 12). While the novel does not allot much space to introduce Japan to the reader, there are several interesting lines in the context of this paper, e.g.:

“... It’s true I admire Japanese progress... but that wouldn’t make me become Japanese. I never forget, even for one moment, that I’m Thai and that I’m part of a Thai nation which still lags far behind other countries. The reason I’ve come here to study is to seek progress for Thailand. ...” (Siburapha, 1990, pp. 69f).

disappointed (Copeland, 1993, esp. Chapter III, pp. 55-57, 149-156, 162; Barmé, 2002, p. 10; Wyatt, 2003, p. 226; Batson, 1986, p. 141-145). Even conservative papers now openly criticized the throne (Barmé, 1993, pp. 24, 33f; also Barmé, 2002, pp. 2f) and revolution was openly discussed (Copeland, 1993, pp. 65f; Batson, 1986, p. 142), undermining the authority and legitimacy of the throne in the decade before 1932 (Copeland, 1993, pp. 209f).

While press laws existed, newspaper editors and owners could easily avoid legal consequences by hiring foreigners or protégés as ‘owners’ thus placing the company under consular jurisdiction. Libel suits then had to be fought in consular courts, which usually decided in favor of the defendant (Copeland, 1993, pp. 72-75; also Nakarin, 2010, p. 13).

The example of Japan continued to be evoked by critics until the end of the absolute monarchy (Copeland, 1993, p. 66; Batson, 1986, pp. 16, 152). Just as Europe had been the “generic trope” for civilization in newspapers and magazines from the late 19th onwards (Thongchai, 2000, p. 538), Japan became after the Russo-Japanese War the generic case proving that more rights for the people, constitutionalism and a parliamentary monarchy were not only possible in Asia, but they would make ‘progress’ and even great power status possible.

Underlying this argument was the belief in the racial communality of the two people, which had become generally accepted by the 1920s, a belief, which Thianwan had already shared with King Vajiravudh:

“Europeans are people living on the European continent, Asians are people living on the Asian continent, e.g. Indians, Chinese, Thai, Japanese, Burmese, Vietnamese, etc....” (Thong Thai, 12 October 1926, p. 609; own translation).

But besides this racial communality the critical press also began pointing out the communality of the historical experience of the independent countries of Asia that had been forced to sign unequal treaties with the colonial powers as early as 1908.¹⁷²

“...since 1855...Siam has signed diplomatic treaties with many countries that are similar to the treaties that the Europeans have signed with (other) countries of the East, namely Turkey, China, Japan etc. ...” (Khão Talāt 15 October 1908, p. 48; own translation).

Unlike the other countries mentioned here, Japan would be allotted a special place in the criticism of the absolute monarchy, as she was well-known of having developed from an Asian country having had to sign unequal treaties to a great power herself, a status that was understood in both economic as well as in military terms:

“...Besides all kinds of weaponry and military equipment, Japan can produce almost everything by herself, for example all kinds of battleships, large and small guns. She does not have to buy them from abroad. There are large factories ... working to keep their country prosperous...” (Thong Thai, 20 July 1926, p. 226; own translation).

¹⁷² Comparisons with Japan were not limited to the press, but were also made by diplomats. E.g. Hamilton King, US minister in Siam, reported to Washington on “Siam’s uneasiness under extraterritorial jurisdiction when she realizes her own progress and Japan’s recently acquired freedom”. King had a background as a school principle of a preparatory school and concluded that it was “a simple endeavor” to create the basics for an educational system in Siam, which had “done so much for Japan.” He sent an outline for such a system to Prince-Patriarch Wachirayan (Batson, 1976, pp. 100-102).

For the critics of the government Japan must have been even more attractive as a benchmark for the absolute monarchy to point to, as it seems that at times officials used Japan as an exemplar of ‘progress’ themselves:

“There are people screaming... that by making our people being united, our country will progress as fast as Japan...” (Khāo Talāt, 22 October 1908, p. 64; own translation).

In contrast the critical press followed along the lines of thought that Thianwan had published two decades earlier: Japan was a great and prosperous power, because it had – unlike Siam – a representative government:

“... Siam is different from Japan, because Japan is governed by a limited monarchy, that means that the king (sic) of Japan has condescended to be under the power of the laws of the country just as the commoners and the ordinary people of Japan are, and the parliament is an important pillar of the country...” (Thong Thai, 23 November 1926, p. 791; own translation).

Having a parliament was presented being linked directly to having an efficient government, because it was understood to be connected with the personal accountability of officials:

“... The reason why in other countries such as Japan or England (they have parliaments) the cases of dishonest and corrupt government officials are not as abundant as in our country is that in these countries individuals that enter government service have to accept responsibility for their duties and for the mistakes of the subordinates, who they employ. This is opposite to the way things are in our country...” (Thong Thai, 10 August 1926, p. 229; own translation).

viii. Royal Engagement with the Japan Discourse

Japan was such an attractive reference point for the writers of the critical press, because it was possible to outflank the main argument against popular representation of the official nationalism, i.e. the unsuitability of self-rule for Asian people, given that the ‘progressiveness’ and the great power status of Japan was routinely reconfirmed in the press:

“...the four great powers (England, America, France, Japan).” (Bāngkō k Hērāēl, 16 December 1921, p. 8; own translation).

“...the countries, which are already highly prosperous, for example the USA, England, Japan, etc. ...” (Thai Khasēm, 3 February 1928, p. 20; own translation).

“...Japan has become the biggest power in Asia and one of the large powers in the world...” (Thai Mai, 25 December 1930, p. 4; own translation).

This perception of Japan was further reinforced through reports about the Japanese consular court in Bangkok, favorable editorials on Japanese ‘progress’ and Japan’s expanding empire as well as through the products of Japanese industrialization that were offered in the Japanese owned department stores.¹⁷³ No efforts it seems, however, were made to proof the

¹⁷³ E.g. besides advertisements for cheap Japanese mass products such as clothing and matches, one can also find plenty advertisements for Japanese organs, various medical products, beer, doctors and of a Japanese photographer in the newspapers of the 1920s, all

comparability of Siam to Japan beyond stating that both countries are located in Asia and also detailed reports on or descriptions of Japan do not seem to have appeared before the late 1920s.¹⁷⁴

these products can be understood as representing a ‘modern’ industrial society competing with European products.

¹⁷⁴ The first comprehensive history of Japan is possibly the series published in the newspaper *Thai Num*, which started 4 August 1929, p. 3, and continued until at least 23 October 1929.

Bibliography

Barmé, S., 1993. *Luang Wichit Wathakan and the Creation of a Thai Identity*. Singapore (SG): Institute of Southeast Asian Studies.

Barmé, S., 1995. *Kulap in Oz: A Thai View of Australian Life and Society in the Late 1940s*. Clayton (AU): Monash Asia Institute.

Barmé, S., 2002. *Woman, Man, Bangkok: Love, Sex & Popular Culture in Thailand*. Lanham (US-MD): Rowman & Littlefield.

Batson, B. A., 1974. Introduction to "Decmocracy in Siam". In: B. A. Batson, ed. *Siam's Political Future: Documents from the End of the Absolute Monarchy*. Ithaca (US-NY): Southeast Asia Program Cornell University, pp. 42-47.

Batson, B. A., 1976. American Diplomats in Southeast Asia in the Nineteenth Century: The Case of Siam. *Journal of the Siam Society*, 64(2), pp. 39-111.

Charnvit Kasetsiri, 2000. Siam/Civilization -- Thailand/Globalization: Things to Come?. *Thammasat Review*, 5(1), pp. 114-133.

Copeland, M. P., 1993. *Contested Nationalism and the 1932 Overthrow of the Absolute Monarchy in Siam*. Ph.D. Dissertation, Australian National University: Canberra (AU).

Flood, T., 1975. The Thai Left Wing in Historical Context. *Bulletin of Concerned Asian Scholars*, 7(2), pp. 55-67.

Hau, C. S., 2012. Becoming "Chinese"—But What "Chinese"?—in Southeast Asia. *The Asia-Pacific Journal*, Volume Vol 10, Issue 26, No. 2, June 25.

Hutchinson, J., 1987. *The Dynamics of Cultural Nationalism: The Gaelic Revival and the Creation of the Irish Nation State*. London (UK): Allen & Unwin.

Hutchinson, J., 2005. *Nations As Zones of Conflict*. London (UK): Sage.

Ishii, Y. & Yoshikawa, T., 1987. *Nichi-Tai kō ryū 600-nenshi (in Japanese)*.

Tō kyō (JP): Kō dansha.

Kasian Tejapira, 1997. Imagined Uncommunity: The Lookjin Middle Class and Thai Official Nationalism. In: D. Chirot & A. Reid, eds. *Essential Outsiders: Chinese and Jews in the Modern Transformation of Southeast Asia and Central Europe*. Seattle (US-WA): University of Washington Press, pp. 75-98.

Kasian Tejapira, 2003. De-Othering Jek Communists: Rewriting Thai History From the Viewpoint of the Ethno-Ideological Other. In: J. T. Siegel & A. R. Kahin, eds. *Southeast Asia over Three Generations: Essays Presented to Benedict R. O'G. Anderson*. Ithaca (US-NY): Cornell University Publications, pp. 245-261.

Kohn, H., 1955. *Nationalism: Its Meaning and History*. Princeton (US-NJ): Van Nostrand.

Kohn, H., 2005 [1944]. *The Idea of Nationalism: A Study in its Origins and Background*. 2nd ed. New York (US-NY): Macmillan.

Kullada Kesboonchoo Mead, 2004. *The Rise and Decline of Thai Absolutism*. London (UK): RoutledgeCurzon.

Murashima Eiji, 1986. Building of the Modern Thai Official State Ideology in the Reign of King Chulalongkorn and King Vajiravudh. In: *Political Thought of the Thai Military in Historical Perspective*. Tō kyō (JP): Institute of Developing Economies, pp. 1-43.

Murashima Eiji, 1988. The Origin of Modern Official State Ideology in Thailand. *Journal of Southeast Asian Studies*, 19(1), pp. 80-96.

Nakharin Mektrairat, 2553. *Kā npatiwat Sayā m, Phō . Sō . 2475* (in Thai). 5th ed. Bangkok (TH): Samnakphim Fā Dī eokan.

Nishino, J., 1984. *Nichi-Tai yonhyakunenshi* (in Japanese). 2nd extended ed. Tōkyō (JP): Jiji Tsū shinsha.

Özkırmı, U., 2010. *Theories of Nationalism*. 2nd ed. Basingstoke (UK): Palgrave Macmillan.

Pavin Chachavalpong, 2005. *A Plastic Nation: The Curse of Thainess in Thai-Burmese Relations*. Lanham (US-MD): University Press of America.

Peleggi, M., 2002. *Lords of Things: The Fashioning of the Siamese Monarchy's Modern Image*. Honolulu (US-HI): University of Hawai'i Press.

Prajadhipok, King, 1927. Kham nam. In: *Phrarāṭchadamrat nai Phrabāt Somdet Phra Čhunlačḥō mklao Čhaoyūhūa song thalāng phrabō rommarāchāthibāi kākhai kānpokkhrō ng phā ndin* (in Thai). Bangkok (TH): Rongphim Sophon Phiphatthanakon, pp. 1-4.

Prajadhipok, King, 1974a. Problems of Siam. In: B. A. Batson, ed. *Siam's Political Future: Documents from the End of the Absolute Monarchy*. Ithaca (US-NY): Southeast Asia Program Cornell University, pp. 13-22.

Prajadhipok, King, 1974b. Democracy in Siam. In: B. A. Batson, ed. *Siam's Political Future: Documents from the End of the Absolute Monarchy*. Ithaca (US-NY): Southeast Asia Program Cornell University, pp. 48-50.

Rosenberg, K., 1980. *Nation und Fortschritt: Der Publizist Thien Wan und die Modernisierung Thailands unter König Culālongkorn (r. 1868-1910)*. Hamburg (DE): Gesellschaft für Natur- und Völkerkunde Ostasiens e.V..

Saaler, S., 2007. Pan-Asianism in Modern Japanese History: Overcoming the Nation, Creating a Region, Forging an Empire. In: S. Saaler & V. Koschmann, eds. *Pan-Asianism in Modern Japanese History: Colonialism, Regionalism and Borders*. Oxon (UK): Routledge, pp. 1-18.

Saaler, S. & Szpilman, C. W., 2011. Introduction: The Emergence of Pan-Asianism as an Ideal of Asian Identity and Solidarity, 1850-2008. In: S. Saaler & C. W. Szpilman, eds. *Pan-Asianism: A Documentary History, Volume I: 1850-1920*. Plymouth (UK): Rowman & Littlefield, pp. 1-41.

Seton-Watson, H., 1977. *Nation and states: An Enquiry into the Origins of Nations and the Politics of Nationalism*. London (UK): Methuen.

Siburapha [Kulap Saipradit], 1990 (1937). *Behind the Painting and Other Stories*. Singapore (SG): Oxford University Press.

Smyth, D., 1990. Introduction. Kulap Saipradit (Siburapha): His Life and Time. In: *Behind the Painting and Other Stories*. Singapore (SG): Oxford University Press, pp. 1-44.

Swan, W. L., 2009. *Japan's Economic Relations with Thailand: The Rise to "Top Trader" 1875-1942*. Bangkok (TH): White Lotus Press.

Terwiel, B. J., 2011. *Thailand's Political History: From the 13th Century to Recent Times*. 2nd revised ed. Bangkok (TH): River Books.

Thanet Apornsuwan, 2005. Thī anwan panyā chon phraiphrai kradumphī khon rāē k hāē ng Krung Rattanakō sin (in Thai). *Sinlapawatthanatham*, 26(9), pp. 81-102.

Thianwan, 1906. Wā dūai sap tāng tāng. Wā yang mai mī thī sut phīang dai (in Thai). *Tunwiphāphotchanakit*, 5(201), pp. 1502-1508.

Thianwan, 1907. M ~~Ekasip/thō (in Thai)~~ *Ekasip/thō*, 6(249), pp. 1909-1915.

Thianwan, 1979 [1905]. Wā dūai samai rū wēlā (in Thai). In: Chaianan Samutwanit, ed. *Thī anwan læ Kō . Sō . Rō . Kulā p*. Bangkok (TH): Samnakphim Thī ranan, pp. 108-117.

Thongchai Winichakul, 1994. *Siam Mapped: A History of the Geo-Body of a Nation*. Honolulu (US-HI): University of Hawaii Press.

Thongchai Winichakul, 2000. The Quest for "Siwilai": A Geographical Discourse of Civilizational Thinking in the Late Nineteenth and Early Twentieth-Century Siam. *The Journal of Asian Studies*, 59(3), pp. 528-549.

Vajiravudh, King [Asvabahu], 1912. *A Siam Miscellany*. Bangkok (TH): Siam Observer Printing Office.

Vajiravudh, King, 1975 [1905]. Rā i ngā n kā nprachum pā limēn Sayā m (in Thai). In: Chaianan Samutwanit & Khattiya Kansut, eds. *Kā nmū ang - kā npokkhrō ng Thai, B.E. 2417 - 2477*. Bangkok (TH): Samā khom Sangkhomsā t hāē ng Prathē t Thai, pp. 188-193.

Vella, W. F., 1978. *Chaiyo! King Vajiravudh and the Development of Thai Nationalism*. Honolulu (US-HI): The University Press of Hawaii.

That references to Japan's constitution as the reason behind her great power status were nevertheless recognized as a serious threat to the arguments of the royal official nationalism, can be seen from the fact that King Vajiravudh did feel the need to engage with the critics pointing at Japan.

One of the most famous writings of King Vajiravudh is his satire of an imaginary parliamentary session written still as crown prince in September 1905 in response to the first demands for constitutionalism and representative government. In this satire King Vajiravudh ridiculed Thianwan, by copying the style of one of his essays, in which demands for twenty-two specific reforms are made, and by naming the character making these demands in the satire very similar to Thianwan. As these demands are however out of the actual context of the session and are rather ridiculous, they lead to the complete breakdown of order in the meeting room and the end of the session, proving the unsuitability of a parliament for Siam (Vella, 1987, p. 64; Vella, 1986, p. 90; Rosenberg, 1980, pp. 45f;). So far no attention seem to have been given to the fact that following the twenty-two reform demands of Thianwan in the article from July 1905 inspiring the royal response, Thianwan proposed that the Siamese should study the example of Japan and her victories over Russia (Thianwan, 1979 [1905], pp. 114-117; four out of ten pages) and that King Vajiravudh does indeed mention that people arguing for a parliament point to Japan in the introduction to his satire:

"Recently I have come across the column 'When only?' when reading the daily papers. ... I am convinced that the person who is asking 'When only' must be an intelligent person, because if that would be not the case, why would he inquire 'When only will we have a parliament'. This is true indeed. Why are we, who are already civilized, the only people without a parliament, while Japan has one already? ..." (Vajiravudh, 1975 [1905], p. 188; own translation)

King Vajiravudh engaged the comparisons between Siam and Japan directly confirming that the case of Japan was a challenge for his assertion that self-governance was unsuitable for Asians in the essay "Japan for example", one of the first essays published in the English language Siam Observer in 1912 (Vajiravudh, 1912, pp. 49-76). The reason for writing this particular essay is presented in the first paragraph. Confirming that the "results of constitutionalism on Orientals" were grave ones and that the Japanese were indeed "fellow-Asiatic(s)", the essay attempts to prove that Japanese progress was achieved "not on account of constitutionalism, but in spite of it", because he was certain that "...Japan would be brought up as an example and an argument against my assertion" (Vajiravudh, 1912, p. 49).

Vella, W. F., 1986. Thianwan of Siam: A Man Who Fought Giants. In: R. D. Renard, ed.

Anuson Walter Vella. Honolulu (US-HI): Center for Asian and Pacific Studies, University of Hawaii at Manoa, pp. 78-91.

Wyatt, D. K., 2003. *Thailand: A Short History*. 3rd ed. Chiang Mai (TH): Silkworm Books.

In the essay the king presents Japan's development as a case against constitutional reforms in Siam contrary to the references to Japan made by his critics.

As the constitution of Japan and the Imperial Diet were only created considerable time after the Meiji Restoration and as key reforms in the fields of education, infrastructure and the economy, the king argued that Japan's development could not have been the product of representative government at all (Vajiravudh, 1912, pp. 51, 59, 62f, 67, 72). Furthermore, the government had the support of the Japanese people in their reforms, due to their racial characteristics of being "industrious and thrifty", caused by the dense population of the empire and the resulting poverty. They therefore contribute willingly to economic growth on their own initiative – unlike the Siamese – leading to more revenues for the government, which in turn could be used for further reforms (Vajiravudh, 1912, pp. 60-62).

Additionally, it is stressed that the success of the Japanese reforms is due to their loyalty to the Emperor – exemplified by their bravery – who had initiated the reforms in the very first place (Vajiravudh, 1912, pp. 63-65), clearly implying that what held Siam back is not the lack of reform, but the lack of loyalty and hard work of the population (Vajiravudh, 1912, pp. 75f).

Most importantly the fast development of Japan begun only after the country had been forced to admit "Civilisation and Progress ... at the canon's mouth" (Vajiravudh, 1912, pp. 55f) and consequently was connected with internal unrest and civil war (Vajiravudh, 1912, p. 57f, 66f). It is this latter point in which Siam does compare favorably with Japan, progress here was slower but also more peacefully, because Siam's wise kings "did not set their faces against the stream of progress" but initiated "a liberal and progressive policy" enabling the Siamese to live "in peace and security ... generation after generation" (Vajiravudh, 1912, pp. 54f).

This latter argument, that Siam's slower progress was indeed a virtue in comparison to Japan's fast development, which resulted in internal conflict, is repeated in one of King Vajiravudh's most famous writings, "Clogs on our Wheels", in which the king explains, what in his opinion holds back the country. In the foreword Siam and Japan are compared with carriages traveling along a muddy road:

"... A fast driven carriage passing at high speed through a muddy road, may get liberally splashed with mud, and may get a nasty accident through the horses slipping and falling; but its wheels would never have big lumps of sticky mud left on them at the journey's end. ... On the other hand, a slowly driven carriage passing through the same muddy trail may not get so splashed about, nor would it be liable to accidents through the horses slipping or falling, but its wheels would probably be liberally caked with large lumps of sticky mud, which clogs them, and besides being unsightly, may even retard the vehicle's progress. This is what often happens with nations going along the path of progress, or what many are apt to call civilisation. Take concrete instances. Japan has moved along the path of progress with great rapidity. She has been liberally splashed in the process, but you will admit that there are few clogs on her wheels. What about Siam? We deem it wiser to move with more circumspection, and though our progress has been slow when compared with that of Japan, yet we have certainly been less splashed, and our car of progress still remains fairly clean, as far as its body is concerned. ..." (The first installment of "Clogs on our Wheels" was published in the Siam Observer of 21 April 1915, pp. 4f. Final installment on 4 May 1915, pp. 4f).

The very same argument would be repeated by his successor King Prajadhipok in one of the few public writings, the introduction to a collection of King Chulalongkorn's writing and speeches on the administrative reforms during his reign (Prajadhipok, 1927, p. 2)

III. Conclusion

In early studies the origins of Thai nationalism have been understood to be the royal nation building program by King Vajiravudh in the early 20th century. More recent studies on Thai intellectual history in contrast have shown that Thai nationalism was contested from the very beginning and that the popular nationalisms of the emerging Bangkok middle class is comparable to the anti-colonial nationalism of the surrounding colonial states. This paper has tried to show that Japan was recognized as an alternative, successful and most importantly Asian version of development that countered the argument that 'Oriental' Siam was not suitable for constitutional government, which was brought up throughout the period of the absolute monarchy in Siam. The fact that the official nationalism felt the need to engage with this argument and continued to do so until the end of the absolute monarchy gives proof not only the power of the argument but also the importance of Japan for the popular nationalist imagination of early 20th century Siam.

STATUS AND ROLE OF WOMEN IN ISLAM

Abstract

This paper revolves around the discussion of the status and role of women in Islam. There has been a notable misconception among many people, especially among the non-Muslims, that Islam is unjust towards women. Additionally, serious concern on the negative stereotyping of Muslim women and its consequences has been an issue to be reckoned with by all parties and this paper aims to put this issue in its correct perspective. Just what is the status and role of women in Islam as accorded in the al-Quran and hadith/ sunnah? Are women and men equal in terms of their legal and civil rights in accordance with Islam? As compared to the times during pre-Islam, haven't women undergone positive transformation on the way the teachings of Islam have impacted them? Has the domination of men in every aspect of family and social life resulted in the rejection of women? This paper discusses these questions after researching the views of selected scholars and theologians on the above-mentioned issues and hence proves that in Islam the status and role of women are essential for a healthy civilization since women are the core of a family unit which is the nucleus of a society.

Key Words: status/role, misconception, legal and civil rights, positive transformation

Introduction

This paper revolves around the discussion on the status and role of women in Islam. In this era, Islam is being attacked from all angles and fronts. Among the popular issues that have been raised against Islam is the issue of the status and role of women in Islam. They claim that Islam has given no rights to women, that women are oppressed, that women are considered inferior to men. There has been a notable misconception among many people

especially the non-Muslims that Islam is unjust towards women. Allegations that Islam has imprisoned women and stifled their development and talent has been rife. Just what is the status and role of women in Islam as accorded in the al-Qur'an and hadith/sunnah? Are women and men equal in terms of their legal and civil rights in accordance with Islam? As compared to the times during pre-Islam, hasn't women undergone positive transformation on the way the teachings of Islam has impacted them? Has the domination of men in every aspect of family and social life resulted in the rejection of women? This paper aims to discuss by researching the views of selected scholars and theologians on the above mentioned issues and hence prove that Islam has made it very clear that the status and role of women is essential for a healthy civilization since women are the center for family and the family unit is the very nucleus and foundation of a society. As far as their role and status is concerned, Muslim women have no quarrel with men over the issue of the so-called equality as propagated and instigated by the West, as they realize very well the issue on the gender-differences as stipulated in the al-Quran and hadith/sunnah.

Status and Role of Women in Islam

In the wake of voices¹⁷⁵ which chanted and invoked the freedom and equality¹⁷⁶ for

¹⁷⁵ Mir Zohair Husain explained that many non-Muslims think that Islam is unjust towards women. This misconception is based on an inaccurate practice of Islam by some Muslims. Negative stereotypes about Muslim women as uneducated, oppressed, abused, without rights and opportunities, according to Mir Zohair Husain, was derived from poverty. See Mir Zohair Husain, *Global Islamic Politics*, University of South Alabama, Longman, U.S., 2003, p.. 21.

¹⁷⁶ Sulaiman Nordeen explained that there are several factors that led to women's liberation movement drawing support from various parties, including men. According to him, it cannot be denied that this movement has won the rights for European women much better than their condition 150 years earlier. However, without divine guidance, the movement has been used by extremists to undermine society. According to Sulaiman Nordeen, "women's liberation" has the understanding of extremism and can shake the peace and stability of families, and women's honour themselves. The problem of women's liberation was not born

women, then as part of the women¹⁷⁷ in the world, Muslim women are also involved or in other words, the issue in question was also hailed by some Muslim women.¹⁷⁸ Siti Zulaikha Mohd Nor¹⁷⁹ questioned whether participation in such efforts was due to their ignorance about their own position from the eyes of Islam¹⁸⁰ ¹⁸¹or because it appears to them that

out of Islamic culture. They had arisen due to religious problems of the Church of Europe which was unjust and oppressive in their treatment of women. See Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present*, Dewan Bahasa dan Pustaka (DBP), Kuala Lumpur, p.. 130-131.

¹⁷⁷ Sulaiman Nordeen also explained that Islam has given justice to men and women according to their natural disposition. Women and men were created with different characteristics, hence, their responsibility and rights and their position in society is closely related to the difference in this end. However, Islam gave women rights as human beings equal to men. Ibid., p.. 116

¹⁷⁸ Resurrection of the Islamic movement has stimulated new interest in women's relationships, Islam and the country between the religious and political role of the state, and the state's role in expressing and implementing such relationships, particularly in the question of rights for women. See the article Denis Kandiyoti, "Women, Islam and State", in Joel Beinin and Joe Stork (ed.), *Political Islam: Essays from Middle East Report*, IB Tauris & Co.. Ltd., New York, 1997, p.. 185.

¹⁷⁹ View Comments from Siti Zulaikha Mohd. Nor, Position and Role of Women in Islam, the Islamic Youth Force of Malaysia (ABIM), Kuala Lumpur, 1982, p.. 1. Islam has placed women in a place that can guarantee the value of femininity and also put them in an important arena of life. Ibid, p.. 3.

See also Mir Zohair Husain, Global Islamic Politics, p.. 21-25, which explains the same thing that is apparent from the passages of the Qur'an and the hadith / sunnah, that Islam has in fact raised the status of women and that the traditions of a culture of male chauvinism in patriarchal societies had restricted women..

¹⁸⁰ The role of women and families is essential for a healthy civilization because a woman is the center for family and family is the foundation of society. Thus, Muslims are very concerned about women and families. See Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present*, p.. 115.

¹⁸¹ Allah SWT says, "O people! Fear your Lord who created you from a single person (Adam), and from (Adam) the spouse (wife - Eve), and the breeding of both male and female offspring of many ... "(*Al-Quran, Surah al-Nisa* '4:1). This is a declaration of honor and human rights for all people regardless of male and female, status or race in the same position, because they come from the same source. Ibid., p.. 116.

See also the detailed explanations on this in the article of Dr. Samar Fatima, "Nature and Effects of the Islamic Attitude to Women", in *Islamic Studies*, Vol.xxi, No. 1, 1982, p.. 107. Among other things, Dr. Samar Fatima highlighted how the al-Qur'an had corrected the perspective on the original sin that is associated with women in the religions of Jews and Christians, that women are evil creatures as women are responsible for the offenses committed by Adam. Dr. Samar Fatima explained that according to Islamic concepts, both Adam and Eve were actually deceived by Satan. She added that "in fact, this was the point where Islam outweighed the other religions in many women in that it accorded women many

Muslim women have no excellent identity and the scope of their activities revolves just around the household only?¹⁸² Abdur-Rasul Abdul Hassan Al-Ghaffar,¹⁸³ in his book *Muslim Women and Modern Life*, recorded that the woman is one of the colonnades of religion and Islamic civilization. According to him, the Arabs before Islam¹⁸⁴ had never admitted even of the lowest of the existential rights of women. Insults and suppression of women is not just limited among the Arabs before Islam, but it is a phenomenon that occurs around the world.¹⁸⁵ According to Fazlur Rahman¹⁸⁶, women especially in Western countries, since the beginning of the industrial revolution, had vehemently voiced out their rights. He stressed that Islam had recognized the position of women since 1,400 years ago and offers women rights and certain privileges, which were never enjoyed by women from other faith even in the era of modern industry today.

concessions plus a status of dignity which none of the preceding religions had ever granted to them".

See also the view of Prof. Dato' Dr. Haron Din who explained that Islam had corrected a misapprehension by some people from the old religion, who still held to this day that: because the sins committed by women (*Hawa*), all men had to bear the sins. In fact, there is the assumption that women are creatures who like to create mischief and all man had to bear it, but that's really not so. See Assoc. Dato' Dr. Haron Din in *Man and Islam*, Hizbi Pte. Ltd., Shah Alam, 1999, p.. 325.

¹⁸² According to Dr. Yusuf Al-Qaradhawi, secular people are very good at playing women's issues. They tried to accuse Islam with false allegations on the issue. Among the allegations is that Islam had imprisoned women and stifle the development of their potential and talent. See Dr. Yusuf Al-Qaradhawi in Arsil Ibrahim (translation), *Fiqh Nationalism*, p.. 253.

¹⁸³ See Abdur-Rasul Abdul Hassan al-Ghaffur in *Muslim Women and Modern Life*, Reader Hidayah, Jakarta, 1993, p.. 28-29.

¹⁸⁴ Also see Sulaiman Nordeen's view that deals with the position of women before Islam existed in Arabia, where women were treated as slaves and property and also considered to have characteristics inferior to men. See Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present*, p.. 118.

¹⁸⁵ According to Dr. Samar Fatima, in all of the civilized world, including the pre-Islamic Arab world, patriarchal system is significant. According to this system, men dominate every aspect of family and social life which resulted in the rejection of women. See Dr. Samar Fatima's article, 'Nature and Effects of the Islamic Attitude to Women' in *Islamic Studies*, p.. 105.

¹⁸⁶ See Fazlur Rahman in *Islam, Ideology and The Way of Life*, National Library Pte. Ltd, Singapore, 1980, p.. 391

Western civilization has given women the right to vote, equality in the workforce, education and many other good things. However, besides this, it cannot be denied that women in the West were also given freedom in the form of prostitution, free sex, escort agencies, massage parlors, lesbianism, illegal mistresses, nudity and shamelessness. At certain instances, the Western World has made women the cheapest commodity on earth. The question to be pondered here is whether women were really free and safe in the West?

According to Aisha Lemu¹⁸⁷ in her article *Women in Islam*, no Islamic aspects were widely misunderstood than the role and status of women¹⁸⁸. According to her, if there is a real¹⁸⁹ concern to rummage the role of women in Islam, the best source of information is the Qur'an and hadith/sunnah¹⁹⁰. She suggested that, as an early attempt, corrections on the

¹⁸⁷ View Aisha Lemu's article, "Women in Islam" in Altaf Gauhar (ed), *The Challenges of Islam*, the Islamic Council of Europe, London, 1978, p.. 248.

¹⁸⁸ Also see the view of Siti Zulaikha Mohd. Nor, *Position and Role of Women in Islam*, p.. 2-3 for detailed explanations on the status of Muslim women. She outlined three things: first, women as creatures of Allah on earth has the same status as men in the sight of God, just different from each other is their piety (*al-Hujurat*; v. 13); both women and men are perceived as a complementary pair for each other (intercomplementary) in order to perform the duties of the Khalifah of Allah on this earth. Both parties have a duty to maintain the type of man (procreation), dividing responsibilities and meet each other's needs (*Surah al-Baqarah*, verse 187, "*Women are clothes for men and people (men) are their garments*"), and thirdly, women as a trust, each trustee must be treated with care and those in charge of the trust is fully responsible to perform their duties. A daughter entrusted by Allah to her father, while his wife was entrusted to her husband (*Hadith narrated by Muslim*). Men are perceived as protectors of women because they have the strength, special privileges, etc (*Surah an-Nisa* ', verse 228).

¹⁸⁹ Sulaiman Nordeen explained that all areas of activity are included within the ritual, the economic, political, societal-health, etc. Thus, the rights of women and men are the same in accordance with specific responsibilities in their respective fields. See Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present*, p.. 119.

¹⁹⁰ History has recorded the extent of women's participation in community development at the time of Prophet Muhammad SAW. In introducing the word *tawhid*, Khadijah is among the earliest to heed the call, thus helping Prophet Muhammad SAW in his struggles whether in spiritual or material.

misinterpretation of the spiritual¹⁹¹ status of women, thus asserting that the Qur'an states that men and women who practice the principles of Islam will receive equal¹⁹² consideration for

In addition, the other wives of the Prophet Muhammad SAW. has also participated in their role in efforts to uphold Islam. For example, Aisha has become the main reference because she is among the many to follow and collect the sunnah of Prophet Muhammad SAW. Even Prophet Muhammad SAW himself had explained that some of the matters pertaining to religion shall be referred to Aisha.

Wife of the Prophet Muhammad SAW, Hafsa bint Umar is the person responsible for collecting and maintaining *mashaf* (Quran) which has been written. This is a great trust committed by Hafsa for the benefit of the whole Muslim Ummah.

Normal women had also similarly contributed their energy. Starting from the Battle of Uhud, women joined the men on the battlefield. For instance, Umm Sulaym, Rabi 'binti Muaadh and Umm Raqida joined battle with the task of treating the wounded, as well as providing food and drinks. Umm Attiya had the responsibility to provide food for her companions in seven battle. Umm Amarah is a woman who had also played a part with Prophet Muhammad SAW in the Aqabah and Bai'atu-Ridwan Agreement.

There are also women and mothers who burned the fighting spirit at that moment. For example, Asma binti Abu Bakr had managed to instill patriotism-warriorship within her son Abdallah bin Al-Zubair. In a fierce clash between Abdallah and Muawiyah, Asma appears to have inspired him till his death. When Prophet Muhammad SAW told Abu Bakr about permission to emigrate, Asma was directed by her father to provide food and other needs when they were at Cave Thaur.

Khansa, a poetess who is hard to beat at that time was a steel-hearted mother. Mother's affection for her son could be tested by death or separation, but for Khansa, death, which claimed her sons, one by one is still viewed as a victory. While on that day she had lost her loved sons, but she was still confident that despite their death, there would appear other Islamic fighters who will defend the sovereignty of Islam.

History also never forgets the daughter of Prophet Muhammad SAW, Fatima, as a wife who maintained her marriage and executed the duties as mother of Hasan and Husain, two young prince in heaven.

Sakinah bint Husayn, at the time of her life was as if a vast ocean of knowledge. Many scholars and others members of literature had come to gather knowledge from her.

Qatru'n-Nada, the wife of al-Mu'tadid was calculated as among the wise women, especially in matters of law and Islamic law. See the explanation on the women as above in Siti Zulaikha Mohd. Nor in the *Position and Role of Women in Islam*, p.. 23-26.

¹⁹¹ In fact, one of the most famous mystics in Islam, Al-Adawiyyah Rabi'at, was a woman. View Aisha Lemu article, "Women in Islam", p.. 251.

¹⁹² From the point of legal and civil rights, both women and men are equal in terms of how they were treated and imposed on them the same legal penalties for moral or legal offenses. In civil life, women have the same life, with the same rights and obligations as men. However, women enjoy benefits and certain exceptions due to their biological and physiological functions. They are exempted from certain religious duties, including prayers and fasting during menstruation and during pregnancy. Also, they are fully exempted from the compulsory congregational prayers on Friday and are also exempted from all financial liabilities. See Fazlur Rahman, *Islam, Ideology and The Way Of Life*, p.. 397-398.

their efforts¹⁹³. Each of the Five Pillars of Islam i.e, belief, prayer, fasting, zakat and haj, is equally important for women¹⁹⁴ as men and there were no differences¹⁹⁵ in response to them. Aisha Lemu also stated that based on the Quran, women have equal status with men in terms of wisdom, knowledge and education.¹⁹⁶ Results from the encouragement given to Muslim women to acquire education in any field who use their intellect, and thus exploit their academic and professional training for community benefit, it has produced many women who have become well-known religious scholars, writers, poets, writers song, doctors and teachers. Siti Zulaikha Mohd. Nor highlights examples of how, when Prophet Muhammad SAW was asked a question on who is responsible for educating a child, the answer given by Prophet Muhammad SAW was that it is his mother and then stated his father. From this, it is

¹⁹³ View Aisha Lemu's article, "Women in Islam", p.. 250.

¹⁹⁴ Siti Zulaikha Mohd. Nor stated that women as a servant of Allah SWT has a duty towards God. To prove her existence as a servant then she also has the right to perform the five pillars and all sorts of 'worship' but in some cases there are differences between men and women. View Siti Zulaikha Mohd Nor's comments in the Position and Role of Women in Islam, p.. 6.

¹⁹⁵ Islam recognizes women as equal and full partners to men in their matrimonial relations. The man is the father and the woman is the mother of the household and the role of both are equally important in this life. Both enjoy the same rights and undergo the same responsibilities. See Fazlur Rahman in Islam, Ideology and The Way Of Life, p.. 391.

¹⁹⁶ View Aisha Lemu's article, "Women in Islam", p.. 251. In Islam, according to Aisha Lemu, both men and women are endowed with the ability to learn, understand and teach, and one aim of gaining knowledge is to become more aware of God. Muslims consider that the more an individual, male or female, learn about creation / invention and appreciate the performance / operation, the more the men and women become aware of the Creator, the authority who has made and defended His creation.

Aisha Lemu also highlighted the example of one of the most famous women in Islamic history, Aisha, the wife of Prophet Muhammad, who is primarily remembered for her quality of wisdom and her unusual memory power. Based on these qualities, she was considered one of the most reliable sources of hadith. Prophet Muhammad SAW was reported as advising Muslims that they can trust Aisha for half of their religious guide.

Similarly, examples of Nafisah, the descendant of Ali, who was a great authority on hadith, to the extent that Imam Al-Shafi'i was sitting in her neighborhood of al-Fustat, when he was at the top of his popularity.

Another example is Shaikha Shuhda, who delivered public lectures in one of the main mosque in Baghdad to a large audience about literature, rhetoric and poetry. Ibid., P.. 252.

clearly reflected that the mother is the educator of her children. Therefore, an educator must equip herself with adequate knowledge, but the priority must be given to knowledge that is regarded as *Fardhu Ain* and later the *Fardhu Kifayah*. Hence also, the education system in a country that recognizes the Islamic State must be able to direct women towards a field that could produce Muslim women who are really knowledgeable¹⁹⁷ and highly trained with skills as a woman¹⁹⁸. Women who are not knowledgeable would certainly be unable to educate the next generation of good and valuable Muslims¹⁹⁹. Such action would also expose the Islamic community to a number of questionable social issues.²⁰⁰

When women are associated with the household,²⁰¹ they cannot escape from the two tasks

¹⁹⁷ Fazlur Rahman stressed that the rights of women are the same as men in the search for knowledge and education. Fazlur Rahman also stated that the obligation is balanced against both women and men, as they are equally responsible for the behavior and their actions on the day of determination. However, Fazlur Rahman explained that in the selection of either type of knowledge whether technical or professional, it varies from women to men as women had to adjust to the types of knowledge based on factors such as physiological, biological, psychological as well as practical needs and functions. See Fazlur Rahman, *Islam, Ideology and The Way Of Life*, p.. 396-397.

Also see the view of Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present*, p.. 119-120 of the same. According to him, the concept of equality between women and man in Islam does not ignore the existing differences when viewed from the aspect of sex that makes women more suitable for certain jobs. Qur'an views men and women as a pair, complementing each other.

¹⁹⁸ View comments from Siti Zulaikha Mohd. Nor in the *Position and Role of Women in Islam*, p.. 6-7.

¹⁹⁹ Dr.Yusuf Al-Qaradhawi explained that in the past, some scholars have prohibited women from going to schools or universities. He said that it would only cause damage. In fact, according to him, some of them even said, "*Women can only learn to read, not write! Because they will know how to write using a pen to write letters of love and of a similar type.*" This understanding, according to Dr. Yusuf Al-Qaradhawi, can easily be defeated by another understanding of the opinion that learning acquired by women is not something bad. In fact it can benefit and bring goodness to human beings. See Dr. Yusuf Al-Qaradhawi in Arsil Ibrahim (trans), *Fiqh Nationalism*, p.. 256.

²⁰⁰ View comments from Siti Zulaikha Mohd. Nor in the *Position and Role of Women in Islam*, p.. 8.

²⁰¹ The home is like a country where a woman has full executive powers even if the husband has the right on "over-head supervision and control" and sometimes women ruled as Queen and her husband as a guest to her. See the view of Syed Hussein Nasr in *ibid.*, p.. 4.

or ascribed role: first, as a wife and second, as a mother. The best place for a wife is at her home and thus, the task for the maintenance of which includes living accommodation, clothing, food, medical service and maid service if they need it is borne on the shoulders of her husband. Mahar²⁰² or dowry is the right of a wife. The husband is the protector and leader in a household²⁰³. ²⁰⁴As regards the task or the role of women as mothers,²⁰⁵ among the sayings of Prophet Muhammad SAW is that Heaven is under the feet of mothers.²⁰⁶

Sulaiman Nordeen is clear that for pious women, her house is like a connection to the mosque. They keep it clean, conduct obligatory and supererogatory prayers, bring up children and use their free time for activities that benefit the world and the hereafter. According to him, by the will of Allah SWT, home will be a peaceful place, where the *sakinah* was revealed, a place protected from slander and places so as to gather spiritual and physical strength for her family. Sulaiman Nordeen, inserted the sayings of Prophet Muhammad SAW "*that when a woman seeking to please her husband manage her household work to the satisfaction of her husband, she is rewarded the same as men in her work as it was done in the name of Allah SWT.*" See Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present* ', p.. 123.

²⁰² Dowry, in fact, is not the honour of a married woman, and therefore, Islam did not set the absolute minimal and the maximum of dowry. Dowry is a gift from the husband to his wife or as evidence of a willingness to be a husband. View Comments from Siti Zulaikha Mohd Nor, *Position and Role of Women in Islam*, p.. 5. See also the same explanation in relation to the dowry in Dr. Samar Fatima's article, 'Nature and Effects of the Islamic Attitude to Women', p.. 106.

²⁰³ Husband must ensure that each member of the household discharge their responsibilities to Allah SWT because the burden to save them from the fire of hell is clearly directed to a man of faith. See *Surah al-Tahrim*, verse 6.

²⁰⁴ Although in principle, men led households, women are also obligated to play a role in the governing of the daily business of the household. The syariat of Islam urges a husband to ask for opinions and thoughts on the business of housekeeping. See Dr. Yusuf Al-Qaradhawi in Arsil Ibrahim (trans), *Fiqh Nationalism*, p.. 257.

²⁰⁵ Position of women as mothers are unique in the Muslim community. She is the focus for all members of her family. She enjoys a very high honor and is sought for views and recommendations in all the affairs of the household. See Fazlur Rahman, *Islam, Ideology And The Way Of Life*, p.. 394.

²⁰⁶ See Sulaiman Nordin, *Islam, the Qur'an and the Ideology of the Present*, p.. 121. Islam gives the highest tribute to motherhood for women. Women as mothers are entitled to enjoy the love of her children three times more than the men as fathers.

As regards the permission to practice limited polygamy²⁰⁷, ²⁰⁸there is no need²⁰⁹ for the creation of the addition to unmarried²¹⁰ women in society. Women are instructed in the

²⁰⁷ Islam does not impose polygamy as a universal practice. Prophet Muhammad SAW himself is a monogamist for most of his domestic life, ie, from the age of 25 when he married Khadijah until he was 50 years old when Khadijah died. Thus, Aisha Lemu insists that one must assume that monogamy is the norm and polygamy is the exception. According to her, even though polygamy has been misused at certain times and certain places, polygamy, in some cases have a valuable function. See more details on this in the article Aisha Lemu, "Women in Islam", p.. 264-266.

Also see Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present*, p.. 124. Sulaiman said that Islam recognizes the principle of a polygamous marriage because it has a societal reason. Islam is *al-Din al-Fitr*, it is not against human nature but instead ensures that there is proper control and adjustment. Islam gives the system and rules for all human needs so as to protect the safety of humanity itself. Sulaiman also said that polygamy is an exception and not the usual thing because there are among men those who could not resist their desires. Islam requires that polygamy protect women and also as a way out for extraordinary men.

²⁰⁸ Islam requires that every husband be fair to and interacts well with his wife. In fact, the manifestation of faith of a husband is also measured by his attitude towards his wife. In this case, polygamy does not mean it is an unjust attitude of the husband against his wife and it is not an affront to Muslim women. Polygamy is a good solution for personal or community problems entirely. View comments from Siti Zulaikha Nohd. Nor, *Position and Role of Women in Islam*, p.. 6.

Also see Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present*, p.. 125-126, in which he outlined the five wisdom of polygamy: first, international research shows that the number of women exceeds the number of men in peacetime; second, in times of war, the number of women certainly outnumber men. Increasing number of women in most Western countries has given rise to moral problems, which if not resolved quickly will cause the spread of prostitution. Polygamy can eradicate prostitution; third, a woman may experience physical illness or pain barren (or body) or mental illness. So polygamy is allowed to avoid the disadvantages caused by the things mentioned. Polygamy would eliminate the reasons for divorce; fourth, before the advent of Islam, the Arabs practiced polygamy, and fifthly, polygamy can produce a healthy marriage. In fact, it can eliminate the number of women who were attacked by a disease common in women of the West and East.

²⁰⁹ Islam permits polygamy, but provided that the husband do justice to their wives, the apparent social justice in mind, the provision of maintenance, accommodation, good hospitality and discharging the duties of husband and wife. What is important is that Islam allows polygamy if it is safe from cruelty. Allah SWT says, "*but if you fear that you will not do justice, then (marry) only one ...*" This verse, if observed carefully, asks that it is enough with one wife only if the 'fear' is there of committing cruelty. See Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present*, p.. 128.

²¹⁰ Marriage is a sacred institution and is based on the free consent of both men and women. Women can reject men who they dislike. Parents can suggest and select the pairs of life for their sons and daughters, but the final decision in this matter lies with the sons and daughters. Also, just as how they have the right to terminate the marriage, they also have the same right to end their marriages which did not succeed. See Fazlur Rahman, *Islam, Ideology*

Qur'an when appearing in public, to dress²¹¹ moderately so as not to attract the attention / interest in men²¹².

Duties in leading are on the men. This does not mean that women have no rights in relation to national politics²¹³. Sharifah Hayati Syed Ismail wrote that before we embark on the discussion of women's participation in politics, clarifications ought firstly be made about the form of their involvement in politics which led to differences in the law. To leave the job

and The Way Of Life, p.. 393. Also see the explanation on the same case in the Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present*, p.. 121.

²¹¹ In terms of clothing, Aisha Lemu states that a Muslim woman can wear whatever she likes in front of her husband and family or among friends of women. But when she comes out, or when men other than her husband or close family are present, they are expected to wear clothing that covers all parts of their body, and that which does not expose her body shape. Aisha Lemu added that if a Muslim woman to go out, they are required to wear clothing that covered from head to toe and not expose her body shape. According to some scholars, only hands and face should be uncovered, while according to some other scholars, the face should be covered. View Aisha Lemu's article, "*Women in Islam*", p.. 262-263.

²¹² Sulaiman Nordeen stated that the problem on the covering of the parts of the body has become the material allegations of Western Orientalists. Indeed, the Qur'an seeks to protect the character and dignity of women, as desires are more dangerous than other dangers because it could lead to greediness, crime, rape, murder and mental illness both to the men and women.

Allah SWT says, "*Say to the believing women that they cast down their sight (from looking at the forbidden), and guard their honour, and they should not display their ornaments except what appears thereof ...*" (Qur'an, Sura Al-Nur 24:31). In this verse Allah SWT says that women believers ought hold sight of the things that increase the desires and cover themselves in accordance with the Islamic syariat. Sulaiman Nordeen explained that Islam does not only provide the perfect freedom to women but seeks to preserve the independence of Islam by certain rules so that good results can be obtained and that freedom is not abused, in order to protect the security of human offspring, or noble and dignified descendants. See Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present*, p.. 123-124.

²¹³ In relation to women's leadership of men outside the context of the household, Dr. Yusuf Al-Qaradhawi explained that there is no text that forbids it. Prohibited by religion is the general dominance of women over men. He quotes the hadith content narrated by al-Bukhari from Abu Bakrah a Traceable, namely: "*Unable to people who will submit their business to a woman.*" Dr. Yusuf Al-Qaradhawi explained that the word 'their business' in the hadith was of a general leadership of the entire business of the nation. He stated that as for the other non-leadership of a general nature, it is desirable that if women have the opportunity to lead such pronouncements (*fatwa*) and opinions of *ijtihad*, narrated hadith, teaching, administration, etc. He said the consensus of scholars state that women can do these things.

of a leader to women is something that is too heavy²¹⁴, because a leader will be judged before Allah SWT in relation to leadership. A woman cannot perform the duties of great leadership²¹⁵ as the ability for her to continue the task is limited by the natural weakness in women itself²¹⁶. However, women's political participation is allowed in Islam and women can be elected to the representative council of the people²¹⁷. This is not contrary to the Islamic

See Dr. Yusuf Al-Qaradhawi in Arsil Ibrahim (trans), *Fiqh Nationalism*, p.. 258.

²¹⁴ At the time of the Prophet Muhammad SAW himself, though women do not lead, but they are the first to give allegiance or *bay'ah* by stating the truth of his prophethood, i.e. the Prophet's wife Khadijah bint Khuwailid. This is not a small issue but is very significant to the development of his preaching and leadership. *Bay'ah* here has a larger meaning from the legitimacy term in modern political science knowledge because it means obedience to the *aqidah* as well as to the leadership. Ibid., p.. 110.

²¹⁵ Sharifah Hayaati Syed Ismail quoted the opinion of Al-Qadir Audah that for a post in '*Ammah region*, scholars have agreed that women are not allowed to be the ruler or a common term used today is the head of state. This is because the weight of responsibility of a caliphate covers the duties as a successor of the leadership of Prophet Muhammad SAW in upholding Islam in the implementation of politics and administration of the country based on the guidance of the Syara'. Owing to this heavy responsibility, the consensus of scholars unanimously agreed to put a condition that the appointment of heads of state are from among men. The strength of this argument is supported by the texts of the Qur'an: "*These men are the protectors of women*". Sharifah Hayaati Syed Ismail quoted Ibn Kathir and al-Tabari that the verse shows the advantage of men compared to women in terms of leadership just as the apostolic and prophetic responsibilities ascribed to them. The view of al-Qurtubi was also quoted to interpret the line "*for men to women with a degree*", where al-Qurtubi interprets the verse as the advantages and privileges of men in terms of physical strength, intelligence and firmness which is the pillar of strength in administrative affairs. Ibid., P.. 113-114.

²¹⁶ View comments from Sharifah Zulaikha Mohd. Nor in the *Position and Role of Women in Islam*, p.. 8-9.

²¹⁷ Dr. Yusuf Al-Qaradhawi highlighted that among the doubts raised by those who oppose the nomination of women in the consultation council with the reason that the level of the position of a council member was higher than the government or the head of state himself, as she had a right to question and monitor the head of state's wisdom on matters. These people are questioning if we forbid women to become head of state, but at the same time, why do we allow them to assume greater authority by other means.

Hence the above, Dr. Yusuf Al-Qaradhawi clarified the meaning of membership in the consultation council that the task of representation in a modern democratic system is divided into two types, oversight and legal setting. Supervision or in the form of practical calculation refers to a concept of Islam, *Amar Makruf Nahi Mungkar* or advice in the name of religion which is the duty of the leaders and people. According to him, *Amar Makruf and Nahi Munkar* is what is required of all Muslims, whether male or female, in line with the word of God in *Surah At-Touba 9:71*).

While the role of prescribing laws are interpreted by some people with excessive interpretation so much that they consider the position of the representation council as more

principle, that "man is the leader of women"²¹⁸. This is because the number of women selected in the representative council is minimal. The majority are still dominated by men.

Islam does not forbid women to advise the head of state²¹⁹, ²²⁰overseeing administration of the country or to enact laws based on the opinions of intellectuals²²¹. In the political

important than the ruling council itself. They explain that it is the representative council which generate and decide on the state's legal concepts and set it up, therefore, such an important position cannot be staffed by women. Dr. Yusuf Al-Qaradhawi explained that this was surely not as serious as what is implied, as to determine the law and the legal basis is essentially God and human beings only deduce the law on matters that are not determined by the text or the general concept plan referred to by the injunction. In other words, according to Dr. Yusuf Al-Qaradhawi, our task as human beings is just do *ijtihad* to draw conclusions of law, schedule problems, and adapt it to life. Dr. Yusuf Al-Qaradhawi explained that Islamic law is also an opportunity for men and women to equally exercise the *ijtihad*. Nowhere in the *syariat Ijtihad* placed by scholars, that a *mujtahid* must be men and women cannot interpret Islam. See Dr. Yusuf Al-Qaradhawi in Arsil Ibrahim (trans), *Fiqh Nationalism*, p.. 259.

²¹⁸ Sulaiman Nordeen explained that men and women may have an edge with each other in specific areas, but in public affairs, men have a slight advantage but not absolutely. This is in line with the word of God, "... *in the meantime the men (husband and wife) have a degree above women (his wife) ...*" (*Qur'an, Surah al-Baqarah 2:228*). Advantages include men than women in family and political fields. This advantage is consistent with the responsibilities and duties of men more than women. This advantage is not an edge in *insniyah* rights or properties. Allah SWT has divided their responsibilities according to the natural need of the *fitrah* which Allah SWT created. Husband must support his family with the natural *fitrah* needs created by Allah SWT. The wife has been entrusted with the responsibility of administering the affairs of her home and her children. See Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present*, p.. 121.

²¹⁹ Women have the right to criticize all the faults committed by the government and other community members. For example, the attitude of Caliph Umar al-Khattab who attempted to determine the dowry rates for women not more than 40 *Auqiyah* was challenged by a woman who produced evidence from the *Qur'an* that such action is contrary to the true principles. View comments from Siti Zulaikha Mohd Nor in the *Position and Role of Women in Islam*, p.. 8-9.

²²⁰ Islam rejects women's leadership at the Heads of State or in fields involving *hadd* punishment. This does not mean that Muslim women are not given a direct place in the country's leadership. *Ibid.*, p.. 34.

²²¹ In fact there are women who are given by God, talent to lead over men like the story of Queen Sabak who possessed wisdom and a strong consideration in her interaction with Prophet Solomon. The *Qur'an* describes this not as entertainment but to convey to us that among women there are a number of personalities who have intelligence governing the affairs of state. View Mohd. Rumaizuddin Ghazali, *Islamic Political Science*, p.. 91.

system of Islam, women can be ministers²²², judges, or one of the delegates who oversees the general rule. In the context of today's democratic system, to give women the right to hold a ministerial position or representative of the people does not mean that women have absolute power and responsibility in all matters relating to the post. Responsibilities in the post are borne collectively by the other members of the cabinet, or by all officers in the ministry. Thus, women bear only part of the task, assisted by others²²³. Overall, the responsibility of women in politics is simply to give the political consciousness of women on the shapes and political actions that exist in the country, as well as the right to speak. Sharifah Hayaati Syed Ismail²²⁴ also said that legal scholars' debate about the scope of the powers that can be owned by women in politics are not intended to dispute the rights, capabilities and abilities of women in politics but to protect the women themselves from the responsibilities which should not be loaded on them. In addition, this was to ensure that women did not ignore their fundamental responsibilities as wives and mother of a political unit, i.e. her family. Thus, she argues that there is no discrimination in political rights for women as long as they comply with established political ethics in Islam.

The Islamic system has achieved the right balance of freedom and security sought by

²²² Sharifah Hayaati Syed Ismail, however, stated that for the ministerial posts, the scholars have different views. Some do not allow if it involves the job that is similar to the caliph on policy-making or final decisions affecting the whole people. Meanwhile, there were some who allowed on the grounds that there is no clear evidence to show that. In the current context where women are more advanced, skilled and knowledgeable to make good decisions, hence it is not an obstacle for them to be appointed as ministers. What more if the position does not mean that one can formulate policies or make decisions with their own thoughts, since all the political and administrative matters are carried out collectively. See Sharifah Hayaati Syed Ismail's article, "Women in Political Leadership from Siyasah Syar'iyah Perspective", p.. 120.

²²³ View Mohd. Rumaizuddin Ghazali, *Islamic Political Science*, p.. 92.

²²⁴ See Sharifah Hayaati Syed Ismail's article, "Women in Political Leadership From Siyasah Syar'iyah Perspective", p.. 120.

women and it is within the interests of society as a whole²²⁵. Muslim women are also recognised as separate from her husband²²⁶. Thus, a Muslim woman can remain with her original name without using her husband's name. Women can own property²²⁷ and can also spend it in accordance with its own course, as long as it is not in contrary to Islamic principles. In addition to protection in the form of the responsibility of men towards women, there is this other protection that must be done by women themselves, such as the closure of women's *aurat* and the separation of women from men. Islam emphasizes such, purely for the interests of women themselves and also for the welfare of the whole Muslim community. Islam has confined women to their home but this does not mean women cannot leave their home at all. They can go out on specific goals. Even if there is no man who could provide for the women's maintenance, the women can search for her own maintenance²²⁸. All relevant

²²⁵ In this context, Prof. Dato' Dr. Haron Din, reminded that it should be understood that the western and half of the eastern countries put women in certain specific occupational areas, particularly in commercial buildings, shops, makeup and clothing, at the embassy, consular offices, in warehouses, newspapers, radio and television, the advertising companies, banks, etc.. with ulterior motives, that is to popularize business using cheap gender instincts. This fact is equal to half of the attitude of newspapers or magazines which upload pictures of beautiful women or pictures of the sexual character to popularize their newspapers and magazine. Prof. Dato' Dr. Haron Din pointed out that the struggle of the western people and some of the others to make a mental revolution and liberate Muslim women is not much based on pure and genuine humanitarian motives, but there are plenty of unhealthy urges to degrade the standard of the women themselves. Thus, it is necessary to be examined into and recognized by all parties to achieve the right balance of freedom and security sought by women within the interests of society as a whole. See Prof. Dato' Dr. Haron Din, *Man and Islam*, p.. 329.

²²⁶ See Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present* ', p.. 121.

²²⁷ Islam recognizes the right of women to inherit, earn money and have their own wealth, whether unmarried or married. Women can buy, sell, mortgage or rent any or all of her belongings. Women could inherit property, including land and her estate from their parents, brothers and their husbands. Women keep their property acquired before marriage and have no legal obligation to spend her wealth for the family. Women also may invest freely in whatever way she likes. See Fazlur Rahman, *Islam, Ideology and The Way Of Life*, p.. 396. Also See Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present*, p.. 121.

²²⁸ View comments from Siti Zulaikha Mohd. Nor, *Position and Role of Women in Islam*, p.. 9-10. See also Sulaiman Nordeen, *Islam, the Qur'an and the Ideology of the Present*, p.. 122 to explain that if women choose to work to help her family earn a living, it is not prohibited

references that give authority to this end stems directly from the Qur'an and hadith/sunnah, since it is significantly the most authentic resources in Islam. If at times and in certain places, these legal principles have been misinterpreted, denied or violated, the fault is not with legal principles, but human greed which sometimes drives to attempts to misinterpret, deny and invade on things which were disliked, and staying away from the truth.²²⁹

Conclusion

It has been established thus far that Islam indeed gave women justice and rights as human beings equal to men. When Islam arrived more than 1,400 years ago, it taught that women and men were considered equal in the eyes of God. However, as mentioned earlier, it is important to note that even though the rights and responsibilities of a Muslim woman are considered equal to a Muslim man, they are not necessarily identical, for equality and sameness are two different things. Therefore, Islam has taught that women and men are created with different characteristics, hence the responsibility and rights and their status and role in society is closely related to their biological and physiological differences. Hence, it is apparent from the passages of the Qur'an and hadith/sunnah, that Islam has raised the status and role of women by realizing and actualizing the status and role of Muslim women as a role model in accordance with specific responsibilities in their respective fields. In current times

provided that honor and honesty is reserved. Every society requires female workers to work on jobs more suited to them than men. Islam, according to Sulaiman Nordeen, does not prevent all of that and demanded that they be given a reasonable wage. Wages received by women is her own. The problem of women competing with men to find work and claim the same wage and opportunity has not arisen in Islam. Women who work should be given wages commensurate with the job.

²²⁹ View Aisha Lemu's article, "*Women in Islam*", p.. 267. Aisha Lemu says it is fortunate that no one had altered or changed words in the Qur'an. Regulations to protect women who have been exposed to the 7th century can still be confirmed in the 20th century. Laws and social rules on women contain some fundamental truths that will benefit those who apply it. Rethinking nowadays which has been widely circulated on the role and rights of women, according to Aisha Lemu, is probably the best time to view this from the Islamic point of view. View Aisha Lemu's article, "*Women in Islam*", p.. 267.

they have earned an image and reputation emulated by women the world over. God has honoured women by giving them value in relation to God, not in relation to men. But as Western feminism erases God from the scene, there is no standard left but men. As a result, the Western feminist is forced to find her value in relation to man. And in so doing, she has accepted a faulty assumption. She has accepted that man is the standard, and thus a woman can never be a full human being until she becomes just like a man. What she did not recognize was that God dignifies both men and women in their distinctiveness. God has honoured women with something uniquely feminine, but most women are too busy trying to find their worth in reference to men, to value it or even notice it. Muslim women generally conduct the affairs of their life based on the guidance by Allah SWT through the al-Quran and hadith/sunnah. In this research, the author has endeavoured to project some realistic events concerning certain selected exemplary womens' practical activities as a source of reference for future women.

References

- Arsil Ibrahim (trans). 2002. *Fiqh Nationalism*. Kuala Lumpur: Islamic Youth Force of Malaysia (ABIM)
- Abdur-Rasul Abdul Hassan al-Ghaffur. 1993. *Muslim Women and Modern Life*. Jakarta: Reader Hidayah.
- Aisha Lemu. 1978."Women in Islam", in Altaf Gauhar (ed). *The Challenges of Islam*. London: Islamic Council of Europe.
- Danial Zainal Abidin. 2007. *Islam: The Misunderstood Religion* (2nd Edition). Kuala Lumpur: PTS Millennia Sdn. Bhd.

- Fazlur Rahman. 1980. *Ideology and The Way of Life*. Singapore: National Library Pte.Ltd.
- Mir Zohair Husain. 2003. *Global Islamic Politics*. United States: Longman, University of South Alabama.
- Rumaizuddin Ghazali. 2004. *Islamic Political Science*. Pahang Darul Makmur: PTS Publications. Pte.Ltd.
- Sharifah Hayaati Syed Ismail. July 2002. "Women in Political Leadership From the Siyasah Perspective", in *Syariah Journal*, Jilid 10 Bil.2, Akademi Pengajian Islam, Universiti Malaya (UM).
- Sulaiman Nordeen. 1995. *Islam, Al-Quran and the Ideology of the Present*. Kuala Lumpur: Dewan Bahasa dan Pustaka.
- Beinin, Joel & Stork, Joe. 1997 (ed.), *Political Islam: Essays from Middle East Report*. New York: IB Tauris& Co.Ltd.
- Siti Zulaikha Mohd. Nor. 1982. *Position and Role of Women in Islam*. Kuala Lumpur: Islamic Youth Force of Malaysia (ABIM).
- Haron Din. 1999. *Man and Islam*. Shah Alam: Hizbi Pte Ltd.
- Samar Fatima. 1982. "Nature and Effects of the Islamic Attitude to Women", in *Islamic Studies*, vol.xxi,number 1.

THE POLICY, CULTURE AND RELIGION IN THE "BUWAYHID" DYNASTY

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1. Policy

When the Abbassi's Caliphate in the 3rd and 4th centuries of Hijra become weak and disordered, and the local rulers and the ruling families , started disobedience from every side, ?! claimed independence, the notion of establishing one independent government and the survival of Iranian empire, became common amongst many or Iranian tribes, whose result was the establishment of governments such as Saffarids, Samanids and Ziarids. Nevertheless, These wer the Buwayhids who could carry out this favorite nation and make it practical.²³⁰

The story of this dynasty, is not clear before the 4th century, the historians have debated about their origin and race and have stated different sayings about them. Some groups of genealogists, apparently due to Buwayhids emirates request, have related them to Bahram of Sassani dynasty, so as to release them from the unknowness and low class lives that they have had before their regaining period. Perhaps, had armed to rule over the tribes who lived beyond their domain. What is obvious that the ancestor of this family was an individual from Dey lam tribe who was called Abu Shoja Booyeh.²³¹

Booyas and his sons, after joining the military services, in a place near the Caspian sea did finishing and carried timber for burning, so they lived poorly and miserably. At this time, some of the power thirsties of Gilan and Deylam, such as Makan, Asfar and Mardavidg, become rebellion to the Abbasid Caliphate, computed against each other to equip their forces, so they welcomed every new comer.²³²

Abu Shoja who had become frustrated and exhausted from his own hard and useless deads, decided to enter his sons in the army.²³³

For this reason, Sent Ali, Hassan and Ahman to serve Makan Kaki, the high commander of Samanids army.²³⁴

After a while, there came a disagreement between one another of Gill chiefs, called Mardavidge. So he defeated Makan, got control over Gorgan and Tabarestan, which were Makan's territory. For this reason, Buoys brothers who were seeking power and wealth , came to the conclusion that by attracting Makan's, willings, to become Mardavidge's employee. Mardavidge who was originally from Giltribes and had a better acquaintance and meeting with Dalamids, firmly welcomed the Buwayhid brothers, and assigned Ali as the chief ruler of a district between Saveh and Hamedan, where is equate to today's Arak. Though Maravidge soon became regretful about this order, i.e, hassan and Ahmad some of his own friends, entered that area gathered it's tayation, generously divided most of it

²³⁰ - Biruni ,38

²³¹ - Ibn-al Khaldoun ,2/ 612

²³² - Makrizi, vol ,2 p, 25

²³³ -Hindushah Nakhjavani, 2 / 275

²³⁴ - Ibn-al Athir, 8 /268- 269

amongst his followers. So the sound of his generosity spread all wide and this caused the Gil and Daylam warmen join him.²³⁵

The report of Ali's repeated victories, made Mardavidge more angry and disturbed than others, consequently, he came to the point, that before Ali's improvements, to delete him from this way, but Ali who in the right time had become aware of Mardavidge's bad and dangerous intention, on other hand did not recognize himself as powerful enough to encounter him, went to Isfahan with his own followers and defeated the Isfahan army, after two months, following the Mardavidge attack, left that city and aimed Fars. Due to the threat of unity and friendship between Mardavidge, the ruler of Fars and also because of becoming a rebellion to the Abbasid Caliphate, Arrazi Bellah, he sent a message to the Caliphate, announced his sincere follower ship to him simultaneous with these events, one of the Fars's great mean called Abootable Nouband Tany, encouraged Ali to conquer Shiraz and promised him to cooperate with him. At his same time, Hassan the son of Booyeh, attacked Kazeroon by Ali's order and obtained a great treasury, returned to Ali.²³⁶

Co-incident with these happenings, the unity convention of friendship between Mardavidge and the ruler of Fars and Khuzestan named strength was signed. Therefore, Ali recognized that district unsafe from himself, aimed Kerman with his brothers and friends.²³⁷

But Yaghoot, with a great trooper, blocked his way in Beiza region and stopped him to continue his way, so this caused a war, although Ali's army was small from the point of force and ability, he bravely and patiently followed the Yaghoot's arm up to Shiraz, caused him to live \shiraz, he himself got the control over there. After that, in order to strengthen and legalize, his reign, satisfied the Abass Caliph, by promising to send annually eight millions Derham and received the monoreship garnment from him in Shavval month in 322 of Hijra.²³⁸

In fact, it was after occupying Shiraz that the power of Booyeh day nasty became established and stable up to the point that only the Caliphate, but also all other power seeking individual accept the presence of this now competitor in the field of policies. With all these, the Buwayhid had powerful competitors such as Mardavidge ziari, and ambitious and new blood of Baridi dynasty on their way who in order to more strengthen and stable their power had too clear them a way. Right at this moment, Mardavidge captured Ahwaz, Izeh, Ramhormoz and Askar Mokram, the position of Ali., the son of Booyeh was strongly in fear treat for this reason, he set a great deal of hush money, as a sign of obedience and subordinate to Mardavidge, he also assigned his brother, hasan, as a hostage to Isfahan and reported the name of Mardavidge in prays too much, in order to make him sure about his subordinates, but because of high chance of Ali, in 332 of Hijra, as result of a sudden accident, Mardavidge died, the way for Buwayhids to be the only rider and ruler was paved a way. Thus after this accurance, Ali the son of Booyeh, defeated the yaghoot army, captured some parts of Khuzestan, and Yahoot that did not have enough force to resist against him, fled to Askar Mokerm, in the same house, due to conspiracy of Abu Abollah Baridi, he was killed in 324 of Hijra. On the other hand, following the Mardavidge death, the power and influence of Ziarids, began to become weak, particularly some of his Turkish troopers who had a role in his killing treaty, ran away from their base, attached themselves

²³⁵ -Moskuyeh, 1/280

²³⁶ - Moskuyeh, 1/280- 281

²³⁷ -See: Rabiei, "KHanedane Baridi" In "Encyclopedia Daneshnameye Jahane Islam"

²³⁸ -Mojmal al-Tavarikh, 379

to Ali, the son of Booyeh, others. In addition to this, Makn-e-kaki who awaited such opportunity, defeated the trooper of Voshomgir-e-ziari, pushed him away from Nishabur, ran out the newly organized government of Ziari up to falling down and breaking. Also, Hasan, the son of Booyeh, who had stayed as a hostage in Isfahan, by marking best use of this situation, returned to his brother, Ali was commissioned with a great army to capture and occupy Isfahan. Hasan in a little time, conquered Isfahan and many of its suburb districts, extended the Buwayhids domain to there.²³⁹

In this time situation, Ali commissioned his smaller brother Ahmad with a huge manpower to capture Kerman in 324 of Hijra. At the beginning, Ahmad achieved great successes, but because he was a young unexperienced guy, in the battle against the Kootch and Balootch, he achieved some silly and careless movement, under the order of Ali, the son of Zangui, so he was defeated and lost his left hand. After that, Ahmad survived from these harmful injuries, stayed alive, came back to his brother. Ali and under his commandership, he as a chief commandor, guided a new army to Khuzestan, got the control over Ahwaz, dismissed Abu Abdolla Baridi from there. Even with the person of these victories, yet the territory of Buwayhids, in Isfahan, Khuzestan was still subjective of danger, threat because Voshomgire-Ziarids, who had lost the most of ziarian after Mardavidge death, was always thinking about capturing Isfahan, till he attacked there in the 327 of Hijra, released that city from the control of Hassan, the son of Booyeh. But after one year, Hasan succeeded to regain the control of Isfahan from the hand of Ziarids by the help of his brother. Then in order to strengthen this position, he attacked Rey and conquered there in the year of 330 of Hijra, made the position of the Buwayhids strong there. On the other hand, the trinary of Ahmad in Khuzestan was always in danger from Abul Abdollah Baridi and Ibn Ra'gh – the chief ruler of Abbasid Caliphate.²⁴⁰

But because of his good chance, at this time, the fire of conflict amongst the Baridis, the Caliph organization and the major emirates, their minister highlighted, every one of them was decided to assassinate the other. So that a person, named Badjkam in order to obtain the title of chief emirate from Ra'gh who had this title at that time, attacked and disobeyed him, did not neglect playing any plot and threat against him. Ibn Moghleh, the contemporary minister of Abbassi, also, to renew his location, confidentially, invited Badjkam on the other hand, Voshomgir-Ziari to Baghdad, separately so that whoever of them could grasp the title of major emirate from the Ibn Ra'gh. Ahmad by taking advantage from this chaos, from 328 up to 333 of Hijra, frequently raided Iraq, every time he gained a better opportunity.²⁴¹ Following the murder of Badjkam (329), the assassination of Ibn Ra'gh (330), the death of Abu Abdollah Baridi (332), the Caliphates organization had fallen into great disorder, that is unexplainable, and Al-Mostakfi, the unable Abbassi Caliphate, was like a toy in the hand of Ibn Shirzad, the major ruler, for this reason Ahmad aimed to occupy Baghdad, and in the 5th month of 334 of Hijra, almost without any important resistance, and apparently with the hidden Caliph's request and agreement, entered Baghdad, got control over that Abbasids capital.²⁴²

Al-Mostakfi, (Caliph) Ibn Shirzad and other Turk commander, ran away from Baghdad before Ahmad's entrance, they reached Mausul, suddenly Caliph separated from them and

²³⁹ - See: Sajjadi, "Ale Booyeh" In "Encyclopedia Daerata al Ma'aref bozorge Islami"

²⁴⁰ - Ibn al Jauzi, 7-115; Al-Sabi, 100 – 102; Menhaj Seraj, 223

²⁴¹ - Sabi, 100- 102

²⁴² - Makdesi, 431

returned to the government place and accepted the Ahmand's convention with eagerness and satisfaction , chose him as the chief commander and titled him with the Moez al-daulah.²⁴³

Also, his elder brother Ali, was called Emad al- daulah, his other brother, Hasan was called Rokn al- daulah, printed their titles on the coin currency and gave the special government garnment and decoration. Thus for the first time of the Islamic dynasty, that had emerged from Iran, could bring Iragh, the Abbasis government organization under his control, for more than one century was the main determiner in Abbasid rulling period, because after that, the real power went out of their hand, no longer the Caliph was the main ax of the important political events and happenings of that time. As the owner author of Mojmal al Tawarikh and the stories has rightly has said . the Caliph was only pleased to give a command , for the all Caliph, they had no other job except sending special government and special gifts and responding to the surrounding kings. It is for this reason, that since the rulling period in Baghdad, there were nothing left from Abbasi Caliph, except name and even the events and occurrences of Caliph history were circling according to Buwayhid rullers and other powerful local rullers.²⁴⁴

It is worth mentioning that apparently in that critical situation, the control of Buwayhid dynasty, not only was not unpleasant for Abbasi Caliph, but it was a cause for their pleasure and satisfaction, because instead o people, such as Mardavidge, who was strongly preidious and nationalism, had the intention of eliminating Abbasid rulling in his mind, the Buwayhid did not intend to end that in spite of their being Shiah, due to having a peaceful and forgiving spirits, they cooperated with the non-shiah rullers. For this reason, although the load of Buwayhid, were severely heavy on the shoulders of Abbasi Caliph, but since their control over affairs, protected the apparent rulling of Abbasid , the bearing of that situation was possible ever desirable for them. It should not be left unsaid that Moez al-daulah from the early days of getting control over Baghdad, took steps to transfer the Caliph from Alle Abbas to an individual from Alle Ali (peace be upon him) but following the warnings of his cancellers, quitted this intention, came to the conclusion, that if a Caliph from Soni branch of Islam be his obedient, is much better than a Shiah Caliph that he himself has to be his obedient. The evidence for his saying is the report of Abu Raihan-al-Birooni-e-Biroony, that has narrated a long discussion between Ahmad and one of the famous person from Alavid.²⁴⁵

So, anyhow, Moezo al-dauleh, after sometime of having control over Baghdad, became suspicious about Mostakfi, dismissed from the Caliphet, made him blind assigned another Caliph who was his obedient, with the title of al-Motio le Allah. The mastery of Buwayhid over Baghdad the governing organization, not only cause it's domain extension but also made their position more stable in Fars and the central parts of Iran, since the apparent support of Caliph, gave legality to the power of Buwayhids, doubled their politicaland military power, hence every of Buwayhid rullers their overtaker, continued their reign in the area where they had occupied, the Buwayhid subdivided to three main branch and some subordinate one whose their most importants are as follows:²⁴⁶

a- Buwayhid in Fars (from 332 up to 447 of Hijra)

²⁴³ - Ibn-al Zobair,196

²⁴⁴ -Menhaj Seraj, 223

²⁴⁵ - Haji Khalifeh, 1/ 211- 212

²⁴⁶ -Ibn- al Nadim, 217

- b- Buwayhid in Iran and Khuzestan (from 334 up to 447 of Hijra)
- c- Buwayhid in Rey, Isfahan and Hamedan (from 335 up to 414 of Hijra)²⁴⁷

The rulling duration of 113 years of Buwayhid, was co incident with the 5 Caliph of Abassi, they lived formally by the permanent payments that received from the chief ruller of Buwayhid, permanent payments that received from the chief ruller o Buwayhid, these Caliphs who had no real power, except performing religious formal rituals and signing of the letters are : al-Mostakfi bi Allah (333-334) , that after a few days of taking power of Ahmad in Baghdad he was fired off from the throne, the other one was Azodo-al daulah (334-363) that a period of 29 years of rulling, while to physical disability, could not speak of move, was dismissed and his son al-Ttae bi Allah (334=363) took over from him. Tae, was also dismissed by the Baha al-daulah Delyami was delivered to prison. After him, Ahman Ibne Issac, Ibne Moghtader with the title Alghadro bi-allha (384-442) took powr. After him, accord to is will, his son name Abodollah, titled al- Ghaem bi Amre Allah (442-467). Took power. It was during his rulling era that the Buwayhid government ended.²⁴⁸

2. Culture

In the age of Buwayhid governing was coincident with the most outstanding brilliant all aspect scientific , cultural, social changes in Iran history and Islam, i.e, the 4th century of Hijra. For this reason, that family, from one side became the inheritor of the previous muslim scientists struggles efforts and on the other side, by supporting the scholars the educated people provided the potential and media for knowledge culture improvements lit its flambeau more.²⁴⁹

After the beginning of breaking down the Abbasids is rulling in the early of the 3rd century of Hijra, it's increasing manner in the 4th century , numerous governments rulling delegates , appeared that all of them struggled to get rid of Abbasi is domain over them, until at the end of that century, the wide territory was divided between small and local rullers. Amongst these governess, the Buwayhid due to partial social and cultural more or less deep changes that appeared in their domain, take benefit and special validity and respect. Many of this governing delegations, validated and decorated their places by the presence of educated people, the knowledge improver ministers of them , in developing and improving of culture and knowledge did not neglect any struggle and support particularly concerning the Shias professors, that not only were prevented forbidden from the extended support of governments , but also did not have equal opportunity to make use of the available resources. Thus it can be said that the most important function of Buwayhid rullers, was creating establishing enough and suitable opportunity for those groups of shias scientists and clergymen, that due to political shortages and the difficulties that sonni Abbasid and rullers related to them, had made from them so they hads quitted their town and residental areas, were straying around in far regions such as north Africa and the east of Iran. Now, Buwayhid, without making any disorder in the sonnies's cultural centers, offered equal chance for Shia it clergists so that they can like others, freely take steps to educate their student – produce scientific products . special, in Baghdad that till that day did not grant the least opportunity to them.²⁵⁰

²⁴⁷ -Zarinkoob, 426

²⁴⁸ -Ibn- al Esfandiyar , 1/ 140

²⁴⁹ -Adam Metz ,1/ 126

²⁵⁰ - Yakoot Hamavi , 2/ 276 - 315

Now under the shadow and shelter of Buwayhid rulers and ministers their center has changed to the biggest base and scope for Shia, during the time gap between 335 to 447, it became the principal center for gathering of Shia's clergymen, provided the background to bringing up individuals such as Shaikh Mofid (436), Sayyid Mortaza al-Molhoda (449), Sheikh Toosi (460) and tens of clergies, lecturers, expositors, the Shia narrator and educated man and creating hundreds of scientific works, was provided the importance of this deed, will be manifested more that we recognize that Baghdad before the emergence of Buwayhid government, was the greatest center for opposition with Shia, was the motivator of currents of the movements that were arranged by the Shia enemy against them, now under the shadow of practical freedom that Buwayhid had provided for Shia, it turned to the most important all round theological college for Shia's knowledge, sciences and its scholars literates of that religion could in a period of time equal to one third of the total history of knowledge and scientific thinking in the world of Islam, compensate the past shortage, deposit available scientific legacy from themselves that without any exaggeration could withstand against all other religion outcomes to compete them. In the same way that after the destruction of Buwayhid the dominance of Saljuqian over Baghdad, the Shiites suddenly faced many shortages and difficulties in the field of politics and social life, the situation became so hard to the religion leaders that their great leader, Hasan Toosi, in a short time after the dominance of Toghril over Baghdad, forcibly left that city and went to Najaf.²⁵¹

Anyhow, according to what has past, no doubt is left that we say: an important of the noticeable success Shia scholars, in the Buwayhid era, is debtful to the unlimited support of rulers and the commanders and ministers of that family. From the middle of these commanders, special remembrance should be made about Azod al-daulah, that in spite of having a great agreeance to luxury and ceremonies and arranging happy parties, never neglected paying particular attention to knowledge and scholars and trying to improve and upgrade these subjects, now then had discussion about different subjects with them. It was the reason why that a group of well educated delegation of that course of time, created and authored their works by his name or his recommendation and support. In addition to this, Azod al-daulah for different classes of different scholars from clergy men up to poets, engineers, he fixed a permanent payment and discouraged them to research, book writing. It is struggle in reconstructing and repairing of buildings and hospitals of Baghdad that apparently in the past was under the supervision of Mohammad Zakaria Razi, were established after this building renewal, it was called by his name Azodi hospital. And also establishing a center similar to the Bait al-Hekmah of Maemoon is an indication of his interest for doing general welfare work and his special notice to knowledge and science. He also in this direction founded a great library in Shiraz which was unique from the point of extension book handling style. Azod al-daulah showed a great enthusiastic to poetry and literature, therefore he supported the poets lecturers, he himself composed poems too. As it was said, the ministers and the employees of Buwayhid also played a great role in expanding the borders of knowledge and science, and the owners of education of insights.

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Without any doubt, none of the primary great government of the first countries of Islamic history such as Buwayhid has made use of well educated such as Buwayhid has made use of well educated ministers and knowledge lovers.²⁵³

²⁵¹ -Abdo- al Rahim Ghonaimah, 22

²⁵² - Kamel Shaibi, 41 – 42

One of these ministers is Ablofazi ibn al-Amid (3060, that in addition to having an unsimilar skill in writing, composition political affairs, military, in Islamic branches of knowledge, specially, in lecture, philosophy he had a full skill and fame, he had a great library of different sciences that had devoted its management to famous historian and knowledgeable person, called Aboo Ali Moskooyeh.²⁵⁴

Other wellknown ministers of Alle Buwayhid was Ismail ibn Abbad (385). Saheb learnt the lesson of ministered form many years near Amid. He always included his sessions with the presence of litererians and lecturers and supported the knowledgeable people of sagacity, medicine, Saheb, for the founders of knowledge science, organized a great library, which contained more than one hundred and Seventee thousands volumes of books. A great part of that library that mostly contained the traces of lecture and philosophy and astronomy of Moetazalran following the attack of Mahmood Ghaznavi, were burnt by his order.²⁵⁵

One of the other famous of Alle booyeh ministers was Shapoor ibne Ardeshir (416), the minister of Baha al dallah (403) who in the year of 382 or 383 , established a great place for knowledge in the Shias residential area called Karkh and provided thousands volumes in that center, so as with the economy of other research and scientific facilities , be kept under the control of researchers andscientists , so he innovated an encyclopedia center that was called the house of knowledge (Dar al- Elm).

3. religion

Without any doubt, the Buwayhid followed Shia religion. They owed their Shiism to the era that Alvian Zaidi rulled in Tabarestan (250-316). Nevertheless, it can not be made clear that which branch of Shiite they followed because amongst them, there the followers of Zeidi, Ismaili, 12 Shia Imami. What is clear, is that they following the Alavian of Tabarestan, were following the Zaidi religion. But after the occupying of Baghdad, having control over Abbassi Caliphate, they saw it wiseful to convert from Zeidi religion to Shia Imami. Though our resources about the role of Shia clerical leaders are silent, but it seems that following the immigration of Buwayhid, from the limited area of Deylam, they became familiar with other tendencies and Islamic religion and Shia under the influence of Iraq Shia leaders, they converted to Imami religion. As also, the political danger, such as the claims of Zaidi Imams, in yemen was not ineffective in this respect. Since , that on the contrary of Imamieh whose 12th imam, is in the curtain of absence the imam of Zaidid was rulling in Yeman and invited all the followers of other religions to follow him. For this reason, apparently the Buwayhid in order to free themselves form the dominance of Zaidi Imams and obtaining more independence , gaining the support of Iraqi people , who wanted more independence form Sonni:

Leaders and other branches, they turn to Imami religion. From observing the documents , it is concluded that it was on the bases of such considerations that Ahmad after obtaining dominance of Baghdad on the contrary of the present expectations , neglected his first intention about the elimination of Abbasid caliphate and its transferring to one of the Shiets. Because one of his advisors had warned him that the cooperation with a Caliph who

²⁵³ -Yafeei, 3/ 247

²⁵⁴ -Ibn-al Taghri Bardi, 3/286- 315

²⁵⁵ -Khand Mir, 2/ 426

is his obedient is much simpler than a Shia Caliph, that the world seeker commander of Booyeh had to be his obedient.

It should be noticed that although the Buwayhid always conserved their Forgivenessful religious spirit, but their special support and back up of Imamid followers, made More known as the supporter of Shiite groups. It was for this reason that Moezal daulah in 352 ordered to set up the special mourning ceremony and the remembrance of lyric karbala event of Imam Hossein (peace be upon him) on the tenth day of Moharram month of Hijra calendar to be kept alive every year with great dignity and soar. He also ordered to arrange a happy ceremony for Ghadir-e-khom. In fact, fulfilling these Shiites ceremonies was an answered to the hardship ness of omavai and Abbasi Caliph to Shiite groups in the postcenturies. Specially, a Caliphe such as motevakkel of Abbasi, that with the claiming of being related to the phropheht family (peace be upon him and his sincere family) had to worst and the torturous behavior to Shiite followers and in the direction of his anti Shiite policies, he destroyed all the tombs and shrines of Shiite Imams in Iraq, prohibited and banned their pilgrimmers from pilgrimming the holy tombs and shrines of Imams.

For his reason, now the Buwayhid, for the compensation of the past happenings did not neglect any action. As an example for this, Moez al-doulah ordered to write condemnful sentences the Baghdad mosque against Moavieh, those forcibly tool.

Fadak and also these who did not let that Imam Hassan (peace be upon him) to buried beside the grave of prophet Mohammad (peace be huon him and his sincere relatives). But due to the contradictions of Sooni followers, the fear of enlarging the dispute he removed the ex-writings and wrote the sentence of Allah damn the cruel people to the prophets, relative instead.

Anyhow, the Booye his chives and commanders, with the purpose of keeping alive the Shiite slogans and ceremonies, personal traveled to the holy tombs and shrines of Shiite religion leaders, took steps to repair, reerect their holy tombs and graves. In addition to this, they always exhibited their sincerity and respect towards prophet's relatives, by having special respect to Shiite cleric men. Such that Roknaldaulah with regard to Mohammad ibne Ali ibne Babavayh (381), one of the greatest Shiite clericmen respected him greatly. Azod al-daulah, respected Shikhe Mofid (403) in Baghdad very much. Baha al-daulah had special respect to seyed Razi (406) who integrated Nahjolbalghah. With all these the Buwayhid important personalities, in order to stop any religious conflict, with a high moral and forgivenessful manner treatment all other people humbly, almost stayed indifferent when there was a conflict between different groups.

Bibliography

- Adam Metz, Tmaddone Islami dar gharne chaharom, Amirkabir, Tehran, 1364
- Al- Sabi, Tohfato –al omarae fi tarikh –al vozarae, Bairut, 1904
- Biruni, Mohammad, Al- Jamaher, Haidarabad, 1936
- Ghonaimah, Abdo- al Rahim, Tarikhe Daneshgah haye bozorge Islami, Yazdan, Tehran. 1364
- Khalifeh Ibn Khayyat, Tarikh, Bairut, 1414
- Hindushah Nakhjavani, Tajarob –al Salaf, Nafaes, Isfahan, 1361
- Hamavi, Yakoot, Moejam –al Odabae, cairo, 1355
- Ibn-al Athir, Al- Kamel, Dar –al Bairut, Bairut, 1402
- Ibn-al Khaldoun, Tarikh, Dar –al Fikr, Bairut, 1408

- Ibn-al Taghri Bardi, Al-nojoom-al Zahereh, Cairo
- Ibn- al Esfandiyar, Tarikh –al Tabarestan, Tehran
- Ibn- al Jauzi, Al- Montazam, Dar –al kotob –al elmiyeh, Bairut, 1412
- Ibn- al Nadim , Al- Fehrest,Tehran, 1343
- Ibn-al Zobair,Al- Zakhaer , Kuait, 1959
- Khand Mir, Habib –al Seyar, Tehran, 1362
- Makrizi,Ahmad, Eteaz –al Honafae, Cairo,1390,
- Makdesi, 431, Mohammad, Ahsan –al Taghasim, Tehran, 1361
- Menhaj Seraj, Tabaghate Naseri, Tehran, 1363
- Mojmal al-Tavarikh,
- Sajjadi,Sadek,"Ale Booyeh " In Daereto al Maearef bozorge Islami, Tehran
- Moskuyeh, Ahmad, Tajarob –al Omam, Tehran, 1366
- Shaibi, Kamel, Tashayoe va Tasavvof,Tehran, 1380
- Rabiei,Manijeh" KHanedane Baridi" In Daneshnameye Jahane Islam,Tehran
- Yafeei, Abdollah, Merat –al Janan,Haidarabad,1338
- Zarinkoob, Abd –al Hosain, Tarikhe Mardome Iran, Tehran, 1373

JUDAISM IN BANGLADESH: THE LIFE IN DISGUISE

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Abstract

Constitutionally Bangladesh is a secular state where religious freedom is preserved. However, almost 3,000 Jewish people are living here in extreme secrecy. They have been living with a Christian identity for more than forty years as, they presume once their religious identity is revealed, they will be persecuted by the population of Bangladesh, which is predominantly Muslim. As the Bangladeshi government does not recognize Israel and views Jewish people and Israel synonymously, it keeps the fear of hostility alive in hearts of Jewish population. They are not only deprived of their religious rights, but also they have to endure a constant crisis of identity. Diplomatic failures of the government toward Israel led the population of Bangladesh toward a negative perception of Jews in general, which has resulted in the community's identity crisis. For this research, I interviewed two people: a member of this Jewish community and, a Muslim journalist who is in touch with this community. I asked them about the problems that the members of the Jewish population of Bangladesh have to experience in their daily lives, and their decision of living in secrecy. So far, no research has been done on this community; thus, this paper fills a hole in existing literature on Bangladesh, its Jewish communities, and religious diversity. However, the information presented in this paper containing the situation of Jews in Bangladesh, is largely received from these two people. The general perceptions of Jews and Israel in Bangladesh are based on my personal experience, as well as my reading of political statements, statements of the Ministry of Foreign Affairs, and newspaper articles.

Judaism in Bangladesh: the Life in Disguise

Through a bloody war that ended in 1971, Bangladesh became independent from a country that was created based on a religious identity. Through this event, Bangladesh announced to the world that religion alone cannot be the grounds of forming a state. The constitution of Bangladesh also reflects this ideology, which refers to equality and coexistence of people of all the religions in this territory. Ironically, although living in a 'constitutionally ideal' state, the Jewish community of Bangladesh is deprived of their religious identity. The government of Bangladesh has not recognized the existence of any Jewish population in this very land where almost 3,000 Jewish people live. By birth, they all are Bangladeshi. Yet, they do not reveal themselves as they are in constant fear of being persecuted by the general people of Bangladesh for their Jewish identity. The failure of the government to find a logical and wise diplomatic decision regarding Israel led the population of Bangladesh to perceive a negative image of Jews in general, which has resulted in the identity crisis of Jewish community in Bangladesh today.

Research Methodology

The Jewish community of Bangladesh lives in extreme secrecy. Most of the people of Bangladesh do not even know about their existence. However, for this research, I could manage to interview a member of this community, Mr. Joshua D'Silva. I was able to contact to him through a Muslim journalist, Mr. Salah Uddin Shoaib Choudhury. For a long time, Choudhury has worked to establish the religious rights of Jews in Bangladesh. For this research, I interviewed both D'Silva and Choudhury. I asked them about the problems that the members of the Jewish population of Bangladesh have to experience in their daily lives, and their decision to live in secrecy. For the research, I have reviewed different newspaper articles, journals, and the statements of the Ministry of Foreign Affairs.

Limitations of the Study

So far, no research has been done on this community; thus, this paper fills a hole in existing literature on Bangladesh, its Jewish communities, and religious diversity. It was quite challenging for me to find relevant literature and re-examine the information received from the two interviewees. Ultimately, the information presented in this paper regarding the situation of Jews in Bangladesh is largely received from these two people. The general perceptions on Jews and Israel in Bangladesh are based on my personal experiences and observations, as well as additional reading on the situation of the Judaism and Jewish communities in South Asia.

Diplomatic Relationship of Israel with Muslim Countries

According to a definition provided on the Jewish Virtual library website, Zionism, the movement of Jewish people to return to their ancestors' land and restore the homeland for the

Jews²⁵⁶, has shaped Israel's foreign policy for decades. According to a US State Department article on Israel, since 1948, the relationship between Israel and various Muslim nations has taken various turns, including the formation of mutual diplomatic and trade agreements as well as more conflictual interactions.

"Israeli Cooperation with Arab Countries," posted on the Jewish Virtual Library, reports that Jordan, Egypt and Turkey have held full diplomatic and healthy trade relationships with Israel for many years. African Muslim countries of Morocco, Tunisia, Mauritania and Nigeria recognize Israel and maintain a full diplomatic relationship with it, too. All the Muslim states of former Soviet Union, Kazakhstan, Uzbekistan, Tajikistan, Kyrgyzstan, and Azerbaijan, preserve full diplomatic relationships with Israel, as well (Neuberger, 2009, p. 15). The Muslim countries that do not recognize or share diplomatic relationships with Israel are Arab countries except Jordan, Iran, and Southeast Asian Muslim countries, including Bangladesh, Malaysia, Indonesia, Pakistan, Brunei, and Maldives (Neuberger, 2009, p. 22).

Although most of the Muslim countries abstain from developing a diplomatic relationship with Israel, almost all of them hold strong economic relationships with Israel. All the countries of the Gulf and Middle East areas have a trade relationship with Israel except Iran (Shahaf, 2006). The largest Muslim country of the world, Indonesia, has a strong economic affiliation with Israel since 2000. During the tsunami of 2004, Indonesia received direct humanitarian support and relief from Israel (Selig, 2010). Interestingly, Palestine made an agreement with Israel in 1994 in Paris to establish economic relations (Huleileh et. Al, 1998). Palestine made \$2 billion worth of business transactions with Israel in 2004 (Shahaf, 2006). According to the same source, one of the strongest opponents to Israel, Malaysia, made \$400 million worth of direct trade with Israel in 2005 and the rate of mutual trade is increasing every year. Jordan and Egypt have joint industrial zones with Israel, too. The products of these zones receive tax-free status in the US.

Endnotes

²⁵⁶ Posted as 'A Definition of Zionism' in Jewish Virtual Library, available in <http://www.jewishvirtuallibrary.org/jsource/Zionism/zionism.html> (accessed on 25 December 2011).

Many countries have secret and unofficial relationships with Israel. Indian scholar P.R. Kumaraswamy claims that Pakistan has maintained secret ties with Israel during its different regimes and governments (Neuberger, 2009, p. 28). According to a report in the New York Times,²⁵⁷ in 2005, the then-president of Pakistan General Pervez Musharraf and Israeli Foreign Minister Silvan Shalom held a meeting in Istanbul indicating the growing relationship with Israel and Pakistan. Moreover, Iran had “clandestine” relationship with Israel during the reign of Shah. Before establishing a full diplomatic relationship, Jordan maintained a secret affiliation with Israel as well (Neuberger, 2009, p. 28).

Relationship of Israel with Bangladesh

Since its birth, Bangladesh has refused to recognize the formation of Israel, thereby showing solidarity with all the other Muslim countries and sympathy to “Muslim brothers” in Palestine. Although Israel was one of the earliest countries to recognize Bangladesh (on the 4th February 1972), Bangladesh refused recognition by declaring it an enemy state. Since then, Bangladesh and Israel avoid any kind of mutual relationship including trade (Habib, 2011). Any Bangladeshi citizen trying to travel to Israel is considered as an offense to the country. In 2003, my interviewee, Salah Uddin Shoaib Choudhury, was sent to prison for seventeen months when he tried to visit Israel. (Choudhury, 2008)

Justification of the Decision

The decision to reject the recognition of Israel was indeed a strategic decision taken by the then-government related to the context of that time. The establishment of Bangladesh in 1971 splintered the religious identity of the biggest Muslim state in the world, Pakistan. So, most of the Muslim countries viewed the emergence of Bangladesh negatively. Only a few non-Arab Muslim countries, Afghanistan, Indonesia, Malaysia and Turkey, recognized Bangladesh. (Ali, 2006)

²⁵⁷ Published in the New York Times as, ‘Israel and Pakistan hold first high-level meeting’ on 1 September, 2005, available in < <http://www.nytimes.com/2005/09/01/world/africa/01iht-web.0901israel.html>> (accessed 25 December, 2011).

To establish relationships with other Muslim countries, Bangladesh rejected the recognition given by Israel and expressed its full support to Palestine assimilating to its Arab neighbors. Coming to know about the stand of Bangladesh, Egypt, Algeria, Lebanon, Iraq and Libya recognized Bangladesh. After that event, during Arab-Israel war Bangladesh sent a medical team and relief for the help of Palestinians. Through this, Bangladesh managed to bring about a change in attitude of most of the Arab nations regarding Bangladesh. After that in 1973, Bangladesh received membership of Non-aligned Movement (NAM) and recognition from all the countries of this organization. In 1974, Pakistan was pressured by OIC members to recognize Bangladesh in order to attend the conference in Lahore. Afterward, all the Muslim countries recognized Bangladesh. Months after that, Bangladesh received membership of the United Nations (Ali, 2006).

As a war-torn country, Bangladesh first and foremost needed a huge amount of money to rebuild its economy. Many oil-rich Arab countries were able to help; Bangladesh has received aid from these countries in different times. From Saudi Arabia, Bangladesh has received \$907.91 million as loans and grants in the last thirty years. From Kuwait, Bangladesh has received \$380 million by 2006 (Ali, 2006).

Moreover, Bangladesh has strong economic and trade relationships with other Middle Eastern and Gulf countries. Iran, for instance, is one of the biggest markets of Bangladeshi jute and tea. In addition, Bangladesh is a founding member of Islamic Development Bank (IDB). From this bank, Bangladesh has received financial support, disaster relief, grants and loans in various times. Muslim countries and the IDB have been helping Bangladesh to its different development projects actively since its early days of independence. On this process, recently IDB has financed to establish a university in Bangladesh named Islamic University of Technology (IUT) in Bangladesh (Ali, 2006).

From 1974, Bangladesh has been exporting skilled and semi-skilled manpower to the oil-rich Arab countries. The number of laborers working in the Middle Eastern countries has grown to two and a half million over time. Another anti-Israel Muslim country, Malaysia, is a big market for the Bangladeshi labor force (Ali, 2006). Letchumanan (2011) reports that, in June 2011, Malaysia has announced the registration of over 500,000 Bangladeshi labors . Currently, remittance provided by these migrant workers is the biggest source of Bangladesh to earn foreign currency. Alone from Saudi Arabia, Bangladesh has received \$3.5 billion in 2005 (Ali, 2006).

Therefore, economic and strategic factors have shaped Bangladesh's decisions with regard to Israel and Palestine. In the last forty years, although the world has experienced dramatic changes in terms of relationships with Israel, Bangladesh still holds its forty-years-old position of avoiding Israel by all means, regardless of the change in governance.

Present Stand of Bangladesh in terms of Israel

In recent years, Bangladesh has had to publicly respond to questions about its position in terms of Israel. According to a report in *The Daily Star*, in 2010, the foreign minister of Bangladesh stated that Dhaka was yet to decide in terms of establishing any relationship with Israel. Furthermore, she stated, Bangladesh was supportive to the struggle of "peace-loving Palestinians". Adding to that, the policy of Bangladesh is maintaining peace and friendship with all²⁵⁸.

How much the government of Bangladesh believes in the above-mentioned policies, provided by the foreign minister, can be questioned. The issue of Palestine is mainly fostered in Bangladesh by the arguments of maintaining "Muslim brotherhood" and supporting "rightful struggle of peaceful people". Paradoxically, the majority of Kosovo is Muslim and they earned their independence after a bloody war. Bangladesh sent peacekeeping troops to Kosovo before its independence (Hussain, 2009). In spite of that, according to a report published in *The Independent*, Bangladesh has denied recognizing Kosovo for its fear of upsetting Russia over the decision.²⁵⁹ Here, we can see that, the above-mentioned slogans of so-called Muslim brotherhood or supporting peace are not upheld in terms of Kosovo. From here, we can conclude, the official statement provided by the government in terms of Palestine, seems to mask other issues. The whole situation is centered

²⁵⁸ Published in *The Daily Star* as 'Bangladesh yet to decide on relations with Israel: FM' on 28 August, 2010, available in <<http://www.thedailystar.net/newDesign/news-details.php?nid=152620>> (accessed 25 December, 2011).

²⁵⁹ Published in *The Independent* as 'Kosovo recognition after Hasina's Moscow visit' on 25 August, 2010, available in <<http://www.theindependentbd.com/paper-edition/backpage/132-backpage/6263-kosovo-recognition-after-hasinas-moscow-visit.html>> (accessed on 25 December, 2011).

around economics and politics and is hardly humanitarian. Bangladesh appears to fear that an affiliation with Israel may have negative impacts on its job market in the Middle East and Malaysia.

An Overview of the Jewish Community in Bangladesh

From Choudhury and D'Silva, it has been found that Jewish people have been living here for generations. The Jews here did not migrate from Israel; rather, they are local people converted to Judaism long before Islam and Christianity came to this region. From the Bible, information about having trade relations between Israel and Kerala was found that dates back to 3000 years ago (Fernandes, 2008, p. 79) . As Zetle (2011) reports that, a number of Jews from Iraq and Iran migrated to Bangladesh in the nineteenth century . However, no written document or evidence was found describing the spread of Judaism in Bangladesh.

Officially, Bangladesh denies the existence of any Jewish population in Bangladesh (Choudhury, 2009). In the contrast to this, according to Silva, there are more than 2,764 Jews living in Bangladesh. They reside mainly in Dhaka, Mymensing, Jessore, and Rangpur. A few live in Manikganj, Khulna and Chittagong Hill Tracts. Jews in Bangladesh are mostly Orthodox; only a few are reformed. They are primarily employed in textile businesses and groceries. For the denial of the government, they have to live under a Christian identity. Publicly, they refer to themselves as “Jehovah’s Witnesses,” a relatively recent sect of Christianity with origins in the United States.

In Bangladesh, they are in constant fear that, if they are revealed, they will be persecuted by the locals. In order to hide their identity, they have to make many adjustments. They do not even join in the social websites like ‘Facebook’ because of the fear of getting exposed. According to Mr. Choudhury, although the Jews of Bangladesh are mainly Orthodox, they cannot practice their rituals properly in fear of getting caught. During Sabbath, they have to work, although it is strictly forbidden in the Ten Commandments²⁶⁰. They cannot even properly maintain their strict dietary law of Kosher. Sometimes, they arrange kosher meat by themselves and sell to other people of the community. They lack a synagogue or temple in Bangladesh. The only synagogue

²⁶⁰ Posted as ‘The Ten Commandments’ in Jewish Virtual Library, available in
<<http://www.jewishvirtuallibrary.org/jsource/Judaism/command.html>
> (accessed on 25 December, 2011).

they had was taken by the government prior to independence, and is now used as a government office (Choudhury, 2009). They have a secret, temporary synagogue in Baridhara of Dhaka but they mainly pray at their homes. In order to get married or convert, they have to bring a Rabbi from Kolkata or simply go to the neighboring country, India. After death, they are buried in Christian cemetery following a secret ritual ceremony attended only by the family members of the deceased, so that no one, other than those who buried the body, can know the identity of the deceased.

Analysis of the Situation

Although being a predominantly Muslim country, Bangladesh maintains its image of a secular state through its constitution. The constitution of Bangladesh talks about preserving the equal right of its citizens in terms of following their religions. All the people are supposed to be treated equally regardless their religions. If this is the fact, then what is the reason behind such hostility against Jewish community in general? Why they are so deprived from observing their religious rights? According to D'Silva, generally, people of Bangladesh perceive all the Jews as "Israeli Agents". Moreover, as Israel is perceived as an enemy state, all the Jewish people are considered to be enemies of Bangladesh. Below I explain in more depth hostility toward Jews.

First of all, according to my interviewees, the general people of Bangladesh do not hold any clear idea about Judaism or Israel. Many believe in whatever is fed to them by the media. With the support from the government, over time, the terms "Israel" and "Jews" became synonymous with one other. Both are presented as demons to the masses Bangladesh by the government and media, neglecting the presence of a Jewish community in Bangladesh. As the government has opted to remain silent about this event, this leads the people to perceive a complete negative image of Jews. One terrible incident was relayed by both Mr. Choudhury and Mr. Silva. From their description, the situation went as far as, in 2005, an Imam raped a Jewish girl in Chittagong. After that, he claimed to the locals that, it was his moral duty as a Muslim as the girl was a Jewess. Later, although he was arrested and sent to prison, this event raises the topic of cherishing the intention of breaking the morality of a community by insulting their girls. The family of that girl had to leave Chittagong and the country after this event.

Secondly, talking in support of Jews or Israel is such a strong taboo in Bangladesh that people can only get the media coverage of the stories in support to Palestine. The majority of people of Bangladesh do not have regular access to the Internet, so it is quite hard for them to explore multiple perspectives on the situation. They only receive news of how Israel is killing innocent people everyday. Finally, as a Muslim majority, Bangladeshis are generally sympathetic to Palestine, as Palestinians are seen to be repressed by the Jewish state of Israel, so Israel and Jews are viewed negatively. Point to be noted, Jews are demonized because of their relationship with Israel, not the other way around.

What Can Be Done

To normalize the situation of the Jews of Bangladesh, the general view of people has to be changed. Even if the government of Bangladesh recognizes the Jews of Bangladesh today, it is less likely that they will come out of their cocoon, so to speak, instantly. The people of Bangladesh are hostile towards Jews for the issue of Israel. They must be educated that neither all the Israelis are Jews nor all the Jews are Israelis. In any case, it is quite impossible for a nation to be all “devils” as Israelis are perceived today in Bangladesh. However, this stereotype of mixing Jews and “occupying” Israel has to be changed. The media can play a key role by bringing the true nature of relationship of Israel with other Muslim countries, apart from circulating only news of the war fields. This situation can be handled if the government becomes pro-active in terms of Israel by reviewing and comparing the situation of forty years ago and the present.

If the “Muslim brotherhood” and “Peace of the Middle East” are hampered by forming a diplomatic relationship with Israel, then Bangladesh can at least establish a trade relationship, which would benefit both sides. It is very much unlikely that, if Bangladesh takes initiative to establish trade relationship with Israel, then its labor market in the Middle East will be hampered, as almost all the Middle Eastern countries currently hold either diplomatic or, more commonly, trade relationships with Israel. Furthering this, no information regarding the deterioration of their relationship with Malaysia due to this event has come into concern. So, if Bangladesh follows the same footstep as Indonesia, then it will less likely face the negative consequence in terms of its labor market.

If a trade relationship is established, then my research suggests that people will be more open to talk about the events of Middle East and be able to gain a closer view of the situation. Only then they will be able to differentiate by themselves that the government of Israel and the people of Israel are not necessarily same. If people of Israel are no longer perceived as sources of evil, as demonic, then the prevailing stereotypes regarding the Jewish people in Bangladesh are bound to change. Only then, perhaps, the Jewish community of Bangladesh would be able to call themselves Jews without fear.

Conclusion

In Bangladesh, the situation that the Jewish community is enduring is a clear and strict violation of humanity, which contradicts the ideology Bangladesh ‘virtually’ stands on. For Bangladesh, it is not necessary to recognize Israel if it is truly supportive of the struggle of Palestinians out of the question of morality. At the same time, Bangladesh could at least change its current perception of enmity towards Israel in order to be supportive towards its own citizens. It would benefit the both sides of Israel and Bangladesh for mutual economic and political advantages. Going further, it would be greatly helpful for the Bangladeshi citizens to dismantle their stereotypes regarding Jews and Israel. If that happens, then it is highly possible that the Jewish community of Bangladesh will be able to retrieve their religious and civil rights as the rightful citizens of Bangladesh. Not to mention, it is also a question of morality today.

References

- Ali, Syed Muazzem. 2006, ‘Bangladesh and the OIC’ *The Daily star*, viewed 13 December, 2011
<http://www.thedailystar.net/suppliments/2006/15thanniv/bangladesh&theworld/bd_world21.htm>
- Bureau of Near Eastern Affairs. 2011, U.S Department of States viewed 25 December, 2011
<<http://www.state.gov/r/pa/ei/bgn/3581.htm>>

- Choudhury, Salah Uddin Shoaib. 2009, 'All about Jews in Bangladesh' *Modern Ghana*, viewed 16 December, 2011 < <http://www.modernghana.com/news/239045/1/all-about-jews-in-bangladesh.html> (accessed December 25, 2011)>
- Choudhury, Salah Uddin Shoaib. 2008, 'Why Bangladesh continues travel ban on Israel' *American chronicle*, viewed 25 December, 2011 <<http://www.americanchronicle.com/articles/view/59933>>
- Fernandes, Edna. 2008, *The Last Jews of Kerala*, New York: Skyhorse Publishing.
- Habib, Mohshin. 2011, 'A Story of Israel Hatred' *Hudson New York*, viewed 25 December, 2011 <<http://www.hudson-ny.org/2613/bangladesh-israel-hatred>>
- Huleileh, Samir, Gil Feiler, Gershon Baskin, and Zakaria al Qaq. 1998, 'Guidelines for Final Status Economic Negotiations Between Israel and Palestine' *Law & Development Program: COMMERCIAL LAW REPORT SERIES*, viewed 25 December, 2011 <<http://www.ipcri.org/files/economic-negotiations.html>>
- Hussain, Ahmede. 2009, 'Giving Recognition' *Star Weekend magazine*, viewed 18 December, 2011 <http://www.thedailystar.net/magazine/2009/08/04/current_affairs.htm>
- Jewish Virtual Library. 2011, *The Ten Commandments*, American-Israeli Cooperative Enterprise, viewed 25 December, 2011 <<http://www.jewishvirtuallibrary.org/jsource/Judaism/command.html>>
- Jewish Virtual Library. 2011, *Israeli Cooperation with Arab Countries*, American- Israeli Cooperative Enterprise, viewed 25 December, 2011 <<http://www.jewishvirtuallibrary.org/jsource/Politics/Arabs.html>>
- Letchumanan, A. 2011, 'KL, Dhaka to register 500,000 Bangladeshi workers' *The Star online*, viewed December 17, 2011 <<http://thestar.com.my/news/story.asp?file=/2011/6/30/nation/8998809&sec=nation>>
- Neuberger, Benyamin. 2009, 'Israel's Relations with the Third World (1948–2008)' *The S. Daniel Abraham Center* pp. 15-28, viewed 18 December, 2011 <<http://www.tau.ac.il/humanities/abraham/publications/israel.pdf>>
- Sellig, Abe. 2010, 'From Israel to Indonesia, with love' *The Jerusalem Post*, viewed 25 December, 2011 < <http://www.jpost.com/International/Article.aspx?id=185122>>
- Shahaf, Emanuel. 2006, 'Muslim Countries' Trade with Israel' *Israel-Indonesia Chamber of Commerce*, viewed 25 December, 2011 <<http://israel-indonesia-coc.org/background-articles/muslim-countries-trade-with-israel/>>
- Zetler, David. 2011, 'Bangladesh – with Jewish connections', *The Jerusalem Post* viewed 25 December, 2011 <<http://www.jpost.com/Travel/TravelNews/Article.aspx?id=217443>>

THE ORIGINS OF CHINA'S BACKWARDNESS: TOWARDS A WORLD-HISTORICAL ANALYSIS OF CHINA'S PRE-CAPITALIST SOCIAL DEVELOPMENT

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Abstract

Current explanations to ancient China's absence of capitalist development and historical backwardness have overemphasised the internal characteristics of the Chinese society. This internalist sociological method makes it difficult for them to capture the significant transformation in the political form and the social basis of China's premodern state, which has long been narrowly understood as a highly centralised bureaucratic system underpinned by 'oriental despotism' or Confucian ideology. This interpretation that has given rise to the theses of 'impact-response' as well as 'dynastic cycle' needs to be open to historical scrutiny. The paper proposes the theoretical framework of Uneven and Combined Development which argues that social transformation is understood via socio-political amalgamation borne out of interactions between societies rather than anything internally rooted in a single society. With this analytical device this paper argues that China's premodern history could be interpreted anew as prolonged tensions between state-bureaucracy and landed aristocracies. It was only after the Song Dynasty that the state-class had begun to hold sway over the agrarian society, which in turn underlay the centralising and decentralising development in the Chinese state of the Qing Dynasty.

1. Questions: Limits of the internalist sociology and the concept of 'dynastic cycle' in studying Chinese premodern social development

'Key words' that define the character of premodern Chinese state-society relationship are long overdue. In European experiences, it is much clearer that its modern social development and geopolitical relations can be understood by reference to the historical emergence of 'separation between the economic and the political', through which the capitalist class has yielded their 'coercive political power' to the state, gaining 'purely economic power' over property-less labours in return (Wood 1981). A public sphere of coercive political power in which the state monopolises legitimate use of violence has therefore been detached from the private sphere of economic power, forming a realm of geopolitical competition on the

interstate level. Such a demarcation, embodying a ‘comprehensive reorganisation of the social power’, characterises western modernity as a socio-political rather than purely economic development (Rosenberg 1994: 128-129). It is also widely upheld that geopolitical and territorial fragmentation among European polities had enabled the continent enormous dynamism for technological and social transformation. However beyond the classic understandings of the ‘European exclusiveness’ and their broad agreement on the origins of European modernity, perceptions of China’s premodern experiences are not grounded in any central concepts as such. Since Joseph Needham raised one of the most famous world-historical riddle-‘why did modern science, as opposed to ancient and medieval science, develop only in the Western world?’ (Needham 1969: 11), studies on ‘Chinese specificities’ are largely overshadowed by the theme of ‘what *didn’t* happen’ in China rather than ‘what exactly characterises China’s experiences’ (Cohen 1978: 248; Wong 1998). China’s experiences as otherness to the European experience have been characterised as ‘growth without development’ or ‘quantitative growth with qualitative standstill’ (Elvin 1973; Huang 1985, 1990, 2002). In relation to the European archetype, it has been argued that Chinese social development had *not* generated the separation between the public and the private, nor has it induced any capitalist development; the Chinese state and the East Asian geopolitics have been long dominated by universal, centralising empire-formation, rather than any forms of ‘parcelised sovereignty’ (Anderson 1974: 147).

Marx deploys the concept of ‘Asiatic mode of production’ to summarise the social relations of premodern China, that an ‘all embracing unity’ (e.g. the state) stood above all ‘small common bodies’, appearing as ‘the higher or sole proprietor’ of all lands in the society. This centralising ownership based upon patrimonial power was termed ‘oriental despotism’ which gave rise to the ‘legal absence of property rights’ in the eastern world (Marx 1965: 69-70). This is also treated as the sociological basis of East Asian tributary system, under which the state-bureaucracy as a unified class-agency controlled both the agricultural surplus and the propertied class. The concept of Asiatic mode of production is further extended on the basis of economic determinism. Karl Wittfogel, with his concept of ‘hydraulic civilisation’, labels oriental despotism as a result of the natural and productive conditions in related societies (Wittfogel 1957: 1). According to Wittfogel the property-less society of the East was predetermined by the condition of ‘hydraulic society’, in which man had to respond to ‘arid, semi-arid and particular humid environments’ via ‘hydraulic’ constructions that could be only realised by the state as the sole proprietor. Wittfogel and his followers working on the concept of ‘oriental despotism’ have endowed the Chinese state with a singular economic-

functional role defined by the stagnant *productive forces* of the ‘hydraulic civilisation’. Obviously, the construction of large-scale hydraulic projects were not always an imperative for Chinese dynasties, neither was most of Chinese territories ‘arid, semi-arid’. Historical observations have shown that productive forces of premodern China were not ever-stagnant; instead China’s agricultural productivity was from time to time equal to or even higher than that in Europe (e.g. Elvin 1973; Pomeranz 2000 etc.). It is also recorded that private landed property prevailed in pre-capitalist China.

Whilst classical social theories of China’s dynastic era conventionally uphold that premodern China stayed for millennia as a regressive agrarian society, some historians (Brook 2005: 125) indicate that China did reach ‘the birth of capitalism’ and industrialisation by Song Dynasty (960-1279) much earlier than her western counterpart. Breakthroughs in technological and scientific development collectively occurred during the Song Dynasty; and private property in land existed throughout premodern history (Anderson 1979: 491). However despite these temporary progressions in social property, China’s capitalist offspring was soon terminated and never revived after the collapse of Song; the technological and scientific development had also hitherto reached its bottleneck because of a mixture of cultural and political reasons (Needham 1969; Elvin 1973: 285; Anderson 1979). Technological development had run into a *cul-de-sac*, and China’s economic growth had fallen into the trap of ‘quantitative growth with qualitative standstill’ (Elvin 1973; Huang 2002; Brenner and Isett 2002). This is the well-known story that China entered the ‘Malthusian Trap’ in eighteenth century whereafter her growth in agricultural production failed to accommodate the greater growth in population because of the absence of scientific innovation. Concerning this rupture in technological and capitalist development in history, scholars have made various attempted to capture the cultural and political reasons that hindered China’s advanced development in Song in order to put the Needham Question back into place.

The role of the Chinese state has been given great attention in accounting for this technological *cul-de-sac*. Joseph Needham has attempted to answer his own question by showing that China’s state-bureaucracy was the major barrier to technological and industrial progression. For Needham, the oversized Chinese state-bureaucracy provided civilians with the ultimate entry to property ownership and capital accumulation, driving them all towards the official examination rather than other careers. The bureaucratic influence had undermined the social status of merchants by exerting considerable institutional and ideological pressure on them. Chinese merchants were therefore given no substantial social power, thus there have

never been functional equivalents of western city-states in China because the merchants were never able to form a merchant-class (*guilds* in the West). The absence of all these conditions was the genesis of China's scientific backlash; so had there been no driving forces for industrialisation and capitalist development, which was premised upon the rise of merchant class and the legal recognition of private property in the West (Needham 1969: 183-185).

The central role of Chinese state-bureaucracy in determining socio-economic development/non-development has been further accentuated by Barrington Moore. Moore has famously argued that the imperial state was sustained on the basis of a reciprocal relationship between the gentry and the emperor. In contrast to European counterparts, Chinese landlords had their interests vested in the 'façade of administrative centralization', because on one hand population pressure had created more hungry peasants to bid for lands, on the other hand the state had to control over a continent that stretched wider than all European states. Thus the Imperial bureaucracy had emerged as a plausible means of control, which was sustained and refreshed through the official examination. The consequence of this pattern is that Chinese landlords protected by the state bureaucracy was detached from direct control of land, faring well on state-funds, and the state's role as the sole proprietor was realised via bureaucratically levied taxes rather than feudal rents, which distinguishes China's state-bureaucracy sharply from European feudalism (Moore 1966: 16-167). Robert Brenner and Christopher Isett have extended this point to come to terms with the thesis of 'China's non-capitalism'. They argue that China's rural structure had constituted a social property regime that enabled 'extra-economic way of surplus extraction' that blockaded the peasant and the landlord's way into wholesale market competition (2002: 613). The predominance of state-bureaucracy, the mundane nature of Confucian ideology and the hostility towards commercial activities were all factors that strengthened non-market access to economic surplus. Thus at this point one would easily return to many of the Eurocentric analysis condemning the mundanity of Chinese culture and politics (e.g. Levenson 1968). This return seems to be reinforcing the thesis of 'dynastic cycle' that ancient China, especially on the political level was so self-constitutive that was 'unable to adapt to industrialism and nationalism' (Rankin and Feuerwerker 1986: 2)²⁶¹.

²⁶¹ What underlies the 'dynastic cycle' thesis that reads premodern China as changeless is the view of 'impact-response' that dominated American Sinology during the 1950s and 1960s. This model treats China's modern transformation as a passive response to the forceful penetration of western social relations geared by military superiority; thus China's modern transformation was basically a process of trying to accommodate the diffusion of European social and political norms; for critics of this see Paul Cohen, *Discovering History in China*, 1984.

The question of centralised state-bureaucracy and its nexus with the landed aristocracy is significant. However the active role of the state-bureaucracy is taken for granted in most of the above accounts, and its historical specificities are left under-theorised. None of the above accounts could explain both origins and developments of the state-bureaucracy; and coercive feudal rents did exist in China *proper* from time to time. For example, it is recorded that manor economy was prevalent in Song China, but why was there still ‘manorialism without feudalism’ (Elvin 1973: 69)?

Against this problematic have Marxist historians attempted to erase the structural distinction between the Chinese pattern and the European feudalism. As Wickham has convincingly redirected attention to the interrelationship between the state-class and the landed aristocracy in historical perspective, it shows that there was no inevitable antagonism between tax and rent in the Chinese scenario. Both ways to redistribute surplus were subject to the historical configuration of sources of authority coming from both the state and the landed aristocracies (Wickham 1985: 172-175 *passim*). It is further specified that large landed families based upon rent-taking outlasted the state, and the process that the state-bureaucracy as a ‘patronage-network that incorporate the local aristocracies into the state’ was much accelerated after the Tang-Song period. This description requires an explanation.

Thus it can be summed up that the alliance between the state and the landed gentry was not as consistent as Barrington Moore describes (Wickham 1985: 173). But in extending the conceptual scope of ‘feudalist mode of production’, it becomes increasingly questionable whether the concept of mode of production is to be invalidated by so many variants. Therefore, the lack of key words in studies of premodern China is essentially due to the lack of socio-theoretical explanation to the intersection of variegated social power and its manifestation on the political level.

2. Theoretical Framework: Uneven and Combined Development and pre-capitalist social transformation

To transcend the narrowness of the mode-of-production analysis that derives the understanding of socio-political transformation from within one single society (e.g. Skocpol 1973; Tenbruck 1994), Leon Trotsky’s idea of Uneven and Combined Development is certainly a powerful antidote that provides an intersocietal perspective. Trotsky’s observation of Russian revolutionary has presented a relational, world-historical conception of backwardness placing the emergence of the proletarian revolution against the backdrop of *longue duree* state-formation. On one hand, Russia’s condition of backwardness is a socio-

historical condition borne out long before the penetration of western capitalism due to unique geo-cultural location situated right next to the nomadic East, wherefrom the geopolitical pressures, the ‘Tartar yoke’ had compelled the Tsarist state to centralise its political and military forces. On the other hand, the fact that Russia ‘was continually having to adapt herself to military and economic pressure from the West’ made her ‘unable to settle in the form of the East’ (Trotsky 1980: 5). The social unevenness between Russia and other societies had in turn generated combined development on three different levels. First it placed an industrial economy that had even outstripped the European ones under the Tsarist state with no ‘transitional layers’ formed between the pauperised masses and the state-capital nexus, making the Russian bourgeoisie too weak to prepare the stage of bourgeois revolution. Second, the Russian countryside, with its peasant population under concentrated oppression of the Tsar and the foreign capitals, had replaced the bourgeoisie as the major ‘reservoir’ of revolutionary energy; and third, geopolitical defeat to rising powers (e.g. Japan in 1905) created a specific conjuncture in which the Tsarist state was tottered, and the proletarian class was energised to launch the transformative event of the 1917 revolution (Trotsky 1980: 6-10). How U&CD, as a general theory of social development built upon the ontology of ‘the international’, namely multi-societal coexistence is to be applied in non-capitalist context? As Kamran Matin specifies, combined development in pre-capitalist form was ‘manifested principally at the political level as ‘amalgamated state-formations’’. This is to say that whilst the two uneven societies, which were reproductively similar, might not easily change the ‘fabric of existing social reproductive texture’, would nevertheless transform the configuration of ‘combined political authorities’ in the geopolitical space ruled by a polity (Matin 2007: 428-429). This change, which necessarily involved the creation of new forms of socio-political agency, was crucial for unpacking the myth of ‘dynastic cycle’.

3. Unevenness: the nomad-sedentary conjuncture and the North-South Divide

3.1 The nomad-sedentary unevenness

When one refers to ‘China’ as a geo-cultural entity, the first question that requires clarity is its range and scale. With some geographical insights one may easily identify the diverse forms of ecological and socio-productive systems spanning the continent (Lattimore 1951; Perdue 2004). For analytical convenience, I define the nomad-sedentary division as the most generic plane of sociological unevenness around which China’s premodern state-formation was pivoting.

The nomadic society as a pre-capitalist form of society is widely known for its dependence on mobility rather than settled property because of the periodic shortage of resources

(Lattimore 1951; Di Cosmo 2005: 21). In China's traditional cosmology, the Chinese heartland's foreign relations were defined as that with the four major ethnic groups of *Rong*, *Di*, *Man*, *Yi*. The evolution of nomadic societies could never be written as closed national history-it always developed as an international phenomenon plaguing the whole Eurasia (Chaliand 2004: 11; Di Cosmo 2005: 13). The mobility of tribal communes implies that conquest and domination of militarily disadvantaged group was always ready to happen due to aridisation of lands and other forms of exhaustion of resources. This rendered war-readiness a central character to the social form of pastoral nomadism. Mobility and military priority had together determined the structure of the nomadic polity, which was always manifested as a combination a centralised-patrimonial sovereignty (e.g. the Khan) and the centrifugal tendency displayed in highly mobile regional and tribal subordinates (Matin 2007: 434).

Growing in parallel with its nomadic neighbourhood, the Chinese agrarian society took its root in the loess regions across the continent, originating in both the Yellow River valley in the north and the Yangzi Delta in the south. Wet marshes, heavy rainfall and relatively more favourable conditions to agricultural production had made these regions ripe for irrigated rice-growing economy. Because of the relative advantage in soil fertility and supply of agricultural surpluses, the agrarian society that centred on the loess lands of the continent had long been 'the primary focus of Chinese history' (Lattimore 1951: 27-33). Archaeological evidences have demonstrated that Chinese metallurgy had reached a high level of development in pre-imperial era. The technique of copper minting was invented in the Great Bronze Age and had reached the height in the Shang Dynasty (B.C. 1000). Hydraulic projects in all scales were constructed in the Yellow River Valley based upon a state-supervised corvée labour system. Private ownership and unrestrained exchanges of lands existed widely. On this basis, the political identity of Middle Kingdom was conceived in the formation of China's earliest polity based in the loess heartland of irrigated agriculture, and the Zhou (Chou) Dynasty was the first carrier of this identity. Zhou had in the largest sense represented feudalism in Europe, which was based upon a coalition between Dukes and Lords in northern and central plains similar to the form of feudal fief under the mandate of the Imperial Overlord. However, the Zhou Dynasty and its feudal mode of society had eventually collapsed facing the intensive onslaughts of Rong and Di nomads from the northern frontier. The collapse of the Zhou Dynasty had immediately resulted in intra-systemic conflicts between warlords and aristocrats who were in the meantime proprietors of agricultural lands. The Spring and Autumn era and the Warring State era that took place after the collapse of

Zhou were a time that China's political scene was populated by aristocratic warlords who engaged in 'political accumulation' through which their economic surpluses could only be extracted via political domination and conquest over their counterparts. The aristocrats in this course were largely defined along the line of blood and ancestral lineages. It was against this backdrop that the earliest Confucian culture had emerged, teaching people that the individual practice of benevolence and justice could be enough to accommodate the 'will of heaven', which was defined in accordance to the ritual customs of family/clan-based kingdoms (Wang 2004: 163). Confucius taught that political legitimacy could be achieved through the well coordination between one's personal moral practice and the practice of ancestral ritual and music education, needing no objective reference to indicate its moral validity.

The Warring State competition had by the end diverged from the European experience dramatically, pretty much because that in each of the warring states, a tendency of centralisation and bureaucraticisation of power was growing in tandem with the power of lineage-based aristocracies. The factor that supervened into the intra-systemic competition among aristocracies was the enduring impact of the nomadic tribes from the northern frontier. The nature of war-readiness of nomadic tribes stood as the enduring 'external whip of necessity' for the sedentary agrarian society in the loess plain. But both societies were in the meantime providing each other with 'privileges of backwardness' in different aspects. For the nomadic society that was backward in economic productivity and politico-cultural maturity, the agrarian society was always an attraction of landed resources and cultural heritages. For the agrarian society with advanced agricultural production and much richer cultural legacies, the nomadic society was where military organisations and war techniques were gained. Through this interaction, the early Chinese state-formation had produced rich socio-political legacies that in Mark Elvin's terms were essential to the sustainability of a sizable empire (Elvin 1973). In military terms, pre-imperial aristocratic warlords had benefited a lot from their borrowing of martial cultures, drilling techniques and use of weapons. With the techniques of cavalry, crossbow and archery taken directly from the nomadic societies, the war machinery of the warring polities had become more efficient and formidable (Elvin 1973: 42). In politico-cultural terms, the nomadic pressure forced a bureaucratic dimension into existence in the state structure of pre-imperial polities. The state-dominated corvee labour system was widely applied in recruiting soldiers to fight against both nomads and other warring states.

3.2 The North-South Unevenness

Because of the relatively more favourable climate and natural settings, the southern societies were always richer in agricultural surpluses which had been turned into higher level of division of labour and commercialisation in urban areas. Northern societies, facing harsh geopolitical exigencies from the nomadic frontier and the relatively lower agricultural productivity, were however always more developed in military organisations and warring techniques. Such unevenness was the structural condition that compelled northern polities to incorporate the southern societies to their projects of political unification.

An overview of the dynastic history immediately tells us that most united polities had their origins in the north where ancient polities were dominated by a strong military class as a 'power broker' in the state. Though in a general sense, aristocracies in both the north and the south entailed the internal tension between landed aristocracy and state-bureaucracy because of enduring military threat from external societies, however in the north, the extent to which the state-bureaucracy could be enforced was by all means greater. On the contrary, imposing state-bureaucracy and methods of administrative centralisation on the southern communities had been for long a difficult task for northern empires because of the greater influence of local landed aristocrats whose power was achieved on the basis of higher level of centralisation of agricultural production (Ebrey 1978: 26).

The difficulty in transplanting the state-bureaucracy to the south had rendered the coexistence between the personalised state-power and the aristocratic families perennial. Patterns of the North-South interaction were diverse. In some occasions, there could simply be open warfare between northern colonisers and southern defenders. In other cases, southern landed aristocracies could strategically decide to ally with or rally to the northern invaders, seeking to have their interests vested in the state-bureaucracy. On the early stages of the imperial history, there had also been from time to time independent kingdoms in the south built in geographical isolation (Ebrey 1978), whilst after the Song Dynasty, the intensified taxation over the southern agrarian society had resulted in an increasing number of sectarian societies and rural militarisation which was responsible for the imperial decline in Qing (Kuhn 1980: 10). Therefore the incompatibility between the northern imperial political system and southern aristocratic families had sowed the seed of centrifugal decline in authority in China's empire-formation, however it also means that from time to time there could also be a reciprocal relationship between the northern and southern social forms.

4. Combination: The Tang-Song transition: the Chinese 'kinsei' and the emergence of nation-state

The subtle differences between the Tang and Song dynasties and their subsequent epochs are always ignored in various socio-theoretical accounts. Superficially, both polities were organised along state-dominated bureaucratic lines; both polities had been plagued by periodic explosions of peasant revolts and both polities did not escape the fate of 'dynastic cycle'. However the Tang-Song transition should be given more weight because it not only marks the strengthening of the state-bureaucratic class, but also the change in state-class's relationship to other social forces especially the aristocratic families (Naito 1992: 10).

The fundamental difference between Tang and Song is in the correlation between the landed aristocracies and the state-bureaucracy. It is recognisable that in the Tang Dynasty, both the state-control of economy and the aristocratic social property regime had come to a new stage. The state had secured its revenue by establishing strong control over the Yangzi Delta where agricultural products and human resources were bountiful. To secure the state's monopoly over economic surpluses, the Tang Dynasty had been for a long period of time trying to enforce the 'equal land allocation system' (*juntianzhi*) which had its root in the nomadic Northern Wei state as the Tang Dynasty's progenitor. By allocating lands evenly to individual peasants, the imperial state of Tang aimed at creating a tributary system that monopolised economic surpluses free of the impact of landed nobles. The equal allocation of land had partly reduced the size of lands held by a handful of great families, subsuming individual peasants and their households to the state's system of taxation and labour service. One could be easily found the similarity between the Tang land allocation and Mao Zedong's land reform, especially concerning that 'the tenure granted under the (Tang) system was limited to the lifetime of the holder, and granted *only the right of use* (my emphasis)' (Twitchett 1979: 25). The Tang landed system marked the beginning of Chinese peasant's structural dependence on the state when 'the *chun-tien (tuntian)* system was taken very seriously as the legal basis for all tenure of land, and every household's landed possessions were registered in accordance with its legal entitlement' (ibid). On this basis, the examination system was extended to the nationwide scale based upon which a larger bureaucratic administration began to take shape. The nine-ranking system manipulated by the landed nobles had been replaced by the state-held examination which provided the agrarian civilians equal access to extraction and accumulation of economic surpluses.

However, the looming impact of the nomad-sedentary interaction and the regional unevenness created by it meant that there would always been counter-forces to the operation of state-monopoly of economy and society on the nationwide scale. United great estates had never ceased to exist beyond the regulatory power of the state-bureaucracy. Differentiation

began to occur to the class of landed aristocracy. Whilst some landed nobles were high-ranking officials whose landed property was granted and protected by the imperial bureaucracy, some other landed nobles were great aristocratic clans who historically had their 'sphere of influence' that stayed intact of the expansion of state-power. This part of landed aristocracy, with their private military forces, had eventually put the state-ordered tributary system to an end after the An Lushan rebellion. An Lushan, as a militarist with nomadic ancestry, had almost uprooted the equal-land-allocation system in the military upheaval. When the devastating conflict had depopulated and pauperised the northern countryside, the peasants could not depend on the declining imperial state but the landed aristocracies who outcompeted the state in power after the An Lushan rebellion. Therefore, centralisation of lands took place again in late Tang period as much as the impoverished peasants voluntarily subordinate themselves to the landed aristocracies for protection. Servile-tenancy and feudal rent collection re-emerged in late Tang and after the collapse of Tang (Twitchett 1979: 26). In the period of political fragmentation after the Tang Dynasty, what dominated China's social and political life were again family-centred warlords with large estates and servile labours dependent on their protection.

It was from these warlords engaging in political accumulation that the Song Dynasty had emerged. However this time, the emergence of Song was by no means a *replica* of former empires who were in constant tensions with the concentration of landed aristocracies, it was, for the first time in history, a nation-state built upon rational control over the society by professional bureaucrats subordinated to the absolute power of the personified sovereignty of the emperor (Naito 1992; Banaji 2010: 28). Firstly sharper contrast among societies was always prone to generate contradiction-cum-transformation. The Tang-Song transition could be traced to the sharpened unevenness of economic development within and between Chinese regions. Revolutionary development in technology and skills had occurred to agricultural production in both the north and the south. Mostly critically, the agricultural growth in the southern 'ten kingdoms' had give rise to new commercial and monetary institutions which were later conducive to the remaking of universal state-bureaucracy. In the time of southern ten kingdoms between the Tang and the Song, southern regions were all engaging in different types of agricultural production with a huge supply of labour migrating from the war-torn north. The agricultural economy had not only increased in productivity, but also in the degree of specialisation along regional lines (Elvin 1973:146; Clark 2009: 171-178). The sharpened regional unevenness in agricultural production caused by specialisation prompted southern regions and kingdoms to engage in inter/intra-regional trade in an unprecedented scale. Thus

for southern kingdoms, their economies began to develop ‘an unparalleled dependence upon trade’, and such dependence coincided with increasing volume of ‘overseas commerce’ (Marks 2007; Clark 2009: 177). The significance of trade within and beyond China had redirected the centre of economic life to the southern cities along the coast and inland waterways such as the Grand Canal where trade revenues had become the major source of tax levied by the state (Clark 2009: 177). Facing such demand, a revolution in the monetary system had replaced taxes in kind with taxes in cash (Elvin 1973: 146). With the invention of the printing technology, the Chinese government was able to build up a ‘monetary economy’ on the basis of a mixed use of ‘bills, tallies and tickets’ without being constrained by the periodic decline in coinage. More importantly, because taxes could be levied in cash rather than in kind and labour only, a wider range of levy appeared apart from the land-tax including ‘household levy’ and ‘poll tax’ which were not leviable in Tang (Elvin 1973: 148). The development in agricultural specialisation and monetary innovation had paved the way to the commercial miracle in southern China as the economic basis of the rise of the bureaucratic nation-state (Curtin 1984: 109).

However the other force that co-determined the Tang-Song transition was the blockage of northern trade route by the frontier nomads which impelled the founders of Song to turn southward. In the tenth century, the northern Liao state had already become a frontier empire in considerable size, having annexed a series of steppe nomadic tribes. The Tangut tribes, who later became the Xi Xia state in the Ordos Desert had been encroaching the Song territory since the late tenth century. In the mid-eleventh century the Xi Xia had expanded their territory to the entire frontier in the northwest from Ningxia, Gansu to Tibet, and the Song Dynasty had been thus ‘cut off from the land route across Turkestan to Western Asia and Europe’, which meant the closure of China’s traditional trade route to the West in Tang (Lau and Huang 2009: 252-253). The nomadic encroachment of the northern space for trade and the burgeoning commercial development in the south had together driven the Song Dynasty to become a commercial state whose centre was shifted to the south, thus on economic grounds, the capital of Song was moved from Chang’an to Kaifeng, which was closer to the ‘affluent south’ (ibid: 222).

Because of the increasing significance of southern commercial economy to the Song emperors, the state bureaucracy as the only possible agent that could levy taxes from the southern commerce, had gained more momentum than aristocratic families did. In the meantime, the seizure of northern territories by nomad-tribal polities had forced the founder of the Song Dynasty to reduce the size of the Chinese polity from a cosmopolitan empire to a

limited state with stable source of revenues. With the economic centre of the state transferred to the south, the Song state needed a robust bureaucratic machinery to extract enough economic surpluses from the southern commerce. The founder of the Song, the Taizu emperor had succeeded in bureaucratising the society by demilitarising the war-machine of large aristocratic families. By 960 AD, Taizu, the founding emperor of Song had successfully deprived all commanders 'of the ability to threaten the throne'. In doing so he provided each of the militarists with official post in the government to 'pension them off from their 'dangerous' positions'. Alongside this, all regional militarists had been prohibited from holding positions in the central imperial army (Lau and Huang 2009: 215-220). The prosperous commerce and rich human resources taken from the conquered southern kingdoms enabled the above 'pacification of militarists'. Having demilitarised the commanders, Taizu began to rely more heavily on the 'scholar-officials from the vibrant south', who had then become the characteristic 'professional bureaucrats' that dominated the Song state-administration (ibid: 224). Official examination of literati had thus been exercised on a rational basis in order to de-personify the state-apparatus. This transformation was a fundamental one in Chinese history which had completely denied the aristocratic families as contender for sovereign power. As Miyazaki Ichisada argues, the entire society being subject to the emperor's power via bureaucracy was the key marker of the advent of Chinese '*kinsei*' (modern era). Whilst in the medieval China, great aristocratic families whose power was accumulated via wars and inter-familial marriages had been outcompeted by the power of a state-class which could never be penetrated by any aristocrats. The bureaucracy, sustained and metabolised on the basis of the official examination was directly manipulated by the emperor and his committee of professional bureaucrats who had little aristocratic background (Miyazaki 1992: 197). This transformation was not only the beginning of China's *kinsei*, but also the precursor of the state-form from Yuan to Qing.

Still, relentless wars with frontier nomads had predetermined the centralising tendency of the Song state, which presented a major divergence from western feudalist society despite the enduring presence of manorial and prototypical capitalist economies in the period. The nomadic threat was equivalent to the Tartar yoke faced by the Tsarist Russia (Trotsky 1980), which had led to rejection of any attempt to establish manorial justice and military power that might have weakened the imperial administration, even though 'it would have taken only a small shift in the course of Chinese history for a true feudal superstructure to emerge'

concerning the fact that agricultural surplus was highly concentrated in hands of the great manors (Elvin 1973: 82-83)²⁶².

Suffice to say that ever since the Song Dynasty, the state-bureaucracy began to rise above the class structure of the agrarian society by gaining increasing socio-political autonomy. This autonomy had given the imperial bureaucrats the role as the rentier class in economic life that enabled them to extract wealth and profits through the bureaucratic system. It was only until them that the bureaucracy populated by professional scholar-officers had become an independent state-class. The Song state was in a larger sense a resemblance of modern nation-state in Europe that the governmental power and state-society relationship had been rationalised to keep the state the sole agent that exercised legitimate violence in Max Weber's sense. And on the basis of rational and professional state-bureaucracy, the identity of Chinese-ness had arisen in the form of nationalism because a milieu in which 'the existence of the (Weberian) state is already very much taken for granted', and the existence of 'politically centralized units, and of a moral-political climate in which such centralized units are taken for granted' (Gellner 1983: 4) was present in Song's time. Therefore, the Song Dynasty presented the fundamental 'wholesale transformation' from which China's modern history unfolded with the temporary occurrence of a nation-state (Naito 1992: 10; Miyazaki 1992: 153), and after which China's history had twisted into a course of 'dynamic recurrence' heading towards the final breakdown (Anderson 1974: 540).

5. Development: the Qing Dynasty and the debt of the cosmopolitan empire

The Yuan Dynasty after Song was a time that the Chinese society was subordinated to the Mongolian transcontinental empire, during which most of the great manors and landed families had been eradicated by the imperial army. By mid seventeenth century, another strand of northern nomadic tribesmen, the Manchu had overrun the whole country and established the most ethnically sophisticated empire in Chinese history. Historians have argued from a comparative perspective that 'the Qing Dynasty was not simply the last of the great dynasties of China; it was a multiethnic empire utilizing a diversity of governing institutions and routines' (Miller 2000: 25). The Qing Empire presented a great transformation that replaced the Han-centred nation-state founded by Song with a multi-ethnic empire headed by Manchu, which was built upon the equilibrium of power among the northern nomads and the Han Chinese. In the meantime, the Qing Empire was the height of the enduring co-constitution between nomads and agrarian communities that was finally

²⁶² As Mark Elvin has documented, some Song officials such as Li Kou had suggested that manors

crystallised in the state's bureaucratic control of the society that had become predominant since the Song Dynasty. Central to this fundamental transformation elicited by the Qing state was still the tensions and interpenetration of nomadic and sedentary societies arising from the internationally generated geopolitical conjuncture.

First of all, the rise of the Manchu power was by all means an event traceable to the enduring interaction of nomadic war-oriented economy and agricultural production on the northern frontier. The Manchu was originally a nomadic society in northeastern forests who was the descendent of Jianzhou Jurchen with a long history as hunter-gatherers and tribesmen in northeastern forest. Looking westward, Manchu tribes were under constant military pressures from the Mongolian Empire and its remaining branches (Lattimore 1951) whilst facing the vast agrarian China on the south, the Manchu heartland was always able to accumulate revenue from the trading relations with sedentary societies. Through 'sedentarisation' the Manchu had not only adopted the techniques and skills of agricultural production that helped them escape the periodic decline in pastoral fertility, but more important the bureaucratic institutions that helped them tam the various geopolitical pressures arising from either the Chinese border garrisons and the remnants of war-prone Mongolian tribes. The bureaucratically manipulated socio-political system that the Manchu had created to coordinate and pacify different geopolitical threats was known as the banner system, which was a 'semi-military and semi-productive/agricultural' institution (Lattimore 1951). When the Manchu had grown to the extent that its military strength could support the wider stretch of the imperial rule, its rise to power coincided the partial revival of the Mongol military forces adjacent to the Manchu heartland in northeastern China. Remnants of Mongol tribes meant not only a latent geopolitical threat to the Manchu state in the making, but also a resource that could be deployed to upgrade the Manchu military forces under certain political arrangements. In this sense, the Manchu rulers in their early years had invented the so-called 'banner system' as the institutional home for both nomadic military preparation and ethnical synthesis in the Manchu's interest. The banner system was in some aspects resembling the Mongolian *minghan* that placed agricultural surpluses under the monopoly of patrimonial militarists, but it was more flexible in terms of its ethnical openness. Not only Mongolian tribes had been organised into banner units, but also Han groups on the frontier had been absorbed by this system as well.

should be given independent military power, which was immediately rejected (Elvin 1973: 83).

The banner system, which revolved around the institutional demarcation between nobles and civilians in military terms, had been forcefully imposed upon the Chinese society and the pre-existing Han-centred state-bureaucracy. The Chinese institutional and cultural forms were both mobilised to consolidate the social privileges of the Manchu nobles, who were mostly the bannermen who had contributed to the founding of Qing (Elliot 2001; Rowe 2009). Based upon the bureaucratic allocation of means of production and means of subsistence in accordance with military ranking, the Manchu polity had assimilated a variety of racial and ethnical groups into the banner system during the years of war on the frontier. These newly absorbed elements included Chinese military officials on the frontier known as the border-guard (*weishu*) and Mongolian militarists who supported the Manchu in war. Meanwhile the Qing emperors, with the lesson taken from the Mongol's ruthless pastoralisation of China, had learned to coordinate the Manchu system to the Chinese society and culture.

The bureaucratisation of the banner system and its penetration into the rural society were a reflection of the cosmopolitan nature of the Qing Empire. For the Qing emperors, the utmost priority for their political formation was to pacify the ever-present frontier wars whilst in the meantime sustain the massive multi-ethnic banner system that was accumulated throughout early conquests. The Qing Dynasty had very quickly run into financial crisis caused by overstretch of both the state-bureaucracy and the territorial expansion. For northern nomadic militarism, the great Qing emperor Kangxi believed that 'by controlling titles, succession to power, lands, and taxation, (it can be) ensured that breaking away would be difficult' (Perdue 2005: 137). In this geopolitical conjuncture, the structure of the Qing state got even more contradictory. On one hand, its multi-ethnic origin borne out of the nomad-sedentary combination determined that militarist nobles of all ethnicities with ranking in the bureaucracy, the 'banner system' should be given enough socio-economic privileges that helped to maintain both the Manchu identity and cosmopolitan legitimacy of the empire. Many of these bannermen with their privileges bureaucratically fixed had strayed away from military life (Elliot 2001: 176). On the other hand, because of the endless 'anti-barbarian' wars against frontier nomads who had not been assimilated to the bureaucratised banner system (Perdue 2005: 174, 2009: 261)²⁶³, the Qing state was driven to work out all methods that could accumulate military forces whilst large amount of state-fund was still being poured into the 'livelihood of banner nobles' (Elliot 2001: 275). This fiscal hunger drove the empire

²⁶³ These frontier wars could be viewed as the continuation of the Mongolian problem as a transcontinental turbulence. Qing's 'prolonged internecine warfare' against the Oirat Mongols' Zunghar is an example of this kind, see Perdue 2005, 2009

to cultivate increasing financial resources by laying deeper bureaucratic control over the vast territory. Here came the problem of the landlords' non-market access to the means of subsistence which was guaranteed by the landlords' bureaucratic status in the government, as well as the fixed rent imposed upon privately own land units-peasants owning small pieces of lands were prohibited to join great manors (who had mostly been eradicated militarily) for protection, and when population boom occurred in late eighteenth century, small households with larger number of members to feed had gone through the process of 'subdivision of land' which rendered private landed property as their only 'shield to market competition' (Brenner and Isett 2002: 614-616). Thus concentrated landed property, which served as the essential condition for the emergence of capitalism in England, failed to be reproduced in China's case as a result of the Qing Empire's geopolitical calculation, banner-system consolidation and bureaucratic expansion.

The imperial manoeuvre of Qing had rendered the landlords and peasants increasingly dependent upon the state-bureaucracy, which was what its centralising tendency presented. What ran in tandem with this was a simultaneous centrifugal/decentralising tendency that had by the end weakened the foundation of the empire to the utmost. Firstly, the land problem for the peasants began to haunt the countryside as a result of decline in agricultural productivity and overpopulation. Peasants who could no longer fare well on land were driven to turn to new social agents for survival. With no great manors and landlords available, hungry peasants would have to become bandits and outlaws that had been haunted the Qing politics ever since late eighteenth century (Kuhn 1980)²⁶⁴. The Qing Empire, though its banner military system was huge, was never capable of controlling the tendency of local militarisation, thus their solution was to rely on other forms of autonomous local militias to restore regional order. In the long run, this tendency was paving way for the final collapse of the imperial system and the subsequent emergence of China's modern revolutionary forces, for example, Maoism.

6. Conclusion

This paper sought to highlight and theorise the twists and turns in China's prolonged pre-capitalist social evolution that had finally led to China's condition of backwardness. Drawing upon the idea of Uneven and Combined Development, the above analysis has shown that the

²⁶⁴ This is not to mean that this phenomenon of local militarisation did not exist before the Qing period. What it does suggest is that such a phenomenon, which took place in considerable scale in Qing, was pushing the imperial bureaucracy towards the inevitable situation of 'fragmenting from within', which, with China's own social forces could not be remedied.

two contradictory forces in Chinese history, namely the aristocratic families and the state-bureaucracy were both products of the presence of nomadic societies on the frontier and their enduring interaction with the loess agricultural heartlands. The emergence of a predominant state-bureaucracy should be viewed as the real ‘wholesale transformation’ in China’s pre-capitalist development. The predominance originated in the economic revolution in the south, and the appropriation of it by northern military polities in Song, and was then further consolidated through the more intensified engagement between the nomadic and the sedentary societies since the Mongolian intrusion. Throughout the premodern history, the internationally generated geopolitics had perpetuated China’s bureaucraticisation of social life that drove the Chinese society away from capitalist development and towards ‘growth without development’ after the Song Dynasty as a major result of the nomadic penetration of the agrarian society. The rise of massive nomadic tribes on the frontier had turned the prototypical Chinese nation-state into an empire built upon bureaucratic monopoly of economic surpluses after the Song Dynasty. All these critical changes would help us to re-periodise China’s premodern history, and in turn reinforce the thesis of ‘Tang-Song transition’ held by the Kyoto School, that the predominance of state-bureaucracy instated in Song was the beginning of China’s road to modernity (Miyazaki 1992; Naito 1992).

Having acknowledged the fact that China’s non-capitalist development or interrupted capitalist offspring were fundamental in defining China’s backwardness, it is natural to accept that the emergence of the rentier-bureaucratic state that had determined such backwardness was the most crucial ‘wholesale transformation’ in China’s premodern history. From the perspective of U&CD, the bureaucratic empire of Qing as the nemesis of China’s century-long decline was the product of nothing but the cumulative development through the interaction between nomadic and sedentary societies, from which the most sophisticated but vulnerable means of controlling the massive, multi-ethnic empire was derived. Thus China’s backwardness, as well as China’s road to modernity originated not in China’s encounter with western societies, but in the prolonged multi-societal co-constitution from which the boundary of China *proper* had been carved out. On this ground, the thesis of ‘China’s response to impact’ as the origin of Chinese modernisation could be rejected. And because that China’s pre-capitalist development was dynamic rather than cyclical, the notion of ‘dynastic cycle’ could be rejected as well.

Bibliography

- Anderson, P 1974, *Passages from Antiquity to Feudalism*, New Left Books, London.
- Banaji, J 2010, *Theory as History*, Brill, Leiden and Boston
- Bodde, D 1986, 'The State and Empire of Chin', *The Cambridge History of China, vol. 1: The Chin and Han Empires, 221 BC-AD 220*, Cambridge University Press, Cambridge
- Brenner, R & Isett, C 2002, 'England's Divergence from China's Yangzi Delta: Property Relations, Microeconomics, and Patterns of Development', *The Journal of Asian Studies*, vol. 61, no. 2, pp. 609-662
- Brook, T 2005, 'Capitalism and the Writing of Modern History in China', *China and Historical Capitalism: Genealogies of Sinological Knowledge*, Cambridge University Press, Cambridge
- Clark, HR 2009, 'The Southern Kingdoms between the Tang and the Sung, 907-979', *The Cambridge History of China, vol. 5, Part 1, The Sung Dynasty and Its Precursors, 907-1279*, Cambridge University Press, Cambridge
- Di Cosmo, N 2005, *Ancient China and Its Enemies: The Rise of Nomadic Power in East Asian History*, Cambridge University Press, Cambridge
- Ebrey, PB 1978, *The Aristocratic Families of Early Imperial China*, Cambridge University Press, Cambridge
- Elliot, MC 2001, *The Manchu Way: The Eight Banners and Ethnic Identity in Late Imperial China*, Stanford University Press, Stanford
- Elvin, M 1973, *The Pattern of the Chinese Past: A Social and Economic Interpretation*, Stanford University Press, Stanford.
- Feuerwerker, A & Rankin, MB 1986, 'Introduction: Perspectives on Modern China's History', *The Cambridge History of China, vol. 13, Republican China 1912-1949*, Cambridge University Press
- Kuhn, P 1980, *Rebellion and Its Enemies in Late Imperial China: Militarization and Social Structure, 1796-1864*, Harvard University Press, Cambridge
- Lattimore, O 1951, *Inner Asian frontiers China*, Capitol Publishing Co, Irvington-on-Hudson
- Lau, NY & Huang, KC 2009, 'Founding and Consolidation of the Sung Dynasty under Tai-tsu (960-976), Tai-tsung (976-997) and Chen-tsung (997-1022)', *The Cambridge History of China, vol. 5, Part 1, The Sung Dynasty and Its Precursors, 907-1279*, Cambridge University Press, Cambridge

- Matin, K 2007, 'Uneven and Combined Development in World History: The International Relations of State-formation in Premodern Iran', *European Journal of International Relations*, vol. 13, no. 3, pp. 419-447
- Miyazaki, I 1992, 'Dongyang de Jinshi' (East Asia's Kinsei), *Selected Translations on Japanese Scholars' Studies on China*, vol. 1, Zhonghuashuju, Beijing
- Moore, B 1966, *Social Origins of Dictatorship and Democracy*, Penguin, London
- Naito, T 1992, 'An Overview of the Tang-Song Period', *Selected Translations on Japanese Scholars' Studies on China*, vol. 1, Zhonghuashuju, Beijing
- Needham, J 1969, *The Grand Titration, Science and Society in East and West*, George Allen and Unwin, London, pp. 177-189
- Rainey, LD 2010, *Confucius & Confucianism*, Wiley-Blackwell
- Rowe, WT 2009, *China's Last Empire: The Great Qing*, Harvard University Press, Cambridge and London
- Perdue, PC 2005, *China Marches West: The Qing Conquest of Central Eurasia*, Harvard University Press, Cambridge and London
- Trotsky, L 1980, *The History of the Russian Revolution*, Pathfinder, New York
- Twitchett, D 1979, 'Introduction', *The Cambridge of China, vol. 3, Sui and Tang China, 589-906, Part 1*, Cambridge University Press, Cambridge
- Wickham, C 1985, 'The Uniqueness of the East', *Journal of Peasant Studies*, vol. 12, no. 2-3, pp. 166-196
- Wittfogel, K 1957, *Oriental Despotism*, Yale University Press, New Haven and London
- Wood, EM 1981, 'The Separation of the Economic and the Political in Capitalism', *New Left Review*, vol. 127, pp. 66-95

MIMESIS, COVER VERSIONS AND THE COMMERCIAL VOCALISTS' DILEMMA; SRI LANKAN PERSPECTIVE

Introduction

The vocalists in the Sri Lankan contemporary commercial music industry significantly contest others making cover versions of songs they once performed. Although the very commercial industry was inaugurated on similar mimetic practices of Indian songs, the vocalists in the contemporary industry detest the practice of cover versions. Vocalists in this small music industry context who are, more often than not, solely singers and therefore perform/depend on authors' compositions and lyrics do not possess a legal right under the copyright regime to prevent such a practice. It is the authors who are legally given such rights to control cover versions of their work. Nevertheless, strong oppositions maintained by the vocalists seems to have, to a certain extent, managed to be forceful in preventing such practices of covering to be evolved into a wider music practice with a significant commercial market. This paper will examine the issue of cover versions in Sri Lanka while discussing varying views in different geographical and musical context in the world. The paper also attempts to shed light on the effects of covering on the Sri Lankan commercial vocalists in order to understand the validity of some of these claims in the context of Sri Lankan singers.

It was much anticipated that the introduction of the Performers' Rights Regime (PRR) under the Sri Lankan Intellectual Property Act would resolve the issue of cover versions. Vocalists are one category of performers that are granted with new performers' rights under the aegis of copyright law. Nevertheless, this paper argues that the essential subordinate nature of the performers' rights to the overarching authors' rights under copyright law, makes resolving the issue of cover versions, difficult to resolve under the PRR. Empirical data gathered during field research in Sri Lanka is used to demonstrate the impact of cover versions in the national context and the incapacity of the PRR to satisfactorily resolve the cover versions issue.

Mimesis

Borrowing or mimicking is common in music, widely in contemporary music but also visible in classical music.²⁶⁵ Borrowings in the contemporary music industries could take many different forms and styles, such as cutting,²⁶⁶ scratching,²⁶⁷ sampling,²⁶⁸ looping,²⁶⁹ mashing²⁷⁰ and covering.²⁷¹ Musical

²⁶⁵ O.B. Arewa, 'From J.C. Bach to Hip Hop: Musical Borrowing, Copyright and Cultural Context' (2006) 84 North Carolina Law Review 547, 550.

²⁶⁶ "Using a cross fader on the turntable mixer to switch back and forth from each two turntables." – T.M. Evans, 'Sampling, Looping, and Mashing.....Oh My!: How Hip Hop Music is Scratching More Than the Surface of Copyright Law' (2010) 10(26) Widener Law School Legal Studies Paper Series 843, 845

²⁶⁷ "Moving the vinyl back and forth against the stylus in different patterns and rhythms" - T.M. Evans, 'Sampling, Looping, and Mashing.....Oh My!: How Hip Hop Music is Scratching More Than the Surface of Copyright Law' (2010) 10(26) Widener Law School Legal Studies Paper Series 843, 846

²⁶⁸ "Digital manipulation of parts of pre-existing sound recordings as components for new recordings" – B. Sherman, and L. Bentley, 'Cultures of copying: digital sampling and copyright law' [1992] Entertainment Law Review 158, 158.

²⁶⁹ "A loop is a piece of sound that can be played again and again in a coherent sequence" - Evans, T.M. Evans, 'Sampling, Looping, and Mashing.....Oh My!: How Hip Hop Music is Scratching More Than the Surface of Copyright Law' (2010) 10(26) Widener Law School Legal Studies Paper Series 843, 846.

borrowings are seen as fruitful exercises in assisting musical creators to build upon existing creations for the purpose of making new creations. The borrowing practice of music is influenced by various objectives of the new creators, such as for the purpose of saving time and effort²⁷² for the new creator or as a form of honouring the initial work.²⁷³ Some argue that it is free advertisement for the initial work,²⁷⁴ while some say it is a type of parody.²⁷⁵ For some, it is theft²⁷⁶ while for some it improves and provides new insights to the initial work.²⁷⁷

However, the beginnings of some of these borrowings suggest that such practices emerged as a “powerful movement against the propertied and the social order maintaining their wealth.. by those struggling for economic or social justice”²⁷⁸ or as a cultural resistance to forms of power.²⁷⁹ Predominantly based on hip-hop culture, which was a local phenomenon in South Bronx, New York, it has been argued that some of these borrowing practices commenced as a medium of artistic expression of the poor urban youth.²⁸⁰ Such borrowing practices are not limited to music. Borrowing in another cultural form, such as literary work, in the context of fanzines, is seen as “irony, mockery, parody, pastiche, and even alternative modes of appreciation, activities of creative appropriation [which] enables fans to comment indirectly not only on gender ideology, but on law, culture, authorship, authority and the commodity form”.²⁸¹ Accordingly the discussion on mimesis invites a broad range of interesting concepts from alternative practices in music to gender. This paper however will predominantly examine the effects of such practices in the music field.

Mimesis and Copyright Law

In the name of protecting creativity of the author, the copyright regime still struggles to consider such practices of borrowing as a creative process. Therefore it labels them as infringing acts, to the extent they do not comply with the copyright regulations.²⁸² The foundations of such rejections and

²⁷⁰ “Combines the music of one song with the lyrics of another” - T.M. Evans, ‘Sampling, Looping, and Mashing.....Oh My!: How Hip Hop Music is Scratching More Than the Surface of Copyright Law’ (2010) 10(26) Widener Law School Legal Studies Paper Series 843, 846.

²⁷¹ “An extant song is re-recorded, generally by a different label, with different vocalists” - P. Manuel, ‘The Cassette Industry and Popular Music in North India’ *Popular Music*, (1991) 10(2) 189, 196.

²⁷² With regard to sampling, B. Sherman, and L. Bentley, ‘Cultures of copying: digital sampling and copyright law’ [1992] *Entertainment Law Review* 158, 159

²⁷³ A.L. Smith, ‘Other People’s Property: Hip-Hop’s Inherent Clashes with Property Laws and Its Ascendancy as Global Counter Culture’ (2007) 7 *Virginia Sports and Entertainment Law Journal* 59, 79

²⁷⁴ A.L. Smith, ‘Other People’s Property: Hip-Hop’s Inherent Clashes with Property Laws and Its Ascendancy as Global Counter Culture’ (2007) 7 *Virginia Sports and Entertainment Law Journal* 59, 79.

²⁷⁵ P. Manuel, ‘The Cassette Industry and Popular Music in North India’ *Popular Music*, (1991) 10(2) 189, 196.

²⁷⁶ *Grant Upright Music Ltd v Warner Brothers and Others*, (US District Court 16 December 1991)

²⁷⁷ G. Plsketes, ‘Look What They’ve Done to My Song: Covers and Tributes, An Annotated Discography 1980-1995’ (1995) 19(1) *Popular Music and Society* 79, 79.

²⁷⁸ A.L. Smith, ‘Other People’s Property: Hip-Hop’s Inherent Clashes with Property Laws and Its Ascendancy as Global Counter Culture’ (2007) 7 *Virginia Sports and Entertainment Law Journal* 59. See further Rosemary J. Coombe, *The Cultural Life of Intellectual Properties – Authorship, Appropriation and the Law* (Duke University Press 1998)

²⁷⁹ Rosemary J. Coombe, *The Cultural Life of Intellectual Properties – Authorship, Appropriation and the Law* (Duke University Press 1998)

²⁸⁰ A.L. Smith, ‘Other People’s Property: Hip-Hop’s Inherent Clashes with Property Laws and Its Ascendancy as Global Counter Culture’ (2007) 7 *Virginia Sports and Entertainment Law Journal* 59, 61

²⁸¹ Rosemary J. Coombe, *The Cultural Life of Intellectual Properties – Authorship, Appropriation and the Law* (Duke University Press 1998) 125

²⁸² O.B. Arewa, ‘From J.C. Bach to Hip Hop: Musical Borrowing, Copyright and Cultural Context’ (2006) 84 *N.C. Law Review* 547

regularisation are, to a certain extent, based on romantic authorship ideology, which regards the author as an autonomous creator of intellectual work.²⁸³ This underpins the creation of copyrights, which prohibits another from gaining from/using the authors' work for such borrowing. Some argue that such objection may be based on failure of the copyright law to adapt to new technological standards that have facilitated these borrowings.²⁸⁴ Thus the copyright law is hesitant in terms of allowing new work based on and borrowed from previous work to accept as collaborative work, on the empirically unsubstantiated assumption that it would stifle creativity of the initial authors.

After the first judicial pronouncements²⁸⁵ relating to such borrowing practices in music²⁸⁶ in the west nearly two decades ago, still the parameters of legal borrowing in music is quite blurred and therefore difficult for one to ascertain whether their work would constitute a fair use, a *de minimis* use, a derivative work²⁸⁷ or an infringement. Thus it has been argued that "treatment of musical borrowings under current copyright standards is far too often inequitable".²⁸⁸ The process of obtaining licenses, for some who wish to be safe in their borrowings, is seen as restrictively costly, cumbersome²⁸⁹ and therefore curtailing.

Cover Versions and Varying Perspectives

Although various types of musical borrowings are visible to a greater or lesser degree in various parts of the musical world, as far as the case study of this paper is considered, i.e., Sri Lankan music industry, cover versions have attracted much attention and controversy than any other type of borrowing. Cover versions, while bear most of the attributes of other musical borrowings, can be considered different to the other types, as it generally involves a whole song, composition and lyrics of a single song, rather than part/parts of a song or songs²⁹⁰ and it does not use the recording of the song *per se* but rather uses the song and reproduces the composition, lyrics and vocals through new artists. This can be considered as one of the oldest form of borrowing while most of the other borrowings ascended much later with the improvements in technology.

²⁸³ P. Jaszi, 'Toward a Theory of Copyright: The Metamorphoses of "Authorship"' [1991] Duke Law Journal 455.

²⁸⁴ O.B. Arewa, 'From J.C. Bach to Hip Hop: Musical Borrowing, Copyright and Cultural Context' (2006) 84 N.C. Law Review 547, 552

²⁸⁵ UK case of *BBC v Precord Ltd* [1991] SRIS C/89/91 (Ch) and US case of *Grant Upright Music Ltd v Warner Brothers and Others*, (US District Court 16 December 1991) – as referred to in B. Sherman, and L. Bentley, 'Cultures of copying: digital sampling and copyright law' [1992] Entertainment Law Review 158, 158.

²⁸⁶ Relating to digital sampling in these cases.

²⁸⁷ This is due to the fact that the court decisions are made on different infringement standards, (fair use, *de minimis* use and derivative work are legally acceptable borrowings under copyright law) as stated in T.M. Evans, 'Sampling, Looping, and Mashing.....Oh My!: How Hip Hop Music is Scratching More Than the Surface of Copyright Law' (2010) 10(26) Widener Law School Legal Studies Paper Series 843

²⁸⁸ O.B. Arewa, 'Copyright on Catfish Row: Musical Borrowing, Porgy and Bess, and Unfair Use' (2006) 37 Rutgers Law Journal 277, 281.

²⁸⁹ A.L. Smith, 'Other People's Property: Hip-Hop's Inherent Clashes with Property Laws and Its Ascendance as Global Counter Culture' (2007) 7 Virginia Sports and Entertainment Law Journal 59, 80.

²⁹⁰ Mashup is considered as a cover subgenre in D. Tough, 'The Mashup Mindset: Will Pop Eat Itself?' in G. Plasketes (ed), *Play it Again: Cover Songs in Popular Music* (Ashgate Publishing 2010) 212. However, in mashup, mixing a tune and lyrics of two different songs take place whereas in cover versions, it is the composition and lyrics of the same song.

Cover version is a term used for a performance of a piece of music that someone else has also performed,²⁹¹ a base song.²⁹² Western musical theorists view covering songs in various ways. Some see this as lack of musical creativity while some see it as an easier way of making money,²⁹³ by not having to spend on a new lyric and a composition. Contrary to the above views, some see the practice of cover versions as an important method of learning various musical skills from the base song²⁹⁴ or “an opportunity to engage in a dialogue with music other on their ‘own’ and with other performers who have been involved in ‘covering’ that or similar music”.²⁹⁵ Regardless of how cover versions are musicologically viewed, it has been argued that cover songs have “always been an integral, multifaceted, attribute of popular music”.²⁹⁶

Proponents of cover versions argue that “the cover phenomenon in popular culture may be viewed as a postmodern manifestation of rampant recontextualisation in music as artists revisit, re-interpret and re-examine a significant cross section of musical styles, periods, genres, individual records, and other artists and their catalog of works”.²⁹⁷ Re-interpretation of one artist’s version is regarded as the most widely discussed conception of cover songs where a sufficiently well known base song is used in this regard. When certain such cover versions become more popular than the previous version, the new interpretation tends to be a base song for further re-interpretations.²⁹⁸ In the case of inter-language parodies in India and Indonesia, it has been argued that cover songs “could be seen as revitalizing and empowering regional cultures”²⁹⁹ as the most popular songs are made available in various other languages apart from the dominant one.

Opponents raise concerns of “contextualization, authenticity, repetition, ownership, originality, cultural exhaustion, homage and conflicts between commodity and concept”.³⁰⁰ These concerns are related to the desires of enforcing notions of intellectual property law, which promotes and regulates the

²⁹¹ D. Horn, ‘Some Thoughts on the Work in Popular music’ in M.Talbot (ed), *TheMusical Work: Reality or Invention*, (Liverpool University Press 2000) 15 as referred to in J. Butler, ‘Musical Works, Cover Versions and Strange Little Girls’ (2010) 7(1) *Volume ! La revue des musiques populaires* 6

²⁹² To mimic Mosser’s phrase to mean ‘a song that, due to its status, popularity, or possibly other reasons, is taken to be paradigmatic, and thus the version to which all other recordings or performances are compared’. Kurt Mosser, “Cover Songs”: Ambiguity, Multivalence, polysemy’ <<http://www.popular-musicology-online.com/issues/02/mosser.html>> accessed 25 October 2011

²⁹³ D. Horn, ‘Some Thoughts on the Work in Popular music’ in M.Talbot (ed), *TheMusical Work: Reality or Invention*, (Liverpool University Press 2000) 30 as referred to in J. Butler, ‘Musical Works, Cover Versions and Strange Little Girls’ (2010) 7(1) *Volume ! La revue des musiques populaires* 6

²⁹⁴ H.S. Bennett, ‘The Realities of Practice’ S. Frith and A. Goodwin (eds), *On Record: Rock, Pop and The Written Word*, (Routledge 1990) and Bayton, M., ‘How Women Become Musicians’ S. Frith and A. Goodwin (eds), *On Record: Rock, Pop and The Written Word*, (Routledge 1990), also in D. Horn, ‘Some Thoughts on the Work in Popular music’ in M.Talbot (ed), *TheMusical Work: Reality or Invention*, (Liverpool University Press 2000) 30 as referred to in J. Butler, ‘Musical Works, Cover Versions and Strange Little Girls’ (June, 2010) 7(1) *Volume ! La revue des musiques populaires* 7

²⁹⁵ D. Horn, ‘Some Thoughts on the Work in Popular music’ in M.Talbot (ed), *TheMusical Work: Reality or Invention*, (Liverpool University Press 2000) 30.

²⁹⁶ G. Plasketes, ‘Re-flections on the Cover Age: A Collage of Continuous Coverage in Popular Music’ (2005) 28(2) *Popular Music and Society* 137, 144.

²⁹⁷ G. Plasketes, ‘Like a Version’ in G. Plasketes (ed), *Play it Again: Cover Songs in Popular Music* (Ashgate Publishing 2010), 2.

²⁹⁸ Kurt Mosser, “Cover Songs”: Ambiguity, Multivalence, Polysemy’ < <http://www.popular-musicology-online.com/issues/02/mosser.html> > accessed 25 October 2011

²⁹⁹ Peter Manuel, ‘The Cassette Industry and Popular Music in North India’ (1991) 10(2) *Popular Music* 189, 198 referring from P. Yampolsky, ‘Hati Yang Luka, an Indonesian Hit’, (1989) 47 *Indonesia* 1.

maintenance of ownership, originality and authenticity of authors' or creator's work. Mimicking practices such as cover versions challenge these ambiguous and legally forged concepts of the Western states i.e., originality and ownership. Imposition of these concepts ignores the "existence of practices of copying in the premodern West, in the margins of Western culture, and in non-Western cultures... and the fact that different societies have had attitudes to copying that differ radically from [one's] own".³⁰¹ This complements Gordon's views of culture being interdependent and "requiring each act of dependency to render an accounting would destroy the synergy on which cultural life rests."³⁰² It has been affluently argued by Coombe that these postmodern dialogic practices which involves borrowing, "come into tension with the monologism of a modern legal discourses that bestowes monopolies over meaning under the authority vested" in the form of property".³⁰³

Accordingly, various culturally, anthropologically, musically and sociologically strong arguments welcome the practice of cover versions, although arguments challenging such views are not entirely absent. While proposing views focus on the freedom of creativity of the public, the opposing views focus on the protection of creativity of authors more strongly and protection of public from inferior copies to a lesser extent.

Practice of Cover Versions in Sri Lanka

Cover versions is not a practice that is completely alien to Sri Lanka. The very commercial music industry in Sri Lanka was founded on mimicked Indian melodies, which were reproduced by Sri Lankan vocalists. Thus it is correct to say that foundation of the local commercial music industry was exclusively based on cover versions of Indian songs. Although the nationalistic music genre emerged in the 1950s, condemning the existing practices of dependence on Indian and Western songs, making cover versions of foreign songs are not entirely absent in the contemporary music industry. Majority of these cover versions, however, were based on Indian and English western songs.

Considering majority of cover versions of Sinhala songs that have been made in Sri Lanka, it is correct to say that it has been primarily used for the purpose of embarking one's journey into the music industry while some of them may have been made with intentions to introduce versatile versions or re-interpretation of the same song. Thus budding artists, who, to a certain extent, mimic the initial vocalist, to attract popularity and lay the foundations of becoming an established vocalist, mainly do cover versions. One would rarely hear an established vocalist making cover versions of another artist in Sri Lanka.³⁰⁴ Accordingly, many artists³⁰⁵ who were once budding performers making

³⁰⁰ G. Plasketes, 'Like a Version' in G. Plasketes (ed), *Play it Again: Cover Songs in Popular Music* (Ashgate Publishing 2010) 2.

³⁰¹ M. Boon, *In Praise of copying* (Harvard University Press 2010) 6-7.

³⁰² W Gordon, 'On owning Information: Intellectual Property and the Restitutionary Impulse' (1992) 78 *Virginia Law Review* 149, 168 as referred to in Rosemary J. Coombe, *The Cultural Life of Intellectual Properties – Authorship, Appropriation and the Law* (Duke University Press 1998) 68.

³⁰³ Rosemary J. Coombe, *The Cultural Life of Intellectual Properties – Authorship, Appropriation and the Law* (Duke University Press 1998) 68.

³⁰⁴ Exception to this is Bhatthiya & Santhush, a modern established duo who perform cover songs along with their own creations.

³⁰⁵ Nirosha Virajini, Nanda Malini, Champa Kalhari

cover versions, would seldom continue on such practice. Once they build up their repertoire, they would limit to performing their own base songs. Therefore, it can be argued that there is a certain level of stigma attached to performing cover versions in Sri Lanka as that would indicate that a particular artist is either an amateur in the industry or not having any of their own songs to sing.³⁰⁶

Although foreign songs are widely covered, an interesting characteristic of the cover version practice in Sri Lanka is that one does not see many Sinhalese songs covered by other Sri Lankan vocalists. Even on such limited occasions, the 'initial vocalists' ³⁰⁷ have not hesitated to express their displeasure towards it.³⁰⁸ Unlike in the west and in the neighbouring country India, Sinhalese cover songs were not widely done for it to become a substantial part of the local music market. Although it is not very clear as to why a cover version market for Sinhalese songs did not become prominent, it can be argued that the strong resistance made by the vocalists and the nationalistic approach to music making which predominantly involved reproving mimicking Indian and English songs may have had an impact on it, at least to some extent.

Accordingly, out of respect for the initial singer or unwillingness to be subject to criticism by other artists and the wider society, it seems that there is a silent agreement among majority of artists in Sri Lanka in terms of not performing and recording cover versions. Nevertheless, with the introduction of many singing competitions in Sri Lanka, which are done in a similar fashion to programmes such as UK/US 'X factor' and 'American Idol', not only conversations about cover versions of Sinhalese songs, but also a market for such cover versions seems to be emerging during the last few years.

Cover Versions as a Contested Phenomenon in Sri Lanka

Recording and performing cover versions of Indian and English western songs by Sinhalese vocalists take place without much hindrance in Sri Lanka. However, making cover versions of Sinhalese songs is a highly contested issue in the national context. Talking to the interviewees, it was revealed that, for the vocalists, an important and pressing issue was the practice of cover versions.

A clear division of views was visible among the interview participants, regarding the practice of cover versions. While majority of singers were not in favour of cover versions, all of the authors and the majority of the singers who are also authors were in favour of the practice of cover versions. Some of the authors, however, were not approving the manner in which the practice is carrying on in Sri Lanka but were not against the concept of cover versions. It must be noted that although authors and authors who are also singers were not against making cover versions, most of them currently do not receive any financial benefit out of this practice.³⁰⁹

³⁰⁶ Author-Singer Participant 1

³⁰⁷ To avoid ambiguous term of 'original singer', the term 'initial singer' is used. The use of 'original singer' could suggest that subsequent singers who make versions of base songs may be inferior in their aesthetic abilities and skills.

³⁰⁸ Author-Singer Participant 1, Singer Participant 1

³⁰⁹ The only exception was Author-Singer Participant 2 who said that he has mechanism in place where he signs agreements with new artists and let them perform his songs for a small fee.

When considering the various opposing views of the vocalists with regard to cover versions, it seems that their discontent is based on two main reasons; remuneration and ownership. It is a concern for the initial vocalists' remuneration, as, according to the interviewees, they would not be invited for as many performances as they would otherwise have received due to the competition between cover singer and the initial singer. It was also an ownership issue for the vocalists, as, according to the interviewed vocalists, they have a sense of belonging towards the songs they once performed.

Accordingly, they see covering songs as a thieving act. In a small musical industry where one would find artists who are predominantly vocalists, majority of them with limited musical repertoire,³¹⁰ rather than singer-songwriters, such a competition could result in significant loss of opportunity to perform at live shows, where the vocalists gain the substantial proportion of their revenue. These opposing views to cover versions, in the national context, based on remuneration and ownership are examined below. The first ground of objection to cover versions, remuneration, is a concern raised by majority of the vocalists. It was revealed during the interviews that the new performer gets contracted to perform the cover version at media companies and more importantly at live shows, locally and internationally, and as a result the initial singer sits at home losing out on his/her potential income.³¹¹ On certain occasions, it was stated, the first vocalist has to compete with cover performers.³¹² As one vocalist mentioned, "a certain new performer had asked a very senior artist, while on the plane on their way to an overseas musical show, not to sing certain of her first [base] songs, as the new artist was intending on performing [covering] them."³¹³ This incident shows that the first performer may get restricted and be required to compete with a new young performer, who sings versions of songs she/he performs. On another level, it has been stated that new artist manages to earn significantly more by performing the same songs that have been performed by a senior artist for decades.³¹⁴ As one of the participants explained, "One of the new singers who became popular through a singing competition by performing a particular prominent artist's songs, even after winning the competition continued to sing songs of that prominent artist".³¹⁵ The new singer's voice resembles the voice of the prominent artist. It was stated that while the prominent artist charged Rs.10,000/- for a performance, the new artist charged Rs.40,000/- to cover the same songs.³¹⁶ Still the new artist managed to get more offers to perform.³¹⁷ The prominent artist was not pleased.³¹⁸ Practice of cover versions has therefore affected the income generation of certain vocalists whose base songs are now covered. Accordingly, the issue of cover versions has created significant animosity among the vocalists in Sri Lanka.

Another reason for vocalists' contestation regarding cover versions can be seen as an ownership issue. This sense of belonging they feel towards the songs they perform ought to be discussed in light

³¹⁰ WIPO Document on Sri Lankan music industry prepared in February 2010.

³¹¹ Singer Participant 1, Singer Participant 2

³¹² Singer Participant 3

³¹³ Singer Participant 3

³¹⁴ Artists' Association representative 1, Singer Participant 1

³¹⁵ Singer Participant 1

³¹⁶ Singer Participant 1

³¹⁷ Singer Participant 1

³¹⁸ Singer Participant 1

of the cultural practice of creating a song in the Sri Lankan context. Although many songs may be created as a result of the invitation of a recording company, it was stated that there is still a group of artists who take the song making process very personally and passionately.³¹⁹ They would, according to some interview participants, go in search of a particular lyric writer and spend time with them explaining the type of song they need written.³²⁰ Then they would, according to these interviewees, approach a particular composer and explain them about the type of melody they would want and would not leave the composer, or visit the composer again and again, until they are content with what they have received.³²¹ Labelling this process as commissioning would undermine this personal aesthetic journey of an artist as discussions about money, according to these artists, rarely takes place in these dealings.³²² Thus, for such artists, their songs are more like a part of themselves, very carefully and selectively created and nurtured. They feel that they possess a certain level of belonging towards those songs and therefore not exclusively owned by authors as prescribed under copyright law nor are they available for another vocalist to perform. This is reflected in a sympathetic question one vocalist raised as follows; “why can’t they do new songs and let our songs be?”³²³

Authors, on the other hand had a different view about covering songs. Although they were not against the practice of cover versions, they raised concerns of acknowledgement. Some authors think that cover versions are done in a thieving fashion³²⁴ in Sri Lanka and that is why it is unacceptable.³²⁵ One participant stated “what happens is that the new singers or the up and coming singers, they take songs that have been made popular by senior musicians or singers. And then they claim it as their own. Now that is where I disagree with. Take it [the song], give it your own flavour, make it something new. Don’t kill the originality of the song and don’t claim it. It is just another version.”³²⁶ Accordingly, much of the cover versions that take place in the contemporary music industry do not seem to be by obtaining approval from the relevant authors. As a result, there have been a few occasions where the authors initiated legal proceedings against artists who made cover versions without their consent.³²⁷ Accordingly the issue of cover versions has created significant irritations among authors and vocalists.

As majority of established artists expressed their displeasure and the adverse impact this practice of cover versions has on them, it is important to consider the impact this has on budding vocalists, since it is them, in the Sri Lankan context, who predominantly engage in covering songs. An example case from the industry would be enlightening in this regard. Several years ago, an up and coming vocalist then, started performing a very old theatre song with a modern musical take. A song that was long forgotten for many Sri Lankans and in the case of young generation, never heard of, swiftly attracted

³¹⁹ Singer Participant 3, Author-Singer Participant 1

³²⁰ Singer Participant 3, Singer Participant 2, Author-Singer Participant 1

³²¹ Singer Participant 3, Singer Participant 2, Author-Singer Participant 1

³²² Singer Participant 1, Singer Participant 3, Singer Participant 2

³²³ Singer Participant 1

³²⁴ Without obtaining approval from or acknowledging the relevant authors.

³²⁵ Author Singer Participant 1, Author Participant 1

³²⁶ Singer Participant 4

³²⁷ Some such authors are, Hudson Samarasinghe, Sunil Ariyaratne, Rohana Beddage.

many admiring viewers to it. This attention was further extended to this new artist who managed to receive a huge popularity as a result. However, he failed to obtain approval from the authors of the song. Therefore the lyric writer of the song later filed action against him for breach of copyright. By that time he has made fame and good fortune out of the song. The singer agreed to make a significant payment to the lyric writer and also agreed never to perform the cover song again. Thus the matter was settled and the cover was vanished.

What is important in this anecdote is what happened thereafter. Due to the huge popularity he received as a result of the song and later on because of the court case, he managed to find a recording company for a new album, with which he became even more popular and successful. Thus one could argue that doing cover versions can be considered as a platform for budding artists to commence their career as vocalists. Many contemporary vocalists are living examples to this position.³²⁸ On an ancillary point, it must be stated how the audience lovingly embraced this new version of the song which livened up the old theatre song. Nevertheless, the copyright law and its formalities, restricted the opportunity for the viewers to continue to enjoy the cover version.

With the above extensive discussion on the position of making cover versions in the Sri Lankan context, the following section will examine three major music industries in the world, UK, USA and India, who are governed by similar copyright regimes, in order to ascertain whether the issue of cover versions is a unique quandary encountered by the commercial vocalists in the Sri Lankan music industry.

Covering in the UK Music Industry

Cover versions is widely seen in the UK music industry, while being “rampant in early seventies”.³²⁹ Cover versions of UK artists and UK artists covering songs by others is abundant.³³⁰ Accordingly, there seems to be a substantial market for cover songs in its music industry.

The scheme in place for practice of cover versions in the industry is to obtain permission from and make relevant payments to the copyright owners, which is facilitated by the Mechanical Copyright Protection Society Ltd, in UK.³³¹ According to the UK copyright Act, if one cannot obtain the permission, due to the copyright owners’ refusal or difficulty in tracing the owners/high licensing cost, they cannot make a legal cover version.

If a cover version was allowed, the musical authors and publishers would continue to receive royalties from the cover versions along with the base version through the royalty collection scheme in place. The initial vocalists, however, would not receive any financial benefit from cover versions. Nevertheless, given the fact that many artists are, or claimed to be, singer-songwriters, it is questionable whether lack of or reduction of financial benefit from cover versions for vocalists affect much in the UK music industry. Covering their base songs by others has not been coined as a significant issue for vocalists in the UK. One could argue that this may be due to availability of wider

³²⁸ Nirosha Virajini, Champa Kalhari, Nanda Malini, Mariazelle

³²⁹ S. Lenig, ‘David Bowie’s *Pin-Ups*: Past and Prelude’ in G. Plasketes (ed), *Play it Again: Cover Songs in Popular Music* (Ashgate Publishing 2010) 130.

³³⁰ Ex. The Beatles, Elton John, Robbie Williams, Engelbert Humperdinck, David Bowie etc.

³³¹ R. Salmon, ‘Sampling and sound recording reproduction – fair use or infringement?’ (2010) 21(5) Entertainment Law Review 174, 176

performance options in a significantly large music industry, with potential for considerable revenue generation, and thus a cover version could not possibly affect such artists much. In any event, it ought to be noted that under UK copyright law and PRR, vocalists has no control or authority over other performers covering their base songs.

Covering in the US Music Industry

Cover versions is a widely acceptable practice in the US. This practice, which was common during the first half of the twentieth century, continued in diverse manner and was seemed to have “promoted greater national exposure, acculturation, diversity, and legitimacy in American popular music”.³³² As was the case in the UK, many artists covered songs while many were covered by others.³³³ Cover bands, who recreate music of various popular groups from the Beatles to ABBA make a living through the practice of covering in major US cities.³³⁴

Wider practice of cover versions in the US may have resulted due to its Copyright Act, which takes a more prominent approach in dealing with cover versions than the UK Act. Under section 115 of the US copyright Act, it specifically provides for obtaining a compulsory license for making and distribution of a phonorecord, once a phonorecord has been released to the public in the USA.³³⁵ Accordingly if one wants to make a cover version of a US song, they need to obtain a mechanical license by notifying the copyright owners of the song and making the relevant payments prescribed by the publishers of the song.³³⁶ The difference in the US compared to UK is that once a particular song is released, the copyright owners cannot oppose to releasing cover versions when the required formalities are followed.³³⁷ Similar to the UK situation the songwriters and the publishers will continue to receive royalties from the cover versions but not the initial vocalists.³³⁸ Again, as in the UK, many artists are, or claimed to be singer-songwriters and therefore, there does not seem to be any contestations by vocalists regarding cover songs.

Covering in the Indian Music Industry

Cover versions or version recording, as it is widely known in India, is visible in large scale in India. A reason for this is seen as the multilingual context in India, which invites cross-language parodies.³³⁹ Additionally one would also find many songs covered within the same language.³⁴⁰ It has been argued that version recording has been able to cater for the large demands of the market which the main

³³² B. Lee Cooper, ‘Charting Cultural Change, 1953-57: Song Assimilation Through Cover Recording’ in G. Plasketes (ed), *Play it Again: Cover Songs in Popular Music* (Ashgate Publishing 2010), 43.

³³³ Ex. Bob Dylan, Leonard Cohen, Nat King Cole, Carole King etc.

³³⁴ Kurt Mosser, “Cover Songs”: Ambiguity, Multivalence, polysemy’ < <http://www.popular-musicology-online.com/issues/02/mosser.html> > accessed 25 October 2011

³³⁵ Circular 73 of the US Copyright Office

³³⁶ D. Turner, ‘The Cover Song Quagmire’ (Music Dish, 11 June 2004) <<http://musicdish.com/mag/?id=9460>> accessed 27 October 2011.

³³⁷ A. Kohn and B. Kohn, *Kohn on Music Licensing*, (2nd edn, Aspen Law and Business 1996) 657

³³⁸ B. Lee Cooper, ‘Charting Cultural Change, 1953-57: Song Assimilation Through Cover Recording’ in G. Plasketes (ed), *Play it Again: Cover Songs in Popular Music* (Ashgate Publishing 2010) 44.

³³⁹ P. Manuel, ‘The Cassette Industry and Popular Music in North India’ *Popular Music*, (1991) 10(2) 189,196.

³⁴⁰ P. Manuel, ‘The Cassette Industry and Popular Music in North India’ *Popular Music*, (1991) 10(2) 189,196.

recording company, GramCo was unable to address and at the same time provided a monetarily cheaper alternative, for more expensive initial recordings, to the Indian viewers.³⁴¹

Although the Indian copyright act is predominantly based on UK copyright act, when it comes to cover versions, Indian copyright act closely resembles the US copyright Act. Accordingly, under section 52(1)(j) of the Indian copyright Act, provisions for compulsory license was provided for, similar to the US provision, regarding compulsory license for cover versions³⁴² subject to, however, certain restrictions.³⁴³

Additionally, another provision that assists in the case of cover versions is section 30 of the Act that provided for a voluntary license. Accordingly if one could obtain a voluntary license from the copyright owners of a song, he/she could legally record a cover for that song. Interestingly none of the restrictions stipulated under section 52(1)(j) would not have any relevance if one were to obtain a voluntary license from the copyright owners under section 30. Nevertheless, Indian courts have been grappling with these two provisions in terms of deciding which provision has the higher authority and thus must be followed at all occasions.³⁴⁴ As a result, contradicting decisions have been made making the formalities of doing cover versions blurred. This position is rectified under the Indian Copyright (Amendment) Bill 2012, which was passed by the Indian Parliament on 22nd of May 2012. Accordingly, although the new provisions make it more formidable to create cover versions, it has now clarified that a cover version can only be legally created after 5 years from the release of the base song.³⁴⁵ Following any of the prescribed methods of covering is expected to generate royalties for the musical authors/copyright owners from the base songs as well as the versions according to Indian copyright law,³⁴⁶ but not for the vocalists.

There seems to be some contestation in terms of version recordings in India, it has been argued, due to record companies wanting to generate maximum remuneration from the initial recordings.³⁴⁷ As one would not find music publishers in India, releasing versions by another record company would affect the sales of the initial recording and this is seen as the predominant reason for recording companies' hesitance. Accordingly recording companies in India have contested the practice of cover versions only in cases where the more lenient section 30 formalities are followed in certain situations. Whether such attitudes would change with the new 5 year rule is yet to be seen.

³⁴¹ P. Manuel, 'The Cassette Industry and Popular Music in North India' *Popular Music*, (1991) 10(2) 189,197.

³⁴² P. Chothani, 'Managing Copyright in the Digital Era' (2007) 171 *Managing Intellectual Property* 81, 81

³⁴³ Not to release a version recordings until the expiration of two years of the release of the initial, version recording should not be issued with misleading packaging and the owner of the copyright is allowed to inspect the books and accounts of the makers of versions recordings- The 1994 amendment to section 52(1)(j) as referred to in N. Krishnamurthy, 'The Statutory Mechanical License in India- Whose Version [of the Law] is Correct?' (2007) (1) *Manupatra Intellectual Property Rights* 115, 124-125

³⁴⁴ N. Krishnamurthy, 'The Statutory Mechanical License in India- Whose Version [of the Law] is Correct?' (2007) (1) *Manupatra Intellectual Property Rights* 115; C.M. Lall, 'India: Copyright-Version Recordings-Permission of Copyright Owner Required' (1999) 10(2) 16

³⁴⁵ <http://www.livehindiradio.com/analysis-of-the-indian-copyright-amendment-bill-2012/> (accessed on 19/06/2012)

³⁴⁶ Provided the songs are not part of a movie track, in which case the producer will be the author of such work. N. Krishnamurthy, 'The Statutory Mechanical License in India- Whose Version [of the Law] is Correct?' (2007) (1) *Manupatra Intellectual Property Rights* 115

³⁴⁷ N. Krishnamurthy, 'The Statutory Mechanical License in India- Whose Version [of the Law] is Correct?' (2007) (1) *Manupatra Intellectual Property Rights* 115

Accordingly, even in the neighbouring country, India, the practice of cover versions seems to have been accepted as an attribute of commercial music industry. Although attempts are being made to clarify the legal provisions relating to cover versions, the practice itself does not seem to be contested by vocalists.

Cover Versions Issue and the National PRR Negotiations

Combating cover song recording, interestingly, drew a significant attention of the Sri Lankan legislature. One could see varying reasons for this situation. As mentioned earlier in this paper, one such reason could be the strong resentment towards this practice, which is generally considered as an amateur's attempt to embark on the entertainment field. Additional views against this practice were also brought to light during the parliamentary debates on this issue.

Accordingly, significant attention was given to difficulties encountered by a couple of prominent and highly regarded classical vocalists in Sri Lanka, Pandit Amaradeva and Nanda Malini, in the discussion on cover versions, during the Parliamentary debates. In Amaradeva's situation, another vocalist made a recording of songs once performed and popularized by him.³⁴⁸ As the relevant singer had obtained the rights from the copyright owners, this situation did not come under copyright infringement, which is the only mode of challenging cover song recordings under copyright law. In Malini's case, a boy band covered some of her popular songs.³⁴⁹ The issue in this situation was slightly different to Amaradeva's case as here the male vocalists mimicked the female artists' voice rather than singing in their own voices. Another difference in this case was that the boy band did not obtain relevant copyrights from the copyright owners. As a result, Malini, through the assistance of the copyright owners of the songs, managed to successfully challenge this version recording in court.³⁵⁰

The focus on the above two situations during the parliamentary debates suggests that the legislature considered that there were more reasons for lobbying against cover songs. Taking into consideration of the artists that were looked at to support such anti-campaign against covering seems that the legislature felt the need to protect and preserve the songs performed by the nation's most prominent artists. When looking at the history of the commercial music industry, the generation of artists that were emerging at the beginning of the Sinhala commercial music industry in the 1950s is now becoming incapacitated due to old age or health issues. Thus it seems that the legislature, along with vocalists, is lobbying for preserving these historic songs and their renditions by restricting access to them.

Another reason for this criticism in the parliament towards cover songs could be the mirroring of the accepted norm of vocalists' supremacy. What the legislature was essentially arguing for is that once a vocalist perform/record a song for the first time, no other vocalist should be allowed to generate revenue by performing/recording the same song. This is a clear contradiction of the copyright norms, which provide the author the opportunity to decide the modes of use of their work. Thus it can be maintained that the legislature is arguing for vocalists' supremacy in the commercial music industry. What is unclear however is, when they state "protection to artists who dedicate their lives to creative

³⁴⁸ Ravindra Randeniya, Hansard Official Report 23rd of July 2003 at page 1076

³⁴⁹ Along with few other female artists' songs.

work which is being exploited by outside parties”,³⁵¹ whether the legislature is only attempting to provide the so-called protection only to the prominent artists and not for non-prominent artists.

Protecting the national culture has also been coined as a connected reason for acting against mimicking. The practice of cover songs is seen as murdering the national music and along with it the national culture and therefore it has been argued that meaningful songs should not be subjected to being changed and sung by anyone else.³⁵² Further criticism has been expressed against cover songs on the ground that it significantly hampers the honour and respect of the artists and the music industry.

Although such passionate resentment expressed by the legislature (against the practice of cover songs) who argued that performers ought to get an opportunity to prevent covering songs once they performed, the legislature has not been able to circumvent the authorial regime of copyright which conceptually provide for such strong rights for authors and not for vocalists. The beginnings of Intellectual Property Act 2003 although seem to have set out to provide strong national PRR for the benefit of the vocalists, a close perusal of the Act does not support such view. Under this Act, a right to authorize cover songs is still vested in authors and not in performers.

Resolving the Vocalists' Cover Versions Dilemma

When comparing the situations in other music industries in the world with the Sri Lankan industry, one could argue that some of the claims made by the vocalists in Sri Lanka against the practice of cover versions may not necessarily be invalid in other musical industries. There may be some vocalists who may feel financially threatened or limited when another artist is covering their songs.³⁵³ Nevertheless, given the comparatively small music market where majority of vocalists have a limited music repertoire, these issues may affect the Sri Lankan vocalists more than their US, UK or Indian counterpart. This may be why contestation among artists due to cover versions is not greatly visible in those countries. Alternatively, regardless of any negative economic effects of cover versions, the vocalists may have accepted the norms of copyright law. This situation therefore can be seen as a certain level of compatibility between the law and the market condition in those countries and/or accepting copyright norms and allowing those rules to govern their respective industries.

The Sri Lankan vocalists have contested the practice of cover versions for decades. Nevertheless, the PRR that was introduced to address vocalists' issues has not been able to resolve the issue of cover versions. PRR, which attempts to further emphasise authorial right regime under copyright, supports the subordinate status provided for vocalists under that regime. Therefore the PRR has in some ways created and in some ways aggravated the irritations among artists in the Sri Lankan music industry. It has created irritation by emphasizing that the vocalists are a subordinate category under authorial regime who does not get a control over cover versions, when the cultural practice in the industry has

³⁵⁰ Copyright Lawyer Participant 1

³⁵¹ Ravindra Randeniya, Hansard Official Report 23rd of July 2003 at page 1076

³⁵² Alhaj A.H.M.Azwer, Hansard Official Report 23rd of July 2003 at page 1089

³⁵³ Historically, this is a fact in the US. B.Lee Cooper, 'Charting Cultural Change, 1953-57: Song Assimilation Through Cover Recording' in G. Plasketes (ed), *Play it Again: Cover Songs in Popular Music* (Ashgate Publishing 2010) 44.

provided a more prominent authoritative position to vocalists than the rights granted to authors. It has aggravated the irritation by failing to successfully resolve the cover versions issue by reflecting and addressing the vocalists' circumstances in a practice of cover versions.

On an ancillary point, one could argue that some of the concerns relating to adverse effects of cover songs could have been addressed by introducing moral rights to performers. Accordingly if a situation like Nanda Malini's occur again, she, as the performer would be able to challenge such mimicking regardless of the fact that the other vocalist has obtained authorization from the copyright owners, as long as she could demonstrate that such mimicking affected her honour and reputation as a renowned artist. Nevertheless, the national PRR does not provide for such opportunity for performers.

Conclusion

As highlighted in this paper, the issue of cover versions in the Sri Lankan music industry has not been satisfactorily addressed in the national legislation although it seems that the legislature was intending to address it. Thus evidently, there is a disparity between the national PRR that was implemented and the expectations of the vocalists and the legislation. It is questionable as to whether this is due to the ignorance of the legislature to provide for such provisions or simply due to the inability of the PRR to address the concerns of the Sri Lankan vocalists. As the analysis of the Sri Lankan national PRR reveals above, it can be reasonably argued that it may be a combination of both.

Vocalists, who get significantly restricted on their revenue even when they are physically able to perform, as a result of the practice of cover versions is a concern that seems to have been overlooked by the copyright regime and PRR. On the same vein, issues on justifiability of removing the opportunity these once performed songs provide the budding performers and hindering the viewers opportunity to enjoy re-interpretations of base songs, make it even more difficult dilemma to resolve.

YEMEN STUDIES: CONFLICT AND CIVIL UNREST

ABSTRACT

Yemen is a state plagued by poverty, over-population, civil divisions and internal conflict that has festered through neglect and self-defeating foreign policies by the government of President Saleh. Yemen was divided into two separate countries until they united in 1990. Fighting broke out in Northern Yemen in 2004, when militants from the Al Houthi family took up arms. The Al-Houthi's are a religious clan, known as the Zaydi, allegedly descended from the prophet Muhammad, who believes that they have been marginalized by the Yemen government. The Organization of Youthful Believers rejects the legitimacy of the Yemeni government and opposes the regime of President Saleh. In order to quell the insurgency, President Saleh launched Operation Scorched Earth, which led to calls by human rights groups for investigations of atrocities by both the regime and the insurgents. The battle area was littered with landmines and over 250,000 people were reportedly displaced by the fighting, prompting humanitarian aid from the UN and US. NGOs report that food and water prices have risen in some urban locations including Sana'a. This has raised fears that the cost of living is rising beyond the reach of more, where already more than a third of the population live in poverty. The fuel shortage is making it increasingly difficult to access water via ground water pumps, transport for people and for goods.

Keywords – INSURGENCY, FIGHTING, ATROCITIES

INTRODUCTION

Yemen is a Muslim nation on the southeastern tip of the Arabian Peninsula with a weak central government and possessing many indicators of a nation on the verge of falling apart. Yemen is plagued with a rebellion in the north by a Shiite³⁵⁴ Muslim sect, a separatist insurgency in the south, and a growing Al-Qaida presence that draws the attention of the United States and is quickly turning Yemen into a leading front in the War on Jihadist³⁵⁵ Terror. The Yemeni government is fighting multiple wars within its own borders, and recently enlisted the aid of powerful neighbor Saudi Arabia in helping to fight one of those wars. Yemen is one of the poorest nations in the world, with high unemployment, a low literacy rate, a corrupt government, a well-armed population with a history of stronger allegiance to tribe, clan, and family than to the nation, and a long history of civil conflict. Many consider Yemen a failed state, as Afghanistan once was and Somalia is now. Both Afghanistan and Somalia have become havens for Al-Qaida and other Jihadist Muslim organizations intent on destabilizing secular Arab nations and launching attacks on Western interests. The presence of Al-Qaida is not only Yemen's military problem. In 2009, the attempted bombing of an American airliner on Christmas day is also linked to Al-Qaida forces. Furthermore, a Yemeni radical or a Yemeni cleric was connected to the U.S. Army officer who killed several soldiers at Fort Hood. Yemen has long been connected to the family of Osama

³⁵⁴ Shiite-a member of Shia branch of Islam

Bin Laden and his Al-Qaida terrorist organization. The Bin Laden family originated in Yemen even before they settled in Saudi Arabia and became wealthy business constructors. Yemen status as a nation with a fairly weak central government and the frequent conflicts inside Yemen's borders makes the poor Arabian nation a good location for Al-Qaida to hide, recruit, and plan further attacks on the West and on others. As a result, the nation unknowingly houses Al-Qaida to fortify itself to assume a strong insurgent force.

LITERATURE REVIEW

Yemen's experience of colonization was double-edged in two respects: the Ottoman Empire colonized Northern Yemen twice, the second time in reaction to the British establishment of a colony in Aden in Southern Yemen. Due to the complex division between the Ottomans and the British took its toll on post-colonial Yemen, as the nation emerged into two independent states that fought internecine³⁵⁶ wars for many years. Yet the history of Yemen changed dramatically in May 1990, when the independent Southern and Northern states united to form the Republic of Yemen. General Ali Abdullah Saleh, formerly the leader of North Yemen, had become President of the new state. Despite the establishment of democratic institutions, Yemen had faced a number of problems that continue to linger or have perhaps worsened since unification. President Saleh had consolidated power within his autocratic regime. Civil war broke out between North and South in 1994, and disagreements had been further compounded by a Northern rebel movement and a Southern secessionist movement. Today's popular demonstrations embody the grievances of Yemen's opposition parties, demanding reform that would restore their place in the political system. On February 20, 2001, a new constitutional amendment created a bicameral legislature consisting of a Shura³⁵⁷ Council and a House of Representatives. In April 2003, the third multiparty parliamentary elections were held with improvements in voter registration for both men and women and in a generally free and fair atmosphere. Two women were elected. In September 2006, citizens re-elected President Saleh to a second term in a generally open and competitive election, although there were multiple problems with the voting process and use of state resources on behalf of the ruling party. In the 2000s the government has been fighting numerous rebel groups, such as the one led by Hussein al-Houthi's Zaydi movement, Shabab al Mu'mineen, The Young Believers. In 2009, armed insurgency also resumed in Southern Yemen, led by South Yemen Movement successors.

³⁵⁵ Jihadist-a member of the spiritual struggle to defend Islam

³⁵⁶ Internecine-pertaining to conflict or struggle within a group, mutually destructive

³⁵⁷ Shura- a consultative council or assembly ,the process of decision-making by consultation and deliberation ...

RESEARCH METHOD

THEORY: RESEARCH IN THE HUMANITIES - Humanities scholars usually do not search for the ultimate correct answer to a question, but instead explore the issues and details that surround it. Context is always important, and context can be social, historical, political, cultural or ethnic. An example of research in the humanities is historical research, which is embodied in historical method who use primary sources and other evidence to systematically investigate a topic, and then to write histories in the form of accounts of the past. The method comprises the techniques and guidelines by which historians use historical sources and other evidence to research and then to write history. There are various history guidelines commonly used by historians in their work, under the headings of external criticism, internal criticism, and synthesis.

YEMEN'S INTRIGUE

When one looks at the internal problems in Yemen on the Arabian Peninsula, recent unrest may signal a new round of fighting and perhaps civil war. Yemen is facing instability unseen since its 1994 civil war. A war with Shiite rebels in the Northern Sa'ada province left over 50,000 internal refugees. The rebellion ended in June but threatens to re-ignite as neither side has fully implemented the cease-fire conditions. The political and economic marginalization of vast segments of society contributed to the rebellion as did endemic governmental corruption, lack of basic services and draconian security measures. These factors are also the catalyst for widespread protests in southern Yemen, some of which attracted over 100,000 protesters. Few protesters were killed, allegedly by security forces, and many were beaten and arrested. Unrest in Southern Yemen has its roots in Northern hegemony³⁵⁸ following the 1990 unification of North and South Yemen. The Yemeni Socialist Party, which formerly ruled the South, was marginalized following Yemen's 1994 civil war. Dr. Aidroos Naser al Naqeeb, head of the YSP's Parliamentary block, said, The YSP Central Committee indicated that the South was treated as the spoils of war including land, people, companies and wealth. The YSP also noted the violence against the current protesters which reflects the type of politics that had dominated after the outcome of the war. Post-war reconciliation between North and South was thwarted by the corruption among the Northern oligarchy³⁵⁹ and by the installation of President Saleh's relatives in many top military and security posts. Successive

³⁵⁸ Hegemony- control or supremacy

³⁵⁹ Oligarchy- a form of government in which all power is vested in a few persons or in a dominant class .

constitutional amendments centralized power in the executive, leading to a de facto merger between the ruling party and the state, both headed by Saleh. Since May, protests spread across Aden, Dhalie, Lahj, Abyan, Shabwa, and Hadramout, organized by former Southern military officers. They claim they were punitively discharged following the civil war at stipends well below sustenance level. Broader Southern grievances include the misappropriation and theft of commercial, residential, and public land by powerful Northerners. Civil unrest in the south triggered a national outpouring of discontent. In the oil producing Marib governorate, demonstrators demanded a share of oil revenue, jobs and development funding. In Amran, north of the capital, ten thousand tribesmen demanded governmental reform. Teachers, students, doctors, pharmacists, trade unions, unemployed youth, journalists and kidney patients have held individual and sometimes joint protests in the capital, Sana'a. One common complaint among the various interest groups is skyrocketing prices. Hoarding by the domestic wheat monopoly, prices on wheat, loaves of bread increased and cooking gas cylinders increased in price. Discontent prevailed due to failure of implementing the 2005 Wages Strategy, intended to buffer a reduction in oil subsidies. However, an YR278 billion supplemental 2007 budget appropriation was pegged to the costs of the Northern rebellion, continued oil subsidies and the extra month salary promised to government workers during President Saleh's presidential campaign. The regime reinstated the draft to counter unemployment, although many citizens complain of being excluded from military service by domicile. Few top officials were prosecuted for misconduct, although corruption takes 23 percent of the national budget.

1994 CIVIL WAR IN YEMEN

The May–July 1994 civil war in Yemen was waged between the armed forces of the former Northern and Southern Yemeni states and their supporters. The war resulted in the defeat of the southern armed forces and the flight into exile of many Yemeni Socialist Party leaders and other southern secessionists. On April 27, a major tank battle erupted in Amran, near San'a. Both sides accused the other of starting it. On May 4, the southern air force bombed San'a and other areas in the north; the northern air force responded by bombing Aden. President Saleh declared a 30-day state of emergency, and foreign nationals began evacuating the country. Vice President al-Beidh was officially dismissed. South Yemen also fired Scud missiles into San'a, killing dozens of civilians. Prime Minister Haydar Abu Bakr Al-Attas was dismissed on May 10 after appealing for outside forces to help end the war. Southern leaders seceded and declared the Democratic Republic of Yemen on 21 May 1994. No international government recognized the DRY. In mid-May, northern forces began a push toward Aden. The key city of Ataq, which allowed access to the country's oil fields, was seized on May 24. The United Nations Security Council adopted Resolution 924 calling for an end to the fighting and a cease-fire. A cease-fire was called on June 6, but lasted only six hours; concurrent talks to end the fighting in Cairo collapsed as well. The north entered Aden on July 4. Supporters of Ali Nasir Muhammad greatly assisted military operations against

the secessionists and Aden was captured on 7 July 1994. Most resistance quickly collapsed and top southern military and political leaders fled into exile. Almost all of the actual fighting in the 1994 civil war occurred in the southern part of the country, despite air and missile attacks against cities and major installations in the north. Southerners sought support from neighboring states and received billions of dollars of equipment and financial assistance, mostly from Saudi Arabia, which felt threatened by a united Yemen. The United States repeatedly called for a cease-fire and a return to the negotiating table. Various attempts, including by an UN special envoy and Russia, were unsuccessful to affect a cease-fire.

NORTH YEMEN CIVIL WAR

The North Yemen Civil War was fought in North Yemen between royalists of the Mutawakkilite Kingdom of Yemen and factions of the Yemen Arab Republic from 1962 to 1970. The war began with a coup d'état³⁶⁰ carried out by the republican leader, Abdullah al-Sallal, which dethroned the newly crowned Imam al-Badr and declared Yemen a republic under his presidency. The Imam escaped to the Saudi Arabian border and rallied popular support. On the royalist side Jordan and Saudi Arabia supplied military aid, and Britain gave diplomatic support, while the republicans were supported by Egypt and allegedly received warplanes from the Soviet Union. Both foreign irregular and conventional forces were involved. The Egyptian President, Gamal Abdel Nasser, supported the republicans with as many as 70,000 Egyptian troops. Despite several military moves and peace conferences, the war sank into a stalemate. Egypt's commitment to the war is considered to have been detrimental to its performance in the Six-Day War of June 1967, after which Nasser found it increasingly difficult to maintain his army's involvement and began to pull his forces out of Yemen. Egyptian military historians refer to the war in Yemen as their Vietnam.

EGYPT'S ROLE IN YEMEN

Nasser had looked to a regime change in Yemen since 1957 and finally put his desires into practice in January 1962 by giving the Free Yemen Movement office space, financial support, and radio air time. Anthony Nutting's biography of Gamal Abdel Nasser identifies several factors that led the Egyptian President to send expeditionary forces to Yemen. These included the unraveling of the union with Syria in 1961, which dissolved his United Arab Republic (UAR), damaging his prestige. A quick decisive victory in Yemen could help him recover leadership of the Arab world. Nasser also had his reputation as an anti-colonial force, setting his sights on ridding South Yemen, and its strategic port city of Aden, of British forces. Nasser was convinced that a regiment of Egyptian Special Forces and a wing of fighter-bombers would be able to secure the Yemeni republican coup d'état. Nasser's considerations for sending troops to Yemen may have included the following: (1) impact of

³⁶⁰ coup d'état- is the sudden, illegal deposition of a government, usually by a small group of the existing state ...

his support to the Algerian War of Independence from 1954–62 (2) Syria breaking up from Nasser's United Arab Republic (UAR) in 1961; (3) taking advantage of a breach in British and French relations, which had been strained by Nasser's support for the FLN in Algeria and primarily for his efforts to undermine the Central Treaty Organization, which caused the downfall of the Iraqi monarchy in 1958; (4) confronting imperialism, which Nasser saw as Egypt's destiny; (5) guaranteeing dominance of the Red Sea from the Suez Canal to the Bab-el-Mandeb strait; (6) retribution against the Saudi royal family, whom Nasser felt had undermined his union with Syria.

THE EGYPTIAN OFFENSIVE

The Egyptian General Staff divided the Yemen War into three operational objectives. The first was the air phase, it began with jet trainers modified to strafe ³⁶¹and carry bombs and ended with three wings of fighter-bombers, stationed near the Saudi-Yemeni border. Egyptian sorties went along the Tiahma Coast of Yemen and into the Saudi towns of Najran and Jizan. It was designed to attack royalist ground formations and substitute the lack of Egyptian formations on the ground with high-tech air power. In combination with Egyptian air strikes, a second operational phase involved securing major routes leading to San'a, and from there secure key towns and hamlets. The largest offensive based on this operational tactic was the March 1963 'Ramadan Offensive', that lasted until February 1964, focused on opening and securing roads from San'a to Sadah to the North, and San'a to Marib to the East. The success of the Egyptian forces meant that royalist resistance could take refuge in hills and mountains to regroup and carry out hit-and-run offensives against republican and Egyptian units controlling towns and roads. The third strategic offensive was the pacification of tribes and their enticement to the republican government, meaning the expenditures of massive amounts of funds for humanitarian needs and outright bribery of tribal leaders.

YEMEN'S STRATEGIC AREAS

The December 2009 raids on Al Qaida with some level of US support together with Saudi intervention in the north of Yemen and the abortive Delta flight bombing claimed by Al Qaida in the Arabian Peninsula in Yemen have re-emphasized Yemen's importance in regional and international security. One problem with much of the analysis of Yemen is that it tends to emphasize the country's impact on external security. Particularly within the US, the stress has been on Al Qaida's operations in and from Yemen. Although perhaps justified in terms of overall US strategy, this limited view of issues within Yemen that affect its

³⁶¹ Strafe- To attack with a machine gun or cannon from a low-flying aircraft.

internal security can create strategic myopia. Ultimately, these broader internal issues are crucial in how well and how willing the government of Yemen will cooperate with other countries. From Sana'a's perspective, there are three critical ongoing threats to internal security. Al Qaida certainly is one, but the other two like the Houthi uprising in the north and political unrest in the south around Aden probably are viewed with considerably more concern by the Yemen government. Although each threat is significant in its own right, the possibility of overlap among them in the future is even more worrisome. These specific threats are even further exacerbated by a long list of broader social, economic, and political stressors, all of which impact on Yemen's capability to respond adequately.

AL QAIDA IN YEMEN

Al Qaida has had a long-standing presence in Yemen. Sympathizers for jihad predated the actual formation of Al Qaida, with Yemenis second only to Saudis as members of the international brigade in Afghanistan. The number of Yemeni mujahedeen³⁶² continuing allegiance to Al Qaida is unknown, but probably has been substantial. Some 40 percent of detainees in Guantanamo have been from Yemen, with several former Guantanamo detainees returning to Al Qaida in Yemen. Also, some released from Saudi rehabilitation programs have entered Yemen and have re-joined to Al Qaida. Al Qaida maintained training camps in Yemen until the late 1990's. Although several have been targeted by the Yemen government, it probably would be overly optimistic to conclude that training sites have been completely eliminated. Yemen has been the scene of numerous Al Qaida-associated operations. In February 2006, 23 Al Qaida detainees tunneled out of prison. These escapees included Jamal Ahmad Badawi and Jaber al Banna, two of the most prominent Al Qaida operatives in Yemen. Al Badawi had been a principal organizer of the Cole bombing. Subsequently, all but three of those who escaped have either been killed, recaptured, or surrendered. The case of al Badawi has been a running sore between Sana'a and Washington. He turned himself in to the Yemeni government in 2007 and promised to cooperate with authorities. Claiming that the Yemen constitution does not permit extradition, Sana'a essentially has allowed al Badawi free rein. Of these three still at large, Nassar al Wahishi and Qasim al Raimi have been the most significant. Al Wahishi became the chief of Al Qaida in Yemen. The formation of Al Qaida in the Arabian Peninsula was announced in January 2009, representing a

³⁶² Mujahedeen- soldiers fighting in support of their strong Muslim beliefs(only in some Muslim countries)

merger of the Yemeni and Saudi Al Qaida branches. The leader of the group is al Wahishi, with the second in command Qasim al Raimi, who reportedly was a principal target of the first December 2009 raid, but who escaped. The Yemen government has suggested that al Wahishi and perhaps al Raimi were killed in the second raid. The Yemen government's response to Al Qaida has been somewhat mixed over time. Previous detentions without trial for terrorist suspects were common, but it is far from clear that the right persons were detained. Al Qaida has faced a number of pressures from both the US and the Yemen government. In 2002, a CIA drone attack killed leader of Al Qaida in Yemen, Abu Ali al Harthi. In July 2009 a Yemeni court sentenced 16 militants for attacks on the US Embassy and on the Belgian tourists; six were sentenced to death and the others imprisoned. The Yemenis also have begun a terrorist rehabilitation program akin to the ongoing Saudi program.

YEMENI AL-QAEDA CRACKDOWN

The Yemeni Al-Qaeda crackdown refers to military operations by the Yemeni government and the United States government against Al-Qaeda and affiliated groups in Yemen, as part of the Global War on Terror. The crackdown initiated in 2001 and escalated on January 14, 2010, when Yemen declared an open war on Al Qaeda. In addition to fighting against Al Qaeda in several provinces, Yemen is also battling a northern Shiite insurgency³⁶³ and trying to contain separatists in the south. Fighting with Al-Qaeda escalated during the course of the Yemeni revolution in 2011, with the Islamists seizing most of Abyan Governorate and declaring it an Emirate in the end of March. During the first few months of 2012 there was yet another surge in violence as militants took control of more towns across the southwest of the country amid heavy battles with government forces.

THE HOUTHI REBELLION

The Houthi uprising reportedly began as quasi-police ³⁶⁴operation to arrest a former parliament member, Husein al-Houthi. Although Husein al Houthi was killed early in the fighting, the struggle continued under the leadership of his relatives. From its inception, the Houthi claimed to be defending Zaidi Islam from a hostile Yemeni government, claiming that Sana'a was increasingly falling under the influence of Salafis³⁶⁵. Also it likely represents a tribal attempt to preserve traditional power structures in the area. The fighting has centered in Saada Province in northwestern Yemen, but some operations have expanded beyond this area. Ideologically, the Houthi movement is very difficult to nail down. In large measure, this is deliberate: In

³⁶³ Insurgency- rebellion or mutiny

³⁶⁴ Quasi-police-partly or almost an official body

a July 2008 interview, al-Houthi explained that he and his supporters refused to articulate any kind of political agenda because doing so would cause people to start fighting to see such demands satisfied, contradicting what he sees as the reactive dimension of the war. Although some of the rhetoric among some members of the rebellion is very militant – death to the US, death to Israel, etc., and the Houthi have condemned US activities in Yemen, there have been few if any indications thus far that they have any particular ties or sympathies with Al Qaida. This of course has not stopped the Yemen or Saudi governments from trying to argue that the Houthi are aligned with Al Qaida. Fighting began in 2003-2004. It has been marked by a series of battles, ceasefires and negotiations, followed by more fighting. Some areas have remained under consistent rebel control. Beyond the government-rebel fighting, the unrest has brought in some elements of tribal feuds, with for example the Hashid tribal federation fighting on the side of the government and the Bakil confederation³⁶⁶ supporting the rebels. The fighting has resulted in considerable destruction in its wake. In part, this has been a result of the use of heavy weapons by the government. For their part, the rebels have engaged in widespread use of looting. According to one source, in the areas of fighting, 7,180 houses, 1,412 farms, 267 mosques, 94 schools, eight medical centers, four police stations, three court buildings, three other government facilities and two religious centers had been destroyed in the fighting or by air bombardments. It also has resulted in at least 150,000 displaced persons. The situation with the Houthi rebellion became even more complicated on 5 November 2009. A reported Houthi attack on a Saudi border post that killed a border guard led to a major Saudi response. The Houthi have claimed that the Saudis have launched over 160 missiles against northern areas. Although specific operations are difficult to establish conclusively, independent reporters in the area have confirmed significant Saudi air and ground operations. The Saudi government has acknowledged suffering 73 killed and 26 missing to date in the fighting. The Houthi have claimed to have captured at least nine Saudi troops.

SOUTHERN UNREST

The third area of internal unrest is in Aden, the former capital of South Yemen. Significant demonstrations and riots have erupted since May 2007. Both internal

³⁶⁵ Salafis- en route for

³⁶⁶ Bakil confederation- Throughout much of Yemen's history, the Hashid and Bakil confederations and the tribes that belong to them have acted as arbiters of power in northern Yemen.

security forces and army troops have been used to quell unrest, with a number of demonstrators killed. Local political grievances have included job discrimination, equal rights, and purported punitive discharge of former South Yemen officers who putatively were covered by earlier amnesties. As the unrest has continued, there have been increasing calls for the liberation of south. Much of the unrest has stemmed from issues still unresolved from the 1990 unification and the 1994 civil war. Sana'a replaced many of the former southern leaders with northern officials. According to Human Rights Watch, some 100,000 retired southern military officers and civil servants only sporadically receive their pensions, with suspensions of pensions often appearing to be politically motivated, occurring after the individual participated in a political protest. There also have been repeated charges that northerners close to the government have received preferential treatment on land and oil contracts in the south. The first organized opposition movement in the south was the Society of Retired Military Officers, formed in 2007 and which organized protests. These marches and sit-ins were met with violence and widespread arrests. These protests quickly broadened, incorporating many elements of southern society who felt marginalized by the north. The Yemeni Socialist Party, the main political party representing southern interests, was a significant mobilization agent for spreading the movement, which has become known as the Southern Movement or Movement of the South. As the protests have escalated, so have the demands, with many southerners now calling for independence. Most violence involving the protests thus far has been on the part of government security forces, but there has been scattered violence attributed to supporters of the Southern Movement. In most cases, opposition violence has consisted of isolated rock-throwing, Molotov cocktails³⁶⁷, and the like, but there have been a few murders and attacks attributed to its supporters. So far, the unrest has been more political than violent. The comments by one retired colonel in the Southern movement may be representative of many in the south that there will be war when the money runs out. President Saleh is a clever man he knows how to play the tribes off one another, but this takes money. The people here will wait until he is weak enough and then they will strike.

SOCIAL AND ECONOMIC ISSUES

³⁶⁷ Molotov cocktails- a crude bomb, usually made of a bottle filled with a flammable liquid such as gasoline and a wick that is set alight just before it is thrown.

Beyond the purely security issues, Yemen faces a host of broader problems. Perhaps the most salient is tribalism, which still exerts tremendous impact throughout much of Yemen. The country is marked by significant poverty, with a per capita income of about \$723. The literacy rate is very low. Large areas are sparsely inhabited, potentially providing multiple safe areas for bad actors. Both oil and water resources are dwindling. Interspersed³⁶⁸ with all these other issues is the virtually endemic use of qat, a mildly narcotic drug. Any visitor to Sana'a would note how much of the male population essentially shuts things down in the afternoon to enjoy their chew. Regionally, Yemen also has faced human trafficking from Somalia, and – perhaps desperation overtaking forethought – significant refugee flows from Somalia. According to the UNHCR³⁶⁹, as of September 2009, there were over 153,000 registered Somali refugees in Yemen, and the rate of inflow has been increasing in recent months. Yemen also traditionally has been a gateway for arms and drug smuggling, and this is unlikely to change. One analyst has claimed that Yemen has 60 million weapons for a population of 22 million people. Piracy in the Gulf also has impacted trade in and out of Yemen.

SOUTH YEMEN INSURGENCY

Given limited resources, Yemen faces somewhat of a Rubik's Cube in reacting to its three major internal security threats. However, the level of attention and resources devoted to each of major threats must be prioritized by the Yemeni government. The South Yemen insurgency is a term used by the Yemeni government to describe the protests and attacks on government forces in southern Yemen, ongoing since 27 April 2009 on South Yemen's Independence Day. Leaders of the group maintain that their aims of independence are to be achieved through peaceful means, and claim that attacks are from ordinary citizens in response to the government's provocative actions. The insurgency comes amid heavy fighting with Shia insurgents in the country's north. Southern leaders led a brief, unsuccessful secession in 1994 following unification. Many of them are involved in the present secession movement. The political movement behind the so-called 'insurgency' is a group called the South Yemen Movement. Led by exiled South Yemeni leaders and opposition figures, this group calls for peaceful protests. However, their protests have recently often turned into riots, some with armed fighters. The insurgency has occasionally been linked by

³⁶⁸ Interspersed- to break up the continuity or flow of something with something else

the Yemeni government to Islamist groups, including ex-military commanders and South-Yemeni tribes. South Yemen is home to several jihadist movements, some of which are believed to be affiliated with Al-Qaeda, most notably a group called the Aden-Abyan Islamic Army. Naser al-Wahishi the leader of Al-Qaeda in the Arabian Peninsula expressed support for the South Yemeni separatist movement. However leaders of the South Yemen Movement were quick to deny any links with al-Qaeda. Many believe that Saleh's government was using Al-Qaeda as a means to win international support against insurgencies in the North and South.

BATTLE OF HUTA

On 20 September a number of militants attacked and took control of the village of Huta in the southern parts of the country, prompting the Army to counter-attack. This happened as the top US counter-terrorism advisor John Brennan was on a visit to Yemen and discussed cooperation in the fight against Al-Qaeda, according to the White House. Brennan met President Ali Abdullah Saleh and delivered a letter from Obama expressing US support for a unified, stable, democratic and prosperous Yemen, National Security Council spokesman Mike Hammer said in a statement. President Saleh and Mr. Brennan discussed cooperation against the continuing threat of Al-Qaeda, and Mr. Brennan conveyed the United States' condolences to the Yemeni people for the loss of Yemeni security officers and citizens killed in recent Al-Qaeda attacks. Al-Qaida militants fought off repeated attempts by government troops backed by tanks and heavy artillery to retake the besieged town. A military official said the militants were using sniper fire and land mines to keep the soldiers at bay, forcing the army to adjust its tactics. On 24 September the government siege of al-Huta ended after security forces took control of the town in the southern province of Shabwa.

Battle of Zinjibar

On 27 May 2011, about 300 Islamic militants attacked and captured the coastal city of Zinjibar. During the takeover of the town, the militants killed seven soldiers, including a colonel, and one civilian. In the months that followed the militants entrenched themselves within the city as the Army resorted to aerial bombardment and artillery attacks. The insurgents responded with daily bombings and suicide attacks. By the end of the year almost 800 had been killed in total, with casualties almost equal on both sides. On 4 March, militants launched an attack against an Army artillery battalion on the outskirts of Zinjibar, overrunning it and killing 187 soldiers and wounding 135. Reinforcements from other nearby military bases came too late due to a sandstorm. In the days following the attack, the military conducted air-strikes against militant positions around Zinjibar which they claimed killed 42 Al-Qaeda fighters. The Ansar al-Sharia group that took responsibility for the attack is believed to be just a re-branding of Al-Qaeda in the Arabian Peninsula to make it more appealing to the devout rural population. Three days after the attack the group let a Red Cross team into Jaar to treat 12 wounded soldiers and demanded a prisoner exchange with the government. After the beginning of fighting around the city of Lawdar in early April, violence escalated around Zinjibar as well. At least six militants and two Yemeni soldiers were killed in a shootout on 19 April. A major army operation followed in the end of the same month, with hundreds of troops advancing against militant positions in Abyan province. Troops managed to reach the

³⁶⁹ UNHCR- United Nations High Commission for Refugees

center of Zinjibar after several days of fighting, including an intense six-hour battle towards the end on April 25. Three militants had been killed on the 23rd, and at least 46 died in the province during the next two days, including 15 near Lewder.

Sana'a Bombing

On 21 May 2012, a soldier detonated a suicide bomb in a crowd of military personnel at the beginning of a rehearsal for a Unity Day parade in Sana'a. The bomb killed 96 and wounded more than 200, making it the deadliest attack in Yemen's history. Al-Qaeda in the Arabian Peninsula claimed responsibility and described it as revenge for the continued offensive by the Central Security Organization. On 3 June 2011 American manned jets or drones attacked and killed Abu Ali al-Harithi, a midlevel Al-Qaeda operative, and several other militant suspects in a strike in southern Yemen. Four civilians were also reportedly killed in the strike. According to the Associated Press, in 2011 the US government began building an airbase near or in Yemen from which the CIA and US military plans to operate drones³⁷⁰ over Yemen. September 30, 2011. Suspected US drone strikes killed at least 9 militants on 16 and 18 April 2012 in some of the first such operations in months. The two strikes were in Shabwa and Abyan provinces, which are partially or mostly under the control of the insurgents.

TURMOIL IN YEMEN PROVIDES BREEDING GROUND FOR TERRORISM

A group calling itself Al-Qaida in the Arabian Peninsula has claimed responsibility for the failed bombing of an Amsterdam-to-Detroit aircraft on Christmas Day. Nigerian suspect Umar Farouk Abdulmutallab told investigators he had trained with Al-Qaida operatives in Yemen. An increasing number of terrorism experts suggest that the turmoil in Yemen provides an ideal training ground for terrorists. Saudi Arabia says the Houthi infiltrated over the border and claims the Houthi rebels are aiding and abetting Al-Qaida. But, the Saudis are practically the only ones covering the conflict because no one can get into Saudi Arabia unless they have a visa. On the other hand, the Yemenis are not allowing anyone up to Saada Province, which is where the Houthi are based. That means journalists can only get second-hand information, although the conflict has been getting considerably worse.

YEMEN'S CONFLICTS: WATER CRISIS

A recent report shows that 70 to 80 percent of rural conflicts are over water shortages in Yemen, already on the brink of becoming a failed state. While domestic insurgencies chip away at the control of Yemen's central government and an Al Qaeda branch gains strength in regions beyond the government's reach, another crisis that affects Yemen's entire population has the potential to contribute to the country's instability and potential trajectory toward failure. But the water crisis and the rise of militancy are not unrelated perils. Much of the country's rising militancy, is a conflict over resources. They manifest themselves in very different ways: tribal conflicts, sectarian conflicts, political conflicts. Really they are all about sharing and participating in the resources of the country, either oil, or water and land. Some researchers from Sana University had very alarming figures. They said that between 70-80 percent of all rural conflicts in Yemen are related to water. Khalid Al-Thour, a geology professor at Sanaa University, adds that recent reports have indicated that Sana's wells will run dry by 2015 at current water-usage rates. In their 2009 Failed

³⁷⁰ drone- an aircraft whose flight is controlled from the ground

States Index, Foreign Policy magazine topped their analysis with a sobering assessment of Yemen as a perfect storm of state failure, including disappearing oil and water reserves. The World Bank considers Yemen one of the most water-scarce countries in the world where only 125 cubic meters of water are available yearly per capita compared to the world average of 2,500 cubic meters. Just 46 percent of Yemen's rural population has direct access to an adequate water supply and the number is only slightly better in cities, according to the German Development, which is working with the Yemeni government to improve water management. Public access to water is particularly sparse in Taiz, Yemen's third-largest city, where access to public water tanks is allowed only once every 45 days. When households run out of their personal water supply they have the option to buy water from private companies but in Yemen, where 42 percent of the population lives beneath the poverty line, many rely on charity from mosques to meet their needs. Yemen's population of 23 million has almost tripled since 1975, according to UN statistics, and available water resources simply cannot cope. The soaring population paired with poor management of water resources has led to a disastrous situation. The illegal drilling of wells into natural groundwater aquifers is increasing at an alarming rate and leaky pipes that waste up to 60 percent of water in urban areas are major culprits. Although water usage regulations are in place to tackle these issues, the government lacks the ability to enforce them. We have a war and we have all these troubles so the government doesn't want to think about water. Furthermore; in recent years, the production of qat a mild narcotic that as a staple of Yemeni social gatherings is a driving force in Yemen's economy uses up to 40 percent of available water in the capital Sanaa's water basin, according to the Ministry of Water and Environment.

Post-Saleh

On 14 January 2012, hundreds of people displaced by months of fighting were allowed to return to their homes in Zinjibar after a temporary deal was reached between insurgent forces and the army units. Locals described widespread destruction across the city and several mine fields that the army warned them about. According to reports, the militants held the western part of the city, while the east was controlled by government forces. Thousands of people previously held protests demanding an end to the fighting that has forced them to flee their homes in the south, holding several 50 km marches from the port city of Aden to Zinjibar. Estimates of the number of people displaced from the government operations against the militants had raised to nearly 97,000. Attacks continued during the next weeks, including a suicide bombing on 13 March near al-Bayda that killed four soldiers and left four other critically injured. After this attack militants posted a video in which they announced the capture of yet another soldier, bringing the total number of prisoners they hold to 74. They demanded an agreement to free imprisoned insurgents in exchange for the soldiers. On 31 March 2012 a large group of militants attacked an Army checkpoint in Lahij Governorate during the night, sparking a battle that left 20 soldiers and 4 insurgents dead. The attackers fled with heavy weapons and at least two tanks. Government forces later called in airstrikes that successfully destroyed one of the captured tanks, killing its three occupants.

CONCLUSION

The 21st Century geopolitical context has undeniably changed, but regional tensions continue to stoke the conflict in Yemen. Sunni-dominated Saudi Arabia is nervous about a Shia uprising on its southern borders. Shia Iran stands accused of supporting the Saada rebels,

despite the fact that Yemen's Zaidi Shias - who take their name from the fifth imam, Zayd Ibn Ali - are doctrinally distinct from Iran's Twelve Shias. At times, the insurgents in Saada have also been accused of accepting support from Libya, Hezbollah and al-Qaeda, as well as Yemen's local Jewish minority. Such inconsistent allegations are certainly exploited for shifting and expedient political reasons. Perceptions of external interference in Yemen serve to distract attention from multiple internal factors driving this brutal stop-start war, which began in 2004 when the rebels condemned Yemen's government for allying with the West on counter-terrorism and called for freedom to worship according to their own traditions. Yemen's government has since brokered several failed ceasefire agreements with the rebels, and in July 2008 President Ali Abdullah Saleh abruptly declared the Saada war over during celebrations for his 30th anniversary in power. The United Nations Office for the Coordination of Humanitarian Affairs claims Yemen's humanitarian emergency has been largely neglected by the international community and a \$23m flash appeal to help 150,000 internally displaced people fleeing the fighting in Saada has not yet received any funds. At a national level, Yemen is oil dependent but oil production is declining and the weak central government has less and less money at its disposal. In addition to the war in Saada, the government confronts a southern separatist movement and resurgent terrorist networks. Increasing numbers of Somali refugees and a rapidly growing domestic population are a strain on Yemen's fragile resources. The fear that Yemen could eventually fragment now preoccupies Yemen's neighbours and its Western allies. The scenario of state collapse in Yemen would create even greater potential for external interference in this strategic Arabian Peninsula state.

REFERENCES

1. <http://www.foreignaffairs.com/articles/65730/joost-r-hiltermann/disorder-on-the-borde>
2. United Nations Office for the Coordination of Humanitarian Affairs, "Yemen – Sa'ada Emergency Situation Report #4, 08 September 2009".
3. Associated Press, "Weeks of Fighting Yemen Rebels Killed 73 Saudis", 22 December 2009.
4. For example, see Paul Salem, "Avoid the Trap of Escalation in Yemen", *Al Hayat*, 26 November 2009.
5. Tony Czuczka and Henry Meyer, "Yemen Sees 'Mounting Evidence' Iran Is Arming Rebels", Bloomberg, 25 November 2009.
6. Human Rights Watch, *In the Name of Unity: The Yemeni Government's Brutal Response to Southern Movement Protests*, New York, 2009, pp. 12-13.
7. Michael Horton, "Why Southern Yemen is Pushing for Secession", *The Christian Science Monitor*, 15 December 2009.

8. Gregory D. Johnsen, "Yemen's Al-Iman University: A Pipeline for Fundamentalists?" *Terrorism Monitor* 4/22, Jamestown Foundation, 16 November 2006.
9. For a detailed examination of Islah's relations with the government, see Amr Hamzawy, *Between Government and Opposition: The Case of the Yemeni Congregation for Reform*, Carnegie Papers, (Washington: Carnegie Endowment for International Peace, November 2009).
- 10 Nasser Arrabyee, "Foreign Conspiracy Behind Yemen's Unrest, Zandani", 27 May 2009, at <http://narrabyee-e.blogspot.com/2009/05/foreign-conspiracy-behind-yemens-unrest.html>.
11. <http://www.irinnews.org/Report.aspx?ReportId=86830>
12. Shari Villarosa, Remarks at the Carnegie Endowment for International Peace Conference "Al-Qaeda in Yemen", 7 July 2009.
13. Jeremy M. Sharp, *Yemen: Background and U.S. Relations*, Congressional Research Service, 7 July 2009, p. 15.
14. "Yemen: Al Qaeda Declares South province As "Islamic Emirate"". Al Bawaba. 2011-03-31. Retrieved 2011-04-01.
15. "Yemeni troops target al-Qaeda". Al Jazeera. 2010-01-05. Retrieved 2010-01-23.
16. <http://www.yobserver.com/front-page/10021309.html>
17. <http://www.criticalthreats.org/yemen/aqap-and-suspected-aqap-attacks-yemen-tracker-2010>
18. "Reuters AlertNet - Yemen in war with al Qaeda, urges citizens to help". Alertnet.org. 2010-01-14. Retrieved 2010-03-03.
19. "Middle East - Yemeni al-Qaeda suspects 'killed'". Al Jazeera English. 2010-01-16. Retrieved 2010-03-03.
20. Hugh MacLeod and Nasser Arrabyee (January 3, 2010). "Yemeni air attacks on al-Qaida fighters risk mobilising hostile tribes". *The Guardian* (London).
21. Priest, Dana (2010-01-27). "U.S. military teams, intelligence deeply involved in aiding Yemen on strikes". The Washington Post. Retrieved 2010-01-27.
22. Raghavan, Sudarsan (2009-12-18). "Yemen asserts 34 rebels killed in raid on Qaeda". *The Washington Post* (The Boston Globe). Retrieved 2010-01-27.
23. "Obama Ordered U.S. Military Strike on Yemen Terrorists". Abcnews.go.com. December 18, 2009. Retrieved April 4, 2010.

BIOGRAPHICAL NOTE

I am Harris Joselean currently employed at Eritrea Institute of Technology as lecturer in History at the College of education. I have profound interest in social and political issues concerning Human rights. As my place of residence is very near to Yemen that is on the other side of the Red Sea. My affinities towards grave issues are far more realistic as I am witness to all the events that occur on and off. This actually motivated me to present a paper on the conflicts and civil unrest in Yemen. In fact, on my en route to India I have to halt for two days at the capital city Sana for transit. It's phenomenal to oversee the current incidents and picturise them in my presentation. As a result, I am happy to be in person to relate the current situation at Sana in Yemen, the life there, people living with all these drawbacks and hoping that every morning would give them a new outlook towards their political situation and holding their breath for a new lease of life

PRIVACY LAWS IN EAST ASIA: THE ROLE OF THE PRIVATE SECTOR

Abstract: *East Asia, a very diverse region, presents a variety of data protection systems, and very different levels of privacy protection. In each country, the role of the private sector in the data protection system varies so extensively, that it reveals the specificity of the region, and allows for a proposal that would result in more protection of privacy in East Asia. This article surveys the different data protection systems in the region, and offers to foster their development by presenting the pro-business aspects of the data protection laws.*

Introduction: the dynamism and dynamics of privacy

A paper on privacy very often begins with a reminder that privacy is a human right. Privacy has many dimensions, and it is not easy to bring it down to a simple explanation. Because privacy is the fruit of multiple evolutions, in time and space, of the many ways people interact with each other, it cannot be reduced to a simple, or essential defining element.³⁷¹ It had for a long time the meaning of “being let alone”,³⁷² in the sense that it was referring to the privacy of the house, or to the protection against search and seizures. In an age of communication, the concept of privacy stretched to encompass the right not to be spied on, and the right to protect one’s private information, to ensure that information relating to an individual will not get sold, exchanged, or compiled without his or her consent. This is how the concept of privacy evolved and is understood in the context of the protection of private information. This aspect of privacy, data protection (or privacy of information in the United States) changed, and has been reinforced, extensively in the past decades, as the exchanges of information increased dramatically. The age of information is an age of data, and many of

³⁷¹ Solove, Daniel J., *Understanding Privacy* (Harvard University Press, 2008), 8.

³⁷² Warren and Brandeis, “The Right to Privacy”, *Harvard Law Review*, Vol. IV, No. 5 (1890), 195.

these data are private, confidential, or sensitive. Organizations from the public and the private sector have a duty to ensure that these information, particularly those of individuals and the sensitive ones, are collected, stored, exchanged, compiled and sold, only under certain conditions. One of the most common conditions is that the organization that collects information informs the individual, and obtains its specific consent for the collection, storage, processing, or sale of the private information concerned. Traditionally, also, small businesses are exempted from all, or part, of these legal requirements.³⁷³ This legislative effort, generally led by the European Union, is disorganized. Several models compete, with the European Union one generally considered the stricter for the restrictions it puts on the commercial use of personal information. Similarly to many regulation sectors and tools, data protection legislations are considered by some to be “anti-business”. Uncovered in January by Viviane Reding, the EU Justice Commissioner, the new generation of data protection laws, due to be implemented in 2016, have already attracted harsh criticism from the Confederation of British Industry. The debate and exchanges that took place since the EU Commissioner unveiled the draft proposal in January 2012 show the tensions between the need on the one hand for rules applying to the entire private sector to be “business-friendly”, and the European political leadership, who considers its responsibility to protect the right to privacy as one of its priorities.³⁷⁴

In East Asia (as well as in the rest of Asia, although the present article is almost entirely restricted to the former) the debates on privacy laws take place at a different level. Probably

³⁷³ In Japan for instance, the 2003 Act on the Protection of Personal Information applies to companies storing the information of 5000 or more people. In the draft data protection directive of the European Union, companies employing less than 250 people will be exempted from certain requirements. See: Moules, Jonathan, “New Privacy Rules Frustrate”, *Financial Times*, January 27, 2012.

³⁷⁴ Bradshaw, Tim and Tait, Nikki, “UK questions EU online privacy plan”, *The Financial Times*, 29 March 2012.

the best demonstration of the importance of the right to privacy, is to explain that almost none of the repression currently taking place in North Korea would be possible if there was an effective right to privacy in this country, known for being the most severe dictatorship in the world. The topic of the present paper is not much privacy as a human right, although it can be summarized with the following, given by Graham Greenleaf, one of the most prominent researcher on privacy laws, at least the most prolific, and one of the only ones to research and publish about Asia. He is saying about North Korea, in a survey of privacy laws in Asia: “...savage repression of any dissent. No privacy rights are respected. There is no reason to expect any reform of this aspect of the regime, because that would be the end of it.”³⁷⁵ This really points out how the violation of privacy is the door opening to a world of human rights violations. If the government doesn’t know where you are, what you are doing, who are your friends and what do you really think, then there is not much it can do against you.

East Asia presents the particularity, for a region of the globe, to offer a very different set of countries, very different in terms of development, and political regimes. Studying privacy laws in the region cannot be limited to comparisons, especially because of this diversity. Instead, the question of the transfers of legislations, the origins and motivations behind the acts, as well as, because it has not been the focus of any academic work before, the role of the private sector, form the bulk of this article. I will first give an overview of East Asian countries’ data protection systems, and analyze the role of the private sector in the design, implementation and functioning of data protection laws, before forming a proposal, in the

³⁷⁵ Greenleaf, Graham, “Major Changes in Asia Pacific data privacy laws: 2011 Survey” *Private Law & Business International Report*, Iss. 113 (October 2011), 2.

conclusion, for the data protection laws being promoted as a pro-business tool, as it is the case in the People's Republic of China for instance.

1. **South Korea**

South Korea began to enact data protection laws as early as 1995. In particular, in the specific geographic context of East Asia, this is a major breakthrough. Before addressing the role of the private sector, it is worth mentioning that what attracted much academic attention, probably because of the “early” status of the south Korean data protection system, is the motivation behind the scheme. Two elements are mentioned by scholars in that regard: first, the memory of the authoritarian regime that shortly governed the country until 1987, and secondly the fact that South Korea is the world leader in internet connection, with close from 95% of the population being connected. Some researchers stress the fact that so many people online make them conscious of the need to protect their identity, their anonymity, their personal information.³⁷⁶ A different opinion is possible, as the daily behavior of the several million users of social networks show that an increase in the use of internet does not necessarily transforms the users into privacy-conscious individuals. On the contrary, the more time is spent on internet, the more personal information is abandoned to private companies and other individuals, as this trend also implies rewards for the user. Targeted advertisements, enhanced online content, and additional features linked for instance to the localization of the user achieve to make the abandonment of private data a seemingly good operation for the user. This point would certainly deserve more attention but space is missing here to clearly outline and analyze what drives privacy, and data protection laws, from the individual's point of view.

Up to 2011 there was two data protection systems in Korea: one against breach by the government, not very effective, and another one aiming at breaches by the private sector. These two systems have been merged and Korea is now the country in the region with the most advanced protection system in the region, if not in the world. This will be outlined below: South Korea also presents the particularity of having for a time focused on the private sector while completely ignoring threats from governments and public agencies, while in East Asia the contrary is more often the rule. This also limits the claim that the motivation of South Korean people for the protection of private information is attributable to the memory of the recent authoritarian military regime.

2. Taiwan

Taiwan followed a different path, and decided against a central regulatory and oversight body. Instead, the existing data protection system gives each ministry the power to regulate data transmission, and investigate data breaches, in each respective sector. Throughout the different reforms, including the last one in 2010, Taiwan insisted in having a system controlled by the public sector, the government, rather than a US style system, in which each industry regulates its own privacy affairs. Nonetheless, the act is reported as delayed in its enforcement, “in order to allow affected parties plenty of time to prepare”.³⁷⁷ Countries that are influenced by the US, such as Japan, tend to follow this self-regulation system, but Taiwan seems to trust a central and strong government to ensure the protection of privacy rights, and not to mistaken the enemy of privacy as being exclusively the state.

³⁷⁶ Greenleaf, “2011 survey”, *Ibid.*, 2.

³⁷⁷ Cheng, Chun-Yih, “More delays for data protection”, *International Financial Law Review* (April 2012).

3. Hong Kong

In the search for the relations between the private and the public sector, and the role of the private sector in the enactment and functioning of data protection laws, Hong Kong necessarily provides with an interesting case, because as in many sectors, Hong Kong was the first place in Asia to actually implement a data protection act, in 1995, but also because the climate in Hong Kong is known for being very business-friendly. And indeed in the Hong Kong data protection and privacy system, what we see is that the public sector is in charge of ensuring the integrity of, for instance, personal information, but no sanction. And this is typical of Hong Kong legislation and regulatory bodies, where the legislation is simply insufficient in general to ensure that the regulatory bodies will be able to stand up to the private sector. A recent upgrade of the data protection, in 2011, was considered insufficient when the Hong Kong public realized that data were sold by hospitals and police stations, when there is virtually nothing to prevent the private sector for doing so, or even to monitor these breaches.

4. Macao

The other Special Administrative Region of the People's Republic of China, Macao, has a protection system modeled on the Portuguese system, which means that this is the most European of all Asian data protection systems.³⁷⁸ The history of the legislation shows the

³⁷⁸ Greenleaf, Graham, "Macao's EU-influenced Personal Data Protection Act", *Privacy Laws and Business International Newsletter*, Iss. 96 (December 2008), 1.

hesitations of the legislators between the Portuguese model and the influence from Hong Kong. This is understandable, considering the calendar of events: discussions began in 1998, under the Portuguese rule, and at the time of the actual drafting of the legislation (the Personal Data Protection Act), the Chinese influence on the Special Administrative Region of China was already strong, as six years had passed since the 1999 handover to China. That the Hong Kong system has been merged with the strong sense of protection imported from Europe is certainly something that, from a human rights perspective, there are reasons to be happy with. On the other hand, what is probably with South Korea the most advanced data protection system in Asia, only applies to a tiny territory and its roughly half a million inhabitants. Because of this limited size the Macao system of data protection, if satisfactory under many standards, has very little influence in the region.

Under many aspects the data protection laws in Macao effective, equally focused on public and private sector threats, and examples of successful enforcement include the suspension of a mobile traffic surveillance cameras system used by the police, because of the risk of abuse.³⁷⁹ Abuses can trigger administrative sanctions as well as criminal charges, and remedies against violations encompass “a variety of enforcement measures”, and “the most comprehensive ‘enforcement pyramids’ of the data protection law in the Asia-Pacific.”³⁸⁰ Mirroring the EU system in that regards, transfers of data to foreign countries and to mainland China are only possible under the condition that this country provides with an adequate system of data protection.³⁸¹ Article 19(2) states that this has to be “assessed in the light of all the circumstances surrounding a data transfer operation or set of data transfer

³⁷⁹ Greenleaf, “2011 survey”, *Ibid.*, 6.

³⁸⁰ Greenleaf, *Ibid.*, 2.

³⁸¹ The Macao Special Administrative region, *Personal Data Protection Act, Act 8/2005*, article 19(2)

operations; particular consideration shall be given to the nature of the data...".³⁸² Briefing sessions by the Office for Personal Data Protection (OPDP) took place in public administration as well as in private companies handling important amounts of sensitive personal data, such as banks.³⁸³ It doesn't not seem that this pedagogic approach has been tried anywhere else in the Asia-Pacific region, and this pro-active approach towards data protection combines with the equal treatment given to the public and the private sector, to form a system that is not only innovative in the region, it also shines by its accessibility. The OPDP provides on its website an array of guidelines and documents such as the International Standards for the Protection of Personal Data and Privacy (the Madrid Declaration) that prevents, together with the information sessions organized by the OPDP, companies and administrations from claiming that they ignored their data protection obligations in Macao.

Overall, this is no surprise that in the system in which the private sector had no role in designing the data protection rules, nor has a role in running it, protection of data is ensured at least as effectively as in Europe. Quite clearly left at a distance, companies, and other private bodies, are left to learn and apply the rules that prevent violations of privacy, in a clear contrast with Hong Kong, or Japan, as the following example will show.

5. Japan

³⁸² *Ibid.*

³⁸³ Greenleaf, "2011 survey", *Ibid.*, 3.

A surprising example in East Asia is Japan, which came to terms pretty late with the idea that the private sector was also posing a threat to privacy: 2002. The rather low level of privacy standard in Japan is surprising, as the protection of data is often associated with the general democratic level and the protection of political freedoms.³⁸⁴ And yet Japan appears as the exception in the category of developed and democratic countries. In 2005, the Japanese legislature produced the Japan's Act on the Protection of Personal Information, or APPI. This contrasts sharply with the laws enacted to prevent privacy violations from the public sector, enacted in 1988. The APPI, on paper, corresponds to Western and international standards of data protection, mainly because its adoption is the result of pressures from the mere existence of the EOCD guidelines, and Directive 95/45/EC of the European Union.

In the period following the APPI's enactment, strict interpretations of the act, and misinterpretations, showed that an educative dimension to the right to privacy was missing in the Japanese context.³⁸⁵ This lack of information about the act contrasts with the case of Macao, and the consistent information and education effort shown by the SAR's privacy authority.³⁸⁶ Overall, "APPI has not functioned well to enhance socially desirable handling of personal information since it was put in force."³⁸⁷ The main reason for the failure of this new legislative instrument in establishing an effective system of protection is the fact that it was based mainly on the outdated OECD guidelines.³⁸⁸

³⁸⁴ Westin, Alan F, "A Guide to Understanding Privacy," *Japan Privacy Resource*, 2004. Available at: <http://www.privacyexchange.org/japan/japanindex.html>

³⁸⁵ Murata, Kiyoshi, and Orito, YoHong Kongo, "Rethinking the concept of the right to information privacy: a Japanese perspective", *Journal of Information, Communication & Ethics in Society*, No. 3, Vol. 6 (2008), 233.

³⁸⁶ See above, note 383.

³⁸⁷ *Ibid.*

³⁸⁸ *Ibid.*, 234.

What is missing from the Japanese system is a set of effective remedies against violations, transparency in the work of the authorities in charge of the regulation, through the publication of statistics to inform the public and allow for academic research on the effective protection of data. These loopholes can be attributed to, and even identified as, the remnants of the previous system of protection, that entirely focused on public threats, and relied for the protection against the private sector on a mysterious self-regulatory mechanism, in which each private sector validates the collection, use, and transmission of data by the companies, without oversight from the government, even less from the civil society. So what we have here, is a near-complete absence of effective privacy rights, a government that is toothless, blind, and deaf, in front of a powerful and so-called self regulated private sector. Intensive lobbying is of course the medium through which privacy remained a secondary topic, at least in its application to the private sector, and the general lack of involvement of the civil society in the Japanese political process achieves to make the private sector, big industries and businesses, the real authority on data and private information. Lobbyism, again, seem to be allowing companies to avoid prosecution and charges, and “no firm has been prosecuted for any violations” since the enforcement of the act in 2005.

Finally, several scholars underling the inadequate conception of privacy as described in the APPI, in terms of cultural context. The traditional argument of social relativism and cultural differentiation plays fully here, with arguments such as “the rice agriculture and the climatic conditions in Japan have affected Japanese social characteristics; because of significant seasonal changes of weather, growing rice in Japan requires a collective decision-making

process, making the group more valuable than the individual.”³⁸⁹ This poor account of the reasons that might make international standards unfit for the Japanese population fail to explain the huge differences between Japan and, for instance, South Korea, which shares many socio-economic conditions with its neighbors, and nonetheless boasts the most advanced data protection system in the region, if not worldwide. Other accounts of the Japanese privacy act cited cultural reasons as for its possible unfitness to the population minds and traditions: “Offence is taken in Japan, not when others know information about oneself, but when they take advantage of that information, breaching a kind of unspoken communal trust and disrupting relationships.”³⁹⁰ The vague language of the above citation, especially regarding the definition of social norms, do not manage to hide the cultural relativism that is built here, and not surprisingly, the same article focuses on the tensions between the bureaucracy and the regulators in the Japanese legal and political context, while completely missing the point about the powers of the private sector. Rather than cultural relativism, the similarities between the Japanese and the American data protection frameworks, starting with their general weakness and insufficiency and suspicion towards the public sector, leaves open the question of the real motives behind the Japanese choice for a data protection legislation focusing on the public sector. In the United States, nothing prevents businesses to use their client’s personal data for marketing, while such limitations exist for the Department of Motor Vehicles, which handles Americans’ driver licenses, the most common identity card in the US.³⁹¹

³⁸⁹ Murata and Orito, *Ibid*, citing Hayashi, S., *Management and Culture*, (Chuokoronsha, Tokyo)

³⁹⁰ Lawson, Carol, “Japan’s New Privacy Act in Context”, *University of New South Wales Law Journal*, Vol. 29, Iss. 2 (2006), 102.

³⁹¹ Chungm R. C. Y., Hong Kong’s “Smart” Identity Card: Data Privacy Issues and Implications for a Post-September 11th America”, *Asia-Pacific Law and Policy Journal*, Vol. 4 (2003), note 1, 519.

Interesting is the press coverage of the act at the time of its enforcement. Newspaper articles show concern for the burden falling on companies and mention the risk of criminal charges for violations of privacy, also a sign of the difference in treatment between governmental and non-governmental bodies.³⁹²

6. **People's Republic of China**

This quick survey of data protection laws in East Asia ends with the People's Republic of China (PRC). It also provides a very good transition to the conclusion, and the final reflections on the role of the private sector in data protection and privacy in East Asia. There are in China many different conceptions of privacy, many dimensions to its protection, most of it remaining paper: laws that are not enforced, rights that are not defined, committees that never convene, a perfect case study of Chinese bureaucracy. Against this assessment of the governmental failure in effectively protecting the data of individuals, it is almost impossible not to mention that in the Chinese context, the danger obviously comes from the government. Control of the internet and other forms of electronic communications are more than daily routine in China, they are part of the state machine, an essential part. The example of China also illustrate the parabola of this paper's introduction: if the government doesn't know where you are, what you are doing, thinking, who do you vote for, and who your friends are, then there is very little it can do against you. The reverse proposal is also true: if the government knows all that, then it can do many things against political opponents and dissidents.

³⁹² See for instance: Kallender, Paul, "Tough Privacy Law Debuts in Japan", *Computerworld*, Vol. 39, Iss. 14 (2004), 14.

The bureaucratic nightmare and absence of political will to establish a satisfying system of data protection add to individual initiatives by provinces, which led the leading scholar on data privacy to name the PRC's system "the Warring States period", in reference to violent, pre-unification China.³⁹³ While a project of personal data protection law was at one point in the pipelines, it has been replaced by a mere amendment to the Law of the People's Republic of China on Resident's cards. The added provision creates an obligation for all organizations to not disclose the information obtained through the handling of identity cards. This applies to the public as well as to the private sector, and provides administrative penalties (fines), civil liabilities, and criminal sanctions. In the Chinese context this could appear as a progress, although it should be reminded here that the identity cards, probably in China more than anywhere else, are a tool to control the population.³⁹⁴ Branded the Hukou System (户口), China's decades old class and residency system is used to prevent massive urban exodus, limit inner migrations, forms the basis of the large-scale use of private information by the Chinese government to control the population. The need for the Chinese government to control the population through identity-related elements, such as the name,³⁹⁵ is so strong and so embedded in Chinese system of government and administration, that an attempt to protect personal data on an ID card designed to control the population and precisely limit its right to privacy, can only make one wonder where and when does the right to privacy will begin to appear in China. Finally, the focus on information contained on ID cards, as opposed to a broad conception of "private

³⁹³ Greenleaf, "Asia Survey", *Ibid.*, 6.

³⁹⁴ See, for a comprehensive analysis of the use of ID cards as a surveillance tool: David Lyon, *Identifying Citizens, ID Cards as Surveillance*, (Polity Press, Stockport: 2009), 192p.

³⁹⁵ LaFraniere, Sharon, "Not on Our List? Change It, China Says", *New York Times*, April 21, 2009.

information”, shows the little political willingness to protect sensitive and personal data. Most of the information, precisely in the age of information, is processes online and numerically.

Conclusion

The reason why China was a good transition to the conclusion of this survey is because of the role of the private sector. China’s biggest trading partner is the EU, and China needs, in order to accelerate its exchanges with the EU, to obtain what is called the “adequacy status”. Given by the EU, it is granted to trading partners that offer an equivalent level of the protection of personal data as to the EU. Chinese companies also need to reassure investors, foreign investors, that their business is not the government’s business, and that what is happening in the company actually stays in the company. This illustrates a striking difference between the implementation of data protection laws in democracies, and in China: China is not concerned by the right to privacy, but by the effect of privacy. Earlier drafts of the data protection act raise the stability of the banking system, the attractiveness of China for foreign investors, and the need to be able to process foreign data, as concerns leading to the adoption of a new legislation. The message is clear: data protection is good for business, but privacy will remain a non-element of these legislative efforts. Because of this business need, Chinese companies push, pressure the Chinese government for increased protection of data. This movement is slow and made of setbacks: the first data protection act was discussed in the legislature in 2003, and nothing has emerged yet, although word about a new act began circulating again in 2011.

This is an excellent example of what is happening in Asia, that the private sector needs these laws and effective enforcement, because, if correctly applied, it is a pro-move. In places such as Singapore, probably the least advanced nation regarding the right to privacy, well the private sector lobbied the government, and a first data protection law is likely to be adopted in the third quarter of 2012. It is insufficient, focused exclusively in private threats to privacy, provides many exceptions and exemptions, but no rights against the government, and has no clear source of inspiration as for the model it offers. Yet, those who know what is the dramatic state of the right to privacy in Singapore know and understand how much of a progress this is. A Singapore-based specialist of data protection identified the motives behind this revolutionary move, by saying that “adopting a comprehensive data protection regime will definitely help to reinforce Singapore’s protection as a trusted hub for businesses, by creating a conducive environment”.³⁹⁶

Examples of East Asia show the multiple models, the multiple influences, and the variety of factors surrounding data protection laws, their adoption and their content. International law has no solution or standard to give to lawmakers, except outdated or conflicted models of privacy guidelines. Businesses, in places where privacy is absent from the picture, have a case for pressuring the government. The side effect of this pro-business move is a reinforcement of privacy as a human right, even where it is not identified as an objective of new legislations.

³⁹⁶ Rosemary, Lee, cited by Out-Law.com, “Singapore lures big biz with mega data protection regime”, *The Register*, 23 March 2012, available at http://www.theregister.co.uk/2012/03/23/singapore_to_create_overarching_data_protection_regime/ (accessed August 2012)

Finally, Japan, the counter example, also warns against self-regulation, and a private sector that is at the same time the beneficiary, and the protector of privacy.

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ON THE TRANSLATION AND DISSEMINATION OF CHINESE MODERN AND CONTEMPORARY FICTIONS —— WITH THE TRANSLATION OF MUXIN'S SHORT STORIES AS A CASE STUDY

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Abstract : The Chinese modern and contemporary fictions in English translation have not made much impact in English-speaking countries. The publishing of Mu Xin's first collection of short stories in English creates a stir in America. With the application of the new standard of "Difference, Transfer, displacement and Art", the translation is able to capture the exquisite quality of these stories. In the process of translating, the difference between the two languages has to be clearly born in mind, then with the application of translation skills, the textual material in source language is flexibly transferred into the target language. Translation is a culture travel, thus a kind of culture translation. Translation, literary translation in particular, is also an art. The artistic value of the original should be reproduced. The original thus achieve its afterlife. The success of the translation of Muxin's work points out a way to the successful translation and dissemination of Chinese modern and contemporary fictions.

Keywords: Muxin's Short Stories; Translation; Modern and Contemporary Fictions

I. Introduction

In the 21st century, Chinese literature continues to expand the influence of Chinese culture by its unique charm. However, compared with foreign literary works translated into China, Chinese literary works translated overseas are relatively less influential. Owing a splendid history, Chinese literature's position and influence in the world literature field doesn't match with its large numbers of authors and huge numbers of readers. The size of overseas published translated Chinese literary works is still limited. Howard Goldblatt, the most influential American translator of contemporary literature, once pointed out that Americans do not read the translated works, and they read translated Chinese literary works even less. W.J.F. Jenner remarked that THAT MODERN Chinese writing in English translation has not made much impact in English-speaking countries is very obvious (Jenner, 1990:177) .

We have to admit that Chinese literary works, scattered into the ocean of world literature, has inevitably become the marginal minority. For China, there's still a tough and long way to go to spread Chinese literature to the world.

Then, how to introduce Chinese literature to the world? Translation exerts a vital influence. At present, the Chinese literature translation generally has four modes: the translation by Chinese translators, the translation by foreign translators, the self-translation of authors and the translation by overseas Chinese. In terms of influence, it is the translation of overseas Chinese who can best maintain the standards of the original. Nowadays, the two most influential translators of Chinese modern and contemporary literature in the English-speaking world are Howard Goldblatt and Julia Lovell, among whom Howard Goldblatt's contribution is particularly large. Though foreign translators have made a great contribution to promoting Chinese culture "going out", the number of foreign translators willing and capable of translating Chinese literature into other languages is still very limited, not to mention the outstanding ones. Foreign translators lack an understanding of Chinese culture and are influenced by their own ideology and other factors, thus mistranslations often occur. Thus, outstanding overseas Chinese, who has a good knowledge of both Chinese and English, familiar with both Eastern and Western cultures, is the most ideal ones for the translation of modern and contemporary Chinese fiction.

In May 2011, *An Empty Room*, the first translation work of Mu Xin, translated by Toming Jun Liu, was published by the famous American Press, New Directions. Meanwhile, the world's leading publisher "Penguin Books Canada Limited" published it in Canada. Once published, *An Empty Room* made a stir in the United States. *Publishers Weekly* and *Three Percent* made a high value on it. Positive comments effectively boosted the popularity of this book. Readers have also expressed their surprise when reading the English translation of Mu Xin's short stories. An exploration will be made into the translation and dissemination of Chinese modern and contemporary fictions with Mu Xin's translation of short stories as an example.

II. The Bond Between the Author and the Translator

Mu Xin's work enjoys great popularity among the English-speaking countries with its insuperable artistic value. But the translators' translation art cannot be overemphasized. It is the artistic value recreated in the translation that attracts readers into Mu Xin's literary world. A translator will first choose a work that attracts him. The translator and the author of the original work meet, become interested in each other, encounter further and finally fall into love with each other. A strong bond between the author and the translator is thus built.

Mu Xin is the pen name of a renowned Chinese writer and artist, whose real name is Sun Pu. Mu Xin was born in Wuzhen, Zhejiang Province, of East China. He has a wealthy aristocratic family with business in Shanghai. He was among the last generation to receive a classical education in the literati tradition, but he was also exposed through voluminous reading to the highest achievements of Western art and culture. From 1947 to 1949, Mu Xin attended Shanghai Institute of the Arts. From 1949 to 1982, before he came to the United States, Mu Xin lived in China. Although he wrote profusely in that period, all of his earlier manuscripts were confiscated and destroyed during the Cultural Revolution. From 1982 till 2006, Mu Xin lived in the United States. This was a period of prolific and profound artistic and literary creativity in his life. Since 1982, Mu Xin has published twelve books of fiction, prose, and poetry in Chinese and has been contributing to literary columns in Chinese journals and newspapers outside the PRC. In the following decades, his literary works and paintings won great admiration around the world and established him as a revered artist-intellectual. Few Chinese writers in modern history have as an extraordinary mastery of the Chinese cultural and linguistic heritage as Mu Xin does. Innovatively combining fiction, prose, and philosophical reflections, Mu Xin's writing is both of profoundly Chinese characteristics and of the internalization and unconventionality of Western modern works. (See Mu Xin, 2011:148-149)

Mu Xin returned to Wuzhen in 2006. He passed away there in December 2011, at the age of 84.

Toming is the pen name of Liu Jun. Toming was born in Xi'an, China, and is a professor in the Department of English, California State University, Los Angeles, where he teaches American literature, nineteenth-century and twentieth-century European literature, aesthetics, and critical theory. Liu has published numerous articles on modern American and Asian American authors in various forums in the United States. His latest publications include "A History of American Literature" (Yilin Press, 2003) and two interviews with the Chinese writer Mu Xin. In addition, Liu has published translations from English into Chinese, including Faulkner's *Light in August*.

Toming met Mu Xin in New York in the late 1980s when his literary works began to arouse great interest among diasporic Chinese intellectuals. During those years, Toming interviewed Mu Xin on his life and art twice and subsequently published those interviews.

With his understanding of Mu Xin's style deepening, he decided to translate Mu Xin's work into English. Toming said, "I feel privileged that I've been able to work closely with Mu Xin to complete this translation" (Mu Xin, 2011, 149). *An Empty Room*, a collection of thirteen stories from Mu Xin's three most important work, has thus come out.

In translating *An Empty Room*, Toming had continuously consulted Mu on issues relating to this book and had received direct advice from him about what details should be changed and what should not.

As Toming said, decisions in translation often concern details that initially seem trivial but are ultimately significant. In consultation with Mu Xin, for example, Toming decided to use "Fong Fong" in the story "Fong Fong No.4" as the English transliteration instead of using the strictly Chinese pinyin rendition of "Fang Fang" as the latter might cause confusing connotations in English. (Mu Xin, 2011, 149) Toming himself pointed out that during the various stages of working on this collection, he made many other such choices, not to deviate from the original, but to try to capture the spirit of Mu Xin's stylized, elegant Chinese.

Mu Xin's works, together with the Chinese tradition and culture, walk into the English-speaking world, attracting readers. In addition to Mu Xin's unique writing style, Toming's exquisite art of translation also contribute to its success. The translator's thorough understanding of the entire work, deep accumulation of knowledge, profound realization of Eastern and Western cultures, along with his philosophic thought and ingenuity, helps to make *An Empty Room* achieve aesthetic values, leading readers into Mu Xin's world.

III. Toming's Translation Strategies in "An Empty Room"

For such a long time, faithfulness, expressiveness and elegance are regarded as the most common standards of evaluating the quality of translation, among which faithfulness is the most important one. However, Toming argues that it is hard to give an accurate definition of faithfulness, and he holds that Benjamin's view in "*The Task of Translators*" is of great guidance. In "the task of translators", Benjamin points out that "faithfulness" is very easy to be confused with literalness, or encourage a functional translation only for the purpose of communication, which will neglect the artistic nature of translation. From Toming's view, the translation task proposed by Benjamin is to show the translatability of the original text and to emphasize the importance of creation during translation. Such interaction between original text and translation reflects the art of translation.

Based on the above analysis, Toming uses four Chinese characters to generalize his translation strategy, which can also be defined as the four steps in translation. “Difference” means that translators should master the difference between the source language and target language; “Transfer” means that translation is to convert information expressed in one language accurately and fluently to the target language; “Displacement” means that literature translation is an experience of culture travel, which is a cross-culture activity; “Art” means that translation is not just an applied science but an art, which should aim at creating aesthetic values, especially the literature translation.¹

3.1 Difference

An excellent translator is the one who skilled at both source language and target language, if not some mistranslations will inevitably appear. English-Chinese Translation has always been considered one of the most challenging translations, due to the language barrier. English belongs to the Indo-European Language, while Chinese belongs to Sino-Tibetan language. These two language systems have huge differences in morphology, syntax, and logic structure. In *An Empty Room*, the translator Toming Jun Liu handles with the language barrier successfully. In the following part, author will use some examples to illustrate this point.

“*Fong Fong No. 4*” is the most popular short story of Mu Xin, also the highlight in *An Empty Room*. In this short story, the translation version fully reflects translator’s exquisite mastery of both Chinese and English.

[ST1]

芳芳是

侄女的同学，侄女说

生

孱弱，与侄女的健朗成鲜明对比。来她们安于

则来，要去则去，芳芳也成了熟客。算是我非正式的学生，都学键盘，程度

不低。（木心2006：79）

[TT1]

Fong Fong was my niece’s schoolmate. My niece had mentioned her quite a few times before she introduced her to me. Fong Fong was quite shy. Her frail build was a stark contrast to my niece’s healthy glow but they didn’t seem to mind. There was no need for me to play host with them so they came and went as they pleased and soon Fong Fong was no stranger. I secretly thought of her as one

of my piano students. Both she and my niece were quite advanced musicians. (Mu Xin, 2011:33) (*Fong Fong* No. 4)

There is a huge difference in words and sentence structure of Chinese and English. Chinese structure emphasizes parataxis, while English emphasizes hypotaxis. Associated words are always omitted in Chinese clauses, but the sentence meaning is still coherent. In the sentences like

“芳芳是 侄女的媽媽安在對她說了不厭我，便帶她來看我
作招待，要來 則來，要去則去，芳芳也成了熟客”

without conjunctions between clauses. However, in English version, associated words should be added, otherwise it will cause logical chaos and grammatical errors. As in the translation version, “My niece had mentioned her quite a few times **before** she introduced her to me.”, “There was no need for me to play host with them **so** they came and went as they pleased and **soon** Fong Fong was no stranger.”, translator adds three conjunctions---before, so and soon---in order to clarify logical relationship between these sentences.

Such phenomena are very common in the translation version, *An Empty Room*.

[ST2]

丁 琰是男生，琴彈得可
早就感 覺到有這回事。(79)

[TT2]

Ding Yan was a young man **who** was a decent pianist, though made rather slow progress in **his** lessons with me twice a week. I had long sensed that **he** was in love with Fong Fong.

In terms of expression habit, Chinese always uses person as the subject. The ellipsis of subjects will not destruct sentence meaning, but make sentence structure more concise and coherent. The sentence

“丁琰是男生，(他) 琴彈得可好，進步不快，(他) 每星期來上兩課。(丁琰) 愛了芳芳，我早就感覺到這回事。” is a typical example of subject ellipsis. In this sentence, the subject “丁琰” only appears once, but the logical structure and meaning

of this sentence is still clear. Reader will clearly know who is the guy loving Fong Fong without confusion.

On the contrast, English uses both person and impersonal things as subjects, which cannot be omitted. Otherwise, some confusion will appear. We can clearly see that in the translation of the above sentence---- Ding Yan was a young man who was a decent pianist, though made rather slow progress in his lessons with me twice a week. I had long sensed that he was in love with Fong Fong---translator adds the personal pronoun to make it logical.

[ST3]

我是小叔，

侄女只比我幼四岁，

女有

别，她们添置衣履，拉我一同去

这就叫作青年时代。（木心， 2006：79）（芳芳No. 4）

[TT3]

I'm only four years older than my niece—her youngest uncle. Talking with her and Fong Fong wasn't any different from conversing with my other friends. And despite the gender difference, they dragged me along when they went shopping for dresses and shoes as they respected my opinions in such matters. We went casually from store to store, idling away that wondrous phase of life called youth. (Mu Xin, 2011:33) (*Fong Fong No. 4*)

Professor Liu believes that faithful translation is not translating word for word, but accurately and fluently converting original meanings to readers. The good translation should maintain the original author's writing style and spirit. This requires translators to have the ability to selectively add or reduce some content in the translation version. The ultimate goal is to make translation version more understandable, avoiding confusion and misunderstanding of readers. In the above example, the translator adds "as they respected my opinions in such matters" to convert the implied information. Besides, professor Liu does not translate mechanically word for word, he translate “这就叫做青年时代” into

“idling away that wondrous phase of life called youth”, which expresses the hidden meaning in very idiomatic English way.

Such translation skill is also typical in the following example.

[ST4]

信来信往，言不及
作
，各要代

义的文字游戏，写成
钢琴演奏比赛的评半
购春装冬装，男人去

买下带走便是。(木心 2006 : 80) (芳芳NO.4)

[TT4]

Our correspondence, or rather our word games, became a regular ritual. Then one autumn I was invited to Beijing to sit on a judging panel for a piano competition. I wrote to my niece and Fong Fong not expecting that they would ask me to purchase some winter and spring clothes for them. Besides being a little awkward for a man to buy women's clothes, they didn't even tell me their sizes. So I made my best guess and purchased a few things. (Mu Xin, 2011:36) (*Fong Fong No. 4*)

In this paragraph, Liu translates “信来信往” into “our correspondence”, and “言不及义” into “word games”. The word “correspondence” express author’s meaning of writing letters to each other, concisely and precisely. And the translator chooses not to translate “言不及义” but only use “word games” instead. This seeming omission makes translation more smooth and natural.

To sum up, the first standard for translation is to master the difference between source language and target language. Only with the thorough understanding of original text, can translator accurately convert the original meaning to target readers. At this point, the mastery of language difference is rather a basic skill than ability for good translators.

3.2 Transfer

The basic mission of translation is to convert information into target language smoothly, authentically and flexibly, with the appropriate translation strategies, and on the precondition of mastery the bilingual difference between source language and target language. In addition to the above-mentioned strategy——amplification and deduction,

Chinese-English translation often needs to shift parts of speech, in order to make translation in line with the habits of the expression of the target language. The most common conversion of parts of speech in C-E translation is to convert the Chinese verb into English noun, adjective or preposition. In addition, the conversion strategies also include counter-translation strategy and sub-translation strategy, like adjustment of words and sentences orders. Besides the language level, a translator should also pay attention to the conversion of original image, style and even the artistic conception of the original text.

A few examples from *An Empty Room* are given as follows:

[ST5]

门开着，院里的落叶和殿内的尘埃，告知我又是一个废墟。这里比教堂有	
意思，廊	虎曲折，古木参天
声，无人	应，便登楼窥探
一排三	间最两间没门，歪壁斑驳，空空如也。有板扉虚掩，我
紧缩手——	
整片粉	红扑面袭来。墙里的墙壁是簇新的樱花色
才知也是空房，	墙壁确是刷过未久，十满的墙纸没有家堆
堆柯	达胶卷的空匣。我
楼板。（木心，2010：34）（空房）	

[TT5]

The gate was open. Fallen leaves in the yard and dust floating in the hall indicated that this was another place in ruins. The temple was more appealing than the church, though. The corridors crisscrossed and the tall ancient trees provided heavy shade **so that** even in decay there was a tranquil beauty. Behind the main hall stood a two-storey building. I called out a few times but received no response. I walked upstairs to look around. Two of the three rooms didn't have doors, their dilapidated wooden walls exposed within. **Empty, empty.** I came to the third room and found a screen door ajar. I pushed it open but withdrew my hand immediately – a sudden flood of pink washed over me. The walls inside were painted color of flowering cherry blossoms. I felt a “human presence,” but after a quick inspection it was clear that this room, too, was empty. The walls, however,

were freshly painted with a clean evenness. No furniture. The floor was covered with pieces of paper and piles of empty Kodak boxes. Stepping on the paper scraps, I felt as if a rich carpet covered the entire floor. (Mu Xin, 2011:28) (*An Empty Room*)

Overall, the above translation does not rigidly adhere to the original form of literal words, but flexibly use various conversion strategies. Toming translates the Chinese sentences “廊
院曲折，古木参天，残败中自成萧瑟之美” as “The corridors and the tall ancient trees provided heavy shade”, and then with the use of conjunction “so that”, the following simple sentence function as the adverbial clause of result. This approach of reconstructing sentence structure can make the translation in line with the English expression and grammatical habit. In the translation “the temple was more appealing than the church, though” of “这里比教堂更有意思”, Toming use the adversative conjunction “though” to illustrate the hidden concession relationship in the original text. Then in the translation of “满地的纸片，一堆堆柯达胶卷的空匣” into “the floor was covered with pieces of paper and piles of empty Kodak boxes”, Toming changes the nominal structure into a subject-predicate structure.

In terms of translation strategies, Toming mainly uses literal translation. Since conciseness and profoundness are the typical style of Mu Xin’s short stories, Toming prefers to use simple sentences in translation, and strives to convey the original natural feature of Mu Xin on lexical, syntactic and discourse level. In the above excerpt, the translator translate “空空如也” into “Empty, empty”, and “没有家具” into “No furniture”. The sixteen short sentences strongly highlight the image of “empty” and attract readers to read further to find out how this empty room looks like.

To sum up, Toming believes that a good translation is to convert information flexibly with the appropriate translation strategies. In C-E translation, translators should pay attention to conversion strategies, to accurately convey the original image, style and even the artistic conception to target readers.

3.3 Displacement

The core concept of “displacement” is a “cultural travel”. Translation is actually a cultural travel. In the process of translating the original language into the target language, text

travels from a cultural space to another. After the collision, communication and integration of different cultures, the text finally produces a new cultural horizon, a brand-new life.

Walter Benjamin pointed out that the task of translation is to show the translatability of the original text (Benjamin 1970: 70-71). Inspired by Benjamin's thought, Toming interprets the "cultural translatability" from two aspects: retain the identity of national culture and reproduce the culture difference in a creative way. To preserve the spirit of the original text, the translators should first recognize their own culture features and then show the cultural differences in a creative way. Thus, the spread of culture is the most important part in literary translation.

[ST6]

不 满寺岁、我已知 庙”、“院”、“殿”的分 别。当我随着我母亲
山脚下的“玄坛殿没 说猜么观崔设的” 说什么。将近山顶
的“睡狮庵 问了：“就是这里啊？”
(木心, 2010 : 14) (童年随之而去)

[TT6]

Before I was ten years old, I already knew the nuanced differences between the seven types of Buddhist temples: si, miao, yuan, dian, guan, gong, and an. That year I followed my mother and the whole retinue of my paternal and maternal aunts to Mount Mo-An for a Buddhist service. I didn't complain when we passed a temple at the foot of the mountain or when we reached another one halfway up. But when we neared the Shizi Mian An (Sleeping Lion Nunnery) close to the peak, I asked, "Is this the place?" (Mu Xin, 2011:3) (*The Moment When Childhood Vanished*)

In China, the culture of Buddhism and Taoism, owing a long and splendid history, is often considered to be a major challenge in C-E translation. Most translators use Pinyin to translate the proper nouns in such cases. In this sentence, Toming also chooses Pinyin to translate “寺”, “庙”, “院”, “殿”, “观”, “宫”, “庵”. Such a large number of frequently occurring proper nouns, representing the similar meanings, will make English readers unintelligible. If translator gives a detailed explanation to each term, then the translation

will become lengthy and make readers lose their interest. In Toming's translation, he ingeniously adds a simple definition - "the seven types of Buddhist temples" – before these seven terms, giving readers a macro-conception. However, since the terms “殿”, “观” and “宫” belong to Taoism, it is inappropriate to use “Buddhist temples” to generalize all seven terms. It may be better to translate it into “Before I was ten years old, I already knew the nuanced differences between the four types of Buddhist temples: si, miao, yuan, and the three types of Taoism temples: dian, guan and gong. In the second sentence, Toming uses “a temple” and “another one” to translate “玄坛殿” “三清观” for these two terms are not so important in the original text. As for the term “睡狮庵” great significance in text, Toming first translates it in Pinyin and then gives an explanation. On one hand, *transliteration* can keep the original feature of Chinese Buddhist culture, and on the other hand the English explanation can make target readers better understand this term.

Toming smartly chooses different strategies during the cross-culture translation process, thus successfully disseminating the unique characteristics of Chinese culture.

[ST7]

我家素不佞佛，母 疏是头，祭祖要焚“
才来山上做佛事。“疏 头”者现在我能解释
总结，或说幽冥之国通用的高 额赏票、赎罪卷受惠一
众多和尚诵经叩礼，布置十分华丽，程序更是繁缛得如同一场连本大戏。
(木心，2010：14)（童年随之而去）

[TT7]

My family never failed to honor the Buddha. It was for the purpose of worshipping our ancestors and burning shu-tou that my mother had decided to make this trip. As far as I could explain then, *shu-tou* was the written penance sent to the dead ancestors “by water route and by land route,” the entire rite involving an elaborate performance. Or, as I understood it, a kind of bank check with a high monetary value acceptable in the other world, an otherworldly currency for penance. People in the world of Yang supposedly paid for the benefit of the people in the world of Yin. Many monks were involved in this extravagantly observed rite of complicated procedures as if it were a grand drama acted out in

sequential segments with monks reciting the scriptures and kowtowing on the grand. (Mu Xin, 2011:4) (*The Moment When Childhood Vanished*)

Western countries and China have different religious cultures. Therefore, while translating Chinese religious culture and affairs, translators should take English readers' reception into consideration. In the above example, Toming translates Chinese Buddhist culture of worshipping ancestors marvelously.

Toming again uses the method of transliteration in translating“梳 头”to avoid the ambiguity of this term. When translating “幽冥之国”, Toming picks up the similar term in western religious culture, “the other world”, which makes it easily accepted to English readers. As for “阳间” and “阴世”, Toming's translation is “the world of **Yang**” and “the world of **Yin**”, perfectly retains the characteristics of Chinese culture. The term “连本大戏” means the traditional Chinese opera, like Beijing Opera. Here Toming translates it into “drama”, a method of domestication, which is in line with the western drama culture and makes the term more acceptable for English readers.

Toming holds that translators need to “create styles” after “breaking through styles”. Translations need to be balanced between national character and cosmopolitanism, between artistic characteristics and the characteristics of time, between freedom and standard in order to be developed.

3.4 Art

Translation is the process of re-creating the original text. An outstanding literary work is a work of art, emitting the fragrance of art from every word and line. Literature translation is to make this fragrance of art continuous. The achievement of aesthetic values comes after selecting original text, carefully reading and weighing every word, comprehending the author's spirit, mastering the writer's style and resonating with the work and author.

Toming Jun once commented on Mu Xin's style, “Mu Xin's works is not just the display of writing skills; his flexible writing style gives us an access to aesthetic judgments. The aesthetic spirit and cosmopolitan feature constitute the central theme of his works” (童明, 2008 : 21) .

“*Fong Fong NO.4*” is the most highlight of Mu Xin's short stories, which is about the humanity change before and after the Cultural Revolution. The translation of this short story embodies translator's achievement of aesthetic values.

[ST8]

头发斑白而稀薄，一进门话语连连，几乎听不清说什么，过道里全是她响亮的嗓音，整身北方穿着，从背后看更不知是谁。引入客厅，她又开一盏灯，她的眉眼从前所没有的。外面下着细雨，江南三月，她衣裤也是枯瘦的。(芳芳No.4)

[TT8]

Her thinning hair was turning gray, and her loud talking echoed in the hallway without pause, though I could barely understand what she was saying. She was dressed in the northern style from head to foot—from the back I could have never guessed who she was. I showed her to the living room to sit and turned on another light so that I could look at her more closely. Her eyes, mouth and nose were somehow shrunken. Her high and slightly wrinkled forehead I had never seen before. It was drizzling outside as it always is in March in Shanghai but her face seemed to be covered with dust. She looked withered, even her clothing looked withered. (Mu Xin, 2011:43) (*Fong Fong No. 4*)

The original language is very concise, with many subjects omitted. In the translation, Toming has given full consideration to language differences between English and Chinese, and then transfer in a flexible way. For example, Toming uses “her thinning hair” and “her loud talking” as the subject, instead of “Fong Fong”; adds some conjunctions such as “though”, “so that” and “even” to clarify the logical relation; translates “江南三月” into “in March in Shanghai” based on the practical situation.

[ST9]

她在重复着这些：“……要满十年才好回来，两个孩子，男的，现在才轮到啊，轮到我回上海……他不来，哈尔滨，他在供销社，采购就是到处跑，我管账，也忙，地址等忽协会去了，一回家，弟妹说你是上海三大名人，看报知道的，报上常常有你的名字，你不老，还是原来那样子，怎2006：89）（芳芳No.4）

[TT9]

Her words didn't stop: "Ten years is how long it has taken for me to return...two children...yes, boys...it took me all these years to be able to return to Shanghai...he didn't come this time...yes, he works in a food and goods co-op in Harbin and travels everywhere for supplies...I'm the accountant of course very busy...I'll give you the address so do write me...I went to the Musicians' Congress...sorry, Association...the first thing that my brother and sister told me when I came home is that you are one of the most prominent celebrities in Shanghai...I also read it in the paper...your name is often in the paper...you don't look old, still your former self...how is it that you haven't aged... (Mu Xin, 2011:44) (Fong Fong No. 4)

In the above translation, there are 14 ellipses, trying to describe the picture of "her loud talking without pause". Far more than this function; these ellipses help to extend the interval of intermission, during which readers and "I" expecting the miracle – the erstwhile Fong Fong would come back – would happen. With the sudden arrival of three unexpected visitors, the conversation with Fong Fong was interrupted, leaving readers spaces of thinking. Toning passes along the beautiful language style of Mu Xin with the artistic conception to readers successfully.

In the process of translation, translators should think as the author does, write in the author's way, pass the author's essence of spirit to the target language. From this point, literature translation bears the responsibility of creating aesthetic values and passing spirit to target readers as well.

VI CONCLUSIONS AND SUGGESTIONS ON TRANSLATING AND DISSEMINATING CHINESE MODERN AND CONTEMPORARY FICTIONS

Compared with the large number of Chinese outstanding writers and literary works, the number of translated literature is rather limited. Due to the different language systems and culture backgrounds, translators of English-speaking countries often have some misunderstandings in the translation of Chinese works. Besides, Sinologists of English-speaking countries evaluate Chinese Literature based on their standards and criteria, which are different from ours. Thus, the translated literature they show to the English readers is largely the picture after translators' deconstruction and combinations of Chinese literature, resulting in undesirable acceptance of Chinese literary works.

Facing the status quo of translation and dissemination of Chinese contemporary literature in foreign countries, we must take some effective measures to find a way out. The

translator is the bridge of culture exchange. The two key issues are how to build an outstanding team of translators and how to attract more English-speaking translators to translate the Chinese contemporary literature. The successful translation and publication of Mu Xin's short stories provides a lot of inspiration to leading Chinese literature "going out".

First, the translator Toming Jun Liu is an overseas Chinese, living in the United States for quite a long time. Toming also spends several months giving lectures and to live in China annually. His proficiency of both English and Chinese and the extensive knowledge of both Eastern and Western culture help to lay the solid foundation for the correct understanding of the original text and the accurate translation.

Second, the author and the translator have a long-term friendship, making the translator form his unique insight of the author's style. More precisely, the translator can get help from the author, which insures the accuracy of the translation.

Third, the artistic value of the original work plays a vital role in the dissemination and acceptance of the translation. Mu Xin is a writer who has the cosmopolitan spirit and embodies such spirit in his work.

Fourth, it is necessary to maintain the national character as well as cosmopolitanism in the translation. Otherwise, the blind compliance with the target language culture and ideology, the destroyed integrity of the original text, the loss of national character will have negative impacts on disseminating Chinese modern and contemporary fictions. During the process of translating "*An Empty Room*", the translator Toming did not succumb to pressure from the mainstream culture of the target language, but strived to find the best balance between the preservation of Chinese culture and integration into the Western culture.

Fifth, *An Empty Room* is published by the famous American Press **New Directions** and simultaneously published in Canada by Penguin Group. These prestigious publishers help a lot to promote the popularity of *An Empty Room*. In other words, choosing well-known publishers in the target language country can ensure the sales channels. Michael S. Duke pointed out in his article that only when our translations become available in commercially competitive editions will the dominant mode of literature of one of the world's great civilizations be in a position to gain the international reputation it deserves (Duke, 1990:216). Therefore, China should strive to attract more mainstream publishing houses in the target language countries to participate in the publication process of Chinese Literature.

In conclusion, the successful translation of Mu Xin's short stories and the popularity of "An Empty Room" in western countries contribute a lot to inspiring more outstanding overseas Chinese to undertake the task of translating and introducing Chinese contemporary literature to the world. Chinese contemporary and modern literature will certainly earn its due reputation in the literary circles of the world.

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Notes:

1. The author of the paper interviewed Prof. Toming Jun Liu in July, 2011. All his views are from the interview.

References

- [1] Benjamin, Walter. Trans. by Harry Zohn. The Task of the Translator[A]., in H. Arendt (ed.) 1970. Illuminations, London: Cape.
- [2] Duke, Michael S.. The Problematic Nature of Modern and Contemporary Chinese Fiction in English Translation[A]. Howard Goldblatt (ed.) 1990. World Apart: Recent Chinese Writing and Its Audience[C]. New York: M.E. Sharpe, Inc..
- [3] Jenner, W.J.F. . Insuperable Barriers? Some Thoughts on the Reception of Chinese Writing in English Translation[A]. Howard Goldblatt (ed.) 1990. World Apart: Recent Chinese Writing and Its Audience[C]. New York: M.E. Sharpe, Inc., 1990.
- [4] Lefevere, Andrew. 2006. Translating Literature: Practice and Theory in a Comparative Literature Context[M], Beijing: Foreign Language Teaching and Research Press.
- [5] Mu Xin.2011. Trans. by Toming Jun Liu An Empty Room[M]. New York: New Directions.
- [6] 童明.木心 风格的意世界性美学思维振复汉语文学(A). 孙郁 李静 编 2008.读木心[C].桂林：广西 师范大学出版社
- [7] 木心.2006.温莎墓园日记[桂林：广西 师范大学出版社]
- [8] 木心. 2010.哥伦比亚的倒影[桂林：广西 师范大学出版社]
- [9] 童明.飞散[J]. 外国文学, 2004 (6) : 52-59. [Tong Ming.2004. "Diaspora", Foreign Literature, No. 6. pp. 52-59.]
- [10] 童明.木心 风格的意世界性美学思维振复汉语文学(A). 孙郁 李静 编 2008.读木心.桂林：广西 师范大学出版社
- [11] <http://www.publishersweekly.com/978-0-8112-1922-8>.
- [12] <http://www.Rochester.edu/College/translation/three percent>.

A FEMINIST NARRATOLOGICAL STUDY OF ARUNDHATI ROY'S *THE GOD OF SMALL THINGS*

Abstract: Arundhati Roy's *The God of Small Things* is a specimen of women's writing displaying certain marked characteristics. There is an obsessive urge to articulate anger through the technique of "inversion", in turn made possible through the novel's constantly changing perspective and its non-linear progression. "Inversion" accounts for the undertone of irony that runs through the novel. It colours the title, the ordering of each individual chapter, as well as the controversial end. It is as though Estha's and Rahel's backward reading habits, and Baby Kochamma's insistence on living life backwards is reflected in the novel's structure. "Inversion" ensures the effectiveness of the title in foregrounding the "small things" as the central preoccupation of the novel. It also works cleverly to expose the contrast between the apparent and the real, and so upset reader expectations. It also determines the ordering of the events that constitute the novel's diegesis. The technique of inversion allows the event of the punishment to precede the so-called crime. The crime is relegated to the end, and ironically makes possible the inversion of a happy ending to a sad story. Another feature that is too prominent to be ignored is the novel's fondness for nature to the extent that "nature" becomes a palpable, tangible, additional character. This in turn helps to identify the strong eco-feminist consciousness that is an important undercurrent. It also enables an eco-feminist interpretation that sees the fall of a river as an allegory for the corruption of a family. Therefore finally, it could be argued that Roy makes use of a woman's weapons of "inversion" and eco-feminism to battle against patriarchal forces.

Key terms: Feminist Narratology, Inversion, Ecofeminism

Among contemporary Indian women novelists Nina Sibal, Chitra Divakaruni, and Shauna

Singh Baldwin process India and her diaspora through a woman's crucible. Interestingly, Arundhati Roy too rewrites India, but severs all links with the nation and declares her secession. "I hereby declare myself an independent mobile Republic" ("The End of Imagination" Arundhati Roy unofficial Website). To say that Arundhati Roy is outspoken would be an understatement. The sole novel she has to date and her voluminous non-fiction may be likened to the bursting of the floodgates of the Narbada whose cause she so champions. In a sense, she compensates for the centuries of silence of one half of humanity that was so deplored by Shashi Deshpande. Her mother, Mary Roy says of her, "Arundhati is a born talker and a born writer. While she was studying in our school it was a problem to find a teacher who could cope with her voracious appetite for reading and writing" (*India Today* 28 October 1997: [online]). Deeply conscious of the enormous chasm between the powerful and the powerless, Arundhati Roy has evolved over the years as the most outspoken

spokeswoman of the dispossessed of the country, be they the Ammus or the Veluthas. The narrative technique of *The God of Small Things* becomes a deliberate tool that enables and empowers her to hammer a protest, to voice her dissent against society, tradition, religion, history, nation, and the establishment. As she puts it, the only thing worth globalising is dissent (Barasamian). Julie Mullaney rightly records Roy having become “a byword for protest . . . a Kleinian ‘brand steward’ (Klein 23), ‘identifying, articulating and protecting’ what she herself terms as the ‘business of protest’ (Power Politics 24)”. Protest has become for her an attitude of mind – an obsessive, compulsive urge to turn everything on its head, to expose the underbelly, to whittle at our most treasured assumptions, and so shock us out of assured certainties and comforting complacencies. Perhaps it could be possible to say of her that like Ammu in the novel, she displays “the reckless rage of a suicide bomber” (44) as also “a lofty sense of injustice and the mulish reckless streak that develops in Someone Small who has been bullied all their lives by Someone Big” (181-82). True to the image of Ammu, Arundhati Roy is an angry woman writer who to compensate for centuries of bullying, does “exactly nothing to avoid quarrels and confrontations. In fact, it could be argued that she [seeks] them out, perhaps even [enjoys] them” (182).

In this piece an attempt shall be made to examine the extent to which Roy’s narrative technique in *The God of Small Things* facilitates her quarrel and confrontation with the world. If narrative technique is the medium and the method, the question is how effectively it functions as a vehicle for a woman’s protest. In addition, the thrust of the paper would be to recognise and identify patterns that signal a woman’s writing – a form that displays the impact of gender. Before such a project may be initialised, an overview of the narrative technique is imperative.

Aijaz Ahmad records that “[Arundhati Roy] has written a novel that has learned all there is to be learned from modernism, magic realism, cinematic cutting, and montage and other

such developments of narrative technique in the twentieth century – but a novel that remains Realist in all its essential features” (33). Viewed from the perspective of feminist narrative grammar, women dominate the novel’s foreground with men sidelined to supporting roles. Male characters, when objectified under the recriminatory female gaze, are featured as either “abusive” or “ineffectual angels” (Brians 165). Memory serves as trigger – “key and engine of the story” (Baneth-Nouailhetas 67). In Roy’s words, “Memory bombs still, tea-coloured minds” (100). The bulk of the novel defines a memory. As memory charts a meandering course the narrative zigzags between a present time in 1993 and a past time in 1969. The long opening chapter foreshadows events to come. Subsequently, there is an orderly pattern of interweaving chapters wherein past events are detailed in even numbered chapters, and present events in odd numbered ones (Mullaney 44).

In narratological terminology, the novel illustrates the feminist potential in the drastic disruption of chronological time through Gerard Genettian *paralepsis* (the narrator’s omission of some events pertaining to the main characters focalized), *prolepsis* (the reference to some future event of the story by the omniscient narrator of the story), *analepsis* (a retrospective narration), and *ellipsis* (omission of some events). Just as there are constant shifts in the time sequence of the novel, there are equally potent shifts in the rendering of point of view. Madhu Benoit describes it well when she says:

In addition to blurring temporal boundaries, Roy dissolves barriers between characters and readers through shifting points of view. Changing perspectives through different narrative voices, thus giving the reader access to the minds of characters through free indirect style is a technique which dates to the turn of the century, but in Roy’s case, the shifting points of view are accompanied by changes in temporal level as the novel shuttles from T4 [Baby Kochamma’s father’s story] to T0 [Rahel’s return as an adult], giving a kaleidoscopic colouring to the novel. (80)

While the chief point of view is that of the world as perceived through the young innocent musings and observations of seven-year-old Rahel and Estha (Roy’s twinned child protagonists), constant shifts in angle and focus enable the reader to experience the ill-fated

love affair of Baby Kochamma through her own befuddled eighteen year old focalization. Simultaneously, a brutalised childhood enforces the terrified perspective of Ammu to paint the wife-beating Pappachi in wicked colours while it renders Velutha – the one-armed lover of her fantasy in tender and loving dimensions. Yet again the perspective shifts to introduce Ammu’s brother Chacko’s student days in Oxford – almost as caricature -- through Margaret Kochamma’s foreign eyes. Thus to quote Ranga Rao, Roy’s novel has “a free-wheeling point of view”. “Who sees” is constantly changing while “who speaks” is always the third person omniscient narrative voice. In narratological terminology, the focalization shifts while the narrative voice is omniscient. R.S. Sharma puts it succinctly when he says:

The cover point of view is the third person omniscient point of view, and the final vision that arises is that of the narrator. But the narrator modulates the perspective by contacting or entering the other consciousnesses within the story. At points we may have passages in which the narrator has invested himself/herself with the personality of a character. When this takes place there is a shift of point of view to some degree. (34)

In view of the above, it could be argued that when the focalization shifts, the narrative voice acquires the complexion of the focalizer. In other words, “who speaks” merges with “who sees”. But what may be said of the voice above and beyond the focalizer. In this connection, what K. Ratna Shiela Mani says is relevant:

In spite of multiple points of view, there are always what Dryden called “relations”, narrative summaries of what takes place off stage. . . . It is here that the authorial voice is indispensable, although the central characters can also be made to relate. It is inevitable that there are parts of the story as for instance a character’s past which are narrated by the author in *The God of Small Things*. Throughout the book there are scattered passages from half a page to several pages long devoted to descriptions of persons and places, to characterisation of persons, and in general to blocks of information given in the lump with little attempt to assimilate it to the special mental process of any of the characters concerned. (25)

Thus it is clear that Arundhati Roy’s clever manipulation of voice and time serves to tremendous advantage. The reader is eye and ear witness to not only “the wide-eyed wonderment of a young mind” (Gioia), but also the tortured imaginings of an adult Ammu against the background of authorial comment and intervention. The “freewheeling” point of

view accommodates a chorus of voices. Similarly Roy's "free-wheeling" acrobatics with chronology enables the juxtaposition of events far removed in space and time. "The kaleidoscopic splintering of events" (Gioia [online]) and their re-ordering reflects a prioritization that in turn communicates the author's message. Interestingly, for purposes of our argument, Roy's games with time and voice provide ample opportunity for "inversion" – a characteristic feature of women's writing (Kolodny 80). Kolodny identifies the tendency in women's writing to invert "generalized traditional images and conventionalized iconographic associations so that they come to connote their opposites" (80). Further, she discovers "almost a conspiracy to overthrow all the nice comfortable patterns and associations of a previous (and for the most part male-dominated) literary tradition" (81). *The God of Small Things* displays just such a marked inclination to resort to "inversion" as a subversive narrative strategy that allows the woman writer frequent occasion to disrupt the hegemony of patriarchal structures. To begin at the official beginning, the title itself serves as an illuminating illustration of "inversion" in operation, and in initiation of a process that will control the entire narrative. In making such a statement, we have the authority and sanction of the author herself. To a question in an interview, "What is the God of Small Things?", Roy gives an answer:

To me the god of small things is the inversion of God. God's a big thing and God's in control. The god of small things [. . .] whether it's the way the children see things or whether it's the insect life in the book, or the fish or the stars, there is a not accepting of what we think of as adult boundaries. This small activity is the under life of the book. All sorts of boundaries are transgressed upon. At the end of the first chapter, I say little events and ordinary things are just smashed and reconstituted, imbued with new meaning to become the bleached bones of the story. It's a story that examines things closely, but also from a very very distant point, almost from geological time and you look at it and see a pattern there. A pattern [. . .] of how in these small events and in these small lives the world intrudes. And because of this, because of people being unprotected, the world and the social machine intrude into the smallest, deepest core of their being and change their life.

(Wordsworth Interview)

The conventional worldview conceives of God as a big thing, identifiable with the wider order and pattern of life, in supreme charge and command of the big things that create history. The so-called Big God presides over the large happenings of the world, “the vast, violent, circling, driving, ridiculous, insane, unfeasible, public turmoil of a nation” (19). In contrast, it is a Small God that presides over miniscule individual lives, caught up in forces too large and powerful for these individuals to understand and to change. Roy inverts the Big God to foreground the Small God, “cosy and contained, private and limited” (19), who sanctifies the small things, the little events and ordinary things at the expense of the grand narratives that ordain the momentous events that should constitute history. Julie Mullaney rightly records that “the excavation of these relations between the small and the large, the private and the public governs the ostensible plot of *The God of Small Things*” (38). The Small God scripts an alternate history – a private personal inversion of the archive of the past – that upsets conventional expectations of what such an archive should constitute. Julie Mullaney captures the contrast between the two versions of history when she says:

. . . what we call “History” for Roy should not be just the big public events like Independence, Partition, or Emergency, but those more local, domestic, or intimate clashes of hope and fear, desire and loathing that occur between individuals as well as communities and nations. . . Histories are to be found in the ordinary moments or fragments, in the disorderly and discontinuous as well as in that orderly continuous narrative that we conventionally call “history”. . . . [Roy’s] project is one of disturbance, movement, unearthing, dusting down, and reassembly of the fixed and received narrative of public and national events. (44)

In the process of reassembly, Roy inverts “History” to linger lovingly on “a fountain in a Love-in-Tokyo”, on “brown feet in Bata sandals”, on an “Elvis Puff” and “beige and pointy shoes”, on “the cross-stitch pattern on Ammu’s cheek”, on “a light brown birthmark shaped like a pointed dry leaf on a black back”, on “the smell of old roses on a breeze” or on a “sourmetalsmell” No doubt, such images may be dismissed as small things, but each carries a powerful history. Roy’s version of “History” allows for a plurality of voices, initiating a multiplicity of narratives that attempt to impose their own pattern on the

disordered fragments that go to make the kaleidoscope of the world. What should be noted is that the presence of such a plurality of voices makes possible an eloquently explicit articulation of those absent and invisible histories that are generally overlooked in the larger narratives of history and politics. These are histories of those such as Velutha – the metaphoric God of Small Things who “left no footprints in sand, no ripples in water, no image in mirrors” (265). As Ng Shing Yi points out:

Like the small things upon which the novel dwells, the main protagonists of the story essentially occupy peripheral positions in their family or society. *The God of Small Things* attempts to overturn their marginality, their absent histories, by recording the careful detail of their lives, each minute fantasy and idea, the small creeping emotions that culminate in passion or despair . . . the novel is ultimately concerned with marginality, absence and loss: in other words the invisible narratives that are consumed by power, politics, or imperialism. (Quarterly Literary Review Singapore [online])

Such narratives enthrone Velutha, Ammu, Rahel and Estha just as powerfully as they do the bat baby, Kochu Thomban, the little swallow in the sky blue Plymouth, and the Kathakali dancer. Significantly, the pattern that is thus woven enables the valorization of “small things”- a valorization which for Roy is very much an attitude of mind, a way of seeing the world which she has vouched for even in her later writing. To quote her words from “The Greater Common Good”:

We have to support our small heroes. Of these we have many . . . Perhaps that’s what the twenty-first century has in store for us. The dismantling of the big. Big Bombs, big dams, big ideologies, big contradictions, big countries, big wars, big heroes, big mistakes. Perhaps, it will be the century of the small. Perhaps, right now, this very minute, there’s a small god up in heaven, readying herself for us. (Arundhati Roy unofficial Website)

Roy’s predilection for “the small god” and “small things” engineers the inversion of the Big God, and that of the received narrative of “history”. Yet the point to be noted is that such inversion is possible largely on account of Roy’s “freewheeling” pyrotechnics with narrative technique.

It is found then that “inversion” as an attitude of the mind, and as a characteristic feature of women’s writing controls not only the title but also the matter and the method of

the narration. In fact it may be argued that every stage of the narration shows evidence of inversion. Inversion has a curious propensity. It carries and contains immense potential for the expression of a range of emotion - anger, indignation, bitterness and sarcasm – the most prominent on the agenda of the underdog, and hence serves as the appropriate medium for the message of an angry young woman. There is always the attempt to linger over deceptive appearances, and then tip them over to unmask unpalatable realities, or point out what used to be, and contrast it with what has now become. The first chapter itself shows up so many such contrasts. At one time, “life was full of Beginnings and no Ends” (2), and now “Edges, Borders, Boundaries, Brinks, and Limits have appeared” (3). Earlier the twins thought of themselves “together as Me, and separately, individually as We or Us” (2), and now Rahel thinks of Estha and Rahel as *Them* (3). Then there is the sickening contrast between the grimness of the tragedy of Sophie Mol’s funeral, and a child’s uncomprehending logic in the face of it. Had Sophie Mol been killed on a zebra-crossing, the government would have paid for her funeral, just as if they had been born on a bus, the government would have guaranteed a lifetime of free bus rides. Subsequently, the visit to the police station shows up the irony of the contrast between the red and blue board declaring that the police stood for “Politeness, Obedience, Loyalty, Intelligence, Courtesy, Efficiency” and the brazen insolence of Inspector Thomas Mathew as he taps Ammu’s breasts with his baton. Then again, there is the nostalgia for the river as it used to be shown up in contrast with the present disgust for what it has become – a river that “smelled of shit and pesticides bought with world bank loans” (13). Also there is the barely concealed contempt for the new freshly-baked, iced Gulf-money houses” and the reference to the envy of the older houses. What is immediately apparent is the snide sarcasm, and the refusal to be impressed by so-called development as also the attempt to uproot rosy expectations.

As the narrative unfolds to accommodate the viewpoints of Ammu and Chacko, inversions often take the form of specific *Ammuisms* and *Chackoisms*, the prime function of which is to shock and awe us out of convenient delusions. Since both are adept at plainspeaking, the inversions come naturally to them. Thus Ammu can look aghast at a photograph of herself as a bejewelled bride, and wonder in bemusement as to how she could have “permitted herself to be so painstakingly decorated before being led to the gallows. It seemed so absurd. So futile. Like polishing firewood” (44). The children in their innocence make frequent references to “what Ammu said”, and whatever she says becomes for them the gospel truth. So Ammu says “that human beings were creatures of habit, and it was amazing the kind of things they could get used to . . . beatings with brass vases were the least of them”(50). Then again Ammu says that “Pappachi was an incurable British CCP, which was short for *chhi-chhi poach* and in Hindi meant shit-wiper” (51). Chacko, the Rhodes scholar, in turn, points out in pedagogic expansion that “the correct word for people like Pappachi was *Anglophile*” (52). Chacko is scrupulously honest in dispelling delusions. He admits to them all being anglophiles, yet bemoans the war that robbed them of their histories – “a war that captures dreams and re-dreams them. A war that has made us adore our conquerors and despise ourselves” (53). While Chacko continues to dream the dreams that have been thrust upon him, he is honest enough to admit in a burst of post-colonial angst that “our dreams have been doctored. We belong nowhere. . . . Our sorrows will never be sad enough. Our joys never happy enough. Our dreams never big enough. Our lives never important enough. To matter”(53). Ammu too, in her turn, is not impressed either by Chacko’s academic achievement (“Going to Oxford didn’t necessarily make a person clever” (56)) or his self-proclaimed Marxism. (“Just a case of a spoiled princeling playing *Comrade! Comrade!* An Oxford Avatar of the old Zamindar mentality – a landlord forcing his attentions on women

who depended on him for their livelihood" (65)). Chacko's bitterness and Ammu's sarcasm then find outlets in the inversions that are a ubiquitous feature of the entire narrative.

Not only does "inversion" colour the vitriolic exchanges between Ammu and Chacko, it runs through the entire narrative as a prominent strain that exerts its own pattern and control over the ordering of even the chapters. The chapter heads make their own explicit statements while more often than not, the chapter contents are a subtle inversion of the absurd promise of the titles. While a chapter head like "Big Man the Laltain, Small Man the Mombatti" is an overt reflection of the inversion of the title *The God of Small Things*, it makes a cynical comment on the vulnerability of the "small" in the face of the intimidating juggernaut of the "big" as exemplified in the figure of Estha.

Subsequent chapters make inversion a habit. "Abhilash Talkies" captures the irrepressible excitement of children out on an excursion to see *The Sound of Music*, anxious not to miss the beginning – the rippled velvet curtain going up and Julie Andrews exploding on to the screen. The screen freezes one version of reality – the blue Austrian sky, and the captain with seven children. "Clean children, like a packet of peppermints. . . . They were clean white children, and their beds were soft with Ei. Der. Downs. The house they lived in had a lake and gardens, a wide staircase, white doors and windows, and curtains with flowers" (105). However, the immediate reality of Estha and Rahel is in stark contrast – a total inversion – brought into sharp focus through Estha's ugly encounter with the OrangeDrink Lemondrink Man. The two versions of reality run a collision course. One version sings of "Girls in white dresses and blue satin sashes" and "How do you hold a moonbeam in your hand" while the other finds Estha holding not a moonbeam but a penis to oblige the sleazy OrangeDrink LemonDrink man. The inversion is startling enough to provoke a wave of nausea, and the reader along with Estha battles against "a greenwavy, thick-watery, lumpy, seaweedy, floaty, bottomless, bottomful feeling" (107).

The next chapter boasts a presumptuous title – “God’s Own Country” – the official slogan of Kerela Tourism. However, significantly, the chapter that follows works a sullen inversion to establish just the opposite. Kerela, as Arundhati Roy would have it, is anything but God’s own country. The chapter is replete with sarcasm and takes a sly dig at the grandiose title. There is the tone of regret that the once beautiful river has degenerated to being merely “a swollen drain” (124). To quote again:

Once it had the power to evoke fear. To change lives. But now its teeth were drawn, its spirit spent. It was just a slow, sludging green ribbon lawn that ferried fetid garbage to the sea. (124)

Further, Roy proceeds to make a mockery of the professed pretensions of tourist brochures that commodify Kerela’s culture to trap the innocent tourist – “. . . History and Literature enlisted by commerce. Kurtz and Karl Marx joining palms to greet rich guests . . .” (126). Kerela was on display for the edification of the bemused tourist in the form of easily digestible chunks of culture – *Traditional Kerela Umbrella*, *Traditional Bridal Dowry Box*, and “truncated Kathakali performances” where “six hour classics were slashed to twenty minute cameos”(127). What is offered is a travesty of the glory that was once Kerela. Thus the prime function of the chapter is to “invert” the illusion that the title generates.

Yet another chapter that exploits inversion tactics is “Wisdom Exercise Notebooks” wherein Rahel takes a trip down memory lane to rummage through old book-shelves to discover a treasure trove of old Wisdom exercise books which carry the remains of Estha’s early attempts at mastering the mysteries of the English language. The notebooks record the innocence of childhood, and bely the *Wisdom* of the title. They render a simple account of Estha’s memory of a certain memorable birthday of Ammu’s in the past when the twins gift a diary to their mother, and enjoy intimate moments of shared confidences as they lie at the back of their mother. While the books bring on a wave of nostalgia, the chapter is all the more poignant as it juxtaposes the memory of life with that of death, of a birthday with a death day. Estha’s exercise in composition writing narrates a moment of unspeakable

happiness which is swiftly followed by Rahel's account of Ammu being fed into the incinerator – "Her hair, her skin, her smile. Her voice"(163). The inversion affects a pathos that weighs over the entire narration.

"Inversion" continues to plod its sarcastic way through other chapters as well. "Welcome Home, Our Sophie Mol" is a charade played out in honour of Sophie Mol wherein the family takes Sophie Mol to its bosom in an extravagant gesture of anglophilian ecstasy. However, the warm welcome is for "the little angel" Sophie Mol who is "loved", but the chapter foregrounds its inversion which takes the form of the cruel rejection of "the little demons" Estha and Rahel who are "loved a little less". In the world view of the anglophiles, "Littleangels were beach-coloured and wore bell-bottoms. Littledemons were mudbrown in AirportFairy frocks with forehead bumps that might turn into horns" (179).

Yet again, the chapter head "River in the Boat" is itself an "inversion". We would expect the boat to be on the river. But, since the boat leaks, the river enters the boat, literally and metaphorically. The boat carries and contains the magic and mystery of the river which entices only to kill. Further, the chapter "Kochu Thomban" introduces the kathakali performance in its extravagance of vigour, colour, and gesture. The dance lingers over Bhima's annihilation of Dushasan, and recalls the violence of another occasion. A long ago comment of Comrade Pillai's surfaces. "Raudra Bhima – crazed, bloodthirsty Bhima in search of death and vengeance" was according to Pillai "searching for the beast that lives in him'. The authorial comment that follows is excruciating in the "inversion" it affects:

Which beast, in particular, Comrade Pillai didn't say. Searching for the *man* who lives in him was perhaps what he really meant, because certainly no beast has essayed the boundless infinitely inventive art of human hatred. No beast can match its range and power. (236)

Still another chapter, "The Pessimist and the Optimist" is an ironic reference to a hilarious joke that Chacko takes recourse to in order to initiate his relationship with Margaret Kochamma on a long ago Oxford morning. The chapter ends on a note of devastating grief.

Then again, “Work is Struggle” is a chapter head that exploits a popular slogan of the Communist Party that has on its ostensible agenda the uplift of the poor. The ensuing chapter makes short shrift of such pretensions and establishes instead a horrifying inversion of such tall claims that conceal the clay feet of hypocrisy and double standards. Velutha is a cardholding party member who is betrayed by his own party leader. While on the one hand Comrade Pillai makes impassioned speeches on the rights of the untouchables, on the other he has no qualms about warning Chacko that Velutha’s presence among the “touchable” factory workers could cause resentment. He sheds the colours of his party agenda sufficiently to confess that “change is one thing. Acceptance is another” (279). Pillai claims to be the harbinger of change, but is himself perhaps the most stubborn hurdle in the path of change. Pillai betrays Velutha many times. When Velutha comes to his doorstep, imploring his help, Pillai can only mouth inanities: “It is not in the party’s interests to take up such matters”. The author intervenes to make a cynical comment that registers the “inversion”: “Another religion tuned against itself. Another edifice constructed by the human mind, decimated by human nature” (287). Then again, when inspector Thomas Mathew makes a show of consultation with Comrade Pillai, Pillai makes no attempt to refute the allegation of attempted rape in Baby Kochamma’s FIR, though he knows it to be a falsehood. He also assures the inspector that Velutha did not enjoy the patronage and protection of the Communist party. He also omits to mention that Velutha had knocked on his door the previous night which made Pillai the last person to have seen Velutha. Emboldened by such assurances, the Inspector takes action. When Velutha is dead, Comrade K.N.M. Pillai masquerading as “the Crusader for Justice and the Spokesman of the Oppressed” claims that the Management of Paradise Pickles had implicated Velutha in a false police case because he was an active member of the Communist Party, and that they wanted to eliminate him for indulging in “lawful Union activities” (303). Thus the chameleon Comrade Pillai shows himself to be an expert

manipulator of truth, and a superb presenter of fabricated versions of reality that suit his express purposes. Again the omniscient voice of the narrator, heavily laced with sarcasm, identifies Comrade Pillai and Inspector Thomas Mathew as “mechanics, servicing different parts of the same machine” (262). Thus the chapter makes use of “inversion” to make a mockery of the grand narrative of what Communism claims to do. The slogan “Work is Struggle” loses its sheen, and holds out no promise.

But perhaps the most painful “inversion” comes in the chapter entitled “Saving Ammu”. Interestingly, what the chapter dramatises is not the “saving” but the “damning” of Ammu. Inspector Thomas Mathew must “save” himself since he cannot have the death of Velutha in custody while the twins insist that they were not abducted, but went to the History House of their own volition. Simultaneously, Baby Kochamma must “save” herself since she cannot countenance the ignominy of being accused of lodging a false FIR. Baby Kochamma picks on a convenient escape route. She “embroiders” reality, and terrorises the twins into believing that they had “murdered” Sophie Mol, and that the only way they could “save” themselves and Ammu from jail was by identifying the dying Velutha as their abductor. In sheer terror, Estha complies, and the little family of mother and kids is not “saved”, but “damned” forever. For Estha, “childhood tiptoed out. Silence slid in like a bolt” (320). For the little family, it meant “not death. Just the end of living” (321). Finally, even the last chapter has an ironic edge to it. The title, “The Cost of living”, implies a calculation in economic terms, but the chapter content assesses the same cost in traumatic terms, in the form of a cynical comment on the cost of Ammu’s and Velutha’s transgression of the Love laws. As the narrator puts it,

they knew already that for each tremor of pleasure they would pay with an equal measure of pain The cost of living climbed to unaffordable heights; though later Baby Kachamma would say it was a Small Price to Pay. Was it? Two lives. Two children’s childhoods. And a history lesson for future offenders. (335-36)

Thus, on the basis of the above illustrations, it may be argued that “inversion” as a strategy permeates and patterns Roy’s narrative at the level of its basic structure. While on the one hand, there is the attempt, via *Ammuisms* and *Chackoisms* to wage war on the inherent prejudices that straitjacket thought and action, on the other hand there is the effort to expose the lacuna between the apparent and the real. While the chapter head suggests one version of reality, the chapter substance projects the “inversion” of that reality to proclaim its very opposite. Such a strategy serves as a fitting outlet for the barely suppressed anger that forms the undercurrent of the novel. Such a strategy also serves to give powerful expression to Roy’s savage indictment of the “Big Things” – History, Politics, Religion, Custom, Love Laws that do not allow “the scurry of small lives” to continue with the business of living. As Madhu Benoit puts it:

Roy, as behoves a writer-cum-political activist, wrote *The God of Small Things* as a head-on attack on the Kerelese caste-ridden society, and the cruel destiny it reserves for both women and untouchables . . . Roy wrote her book with a heavily loaded political message . . . (85)

While “inversion” serves as an efficient escape valve for anger, it also works in subtle ways to upset reader expectations through the clever manipulation of the ordering of the events that constitute the novel’s diegesis. To quote Kolodny again:

Extrapolated to thematic concerns, the “inversion” pattern may even structure the plot, by denying our conventional expectations for a happy ending and substituting for it an ending which is conventionally unhappy, but which, in terms of the particular work, pleases or satisfies nonetheless. (81)

How may we perceive such an “inversion” pattern in the manner in which the novel ends? It is important here to be able to decide first about what we may label as the “ending”. Does the novel end at the last page? Or does it end with the event which is chronologically the last in the novel’s diegesis? The last event in the chronology of events is the incestuous union of the twins - Estha and Rahel while the last pages of the novel dramatise the transgressive union of Ammu and Velutha. Both represent acts of transgression. Interestingly, the former ends on a note of pathos, a fitting end to a tragic tale of love, madness, hope, infinite joy and

devastating sorrow – “what [the twins] shared that night was not happiness, but hideous grief”. However, the novel ends officially on a note of ecstasy with the euphoric union of Ammu and Velutha, offering in the process an illustration of “inversion” in action, and so upsetting the reader expectation of a conventional sorrowful ending to a tragic tale. Roy chooses to dwell on happiness, and provides a fairy tale ending even when the readers are already aware of the tragic sequel to these moments of stolen bliss. Such an ending in the form of an “inversion” is possible entirely on account of the novel’s narrative technique that insists on deliberately disrupting the chronology of events that make up the novel. The “inversion” is able to effectively communicate the author’s point of view. To quote Roy’s own words:

I think that one of the most important things about the structure is that in some way, the structure of the book ambushes the story. You know it tells a different story from the story the book is telling. In the first chapter I more or less tell you the story, but the novel ends in the middle of the story, and it ends with Ammu and Velutha making love and it ends on the word “tomorrow”. And though you know that what tomorrow brings is terrible, the fact that the book ends there is to say that even though it’s terrible, it is wonderful that it happened at all.

(Simmons [online])

When the novel ends in the middle of the story, it represents an “inversion” of reader expectation. It is force-ended on a note of perfect harmony – “the curtain falls on two unions, one sad, albeit endowed with a certain quality of healing, the other . . . a rapture” (Benoit 84). The “inversion” of the end is able to carry the weight of a political message. What is earlier merely hinted at, implied, suggested, assumed through Vellya Paapen’s disjointed, incoherent hysteria is suddenly brought to the forefront to be delineated in loving detail. There seems to be a woman’s method (inversion) in the madness. Roy’s opening chapter castigates the infamous love laws. The closing chapters dramatise the blatant transgression of the love laws. When the act of transgression becomes the only note of harmony, to be revered and treasured, the author is able to craft an ending which sanctifies the act, and strongly indicts the love laws which condone an unequal and unjust world. Ted Gioia rightly states:

. . . the novel itself, despite the horror of the central story. . . closes on a lyrical note. The effect is almost akin to a rewinding of a film back to a moment before all the terrible things happened, and a lingering on that beauty of small things that contributes so much to this book's allure.

(The New Canon [online])

Thus, it is possible to conclude that "inversion" as a strategy controls not only the beginning and the body, but also the end of the novel.

It would seem then, at this juncture, that "inversion" is the only distinctive feature of women's writing that colours *The God of Small Things*. However, another feature that inhabits the narrative, and is too pervasive to be ignored is Roy's obsession with images from nature. Images of birds, beasts, insects, rain and river recur with an amazing consistency to create the under life of the novel. In fact, it could be argued that if "inversion" is able to carry "the reckless rage of a suicide bomber", Roy's fond lingering over images from nature wears "the infinite tenderness of motherhood", both traits attributed to Ammu in the novel, and proclaimed as an "unmixable mix". The novel, however, seems to rely on just such a "mix" to create its own magic and mystery.

Right at the outset, the novel opens on a barrage of images of flora and fauna that set not only the backdrop, but also the distinct ambience that in turn, work together to make "nature" a living presence through the entire course of the narrative. There are references to "bright mangoes", "red bananas", bursting "jackfruit", and "dissolute bluebottles" that set the stage for the monsoon to come. When the monsoon comes, the countryside explodes into "immodest green" with the sudden rush of weeds, creepers, vines and moss that are home to "the whisper and scurry of small lives", to the ratsnake, the bullfrog, the mongoose and the cabbage-green butterfly. And always hovering in the background, there is the "greengreen" river. "With fish in it. With the sky and trees in it. And at night, the broken yellow moon in it" (123). As also the old mangosteen tree that has seen, and continues to see all.

Often, an image from nature commemorates a painful moment, or bears witness to trauma and tragedy, or simply serves as a fitting simile. There is, for example, the reference

to the “clinging curled claws” of the “bat baby” that crawls up Baby Kochamma’s bare midriff, and causes such “a furrywhirring and a sariflapping” (6) at Sophie Mol’s funeral. There is also the reference to a bird in flight reflected in an old dog’s eye balls that leads Estha to reflect on the miracle of how “something so fragile, so unbearably tender had survived, had been allowed to exist” (12). There is the “suddenshudder of the cold puppy” (15) that accompanies Estha on his solitary walks in the rain. Then again, Papacchi’s Moth with unusually dense dorsal tufts, that was discovered by Papacchi, but not named after him, becomes a metaphor not only for his own black moods, but also those of his subsequent progeny. When Rahel sulks at Sophie Mol’s welcome, and chafes at being loved a little less, she finds distraction in killing a column of red ants that she imagines being on their way to church. At every turn in the narrative, Roy is never in such a hurry that she neglects to mention the small things. When the old boat (responsible for subsequent tragedy) covered with moss, lichen, and fern is discovered and turned the right side up what is revealed is “a scurrying, hurrying boatworld” (202). “White termites on their way to work. White ladybirds on their way home. White beetles burrowing away from the light. White grasshoppers with whitewood violins”. Similarly, when Ammu dies by herself in a lonely hotel room, Roy’s camera eye does not omit to focus on “a platoon of ants” that “carried a dead cockroach sedately through the door, demonstrating what should be done with corpses” (162). When the posse of policemen battle their way through tall grass and huge fern to the History House, their journey is watched over by darter birds, egrets, cormorants, storks, cranes, herons, beetles, spiders, and dragonflies. It is as though they shall bear witness to the monstrosity that is to be committed. And when the policemen raise their boots to kick Velutha to death, the narrator does not forget to mention that “brown millipedes slept in the soles of their steel-tipped touchable boots” (304). The chorus of birds and insects attends not only scenes of violence and death, but also tender scenes of love. The passion of love between Ammu and

Velutha is attended by ants, caterpillars, beetles, and spiders. One frail, minute spider, seemingly so fragile, proves stout enough to outlive Velutha, and father future generations. The union of Ammu and Velutha is also presided over by “the river [that] pulsed through the darkness, shimmering like wild silk” while “night’s elbows rested on the water and watched them” (335).

It may be argued then that Roy’s obsession with nature, perhaps a characteristic of women’s writing, makes a powerful statement. Roy enjoys a curious empathy with nature, a sense of oneness with it which lends her the authority to think of human beings and animals as belonging to the same and not different worlds, as both are just as vulnerable and as liable to be crushed by something big. And on this note, it would be hard to ignore the strong ecofeminist strain in Roy’s writing. Indeed, it is possible to think of the *The God of Small Things* as the novelistic equivalent of Barbara Mor’s strong ecofeminist proclamation: “We must remember the chemical connections between ourselves and the stars, between the beginning and now. We must remember and reactivate the primal consciousness of oneness between all living things” (Eve Online).

Ecofeminism maintains that a strong parallel exists between the oppression of women and the domination of nature by patriarchal society. Patriarchal society thus becomes the prime accused in the crime of perpetuating a dualistic world view that prioritises mind over body, spirit over matter, male over female, humans over nature. Such a world-view delineates an incriminating hierarchy of value with God at the apex, followed in diminishing value by Man, Woman, Children, Animals, Nature. Ecofeminism would like to right the wrongs of patriarchy, and its enterprise is perhaps best articulated in the following statement:

The kaleidoscopic lens of ecofeminism includes a prepatriarchal historical analysis, an embracement of spirituality, and a commitment to challenging racism classism, imperialism, heterosexism, ageism, ableism, anthropocentrism (i.e., human supremacism), speciesism and other forms of oppression.
(Mcguire and Mcguire [online])

The God of Small Things is ecofeminist in its implicit indictment of the patriarchal forces that exploit the fragility of the “small things”, be they Velutha (racism), Ammu (sexism), Estha and Rahel (ageism) or fish, spider, or millipede (speciesism). Simultaneously, it also makes an explicit articulation of ecofeminist concerns. Very early in the story, Chacko, in the attempt to inculcate in the children a sense of historical perspective, informs them of the Earth Woman. He painstakingly builds the metaphor of the four thousand six hundred million year old Earth as a forty-six year old woman. The Earth Woman was eleven years old when the first single-celled organisms appeared. The first animals, creatures like worms and jellyfish, appeared only when she was forty. She was over forty-five – just eight months ago – when dinosaurs roamed the earth. The whole of human civilization as we know it began only two hours ago in the Earth Woman’s life. Chacko instructs that “the whole of contemporary history, the World Wars, the War of Dreams, the Man on the Moon, science, literature, philosophy, the pursuit of knowledge was no more than a blink of the Earth Woman’s eye” (54). Such a sweeping perspective of geological time serves to dethrone man from his position of power, and make him aware of his own insignificance – an insignificance which he shares with worms and jellyfish, and which allows him to be bracketed in equality with all creatures great and small. Having made an initial point, Roy proceeds to castigate man for his crimes against nature. She mourns the fall of the mighty Meenachal. What had once been the lifeblood and the livelihood of the people can now boast of only dead fish and fetid garbage. Roy holds man responsible, and deplores his attempts at harnessing nature in the name of so-called development - development that demanded the exacting price of the Meenachal. Roy also laments the History House being bought by a five-star hotel chain, and the resultant commodifying of the local culture. She evaluates the cost of development – the death of a river, and the passing of a culture. The river is now a thick, toxic, smelly drain. There are signs of *No Swimming* put up at the river, but there are newly constructed

swimming pools at the hotel. There are dead fish in the river, but tandoori pomfret and crepe suzette on the hotel menu. There are no magical row boats. Speedboats that emit a film of gasoline have taken their place. Also Kathakali performances are drastically abbreviated to suit the attention spans of rich tourists. Roy's anguish at the cost of development is explicit. It is on the basis of such anguish that Roy is known to be "the public voice of India's anti-globalisation movement" as also a fervent eco-feminist. An ecofeminist interpretation of the novel would require us to read the deterioration of the Meenachal, and the trading of a culture as allegorically reflective of the decline and fall of the Ipe family. Both stories meet in the chapter entitled "God's Own Country". The verandah of the History House, now houses the hotel kitchen which supervises the disembowelling of lesser mammals – pigs, goats. Nearby lies buried a child's plastic wrist watch with the time painted on it. The death of a culture is seen juxtaposed with the death of a child's innocence, and the splintering of a family. Both deaths bear the mark of oppression – the former bears the mark of oppressive globalization/neo-imperialism, the latter of racism/sexism/ageism.

Finally, to conclude, it would perhaps be fair to say that Arundhati Roy's *The God of Small Things* as a specimen of women's writing displays the following marked characteristics. There is an obsessive urge to articulate anger through the technique of "inversion", in turn made possible through the novel's constantly changing perspective and its non-linear progression. "Inversion" accounts for the undertone of irony that runs through the novel. It colours the title, the ordering of each individual chapter, as well as the controversial end. It is as though Estha's and Rahel's backward reading habits, and Baby Kochamma's insistence on living life backwards is reflected in the novel's structure. "Inversion" ensures the effectiveness of the title in foregrounding the "small things" as the central preoccupation of the novel. It also works cleverly to expose the contrast between the apparent and the real, and so upset reader expectations. It also determines the ordering of the

events that constitute the novel's diegesis. The technique of inversion allows the event of the punishment to precede the so-called crime. The crime is relegated to the end, and ironically makes possible the inversion of a happy ending to a sad story. Another feature that is too prominent to be ignored is the novel's fondness for nature to the extent that "nature" becomes a palpable, tangible, additional character. This in turn helps to identify the strong eco-feminist consciousness that is an important undercurrent. It also enables an eco-feminist interpretation that sees the fall of a river as an allegory for the corruption of a family. Therefore in conclusion, it could be argued that Roy makes use of a woman's weapons of "inversion" and eco-feminism to battle against patriarchal forces.

ENDNOTES

- Ahmad, Aijaz. "Reading Arundhati Roy Politically." *Arundhati Roy: Critical Perspectives*. Ed. Murari Prasad. Delhi: Pencraft International, 2006.
- Baneth-Nouailhetas, Emilienne. *The God of Small Things: Arundhati Roy*. Paris: Armand Colin/VUEF- CNED, 2002.
- Barsamian, David. "Arundhati Roy, The Progressive Interview." *The Progressive* 65.4(2001): 33-39.
- Benoit, Madhu. "Circular Time: A Study of Narrative Techniques in Arundhati Roy's *The God of Small Things*" *Arundhati Roy: Critical Perspectives*. Ed. Murari Prasad. Delhi: Pencraft International, 2006.
- Brians, Paul. *Modern South Asian Literature in English*. Westport: Greenwood Press, 2003.
- Gioia, Ted. "Review of Arundhati Roy's *The God of Small Things*." *The New Canon: The Best in Fiction Since 1985*. 5 July 2011. <http://www.thenewcanon.com/god_of_small_things.html>
- Klein, Naomi. *No Logo*. London: Flamingo, 2001.
- Kolodny, Annette. "Some Notes on Defining a 'Feminist Literary Criticism.'" *Critical Inquiry*. 2.1(1975): 75-92.
- Mani, K. Ratna Shiela. *The Critical Studies of Arundhati Roy's The God of Small Things*. Ed. Jaydip Sinh Dodiya. New Delhi: Atlantic Publishers, 1999.
- McGuire, Cathleen and Colleen McGuire. "Ecofeminist Visions." *Eve Online ecofeminist visions emerging*. 5 July 2011 http://eve.enviroweb.org/what_is/main.html
- Mor , Barbara. The Great Cosmic Mother. "Ecofeminist Visions." *Eve Online ecofeminist*

visions emerging. 5 July 2011 http://eve.enviroweb.org/what_is/main.html

Mullaney, Julie. *Arundhati Roy's The God of Small Things: a reader's guide*. 2002. New York: The Continuum International Publishing Group Inc, 2005.

_____. " 'Globalizing Dissent'? Arundhati Roy, Local and Postcolonial Feminisms in the Transnational Economy." *Arundhati Roy: Critical Perspectives*. Ed. Murari Prasad. Delhi: Pencraft International, 2006.

Rao, Ranga. "The Book(er) of the Year" *The Hindu Magazine* Sunday, Nov. 1997.

Roy, Arundhati. *The God of Small Things*. 1997. New Delhi: Penguin Books India, 2002.

_____. "The End of Imagination." *The Guardian*. 1 Aug. 1998. 5 July 2011.
<http://website.lineone.net/~jon.simmons/roy/ar_onnd.htm (6 of 10) [4/21/2005 11:22:13 PM]>

_____. *The Greater Common Good*. Bombay: India Book Distributors, 1999. 5 July 2011<<http://website.lineone.net/~jon.simmons/roy/tgost7c.htm> (2 of 5) [4/21/2005 11:32:51 PM]>

_____. *Power Politics*. Cambridge, Mass: Southend Press, 2003.

_____. "Wordsworth Interview with Arundhati Roy." 15 June 1997
<<http://www.umiacs.umd.edu/users/sawweb/sawnet/books/arundhati.html>>.

Roy, Mary. "Interview with Mary Roy." *India Today* 27 Oct. 1997.

Sharma, R.S, and Shashi Bala Talwar. *Arundhati Roy's The God of Small Things: Critique and Commentary*. New Delhi: Creative Books, 1998.

Shing Yi, Ng. "Peripheral Beings and Loss in Arundhati Roy's "The God of Small Things." *Quarterly Literary Review* Singapore 10.2 (2003). 23 June 2011
<<http://www.qlrs.com/essay.asp?id=329>>

Simmons, Jon. *Arundhati Roy, Website for Indian Literature*. 1999.
<<http://website.lineone.net/jon.simmons/roy/gost/4.htm>>.

“UNFOLDING THE UNCERTAINTY PRINCIPLES, OTHER VOICES AND OTHER SELVES IN ZADIE SMITH’S CHANGING MY MIND”.

INTRODUCTION

Changing My Mind depicts Zadie Smith as one of our most important contemporary essayists, a writer with the rare ability to turn the world on its side with both fact and fiction. The novel is a gift to readers, writers, and all who want to look at life more expansively. In fact, Zadie Smith brings to her essays curiosity, intellectual rigor, and humor which results in a collection that is nothing short of extraordinary. The novel is split into four sections - Reading, Being, Seeing, feeling and remembering. Changing My Mind invites readers to witness the world from Zadie Smith’s unique vantage. Smith casts her acute eye over material both personal and cultural, on diverse topics including literature, movies, going to the Oscars, British comedy, family, feminism, Obama, Katharine Hepburn, and Anna Magnani.

As a result, in her investigations Smith also reveals much of herself. Her literary criticism shares the wealth of her experiences as a reader and exposes the tremendous influence of diverse writers -E. M. Forster, Zora Neale Hurston, George Eliot, and others who had on her writing life and her self-understanding. Smith speaks directly to writers as a craftsman, offering precious practical lessons on process. Here and throughout, readers will learn of the wide-ranging experiences in novels, travel, philosophy, politics, and beyond that have nourished Smith’s rich life of the mind. Her probing analysis offers tremendous food for thought, encouraging readers to attend to the slippery questions of identity, art, love, and vocation that so often go neglected.

Smith is a passionate and precise essayist, equally at home in the world of great books and bad movies, family and philosophy. Whether writing of Obama, Katherine Hepburn, Kafka, Anna Magnani or David Foster Wallace, she brings a practitioner's care to the art of criticism, with a style as sympathetic as it is insightful. Changing My Mind is journalism as it is most expansive, intelligent and funny. Intact it is a gift to the readers and writers too- as you can see that in some of her queries that makes it although more intriguing. How did George Eliot's love life affect her prose? Why did Kafka write at three in the morning? In what ways is Barack Obama like Eliza Doolittle? Can you be over-dressed for the Oscars? What is Italian Feminism? If Roland Barthes killed the Author, can Nabokov revive him? What does soulful mean? Is Date Movie the worst film ever made? Within its covers an essay is more than a column of opinions: it's a space in which to think freely.

LITERATURE REVIEW

Most of her essays could be categorized as literary criticism. It is apt, as long as you have some familiarity with books or authors that are being criticized. If not, your appreciation might be less than full, although your curiosity might be piqued and you might be led to explore further. However, you can pick ones on authors you know (e.g. for me, Forster, George Eliot, Kafka), and you will find Smith always offers judgment and instruction. There are quite a few essays that do not belong to this category. There is one brilliant essay, "Speaking in Tongues" which possibly would justify buying the book. The essay starts from Shaw's Pygmalion, continues by way of Barack Obama, and shows the merits of being able to speak in many voices, to see things from multiple points of view. She points out that this is an ability which we cherish in artists but condemn in politicians. She holds up Shakespeare as a prime example of this quality, an author who is able to see from both sides: from black and white, male and female, king and commoner and so on.

The essays on Zadie Smith's family are simultaneously touching and amusing. Smith's father comes across very warmly. Her account of her brother's career change into stand-up comedian shows great insight into this art. Smith's film reviews and the account of her visit to the Oscar weekend are also very entertaining. One could possibly read according to their tastes and reading background. The book *Changing My Mind* changes all our minds as the collection is eclectic, including travel journalism, family histories and movie reviews, which range from blow-your-mind brilliant to, in one or two cases, a little flat. But - and this is not a sentence you get to write too often - it's the literary criticism that really sparkles. The essays about consuming and producing literature are what will earn this book a place on the shelf of every serious creative reader and writer. I loved, and learned from and yes, had my mind changed by, their forensic effervescence. Sometimes the book is not a collection to sit and read from cover to cover but a peek into it tells us about Zadie's academic jargon. Does it matter if you haven't read the books she's writing about? Sometimes it did, sometimes it didn't; I didn't take anything from her writing about David Foster Wallace except that I wouldn't want to read him, ever. I enjoyed her take on films, when it didn't seem to matter that I hadn't seen all of them.

LITERARY THEORY – POST STRUCTURALISM AND DECONSTRUCTION

Structuralism was an intellectual movement in France in the 1950s and 1960s. It was the study of underlying structures in cultural products (such as texts) and use of analytical concepts from linguistics, psychology, anthropology, and other fields to interpret those structures. It emphasized the logical and scientific nature of its results. However, Post-structuralism offers a way of studying how knowledge is produced and critiques structuralist premises. It argues that because history and culture condition the study of underlying structures, both are subject to biases and misinterpretations. A post-structuralist approach argues that to understand an object (e.g., a text), it is necessary to study both the object itself and the systems of knowledge that produced the object. Post-structuralism is a reaction to structuralism and works against seeing language as a stable, closed system. It is a shift from seeing the poem or novel as a closed entity, equipped with definite meanings which it is the critic's task to decipher, to seeing literature as irreducibly plural, an endless play of signifiers which can never be finally nailed down to a single center, essence, or meaning.

Jacques Derrida developed deconstruction as a technique for uncovering the multiple interpretation of texts. Derrida suggests that all text has ambiguity and because of this the possibility of a final and complete interpretation is impossible. For Derrida, language or 'texts' are not a natural reflection of the world. Text structures our interpretation of the world. Following Heidegger, Derrida thinks that language shapes us: texts create a clearing that we understand as reality. Derrida sees the history of western thought as based on opposition: good vs. evil mind vs. matter, man vs. woman, speech vs. writing. These oppositions are defined hierarchically: the second term is seen as a corruption of the first, the terms are not equal opposites.

Derrida thought that all text contained a legacy of these assumptions, and as a result of this, these texts could be re-interpreted with an awareness of the hierarchies implicit in language. Derrida does not think that we can reach an end point of interpretation, a truth. For Derrida all texts exhibit 'différance': they allow multiple interpretations. Meaning is diffuse, not settled. Textuality always gives us a surplus of possibilities, yet we cannot stand outside of textuality in an attempt to find objectivity. One consequence of deconstruction is that certainty in textual analyses becomes impossible. There may be competing interpretations, but there is no uninterpreted way one could assess the validity of these competing interpretations. Rather than basing our philosophical understanding on undeniable truths, the deconstructionist turns the settled bedrock of rationalism into the shifting sands of a multiplicity of interpretations.

UNCERTAINTY PRINCIPLES

Smith's longest-standing project this decade is "a solemn, theoretical book about writing" that has yet to see the light of day. The novel brought her first collection of essays, collected mostly from newspapers and magazines. This collection is titled *Changing my mind*, and Smith describes it in a foreword as being rife with "ideological inconsistency." Initially Smith's collection looks like a bizarre menagerie: A dispatch from Liberia abuts a study of Obama's language; elsewhere are essays about Forster and Kafka and stuck into the middle of the book like last week's mail, a little treasury of outdated movie reviews. Read as a whole, though, the book falls together with a startling focus. The book isn't just a group of gently argued judgments and critical reinterpretations; it's an unsettled look at the systems of thought that make those judgments and interpretations possible. Despite Smith's novelistic intuition, her most resonant essays fixate on the question of how, with what mind-set and values actually fiction should be read. This problem will strike many people as familiar. The moment reading takes on a social component, though; matters of taste and judgment claim the spotlight. How to formulate a thought about a book? Which thoughts to formulate? But novels aren't written for interpretive subcultures, and when we encounter fiction in the wild, it's often unclear which way to parse and evaluate it, what kinds of things to focus on.

The question "are some systems best for assessing?" haunts Smith's collection from the opening essay. Smith tells us how; first reading Zora Neale Hurston at 14; she pooh-poohed the notion of "identifying" with a black woman's novel. "I feared my 'extra literary' feelings for her," she explains. "I wanted to be an objective aesthete and not a sentimental fool." The stakes here aren't interpretive. They're aspirational. "Extra literary," in young Smith's mind, was anything a chin-stroking critic might frown on. Literariness, in turn, meant anything that yielded to highbrow reading methods. A surprising number of broad-minded people subscribe to this premise. Smith describes E.M. Forster hovering between a mandarin circle and a popular audience, helping translate highbrow taste for middling readers. Books are stuff and life is stupid, in Smith's words is a magic alchemy of the two, embracing both the life of the mind and life in the world to create George Elliot's *Middlemarch*. David Foster Wallace used the bells and whistles of metafiction to jostle readers out of their suspended disbelief and made them read through someone else's mind. In an essay called "Two Directions for the Novel," Smith uses two new books, the novel "Netherland" by Joseph O'Neill's and a novel "Reminder" by Tom McCarthy's to bring out two distinct ways of creating meaning in fiction: one popular and self-consciously lyrical, the other stark and esoteric.

According to Smith, the moral of Obama's story is that "each man must be true to his selves, plural." On this point, at least, Smith is ideologically consistent. In fact, the idea that "the unified singular self is an illusion" could be the leitmotif of this collection. It allows Smith to revisit her own early assumptions and to question such essentialist notions as "black woman-ness." Reflecting on Kafka's ambivalence about his ethnic background, she writes: "There is a sense in which Kafka's Jewish question 'What have I in common with Jews?' has become everybody's question, Jewish alienation the template for all our doubts. What is Muslimness? What is femaleness? What is Polishness? What is Englishness? These days we all find our anterior legs flailing before us. We're all insects, all Ungeziefer, now."

One of Smith's most lucid essays Nabokov's reading style based on the idea of the author's absolute control against Roland Barthes' famous "death of the author" are two competing paths where status and rigor are concerned. The appeal of each approach is clear at once. Smith loved Barthes' reader empowerment as a theory-minded college student, trying to

communicate with readers. Both perspectives reflect reading at its most is educated and refined. Both are clearly very useful. Smith cannot get the two to join together. They're basically irreconcilable. Smith's self-described "ideological inconsistency" becomes her own object of study. Take another step back from *Changing My Mind*, and you realize that the book is not simply preoccupied with different ways of reading. It's concerned, more broadly, with the way that people move among competing systems of belief. If you happen to be a writer or a reader, which Smith is then obviously you will find yourself in a confusing situation as to how you are supposed to talk, or think, about the art of fiction if the art itself looks different depending where you stand? You can choose one way of reading and persuade yourself the other is completely wrong. Or you can take up both of them at once, sort of, and end up trying to eat your dinner with a knife in either hand. Most likely, you'll refrain from claiming anything at all.

Belsey is an intellectual caricature. The problem he embodies is, for many people in the shoals of scholarship, quite bracing. In an essay published this past spring, University of Virginia scholar Mark Edmundson argued against the sort of theory-drowned approach that Belsey carries to extremes. To force a reading system on a work of literature, Edmundson suggested, is to miss the logic and, perhaps, the genius that the work would show on its own terms. The problem with the Marxist reading of Blake is that it robs us of some splendid opportunities, he wrote. "We never take the time to arrive at a Blakean reading of Blake, and we never get to ask whether Blake's vision might be good in the way of belief." To read well is to read through systems of belief that match the book in hand. This is Edmundson's main precept, and it comes across as Smith's unspoken ideal as well. The wild eclecticism of *Changing My Mind* reflects, if anything, the versatility that Smith embraces on the page taking up the mantle of the theorist, the memoirist, the pop movie critic as circumstance requires. Each of these roles departs from the work she is best known for. Each requires starting, in some way, from scratch. In the end, one realizes, Smith's collection is not so much a book about changing one's mind as it is a guide to living, for a change, in someone else's.

OTHER VOICES AND OTHER SELVES

An essay on Barack Obama's many "voices" finds her fascinated with the way we can don verbal styles as we put on clothes for an occasion, switching just as quickly to a new outfit a day later. The president can talk like "white Harvard nerds" and a "black old lady from the South Side" as circumstance requires, Smith observes that he can move among belief systems with equal versatility. She attributes this chameleon skill to Obama's eclectic background. Living with two opposed arrays of beliefs requires being "flexible between these two fixed points" until you develop "a creative sense of dissociation" from the primacy of your own claims. Yet her essay on Obama is replete with the postcolonial-cum-postmodernist themes; hybridity, mimicry and ambivalence that professors of literature and cultural studies commonly employ in universities. Smith's hope that Obama's "flexibility of voice" may lead to "flexibility in all things" derives not so much from hardheaded political analysis as from academic high theory, which assumes that those who live between cultures best represent and articulate the human condition today. According to Smith, the moral of Obama's story is that "each man must be true to his selves, plural."

A person in that equilibrium, Smith says, knows the extreme contingency of culture. There is little hint of Smith's culturally diverse background in her essays on Hollywood movies and stars; they belong recognizably to an Anglo-American tradition of writing about cinema that alternates between masochistic reverence and slash-and-burn japery. Smith resembles a

French avant-gardist of the 1950s and '60s rather than a postcolonial writer in her most ambitious essay, "Two Directions for the Novel." They are Smith's heroes, people who can inhabit a particular way of thinking for a purpose and then, if necessary, put it aside for something new. Her nudniks are those caught in ideological heroism, pedants and dogmatists hogtied in the face of shifting circumstances. Look to Smith's fiction, and you'll find this preference just as striking: Characters mired in a single way of thinking haunt her books like hapless specters.

Smith delights in dismantling her subjects, from the narrative desperation of *Shop girl* to the glorified image of the veteran in "Accidental Hero," in which she sits down with her father to ask him for the first time about serving in World War II. In "That Crafty Feeling," one of the rare pieces that reference her own work, she even suggests a method for dismantling her own novels in the structures she uses to write them. On an Oxfam-sponsored trip to the country, Smith narrates her experiences at such remove, abandoning inhabitants' stories mid-thought that her reports take on a condescending tone, as if she's skeptical about the purpose of the trip itself. A similar abruptness inhabits the airless "Smith Family Christmas," a family memory from the "Feeling" section that begins with a photograph, but never animates it beyond the page. On the other hand Remembering 40-page appreciation of fellow hysterical realist David Foster Wallace, complete with footnotes and the keys Smith used to access his stories, suggests that her curiosity and willingness to reject facile conclusions could fill several more books.

To write critically in English," Smith asserts in the opening essay of *Changing My Mind*, "is to aspire to neutrality, to the high style of, say, Lionel Trilling or Edmund Wilson praising Zora Neale Hurston. Smith complains that the mandarin critical mode elevates the experiences of white people to the norm while making "black women talking about a black book" look sectarian. Smith's own way of escaping this narrow assumption is to declare boldly, "Fact is, I am a black woman." A writer like Hurston, Smith adds, makes black woman appear a real, tangible quality, an essence I almost believe I share, however; with millions of complex individuals." Hurston also allows Smith "to say things I wouldn't normally things like "She is my sister and I love her."

After this sonorous declaration, one might expect Smith to reclaim writers and books on behalf of millions of complex individuals whose experiences are misrepresented, insufficiently written about or simply ignored. But she means for us to take the title of her book seriously. "Ideological inconsistency," she writes in her foreword, "is, for me, practically an article of faith." The essays that follow discuss some prominent dead white writers but display no style in counter reading of canonical texts. Their quirky pleasures derive from Smith's own critical persona which is always bold, jauntily self-reflexive, amusing and even her inspired cultural references, which include both Simone Weil and "Buffy the Vampire Slayer."

Smith's "Speaking in Tongues," the highlight of a section entitled "Being," is a moving meditation delivered after the election of Barack Obama. More than any other essay in the collection, this one puts her dazzling talents on full display. In it, she moves gracefully from the story of shedding the accent of her birth. Willesden was a big, colorful, working-class sea; Cambridge was a smaller, pusher pond, and almost univocal; the literary world is a puddle. Indeed it is so right from discussion of Pygmalion, to an incisive dissection of Obama's memoir. Along the way, she discourses on such subjects as Shakespeare, the religious wars of 17th-century England and Cary Grant. None of this feels as if it's calculated to showcase her erudition. Rather, it's an invigorating display of the breadth of her learning and of her ability to knit together seamlessly elements of culture both high and low.

A close study of Smith's generous essay "That Crafty Feeling" a version of a lecture delivered to Columbia creative writing students will repay aspiring writers many times over. In it, she

lays down 10 genial guidelines about the writing craft, of which this terse admonition about literary influences is but one example: "Other people's words are so important and then without warning they stop being important, along with all those words of yours that their words prompted you to write. Other people's words are the bridge you use to cross from where you were to wherever you're going.

The only section of *Changing My Mind* that mildly disappoints is "Seeing." Focusing on the movies, Smith offers an appreciation of Katharine Hepburn and Greta Garbo, a profile of the Italian actress Anna Magnani and a series of vignettes from Oscar weekend 2006. The longest piece in this section collects Smith's reviews of mainstream films that year. The problem with this relatively lengthy chunk of the book is that a good many of the films Smith critiques such as the ghastly *Get Rich or Die Trying* and *Date Movie* are best forgotten and, in any event, unworthy of her talents.

Salman Rushdie and other practitioners of postcolonial postmodernism have stressed ambivalence, doubt and confusion is essential to forming dynamic new hybrid selves. Smith seems to bring to this entrenched critical orthodoxy of today's bright, successful but sad young writers. This is most evident in the collection's final essay, a long and passionately argued panegyric to David Foster Wallace in which Smith diagnoses the central dilemmas of her own increasingly lost generation. These are dilemmas, she argues, that Henry James who assumed awareness leads to responsibility and never encountered the ubiquity of television, the voraciousness of late capitalism, the triumph of therapeutic discourse and philosophy's demotion into a branch of linguistics.

Smith writes with a beguiling mix of assurance and solemnity, borrowing her vocabulary from many intellectual and cultural sources. On the other hand, a few of her readers may still pause to wonder if the growing irrelevance of academic philosophy is as strong an influence even on people at university campuses as the ravages of late capitalism. For someone so apparently world-weary, Smith can often appear profoundly unworldly. Writing about a trip to Liberia organized by Oxfam, she wavers distractingly from the arch are there such things as third-world products? To tourist-brochure blandness such as "Bong country is beautiful. Lush green forest, a sweet breeze" and to stock atrocity journalism "A narrow corridor of filth, lined on either side with small dwellings made of trash, mud, scrap metal. Children with distended bellies, rotting food, men breaking rocks".

Compiling an assortment of details, Smith declines to fit them into a pattern. Her essay called "Ten Notes on Oscar Weekend" as implied by its title has no form or shape at all. Smith visibly moves with greater ease through the decipherable world of texts, but here she often gets bogged down in over-interpretation. The work of David Foster Wallace, an estimable writer of undoubtedly great unfulfilled promise, can't bear the weight of meaning Smith bestows on it, deploying references that range from Zen koans to Noam Chomsky. Lines like "How to be in the world when the world has collapsed into language?" bear too much resemblance to the effusions of an aspirant for a Ph.D. in philosophy.

Smith's broad-brush pronouncements underscore the limitations of the academic theories often rehearsed. Having hybrid identities, not belonging anywhere or indeed belonging everywhere, may have its advantages, but these attributes must still contend with pressing circumstances like the voraciousness of 21st-century capitalism. Far from floating free in a state of unbalancing, most people are trapped in predetermined social and political positions; they must act within the history that surrounds them. The possession of multiple selves and voices doesn't seem to be helping and may even be inhibiting Barack Obama. The victims of the seemingly endless violence in Pakistan and Afghanistan would draw scant comfort from the knowledge that the present occupant of the White House has an ear for different accents and can mimic everyone from a white Harvard nerd to a Kenyan elder.

CONCLUSION

Smith's intellectual ambitions are remarkably consistent with those of the postcolonial writers and academics who have settled into the abstractions of a posh postmodernism. "Changing My Mind" displays many of its virtues: a cosmopolitan suavity and wit that often relieves intellectual ponderousness. Smith's native intelligence, however, seems so formidable that you can't help hoping she'll change her mind yet again. Smith's collection winds up with a lengthy reconsideration of David Foster Wallace's short story collection, *Brief lives of Hideous men*. In the same vein as literary criticism that leads off the volume, it's a discussion that will challenge the general reader, but it's an unsurpassed introduction to Wallace's work and an exceptionally generous tribute to a departed colleague. If you love her fiction, you would enjoy the fact that Ms. Smith's voice is just as funny, insightful, unaffected and wise in her non-fiction essays. In this, which covers everything from the joys of reading Nabokov to Italian cinema, from the conditions of life in Liberia to her own relationship with her family and father, the reader gets to know aspects of her as a person, not merely as an author. It is instantly clear that she is not merely a dazzling writer, but an incredible human being, as well as a fine journalist and reviewer. Zadie Smith's essays have been thoughtful and elegant. In addition to her considerable talents as a novelist, In fact she has been quietly assembling an impressive body of literary and cultural criticism over the past several years. Those pieces have been collected in this volume, a virtuosic demonstration of the workings of a first-class mind expressed in consistently lucid prose. Zadie is an acute observer culture, possessed also with the intellectual grounding to make her commentaries more than ephemera. Smith admits that it was novel nausea that inspired her to turn to essay form. But, it has been the experience of writing essays that had renewed her enthusiasm for the things fiction does that nothing else can. As a result, she concludes that writing essays on Kafka, on Nabokov, on George Eliot, on Zora Neale Hurston, she was humbled and excited by the artificial and the fully imagined. It's reassuring to know that a gifted writer of fiction now has recharged her creative batteries, but these elegant and thoughtful essays can only inspire the hope that she would return with more soon.

REFERENCES

1. Barthes, Roland. *The pleasure of the text*, trans. R. Miller (Hills and Wang, 1975).
2. Derrida, Jacques, 'Structure, sign and play in the discourse of the Humanities', reprinted in abbreviated form in K.M. Newton's *Twentieth century literary theory: A Reader* (Macmillan, 1988)
3. "On the Road: American Writers and Their Hair", essay written to be read aloud at Neal Pollack Timothy McSweeney's Festival of Literature, Theater, and Music, 2001.
4. "The divine Ms H" in *The Guardian*, 1 July 2003, an essay on [Katharine Hepburn](#).
5. "The Limited Circle is Pure" in *The New Republic*, 3 November 2003, an essay on [Franz Kafka](#) for a 2005 reissue of *The Trial*, for which she also wrote a foreword.
6. "Love, Actually" in *The Guardian*, 1 November 2003, an essay on [E. M. Forster](#), based on her lecture at the [Gielgud Theatre](#) in London on 22 October 2003.
7. "You Are In Paradise" in *The New Yorker*, 14 June 2004, essay on holidays.
8. "We are family" in *The Guardian*, 4 March 2005, an interview by Zadie Smith with her brother [Doc Brown](#).
9. "What does soulful mean?" in *The Guardian*, 1 September 2007, an essay on [Hurston's *Their Eyes Were Watching God*](#).
10. "F. Kafka, Everyman" in *The New York Review of Books*, 17 July 2008, a review of *The Tremendous World I Have Inside My Head: Franz Kafka: A Biographical Essay*, by Louis Begley.

11. " *Changing My Mind: Occasional Essays* (Penguin Press, 12 November 2009), a collection of essays on writing.
12. Tew, Philip. *Zadie Smith*. London and New York: Palgrave Macmillan, 2010.

Walters, Tracey (Ed.). [*Zadie Smith: Critical Essays*](#). New York: Peter Lang Publications, 2008.

AFFECTIVE DETERMINANTS OF MATHEMATICS ACHIEVEMENT IN TECHNICAL SECONDARY SCHOOLS OF KEDAH, MALAYSIA

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Abstract: The purpose of this study was to identify the affective determinants of mathematics achievement in technical secondary school. In addition, this study also aimed to identify the best predictor of affective variables towards mathematics achievement. The respondents of the study were 251 students from three public technical secondary schools in Kedah, Malaysia that were selected using random sampling. The Mathematics achievement was measured by 40 multiple-choice items. The affective variables based on attitude, anxiety and habit. The Pearson correlation and multiple regression were used for tests of significance. The findings of the study showed that attitude and habit have positive relationship whereas anxiety in learning Mathematics has negative relationship with mathematics achievement. The findings also showed that attitude was the best predictors of mathematics achievement. The proposed ARoS Model emphasizes the importance of assessing student's affective attributes before assessing their cognitive ability and this indirectly will improve their mathematics achievement. Therefore, this study suggest teachers, counselors and principals to assess students' affective attributes in identifying students' cognitive ability in learning Mathematics.

Key Words: *Learning Attitude, Mathematics Anxiety, Learning Habit, Mathematics Achievement.*

1.Introduction

Generally students think that mathematics is a subject which is difficult to master. Therefore, some students perform very well while some fail to master this subject even when they are facing the easy topics within the subject. This shows that there are differences among the students in paying close attention and learning mathematics because each individual learns and processes mathematical information in his or her own way. Hence, several reasons have been forwarded for this disparity in mathematics achievement. Among them is that individuals possess different, unique and personal orientation in mathematics (Berita Matematik,1993). It is noteworthy that despite its utility and importance, mathematics is perceived by most pupils as difficult, boring, not very practical, abstract, etc., and its learning as requiring a special ability that is not always within everyone's reach (Ignacio, Nieto & Barona, 2006).

1.1 Problem Statement

According to Maree (1997) and Moodaley and Grobler (2006), some students with high attitudes and ability in mathematics show low achievement while some students with low attitude and ability show high achievement. So they raised the question "Why do students dislike mathematics or obtain poor results in this subject?". The 60:40 policy of the Ministry of Education, Malaysia which targets 60 per cent of the students in the Science and Technology streams in upper secondary schools has still not been met. The number of students in the Science and Technology stream is still low. For instance, in 2004, there were only 43.18 per cent students in the Science and Technology streams. This shows that the students failed to master mathematics considering that a good basic knowledge of mathematics was a requirement for selection into the Science and Technology streams (Hashim Yaacob, 2004).

The learning of mathematics is an issue that is often raised in our society. Various factors can influence its mastery and performance among the students. According to Ibrahim Ahmad Bajunid (2002), students who have low mathematics achievement can improve their academic achievement through support from society, their parents' influence and good teachers who have positive classroom experience.

Non-cognitive ability is measured from the affective state of the student through Study Orientation in Mathematics (SOM). The SOM aspects are measured by using the learning attitude, anxiety, learning habits, problem-solving behaviour and mathematics learning environment variables (Maree, 1997; Steyn & Maree, 2002; Arsaythamby & Rosna Awang Hashim, 2009; Arsaythamby, 2010). High affective abilities in students in learning mathematics are important to improve mathematics achievement. Learning attitudes, anxiety, learning habits, problem-solving behaviour and mathematics learning environment serve as affective abilities. According to Hand (1982) and Aleks (2003) affective ability functions as an ignition to a student's memory. The SOM affective ability variables can influence cognitive abilities in mathematics.

2.0 Literature Review

Studies that focused on intellectual development and nature of learning in a variety of approaches have resulted in various theories of learning. One of the learning theories is the Theory of Cognitive Development of Children (Piaget, 1965). This theory differs and varies with changes in age, that is, the sensory motor stage (0-2 years), the pre-operational stage (2-6 years), the concrete operational

stage (7-12 years) and the formal operational stage (after 12 years). In this study emphasis was given to the last stage of cognitive development as the students involved were in the 16-year age group (Form Four) in secondary schools. Learning theories are descriptive in nature, that is, they analyse the mental activities that can be performed by students according to the intellectual development in certain subjects. Teachers who are aware of the child development theory can understand how students learn and solve mathematical problems. Skemp (1971) in his book *The Psychology of Learning Mathematics* conjectures "Problems of learning and teaching are psychological problems, and before we can make much improvement in the teaching of mathematics we need to know more about how it is learned"(pp. 14).

Basically learning is understood as an orientation which brings changes in each individual. After undergoing the learning orientation, a person will know, execute or think about something that he has not known before. Besides this, learning cannot be separated from the activities related to obtaining and using knowledge. When knowledge is obtained and used, then the expected changes will be realized (Wan Zah Wan Ali, 2000).

Polya (1957; 1973) mentions that four phases, namely understanding the problem, planning the problem planner, solving the problem and checking the answers, should be followed by the students to solve mathematical problems. All these four phases are important to understand how to solve mathematical problems. The development of mathematics at the school level involved three main areas, namely numbers, shapes and relationship. The development and foundation of mathematics start with the area of Numbers in the Integrated Curriculum for Primary School, which is locally better known as KBSR, while at the Integrated Curriculum for Secondary School or KBSM level, the areas of Shapes and the Relationship are given more attention besides the area of Number at the upper secondary level. Many students in school experience difficulty in learning because they are seldom taught how to study. The difficulty in learning among students is only slightly connected to natural ability (Lashley & Best, 2001). A student's view regarding learning influences the way the individual studies. However, views, according to Saljo (1982) cannot be considered a stable characteristic built within a student. On the other hand, they are formed according to the learning environment situation and culture which surround the student's life.

Despite the fact that students in a class are of around the same age, nevertheless they have various needs and different interests in mathematics. According to the theory of human psychological

development (Piaget, 1965) environmental effect in an individual's growth is very important and it plays a role in the formation of human behaviour. Environment has a very complex power that can influence an individual's behaviour.

Learning orientation is based on the perception that only the student himself can carry out learning to the optimum. Teachers, parents or peers, however clever they may be, may not be able to do the learning for the student (Arsaythamby, 2010). This is further confirmed through observation that students differ from one another in manner, needs and rate of learning. It is important that students decide on the best learning strategy that suits them. This will produce individuals who can think and be responsible for their learning (Pusat Perkembangan Kurikulum, 2001).

Two theoretical models, namely Interference Model and Deficit Model, have influenced anxiety in mathematics. The Interference Model, introduced by Libert and Morris (1967), Mandler and Sarason (1952) and Wine (1971), explained anxiety in mathematics as recall interference coming before knowledge and mathematical experience. As a result of this an increase in the level of anxiety will produce a low level of achievement in mathematics. In the Deficit Model, Tobias (1985) connects mathematical anxiety to memories of previous low mathematical performance and believes that this performance is caused by high anxiety. According to the Deficit Model, students perform badly because of poor study behaviour and poor examination-taking skills. Mathematical anxiety exists because of less preparation in mathematics.

Mathematical anxiety is also known as mathematical phobia. Studies have shown that that anxiety always begins at the primary schools, although these symptoms were not proved until Burns' (1998) study. According to Burns, the traditional way of teaching mathematics has proven that mathematical phobia is repeated from generation to generation and is difficult to overcome. Kennedy and Tipps (1991) listed five practices that contribute to anxiety in mathematics, namely stressing memorization, emphasising students doing homework by themselves, authoritarian teaching, and lack of variety in the teaching and learning processes.

2.1 Learning attitudes

Learning attitude is an important attribute in student motivation. Students who are motivated and have the ability can do mathematics well. In general, students who are motivated are interested in learning. On the other hand, students who have negative attitudes to performance always end up lacking interest in studying mathematics (Maree, 1997; Steyn & Maree, 2002). Schreiber's (2002) study says

that students who have low attitudes towards mathematics tests are also related to poor results. In mathematics achievement, college students are identified as performance predictors of algebra and calculus (House, 1995). Learning attitude is the basic element of psychological and sociological theories (Aronson, Wilson & Akert, 1999). According to Mueller (1996), attitude is important in oneself and it influences every decision made. In the field of psychology, attitude is defined as a situation that exists as mental or physical. Attitude is one's willingness to act in an appropriate way towards things, people, situations, places, ideas and behaviour. Besides this, attitudes are also noticed through motivational power or pressure from within oneself.

2.2 Mathematics Anxiety

The affective variables play important roles in the teaching and learning of mathematics (McLeod, 1992; 1994). One of the affective variables which is given much attention is mathematics anxiety (McLeod, 1992). According to Aiken (1976), mathematical anxiety is considered as a general attitude towards mathematics. However, most researchers who consider mathematical anxiety should pay more attention when explaining mathematical anxiety. As an example, McLeod (1992) referred to attitude as anxiety, confidence, disappointment and discontentment. Mathematical anxiety is often referred to as lack of comfort which might be experienced by someone asked to perform a mathematical activity (Wood, 1999) or pressure, feeling less able and an unprepared mind to manipulate numbers and shapes (Richardson & Suinn, 1972; Tobias, 1985). Mathematical anxiety is measured in various forms such as dislike (attribute element), anxiety (cognitive element) and fear (emotional element) (Hart, 1989; Wigfield & Meece, 1988).

Several research analyses show anxiety in mathematics achievement. Leder (1987), McLeod (1992; 1994) and Reyes (1984) studied the effective domain related to the cognitive domain in mathematics but their discussions in mathematics anxiety are limited. There are studies that mention the relationship between mathematical anxiety and mathematics achievement. Hembree (1990) in his meta-analysis focused on the relationship between mathematical anxiety and mathematics achievement. The finding of the study revealed a negative relationship. However, he only depended on seven studies based on primary and secondary schools compared with 49 studies conducted among college students. The meta-analysis conducted by Hembree (1990) was about the relationship between mathematical anxiety and mathematics achievement

2.3 Learning habit

This variable measures the learning habit attribute in mathematics. Behaviour refers to something that can be possessed, is consistent, effective learning methods and habits (preparation, practising past examination questions, practising popular questions in mathematics). The readiness of the students is not only for obtaining certain aspects in mathematics, but also to learn theorems, rules and definitions carefully and concentrate on doing assignments in mathematics (Maree, 1997). Mathematics assignments and exercises are completed immediately, homework is completed from time to time without any wastage of time.. Besides these are readiness to do mathematics consistently, and doing more interesting activities as replacements. This field determines the limit that the attitude to learn mathematics can be stated specifically for mathematics learning habits.

In conclusion learning mathematics should not be seen from the cognitive aspect like only test results but also from non-cognitive factors like SOM influencing students' success (Anneke, Adelene & Karel, 2001). Anneke et al. (2001) suggested that mathematics achievement is very complex to predict by using one factor, but needs many more factors to measure mathematics achievement. Tocci and Engelhard (1991) stated that affective variables (SOM) are as important as cognitive variables (mathematics achievement) in achieving results in learning. Students' abilities in school should not be based on test results only but students' SOM should also be important and should be given appropriate attention to improve mathematics achievement.

3. Study Objectives

- To identify the relationship between attitude, anxiety and habits toward Mathematics achievement among secondary students
- To identify which is the best predictor of attitude, anxiety and habits toward Mathematics achievement.

4. Research Method

Sampling

The study sample consisted of 251 Form Four students in technical secondary schools in state of Kedah in Malaysia; 160 (63.7%) were male students while 91 (36.3%) were female students.

Instrument

In this study, two types of measuring instruments were used to collect data. The first measuring instrument, the Study Orientation in Mathematics (SOM) questionnaire (Arsaythamby & Rosna Awang Hashim, 2009; Arsaythamby, 2010) was used to measure students' behaviour related to aspects of learning and mathematics achievement. SOM consisted of five variables: attitude in learning mathematics, anxiety in learning mathematics, habit in learning mathematics, behaviour in solving mathematical problems, and environment in learning mathematics. But for this study we only use three major variables as the affective variables (attitude, anxiety and Habit). This questions used the ~~Likert~~-agreement scale with four options: Option 1 (strongly disagree), 2 (disagree), 3 (agree) and 4 (strongly agree). According to Calhoon and Fuchs (2003), in questionnaires that use the four options ~~Likert scale~~, the attitude value of 2.4 and below shows negative attitude, the item score of between 2.4 and 2.6 is considered as neutral and a score that exceeds 2.6 shows positive attitude. A high total score shows a positive attitude towards the learning of mathematics.

The second measuring instrument is the multiple-choice mathematics test which was prepared by the Kedah state Education Department. The drafters of the questions were two teachers who set questions at the national level, and two specialist teachers of mathematics. This test consisted of 40 items and it was the first paper which took one hour 15 minutes. Each item was followed by four options lettered A, B, C and D (Arsaythamby & Rosna Awang Hashim, 2009; Arsaythamby, 2010).

The multiple-choice mathemathematics test consisted of five items (12.50%) for the Numbers area, nine items (22.50%) for the Shapes area and 26 items (65%) for the Relationship area. This test comprised of only 26 items covering 11 topics from the Form Four Mathematics syllabus and the rest were from topics within the Form One to Form Three mathematics topics. This study tested three topics related to the Numbers area. They were Round Numbers (1), Fractions (1), and Standard Form (3). In the Shapes area, Parallel Lines (1), Polygon (1), Circles (1), Tigonometry (4), Angle Of Elevation and Angle Of Depression (1), and Line and Surface in Three Dimensions (1) were tested. The Relationship Area items consisted of 10 topics which were Index (2), Algebraic Expression (2), Algebraic Formula (4), Linear Inequalities (2), Expression and Quadratic Equations (1), Straight Lines (6), Set (4), Mathematical Reasoning (1), Statistics (2 and Probability (2). This Relationship area was tested in 26 (65%) items in the final year examination. The items were tested from the easy level to the difficult level. The data collected was analysed by using SPSS version 12. The correlation

test was used to answer the first research question and multiple regression was used to answer the second question.

5. Research Findings

5.1 Correlation between SOM and Mathematics Achievement

Table 2 shows a significant positive relationship ($p < .01$) between attitudes, habits and anxiety with mathematics achievement. The results of this correlation show that generally r values are low but significant because the sample size is large.

Table 2: Pearson Correlation between SOM Variables and Mathematics Achievement Areas

SOM	1	2	3	KBSM Mathematics
1. Attitude	1	-.41**	.68**	.19**
2. Anxiety		1	-.46**	-.31**
3. Habit			1	.20**

* $p < .01$ (2-tailed)

Attitude in learning mathematics has a positive significant relationship ($p < .01$) with mathematics achievement. This shows that students with high attitude in learning mathematics have high mathematics achievement whereas students with low attitude in learning mathematics have low maths achievement. Attitude in learning mathematics has a low positive relationship with mathematics achievement ($r = .19$, $p < .01$).

Anxiety in learning mathematics has a significant negative correlation ($p < .01$) with mathematics achievement. This shows that the higher the level of anxiety the lower the mathematics achievement and vice versa. Anxiety in learning mathematics has a low negative relationship with achievement in the mathematics achievement ($r = -.31$, $p < .01$).

Mathematics learning habit has a significant positive correlation ($p < .01$) with mathematics achievement. This shows that the stronger the habit of learning mathematics the higher the mathematics achievement. Habit in learning mathematics has a relatively low positive relationship with the mathematics achievement ($r = .20$, $p < .01$)

5.2 Affective Variable which is the best predictor of mathematics achievement

Table 3 shows the results of the multiple regression analysis with mathematics achievement as the dependent variable. The regression model has a coefficient determinant R^2 with an average value of 0.19. This indicates that 19% of variance in mathematics achievement can be explained jointly by the three affective variables; attitude, anxiety and habit. F statistics which test $H_0 : R^2 = 0$ is significant (p

, .05) for the regression model, that is mathematics achievement score ($R^2 = 0.19$; $p < .05$). This means that at least one regression coefficient in each regression model differs significantly from zero. The t value for the anxiety was significant contributors ($p < .05$) to mathematics achievement but attitude and habit are not a significant contributor ($p > .05$). The findings of this study indicate that Anxiety in Learning Mathematics is the only predictor (19%) for learning mathematics (Table 3).

Table 3: Multiple Regression Analysis between Mathematics and SOM

Affective variables	Dependent variable (KBSM Mathematics)				
	Mathematics students' achievement score				
	Unstandardized coefficients Beta	Standard Error	standardized coefficients Beta	t Statistics	p
Constant	31.87	13.07		2.44	.02
Attitude	0.11	0.21	0.05	0.53	.06
Anxiety	-0.58	0.15	-0.27	-3.94	.00*
Habit	0.11	0.20	0.04	0.56	.07

* $p < .01$

5.3 Discussion

The mathematics learning attitude variable has a significant positive correlation with mathematics achievement. The importance of attitude in learning mathematics is consistent with the studies of Schreiber (2002) and Moodaley, Grobler and Lens (2006) which said that students with low mathematics learning attitude towards mathematics tests also had low achievement. On the whole Form Four students have poor attitude, anxiety and habit in mathematics. Although most students are peers in class or are in the same stream they have different needs and interests in mastering KBSM mathematics. Each student has the ability to master mathematics but the level of mastery depends on the effectiveness of his or her learning process (Pusat Perkembangan Kurikulum, 2001). Gardner and Miller (1996) stated that a student who is autonomous will have the initiative to plan and carry out the SOM programme well. Therefore, students should be proactive in affective variables. This means that affective variables are based on the perception that only the students themselves who can perform optimum learning based on their abilities.

The mathematics learning habit variable has a relatively low positive correlation which is less than 0.18 whereas the lowest for the Shapes area is 0.13. This finding is consistent with the Deficit Model introduced by Tobias (1985) which states that the causes for students obtaining low achievement are poor learning habits and being less skillful in taking tests.

The variable for anxiety in mathematics learning has a negative correlation with mathematics achievement. High anxiety in learning mathematics is also related to low mathematics achievement. This research finding is consistent with the meta-analysis conducted by Hembree (1990) which stated that there is a negative relationship between mathematical anxiety and mathematics achievement. This finding is consistent with the studies of Moodaley, Grobler and Lens (2006), Wood (1999), Richard and Suinn (1972) and Tobias (1985) which state that students with anxiety in mathematics feel less comfortable in performing calculations and problem-solving activities in manipulating the Numbers and Shapes Areas in mathematics.

A high attitude and habit are important for encouraging cognitive ability and thus improve mathematics (Steyn & Maree, 2002; Anneke, et al., 2001). The affective ability model states that strong affective abilities among students can trigger cognitive abilities which can improve mathematics achievement (Arsaythamby, 2010).

Attitude, anxiety and habit are collectively operated in multiple regression analysis and show only anxiety is significant predictors of mathematics achievement. Mathematics learning anxiety has a negative relationship with higher mathematics achievement than with attitude and habit. The findings of this study are similar to previous studies (Schreiber, 2002; Arsaythamby & Rosna Awang Hashim, 2009; Arsaythamby, 2010) in which attitude has positive relationships with mathematics achievement. The variable for anxiety in mathematics learning has a negative relationship with mathematics achievement.

All the three variables accounted for 19% variance towards mathematics achievement and this contribution can be adopted as the main predictor as there are many factors in education that influence students, which are out of control of this study. Anxiety in mathematics learning only the variable contributor, that is 19% and significance and compare to attitude and habit are not significance. The Tobias (1985) Deficit Model states the causes for the low attainers in mathematics are poor studying habits and a lack of skills in taking tests.

According to Piaget (1965), cognitive development of secondary school students should be at the level of formal operations. Although this is the case, cognitive development at the concrete operational level can happen among secondary school students. There are times when cognitive development among secondary school students is not consistent even if the students are in the same form. Secondary school students in Form Four should be at the level of formal operation but not all students are at this cognitive development level. There are students who are still at the concrete operational stage of cognitive development. This study has implications for the affective and cognitive aspects of learning mathematics (Hand, 1982; Aleks, 2003). Based on the discussion and the implications of this study, Arsaythamby (2010) had developed the AroS Model to show its connection with the affective and cognitive abilities of the students.

The application of this model is important in learning mathematics with the hope of improving mathematics achievement. However, teachers rarely test students' affective abilities, but they continue to give priority to testing cognitive abilities. The implications of this study show how important affective ability is in helping students' cognitive ability directly to improve their mathematics learning. Students who have yet to master mathematics need to be given guidance and appropriate remedial classes. Even though the

students are studying in Form Four, they should be taught about mathematics which they have failed to master during their previous years of schooling. This is because in Form Five, the students will be taught new topics which will again depend on their understanding and ability to master the topic taught within Form Four. Therefore, it is hoped that teachers will identify the weaknesses in learning mathematics while the the students are in Form Four. Indeed it is necessary to understand and analyse how these Form Four students learn mathematics which ultimately could lead to their success or failure in attaining the mathematics goals ascribed within the mathematics curriculum.

References

- Aiken, L. R., Jr. (1976). Update on attitudes and other affective variables in learning mathematics. *Review of Educational Research*, 46, pp.293 – 311.
- Aleks, M. (2003). Analisis penyelenggaraan proses belajar-mengajar matematik pada pada program akselerasi SMP negeri Padang [An analisis of the management of the learning-teaching process in the acceleration programme of SMP Padang]. *Jurnal Pembelajaran*, 26 (3).pp.189-211.
- Anneke, C.G., Adelene, A. G., & Karel, G. F. (2001). Some predictors of mathematics achievement among black secondary school learners. *South African Journal of Psychology*, 31 (4), pp.48-54.
- Aronson, E., Wilson, T., & Akert, R. M. (1999). *Social Psychology* (3rd ed.), New York:Longman.
- Arsaythamby, V. (2010). Hubungan di antara Orientasi Pembelajaran Matematik (OPM) dengan pencapaian matematik. *Asia Pacific Journal of Educators and Education*, 25, pp.33 – 52.
- Arsaythamby, V., & Rosna Awang Hashim (2009). Kesahan dan Kebolehpercayaan Alat Ukur Orientasi Pembelajaran Matematik (OPM), *International Journal Of Management Studies*, 16 (1), pp.57-73.
- Berita Matematik. (1993). *Sahsiah pembelajaran matematik*, 42 [Maths learning personality, 42]. Curriculum Development Centre, Education Ministry, Malaysia.
- Burns, M. (1998). *Math: Facing an American phobia*. Sausalito, CA: Marilyn Burns Education Associates.
- Calhoon, M. B., & Fuchs, L. S. (2003). The effects of peer-assisted learning strategies and curriculum-based measurement on the mathematics performance of secondary students with disabilities, *Remedial and Special Education*, 24(4), pp.235-245.
- Fitzerald, S., Morrall, A., & Morrison, B. (2000). Catering for individual learning styles: Experiences of orienting students in an Asian Self-Access Centre, <http://elc.polyu.edu.hk/CILL/Staff/auto2000.htm>.
- Gardner, D., & Miller, L. (1996). *Task for independent language learning*. Virginia, USA: TESOL.
- Hand, J. D. (1982). "Brain function during learning, implication for text design". *The Technology of Text* (Ed.). David H. Jonassen. Englewood Cliffs, New Jersey: Educational Technology Publications Inc.
- Hart, L. E. (1989). *Describing the affective domain: Saying what we mean*. In D. B. McLeod & V. M.

- Adams (Eds.), *Affect and mathematical problem solving: A new perspective* (pp. 37-45). New York: Springer-Verlag.
- Hashim Yaacob (2004). *Malaysia sciences and mathematics education: Reflection and reinvention*. Working paper presented at the National Conference on Science and Mathematics Education: Innovations for Excellence, UM, at Hotel Renaissance Kota Bharu, 9-11 October 2004.
- Hembree, R. (1990). The nature, effects, and relief of mathematics anxiety. *Journal for Research in Mathematics Education*, 21, pp.33 – 46.
- House, J. D. (1995). Noncognitive predictors of achievement in introductory college chemistry, *Research in Higher Education*, 36, pp.473-490.
- Ibrahim Ahmad Bajunid (2002, November 10). *Nurture the love for maths*. New Straits Times Learning Curve, pp. 20.
- Ignacio, N. G., Nieto, L. J. B., & Barona, E.G. (2006). The affective domain in mathematics learning. *International Electronic Journal of Mathematics Education*, 1(1), pp.16-32.
- Kennedy, L. M., & Tipps, S. (1991). *Guiding children's learning of mathematics* (6th ed.), Belmont, CA: Wadsworth.
- Lashley, C., & Best, W. (2001). *12 steps to study success*. London: Continuum.
- Leder, G. C. (1987). *Attitudes towards mathematics*. In T. A. Romberg & D. M. Stewart (Eds.), *The monitoring of school mathematics* (pp. 261-277). Madison: Wisconsin Center for Educational Research.
- Leder, G. C. (1990). 'Gender differences in mathematics and overview', in Fennema, E. & Leder, G. (Eds.), *Mathematics and gender : Influences on teachers and students*, Teachers' College Press, New York, pp.10 – 26.
- Liebert, R. M., & Morris, L. W. (1967). Cognitive and emotional components of test anxiety: A distinction and some initial data. *Psychological Reports*, 20, pp.975-978.
- Mandler, G., & Sarason, S. B. (1952). A study of anxiety and learning. *Journal of Abnormal and Social Psychology*, 47, pp.166-173.
- Maree, J. G. (1997). *The Study Orientation Questionnaire in Mathematics (SOM)*. Pretoria: Human Sciences Research Council. Pretoria University, South Africa.
- McLeod, D. B. (1992). *Research on affect in mathematics education: A reconceptualization*. In D. A. Grouws (Ed.), *Handbook of research on mathematics teaching and learning* (pp. 575-596). New York: Macmillan.
- McLeod, D. B. (1994). Research on affect in mathematics learning in the JRME: 1970 to the present. *Journal for Research in Mathematics Education*, 25, pp.637-647.
- Moodaley, R. R., Grobler, A. A., & Lens, W. (2006). Study orientation and causal attribution in mathematics achievement, *South African Journal of Psychology*, 36 (3), pp.634-655.
- Mueller, D. J. (1986). *Measuring social attitudes*, Colombia University, New York, Teachers College.
- Piaget, J. (1965). *The child's conception of number*. New York: Humanities Press.
- Polya, G. (1957). *How to solve it: A new aspect of mathematical method* (2nd ed.), New Jersey: Princeton University Press.
- Polya, G. (1973). *How to solve it: A new aspect of mathematical method*, New Jersey, Princeton University.
- Pusat Perkembangan Kurikulum (2001). *Pembelajaran Masteri [Mastery learning]* Curriculum Development Centre. Education Ministry, Malaysia.
- Reyes, L. H. (1984). Affective variables and mathematics education. *The Elementary School Journal*, 84, pp.558-581.
- Richardson, F. C., & Suinn, R. M. (1972). The mathematics anxiety rating scale: Psychometric data. *Journal of Counseling Psychology*, 19, pp.551-554.
- Saljo, R. (1982). *Learning and understanding*. A Study of Differences in Constructing Means from Text.

(Goteborg Studies in Educational Science 41). Goteborg: Acta Universitatis Githoburgenisis

- Schreiber, J. B. (2002). Institutional and student factors and their influence on advanced mathematics achievement. *The Journal of Educational Research*, 95(5), pp.274-286.
- Skemp, R. R. (1971). *The psychology of learning mathematics*, Middlesex: Penguin Books Limited.
- Steyn, T., & Maree, J. G. (2002). A profile of first-year students' learning preferences and Study Orientation in Mathematics, *South African Journal of Education*. 22 (4).
- Tobias, S. (1985). Test anxiety: Inference, defective skills, and cognitive capacity. *Educational Psychologist*, 20, pp.135-142.
- Tocci, C. M., & Engelhard, G. Jr. (1991). Achievement, parental support, and gender differences in attitudes towards mathematics. *Journal of Educational Research*, 84, pp.280 – 286.
- Wan Zah Wan Ali (2000). *Memahami Pembelajaran* [Understanding learning]. Kuala Lumpur: Utusan Publication.
- Wigfield, A., & Meece, J. L. (1988). Math anxiety in elementary and secondary schools. *Journal of Educational Psychology*, 80, pp.210-216.
- Wine, J. (1971). Test anxiety and direction of attention. *Psychological Bulletin*, 76, pp.92-104.
- Wood, E. F. (1999). Math anxiety and elementary teachers: What does research tell us? *For the learning of mathematics*, 8 (1), pp.8-13.

THE FUNCTIONS OF FATWA IN CONTEMPORARY MUSLIM SOCIETIES: AN INDONESIAN EXPERIENCE

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Abstract

This article discusses the functions of fatwa in Muslim societies. In many Muslim polities, fatwa plays different roles in constructing body of law of respective Muslim countries especially in its relation to the construction of national legal system depends on what type of constitution that they adopt. However, regardless the differences, this article argues that in most Muslim societies, fatwa plays two principal functions, namely: a) fatwa as an instrument of social changes and b) fatwa as an instrument of ideology. Although this article deals with some Muslim societies' experience in dealing with fatwa, it highlights Indonesian experience as main case.

Artikel ini mendiskusikan peran fatwa di kalangan masyarakat Islam. Di banyak negara dengan penduduk mayoritas Muslim, fatwa memainkan peran yang berbeda-beda dalam pembangunan sistem hukum nasional, bergantung kepada sistem pemerintahan yang mereka anut. Tetapi, di luar soal perbedaan ini, artikel ini berpendapat bahwa di sebagian besar masyarakat Muslim, fatwa memainkan dua fungsi utama, yaitu a) fatwa sebagai instrumen perubahan sosial dan b) fatwa instrumen ideology. Meskipun artikel berkaitan dengan pengalaman sejumlah masyarakat Muslim, penekanan diberikan pada pengalaman Indonesia.

Introduction

Shari'ah law is often mistakenly described as dead law, dated legal formulation and a type of law which is only compatible with ancient or pre-modern society. Max Weber, for instance, is among those who hold this view. He pointed out that Islamic law, along with English common law, are irrational, unlike Roman continental law that adopted method of “deductive system from general principles” (Turner, 2011: 152). Furthermore, he also referred to the holiness of Islamic law as a case that leads it into a context where it is principally closed to any kinds of interpretations. The normative content of *shari'ah* is

regarded frozen, while in fact this normative content cannot avoid any forms of encounter with empirical social realities. In this situation, *fatwa* is pointed as a mechanism by which reconciliation of these two contradictory entities and dynamization of Islamic law in the midst of new development within society could take place. However, in this regard, Weber depicted *fatwa* in a very pejorative way, namely it is defined as an arbitrary decision-making process.

This description is only an example of how *shari'ah* is negatively described. In fact, pejorative depiction of *shari'ah* law is not uncommon among scholars and sociologists. Similar views are also adopted by Orientalists. As critically noted by Haim Gerber, the first and second generation of Orientalists sharply distinguished between the first and second phases of Islamic legal history. The first period which ended around year 1000 or 1100 is described as “dynamic, open, changing, and... normatively positive” (Gerber, 1999: 2). In contrast, the second period is considered “closed, ossified, frozen, immutable, moribound...” Moreover, this ‘neglected’ period is often skipped and seen as not significantly contributing to the whole period of Islamic legal history. This, then, followed by a description that tend to view as if there is a sudden leap to the modern period that underlined the primacy of Western modernization. Gerber identified this ignorance is ideologically driven. This description is lead by an ideological sentiment that guide to an impression that the earlier period is less brilliant compared to the modern period in which Western elements have influenced Islamic law. In other words, these groups of Orientalists are going to show that the modern period of Islamic legal history became progressive as a result of interaction of Islamic law and the West.

In specific reference to *fatwa*, scholars like Joseph Schacht (1965), N.J. Coulson (1957), and Brinkley Messick (1996) have also tendency to exaggerate their skepticism to the fact that *fatwa* has significant place and role in Islamic legal theory. Among other things, the

sceptical view on *fatwa* is expressed in the assertion that *fatwa* is basically not sociologically originated and non-historical. In other words, when comes to the question of whether *fatwa* is purely based on social realities or it is only a projection of legal scholars on issues that empirically have not emerged in society, these scholars tend to point the latter case as an answer. Coulson, for example, sees *fatwa* as merely having originated from a *mufti*'s imaginative and speculative mind and did not have any real correlation with the situation of the real world (Coulson, 1957). Furthermore, some scholars also believe that *fatwa* did not have important contributions for the development of Islamic substantive law, or Islamic law as a system. In a more recent history, pejorative view on *fatwa* is evident from Mehdi Mozaffari's testimony. According to Mozaffari, there was a tendency among Westerners to equate *fatwa* with death sentence. This association started, Mozaffari claims, when Khomeini issued a *fatwa* that set death punishment for Salman Rushdie, a Pakistani author who wrote a book called *Satanic Verses*. According to Mozaffari, *fatwa* as a term reached its fame among international audience, general public and media only after Salman Rushdie was declared as deserve capital punishment by Khomeini (Mozaffari, 1998). Consequently, *fatwa* in the context of international audience's understanding at the time was equated with death sentence.

Those depictions of *fatwa* clearly do not represent the real situation of the dynamic of *fatwa* in Muslim societies. However, it is also interesting to note that in the course of Islamic legal history in variety of Muslim societies, *fatwa* is often associated with notorious things. From Saudi Arabia to Indonesia, such kinds of *fatwa* are common. In Saudi Arabia, for instance, it was reported that a Saudi cleric issued a *fatwa* urging women to breastfeed their male colleagues to establish maternal relationship between men and women who share a

common workspace.³⁹⁷ By doing so, they will be considered as *muhrim* and this status will grant them permission to work in a shared space. Another example is *fatwa* that can be considered as bizarre, issued by Deobandi *mufti* on the pregnant goat which has been used for intercourse by men. Although such an association is true to certain extent, describing *fatwa* as merely notorious and controversial will lead to misleading understanding of the whole system and basic nature of *shari'ah* law on the one hand, and the fact of the fluidity of dynamic of *shari'ah* law in Muslim societies as represented by *fatwa*, on the other.

I argue that regardless the form and ideological inclination that *fatwa* took and type of *fatwa* that were issued, in general, *fatwa* can be referred to as a form of *ijtihad* that provides instruments for Islamic law to contextualize its teachings and enables Muslim to interpret basic Islamic legal doctrines in accordance with the quest of contemporary circumstances. The concept of *ijtihad* itself has been highly debatable among Muslims throughout the course of history of Islam. Such debate as whether *ijtihad* is permissible in our age or *ijtihad* is only possible during the earlier period of Islamic legal history due to the availability of *mujtahid* that are capable of doing *ijtihad* that often termed as *mujtahid muthlaq*, widespread. This debate has actually been resolved when reformist-minded Muslim scholars declared that the *ijtihad* gate never been shut and it is required in all times and situation. However, other debate related to *ijtihad* also emerge as to in what area the *ijtihad* could be imposed. Interestingly, while the position of *ijtihad* within the context of Islamic legal history is still highly questionable, the *ulama'* who hold Islamic authority in Islamic law, continue to issue *fatwa* as a mechanism of Islamic law to deal with unprecedented historical currents in Muslim societies. In other words, while the field of *ijtihad* is being debated, the wide ranging area covered by *fatwa* issue, are clear example that this debate is no longer relevant. It would be more important to discuss on how *fatwa* has dynamized Muslim societies, rather than

³⁹⁷ Saudi Clerics Advocate Adult Breast-Feeding,

discussing on something that has been proven important. Consequently, it cannot be denied that *fatwa* in Islamic legal studies is also part of the notion of *ijtihad* that proves the fluidity of Islamic law dynamic throughout its phase of history. As to Bryan Turner pointed out: “shari’a is not a timeless and frozen religious law, but a set of a diverse tradition that are open to criticism and evaluation” (Turner, 2011: 153).

In this relation, this paper will look at how *fatwa* has played its role in the courses of Islamic legal history as well as how changes in Muslim societies have taken place and how *fatwa* influenced these changes. In doing so, it will not focus on specific societies, rather it will categorize the roles that *fatwa* has been playing in Muslim societies and refer to specific Muslim country’s experience by taking certain topics, in order to gain a more comprehensive picture. It should be emphasized here that *fatwa* not only plays legal role, but also other roles, such as social and political. In more precise structure this paper will analyse two functions of *fatwa* as it develops in Muslim societies, namely *fatwa* as instrument of social change and *fatwa* as an ideological instrument.

The Nature of Fatwa

Before moving this discussion further, it is fundamental to discuss the nature of *fatwa*, history of the *fatwa*, and the position of *fatwa* within the structure of Islamic legal theory. *Fatwa* is a very popular Islamic legal term although its popularity does not positively correspond with general Muslim understanding of the term (Abdullah, 2004: 142-149). In Indonesia, for instance, Muslim are getting more accustomed to deal with *fatwa* in their daily life. But in spite the fact that they are becoming more dependent to *fatwa*, their understanding of *fatwa* seems inadequate. For example, they believe that *fatwa* is binding, and that all *fatwa* issued should be strictly obeyed, while the fact it is not. Inadequacy of *fatwa* understanding

has furthermore led to a situation where *fatwa* is mostly misunderstood. Indonesian case is not unique, since the same situation can also be pointed to any other Muslim societies. Based on this, it is not an exaggeration to state that almost all Muslim know or at least familiar with this concept or term.

Etymologically, *fatwa* is an Arabic word generally defined as formal responses to questions related to dogma and law given by an authoritative person (Hooker, 2003). It is derived from Arabic word *fata* meaning young or new, explanation. All those meanings are embodied in various definitions. Its technical development is from the Qur'an and is used in two meanings, namely asking for valid answer and giving valid answer (Hamzah, 1998: 259). The person who gives the *fatwa* is called *mufti*, while people seeking for the *fatwa* are *mustafti*. The activities of *fatwa* seeking named as *istifta'*. *Futya* or *ifta'* is the institution issuing the *fatwa*. Aroun Shourie, who studied *fatwa* of Deobandi's school of India argued that basically, "fatwa is a decree, a ruling" (Shourie, 1995: 1).

Regarding the question of how *fatwa* is crafted, there are several variations could take place. According to Shourie (1995: 1), *fatwa* is issued as a response to question. He wrote: "The usual sequence is that a Muslim put an issue before an authority, and the latter rules on the matter". However, this is not always the case, since *fatwa* can also be issued without any questions. In recent situation, many *fatwa* is issued directly by authorities. In Indonesian case, the *Majelis Ulama' Indonesia* (MUI), a state-affiliated *fatwa*-making organization, often issued *fatwa* without any questions proceeding the *fatwa*. Also, referring back to example of *fatwa* issued by Khomeini for Salam Rushdie, this *fatwa* can also be seen an example how *fatwa* is issued without any question, but as a response to real social realities. However, in whatever means and in whichever procedure *fatwa* is issued, one important thing to note is that *fatwa* is clearly as a response to any controversial and unresolved issues developed within society.

Since two possibilities can take place, certain accusations are often addressed to *fatwa*, such as that *fatwa* is merely imaginative, not based on real facts. In this regard, Saiyad Nizamuddin Ahmad (2006), sees both sides of possibilities. His description of *fatwa* clearly states this. He defines *fatwa* as: “...opinion of Islamic law (*shari’ah*) issued by an expert scholar with specialized training... upon the request of one or more questioners... about real or hypothetical situations...” (2006: 61). Whether the *fatwa* is a response to a real situation or a hypothetical one, Islamic legal scholars have been engaged in a very serious academic dispute. However, these two views are actually complementary. Whether *fatwa* is a response to real problems or is a hypothetical answer can both be the case within the history of *fatwa*. This is because although questions addressed to the *mufti* could have originated from facts, there was also the possibility that they were directed as part of anticipating an act. However, to what extent the two kinds of *fatwa* are produced, would be an important point for investigation. From Hallaq’s research, it is clear that *fatwa* addressed to answer questions related to real problems outweighed the hypothetical *fatwa* (Hallaq, 1994: 29-65).

As a legal opinion, *fatwa* is product that consists of some legal elements. Those elements are: the *mustafti*, person or group of people who raised the questions; the questions or problems that their answers are being sought; and mufti, the *fatwa* giver. Experts are different in formulating how and when the Qur’an has described *fatwa*. In Khalid Mas’ud’s account, the Qur’an mentioned “*fatwa*” or *fatwa*-related expression twice in Surah al-Nisa: 126 and an-Nahl: 43 (Mas’ud, 1996: 5). Similar view is held by Nizamuddin Ahmad. In his understanding, although not clearly mentioning the *fatwa*, the process of *istifta’* is described in the Qur’an and that *fatwa* has originated in the Qur’an (Ahmad, 2006). Different from Mas’ud and Ahmad, Mehdi Mozaffari does not see that the word “*fatwa*” is explicitly mentioned in the Qur’an. Rather, the Qur’an mentioned it in derivative forms, which commonly refers to indication of “*questioning, pronouncing opinion*, and never a verdict, an

act of law, or an order” (Mozaffari, 1998: 17). Interestingly, Rifyal Ka’bah has a different analysis regarding the *fatwa* and its Qur’anic basis. Ka’bah writes:

During the lifetime of the Prophet Muhammad, people frequently inquired about legal matters directly to him. There are many verses in the Qur’an that begin with “They ask you [Muhammad] regarding...” followed by a reply introduced with the words “[Muhammad] Say that...” or “Know that...” Muhammad himself would often preface his speech with the phrase: “Do you know?” This question was usually answered with the phrase: “God and His Messenger know best!” Only then would the prophet mention the matter that he wanted to clarify. This indicates that many questions posed by the public and the answer given to those questions are preserved in the Qur’an and Sunna. Some of these questions were about legal issues, broadly defined. As such, the Qur’an and Sunna are the primary sources and models for the formulation of fatwas” (Ka’bah, 2007).

Debate over the Qur’anic basis and origin of *fatwa* is only a small piece of ongoing debate on the subject. If we move further into the definitions and the history of *fatwa*, the engagement with the variety of definitions and accounts cannot be avoided. However, apart from this debate, the role that *fatwa* has played in Muslim societies is very important. According to Jakob S Peterson (1997: 5) *fatwa* “forms the most dynamic part of the Islamic *corpus juris*, and herein lies their value for researchers.” Similarly, Shourie calls *fatwa* as “*shari’ah* in action”, since to him, it is *fatwa* that makes *shari’ah* acts towards any real problems in Muslim daily lives (Shourie, 1995).

All these description is relatively adequate as a proof that throughout history of Islamic legal theory, *fatwa* has played a pivotal role in constructing a body of laws for the entire Islamic legal system. Wael B Hallaq maintains that one of the significance of *fatwa* lies in its function as an instrument that bridges complicated legal formulations and the domain of public understanding (Hallaq, 1994: 29-65); or in Alexandre Caeiro’s words *fatwa* is a “meeting point between legal theory and social practice” (Ceiro, 2006: 661-685). This description positively correlates with the nature of *ijtihad* which can be broadly defined as a medium of solving unprecedented issues within the realm of Islamic law.

Muslim societies has experienced different situation with regard to *fatwa* and the role it played. In Indian context for example, *fatwa* is gradually transformed as religious doctrines (Shourie, 1995). Religious institution that also served as *fatwa*-makers such as Deobandi's Dar al-Ulum plays dominant role in providing *fatwa* for lay Muslims in dealing with daily life problems and issues. The *fatwa* is then taken as religious doctrine by general Muslims to which they can refer when dealing with religious issues. The same case can also be pointed with Indonesia's *Majelis Tarjih* of Muhammadiyah. All *fatwa* issued by this council is compiled in a document called *Himpunan Putusan Tarjih*. It is unnecessary to mention that the *fatwa* is basically the result of *ijtihad* that is subject to relativism. However, *Himpunan Putusan Tarjih* has gradually shifted from *ijtihadi* thought that open for evaluation and criticism into scripture-like document. Therefore, in Muhammadiyah's context, *fatwa* issued by the *Majelis Tarjih* is binding. Furthermore, it is not only binding, but also treated as if it is a scripture. As a product of *ijtihadi* thought, *fatwa* is always connected to the context. It means that by the passage of the time, certain contemporary *fatwa* can lose its relevance. Therefore, questioning and criticising certain *fatwa* is understandable and acceptable. However, in Muhammadiyah's case, evaluating and criticising *Majelis Tarjih's fatwa* is almost unacceptable. This situation relates to the problem of authority. *Majelis Tarjih* is regarded as the most authoritative body within Muhammadiyah to issue *fatwa*, and for such a reason, evaluating and criticizing its *fatwa* equals challenging *ulama's* authority on the one hand, and creating ideological unrest among Muhammadiyah's members, on the other.

Although *fatwa* is issued by individuals or institution with authority, this does not mean that *fatwa* is free of interests. Many *fatwa* has been issued in support of certain ideologies or policies. The experience of *Majelis Ulama' Indonesia* (MUI) during the reign of New Order period under Suharto is a clear example of how *fatwa* was used to support government's policies. *Fatwa* related to family planning can be presented as an example (see

Mudzhar, 1990). In more recent situation, most of *fatwa* in Indonesia has a tendency to promote and defend Islamist or revivalist ideology. We will back to this discussion later. Now we will turn the discussion to *fatwa* as instrument of social changes.

Fatwa as Instrument of Social Change

It cannot be denied that religion plays important role in inducing social changes. Whether the change goes to better or worse direction, roles that religious doctrines and believes play cannot be overlooked. *Fatwa*, in this regard, can be seen as religious-legal instrument that can play facilitating role between religious doctrines and social changes. In Muslim societies, social changes can be triggered by many factors, whether internally or externally. However, during a considerably long period, modernization has been very fundamental in shaping the outlook of social changes within Muslim society's context. We will analyse the position of *fatwa* as instrument of social changes in Muslim society by taking modernization as a context.

The modernization is an inevitable process for Muslim societies. The story of encounter of Muslims and modernization has been very long. However, one of the most important moments is the coming of Western power to Muslim lands. Since then Muslim world underwent a process called modernization. Modernization has brought considerable challenges for Islam and Islamic law. In this relation, it is worthy to note Derek Hopwood's words that: "The twentieth century has brought change to the world at a rapid and unprecedented rate. No area has remained unaffected" (Hopwood, 1998: 1). It is not difficult to justify and agree with this assertion. Modernity is a context in which human society experienced new situations. Although modernity has also created considerable challenge for world religions, including Islam, among three Abrahamic religions, probably Islam has been experiencing the most problematic encounter with modernity, not only in term of history but

also ideology. On the one level, this is due to the fact that modernization is a product of Western civilization that places Judeo-Christianity values as one of the most important elements. While on the other level, problematic relation of Islam and modernity is also conditioned by internal debate among Muslims regarding the compatibility of Islam and modernity. Islam, as believed by Wilfred C Smith, will surely face fundamental challenges when enter the modern world (Bennet, 2005: 17).

But what is the actual meaning of modernization? The answer to this question has been widely debated by scholars. For the purpose of this paper, I will use Hussein Alatas's definition of modernization. The late Syed Hussein Alatas identified the meaning of modernization in several contexts, those are: a) "different types of social change"; b) Westernization; c) European model of governments; d) "the emphasis on a particular aspect or process of modern society as the essential core of modernization"; and e) the mix of modernization with modernity. Having assessed the contexts in which the term modernization may connote, Alatas proposed his own definition. In Alatas's view, modernization is,

the process by which modern scientific knowledge covering all aspect of human life is introduced at varying degrees, first in the Western civilization, and later diffused to the non-Western world, by different methods and groups with the ultimate purpose of achieving a better and more satisfactory life in the broadest sense of the term, as accepted by the society concerned (Alatas, 1972: 21-22).

In its relation to religion, Alatas identified three different roles that religion can take in the process of modernization, namely: as a threat, encouragement, and a neutral force against modernization (1972: 25). In an Indonesian scene, those three contexts can equally be situated depending on what aspects and in which group modernization took place.

If we analyse *fatwa* in Indonesian experience, all these three contexts exist. Let take an example of *fatwa* on pluralism issued by *Majelis Ulama Indonesia*. In one of its *fatwa*, MUI declared pluralism, liberalism and secularism as forbidden (*haram*) (MUI, 2011: 87-95). In this context, I argue that pluralism as a fact is as old as human history. But as a thought

and systematic thinking, it is a product of modern human history. Therefore, I believe that pluralism, secularism and liberalism are advanced form of modernization. What I mean by advanced form of modernization is ideas and thinking emerged in the context of modernization process or accompanied it.

By issuing a *fatwa* that banned these three ideas, *Majelis Ulama' Indonesia* basically show tendency to “protect” Islamic law from the perceived threat of modernization. Furthermore, this can be seen as a reluctant attitude of MUI toward social changes, especially the penetration of new ideas in Muslim society in Indonesia. Interestingly, the *fatwa* has also triggered social change in other forms. Let me make this point clear by looking at the social impact of the above-mentioned *fatwa*. Since the *fatwa* that banned pluralism was issued, there is a tendency among Indonesian Muslims to be more hostile toward these three ideas. Factually, it cannot be refuted that Indonesia is a multiethnic and multicultural country. In such a model of society, the idea of pluralism should be adopted in order to create harmony among different social groups in Indonesia that in the long term will be resulted in the creation of social cohesion. It has been very long time that Indonesian society is often described as tolerant. However, this situation has changed gradually, and the *fatwa* played important part in shaping a new social change in Indonesia especially in term of relationship among different social groups. In other words, the *fatwa* that banned pluralism has lead Indonesian Muslims to a more negative meaning of social changes. In a contemporary world, interaction with different social groups, including those who embrace different religion is inevitable.

The idea of pluralism, secularism and liberalism is practically part of contemporary discourse of religious liberty. Mohamed Talbi (2006: 105), a respected Tunisian intellectual, argues that religious liberty as human concern is a relatively new ideas that did not have any relevance with the situation in the former time. He further maintains:

It must be granted that today religious liberty is, as a matter of fact, definitely rooted in our social life... Moreover, we already live in a pluralistic world, and our world is going to be more and more pluralistic in the near future... In this new world, which is expanding rapidly before our eyes, there is no longer room for exclusiveness. We have to accept other as we are. Diversity is the law of our time... (Talbi, 2006: 107).

Taking Talbi's thought into serious account, it can be asserted that the *fatwa* on pluralism substantially contradicts contemporary realities and social facts. Therefore, it can be concluded that from the outset, that controversial *fatwa* has shown its opposition to basic value of modernity. According to Piers Gillespie (2007: 202), the MUI's *fatwa* on pluralism basically show the lineage of conservative thinking in Indonesia as a result of liberal Islamic and neo-modern Islamic movements in Indonesia. The emergence of liberal Islam and neo-modernism trend in Indonesian Islamic thought cannot be separated from modernity. As Abdullah Saeed (2006: 154) points out, neo-modernism is basically continuation of modernism.

Now, it is important to analyse this situation from a socio-legal perspective. Theoretically, *fatwa* as a form of law should be objective and autonomous. According to Thomas Luhman, under the condition of extreme social differentiation and pluralism the legal systems become relatively autonomous. The autonomy of law in this context might refer to ideal notion of law, that law should govern social changes in very objective manner, or in the words of Talcott Parsons, law should play integrative role in society. The relationship between law and society is described by Luhman in this way. According to Luhman, society is a functionally differentiated social system with legal system as one of its function sub-system. Each social sub-system is autonomous: they are self-referential system, they presuppose and reproduce themselves (Anleu, 2000: 44). Social system is a system of meaning and not group of people. The systems of meaning exist independently of individual action, but individuals are reconstructed or interpreted as epistemic subjects within different social meaning systems.

By using this theory, the example of *fatwa* that banned pluralism, liberalism and secularism is basically serve as a *fatwa* that trigger social disintegration on the one hand, and prevent social system within a particular society to properly function based on their nature and basic functions, on the other.

Many other example of *fatwa* in Indonesia can be presented to discuss the role of *fatwa* as an instrument of social changes. The *fatwa* related to politics, women leadership and Islamic economic are among the most prominent one. However, the overall picture of contemporary *fatwa* in Indonesia is that Islamic law in Indonesia is always in undeterred engagement with contemporary social problems and modernity and attempts to cope with them. However, far from being an easy and clear relationship, Indonesian case shows that engagement of Islamic law and modernity is highly complicated. According Abdullahi Ahmad an-Naim (1994: 8), the relationship between Islamic law and society is always “both difficult and complex”. Firstly formulated within the context of society in fourteen centuries ago, the challenge of modernity has forced Islamic law to be interpreted in accordance with the development of newly emerged problems within Muslim society context. As Husayn Ahmad Amin pointed out, “over the centuries Muslim societies have changed and now have new problems, which need new *shar’i* legislation” (Nettler and Mahmoud, 1998: 88). It is theoretically accepted, that as society develops very rapidly in very unprecedented ways, Islamic law is forced to give it responses in accordance with those changes. Within Islamic society context, Islamic law reside a very central position compared to other field such as theology or sufism. Islamic law touches the very core of society and therefore, Islamic jurisprudence is regarded as an element in which Islam show its progressive inclination.

However, Islamic jurisprudence that is better known as *fiqh*, according to one view, is regarded as the source of Muslims’ backwardness. This view is based on the fact that as far as *fiqh* is concerned, the adherence to *fiqh* as compiled in the classical source of Islamic law,

Muslim will be conditioned by situation of the past without taking into account the historical situation of the past. Another view, however, offers a contrary understanding by perceiving *fiqh* as one of the gate for Muslims to face modernity and contemporary challenges (Yasid, 2005: ix). On this point, *fatwa* and *ijtihad* take their parts.

Fatwa as Instrument of Ideology

Apart from its function and position as legal opinion and the role it played in Islamic legal history, *fatwa* is basically a form of knowledge. As a form of knowledge, it has power to determine the discourse and in its further manifestation, it can be used as an instrument to impose and promote certain ideology within society. Factually, it cannot be refuted that in certain Muslim societies, *fatwa* also plays a role as an instrument to reinforce certain ideological orientation over others. Ideology, as Karl Mannheim defined it, is a system of belief, reflection of all historical and social environments. It is a whole mode of conceiving things such as determined historical and social settings.

Ideology closely related to the desire to maintain primordial identity. Principally, maintaining primordial identity, interests and ideology is a natural drive for human society. The problem is, the need to maintain them as well as willing to hold the power frequently not only be done by method of persuasion, but also by aggression. In this context, aggression should not always be associated with physical one, but can be broaden into the form of symbolic aggression. Since aggression is an option, planting the seeds of stereotype for groups outside an ideological, cultural and primordial identities become common. The ongoing violence addressed to Ahmadiyah in Indonesia as a result of *fatwa* regarding the infidelity of this group by MUI could be placed in this context. Therefore, it is highly possible that religious reasons are only a mask to legitimize tensions between the discourses

or competition to hold the power that actually has appeared on another realm outside the religion.

Contemporary history of Islamic law in Indonesia, especially as represented by *Majelis Ulama Indonesia*, clearly show that the role of *fatwa* has shifted from a merely non-binding religious ruling to a medium through which certain ideology is imposed and spread. The tendency to Islamize economic practices in Indonesia, for example, is a clear indication of tendency to bring Islamist idea in Indonesian Islamic legal discourse. Islamist groups, or often also termed as revivalist, are very keen to Islamize all walks of life in Muslim societies. Theoretically speaking, one of the features of revivalist Islamic movements is that they are very assertive in seeking to Islamize society.

Let me make clear this claim by presenting several examples of *fatwa*. Firstly, I would like to present *fatwa* on Islamic economic by Majelis Ulama Indonesia. During at least last decade, MUI has been actively engaged in producing *fatwa* related to *shari'ah* economic discourse. As background information, it should be mentioned that when *shari'ah* economics practices become widespread in Indonesia, *Majelis Ulama Indonesia* (MUI) formed a council called *Dewan Syari'ah Nasional* (National Council of Shari'ah) that better known as DSN-MUI responsible for the nurturing *shari'ah* values in the light of economic practice in Indonesia. This council is authorised to produce *fatwa* regarding *shari'ah* financial activities and observing the implementation of the *fatwa* it has issued.³⁹⁸ Since its inception in 1997, the council has issued almost hundred *fatwa* regulating *shari'ah* economic practices in Indonesia. The interesting part of this scene is that those Islamic economics-related *fatwa* that on the superficial level seem very Islamic, actually benefits the modern economic institutions; and therefore in a more fundamental term, it represents elusive attitude of *fatwa*-

³⁹⁸ Please refer to MUI's website for more detail of the DSN http://www.mui.or.id/index.php?option=com_content&view=article&id=55:tentang-dewan-

makers towards modernization. Scholars such as Timur Kuran (2004) and Vali Reza Nasr (1989), for example, show that the idea of Islamic economic is not purely related to the idea to Islamize society. Rather, it is motivated by capital-drive. The use of Islamic false-consciousness for worldly purposes is very ideological. In Kuran's studies, he showed that the idea of Islamic economic is an obvious project of revivalist group, as it started in period of Abul A'la al-Mawdudi. The idea behind this option is that as a perfect system Islam should offer alternative from an already old and destructive system of economic system such as capitalism. When certain fatwa is used to promote this kind of idea, it is clear that they are ideological.

Another example can be presented here is the fatwa issued by Hizbut Tahrir Indonesia related to general election. In 2009, when Indonesia was about to hold its presidential election, Hizbut Tahrir Indonesia issued a *fatwa* declaring that general election is forbidden (*haram*). The reason behind this *fatwa* is that election is an integral part of democracy, while democracy is seen as an evil system by the Hizbut Tahrir Indonesia. Therefore, participation in election means giving support to an evil system such as democracy. As an alternative, Hizbut Tahrir urges Muslims in Indonesia to support what they believe as the right and more divine system of politics namely caliphate. Hizbut Tahir's hostile attitude toward democracy is a clear ideological stand. Therefore, it is obvious that Hizbut Tahrir Indonesia, as *Majelis Ulama' Indonesia*, has utilised *fatwa* as a means to struggle over their ideology.

It is also important to refer back to the *fatwa* of capital punishment for Salman Rushdie. According to Mozaffari (1998), more than as a *fatwa*, this *fatwa* actually represents certain ideology, namely conservative and radical ideology. In Mozaffari's words, Khomeini has hijacked the *fatwa* to uphold his Islamist and radical ideology. Mozaffari pointed out that

syariah-nasional&catid=39:dewan-syariah-nasional&Itemid=58. Accessed on September 20, 2011.

it is not Islam that he defended by the issuance of such a *fatwa*, since Islam widely open space for dissent. Rather, the *fatwa* is issued to defend certain ideology.

It is clear that all *fatwa* mentioned above are mostly produced to promote certain ideology such as the ideology of revivalist, the ideology of conservative and ideology of Islamists. In addition, such ideas can be pointed to as an example of utopian thinking. According to Mannheim, utopian thinking occurs when people have a tendency to think out of reality or engaged in the construction of false realities. In other words, what exists in somebody's mind does not have any relevance with realities. In Mannheim's formulation: "A state of mind is utopian when it is incongruous with the state of reality within which it occurs." In this context, Mannheim took realities as determining factor in identifying whether certain mentalities and orientations can be labelled as "utopia". He set a limit: "Only those orientations transcending reality will be referred to by us as utopian which, when they pass over into conduct, tend to shatter, either partially or wholly, the order of things prevailing at the time." Hizbut Tahrir's promotion for caliphate or *fatwa* of capital punishment over a writer, for example, clearly originated from what Mannheim call false reality, a tendency to think out of empirical social context.

Furthermore, Mannheim also pointed out that "dominant utopia first arises as the wish-fantasy of a single individual and does not until later become incorporated into the political aims of a more inclusive group which at each successive stage can be sociologically determined with more exactness..." (Mannheim, 1991: 186). Utopian mentality has a tendency to produce a kind of thought that will "transcend the social situation," since "they too orient conduct towards elements which the situation in so far as it is realized at the time, does not contain." Utopian mentality is different from ideology. They are not ideologies "in the measure and in so far as they succeed through counteractivity in transforming the existing

historical reality into one more in accord with their own conceptions...” (Mannheim, 1991: 176).

Conclusion

To conclude this paper, it should be stated that *fatwa* is basically an important element in Islamic legal history that is able to facilitate Islamic doctrine and the quest for social changes. In all Muslim societies, *fatwa* is instrumental and fundamental as guidance for Muslims to deal with real problem in contemporary life. However, in Muslim societies, *fatwa* has played very different roles. As I have described, in Muslim society, *fatwa* can be understood as an instrument of social changes as well as an instrument of ideology. As an instrument of social changes, *fatwa* can both promote cooperative as well as hostile attitude toward social changes. As an instrument of ideology, *fatwa* as a form of knowledge is basically important in imposing certain types of discourse. Since the concept of discourse is closely related to ideology, the use of *fatwa* as instrument to promote certain discourse can also mean the promotion of certain ideology. From the examples quotes in this paper, it is clear that *fatwa* has been used to struggle over Islamist ideology as an alternative for any kinds of practices that are perceived as non-Islamic.@

BIBLIOGRAPHY

Abdullah, Raihanah. 2004, “Fatwa dan Masyarakat,” dalam Ahmad Hidayat Buang (ed). *Fatwa di Malaysia*. Kuala Lumpur: Jabatan Syariah dan Undang-Undang, API, Universiti Malaya.

- Alatas, Syed Hussein. 1972, *Modernization and Social Change: Studies in Modernization, Religion, Social Change and Development in South-East Asia*. Sydney: Angus and Robertson.
- Anleu, Sharyn L Roach. 2000, *Law and Social Change*. London: SAGE Publication.
- an-Naim, Abdullahi Ahmed. 1994. "Toward an Islamic Reformation: Islamic Law in History and Society Today," dalam Norani Othman (ed), *Islamic Law and the Modern Nation-State A Malaysian Symposium*. Kuala Lumpur: Sisters in Islam.
- Bennet, Clinton. 2005, *Muslims and Modernity: An Introduction to the Issues and Debates*. London and New York: Continuum.
- Caeiro, Alexandre. 2006, "The Shifting Moral Universe of the Islamic Tradition of *Ifta'*: A Diachronic Study of Four *Adab al-Fatwa* Manuals," *The Muslim World*, 96, (Oktober): 661-685.
- Coulson, N. J. 1957, "The State and the Individual in Islamic Law", *International and Comparative Law Quarterly*, 6.
- Gerber, Haim. 1999, *Islamic Law and Culture 1600-1840*. Leiden: Brill.
- Hallaq, Wael B. 1994, "From Fatwa to Furu': Growth and Change in Islamic Substantive Law," *Islamic Law and Society*, 1, 1: 29-65.
- Hamzah, Hasan. 1998, "Fatwa", dalam *Ensiklopedi Islam Jilid III*. Kuala Lumpur: Malaysian Encyclopedia Research Center Berhad.
- Hooker, M.B. 2003, *Indonesian Islam: Social Changes through Contemporary Fatawa*. Crowns Nest: Allen and Unwin.
- Hopwood, Derek. 1998, "The Culture of Modernity in Islam and the Middle East", dalam John Cooper, Ronald Nettler and Mohammed Mahmoud (eds), *Islam and Modernity: Muslim Intellectual Respond*. London and New York: I.B. Tauris Publishers.
- John Cooper, Ronald Nettler and Mohammed Mahmoud (eds). 1998, *Islam and Modernity: Muslim Intellectual Respond*. London and New York: I.B. Tauris Publishers.

- Kuran, Timur. 2004, *Islam and Mammon: The Economic Predicaments of Islamism*. Princeton: Princeton University Press.
- Majelis Ulama Indonesia. 2011, *Himpunan Fatwa MUI sejak 1975*. Jakarta: Majelis Ulama' Indonesia dan Penerbit Erlangga.
- Manheim, Karl. 1991, *Ideology and Utopia: An Introduction to Sociology of Knowledge*. London: Routledge.
- Mozaffari, Mehdi. 1998, *Fatwa, Violence and Discourtesy*. Aarhus: Aarhus University Press.
- Mudzhar, M. Atho'. 1990, *Fatwas of the Council of Indonesian Ulama': A Study of Islamic Legal Thought in Indonesia, 1975-1988*, Ph.D Thesis University of California at Los Angeles.
- Muhammad Khalid Mas'ud (et.al, ed). 1996, *Islamic Legal Interpretation: Muftis and Their Fatwas*. Cambridge and London: Harvard University Press.
- Nasr, Reza Vali. 1989, "Islamic Economics: Novel Perspectives", *Middle Eastern Studies*, Vol. 25, No. 4 (Oktober): 516-530.
- Nizamuddin, Saiyad Ahmad. 2006, *Fatwas of Condemnation: Islam and the Limit of Dissent*. Kuala Lumpur: ISTAC-IIUM.
- Peterson, Jakob S. 1997, *Defining Islam for the Egyptian State: Muftis and Fatwas of the Dar al-Ifta*. Leiden, New York, Koln: Brill.
- Piers, Gillespie. 2007, "Current Issues in Indonesian Islam: Analysing the 2005 Council of Indonesian Ulama Fatwa No. 7 Opposing Pluralism, Liberalism and Secularism", *Journal of Islamic Studies*, Vol. 18, Issue 2: 202-240.
- Saeed, Abdullah. 2006, *Islamic Thought: An Introduction*. London dan New York: Routledge Group.
- Schachct, Joseph. 1965, *An Introduction to Islamic Law*. London: Oxford University Press.

- Shourie, Arun. 1995, *The World of Fatwa or Shariah in Action*. New Delhi: ASA Publication.
- Talbi, Mohamed. 2006, "Religious Liberty: A Muslim Perspective", dalam Mehran Kamrava (ed), *The New Voice of Islam, Rethinking Politics and Modernity: A Reader*. Berkeley and Los Angeles: University of California Press.
- Turner, Bryan S. 2011, *Religion and Modern Society: Citizenship, Secularization and the State*. New York: Cambridge University Press.
- Yasid, Abu. 2005, *Fiqih Realitas*. Yogyakarta: Pustaka Pelajar.

SOCIAL DEVELOPMENT AND LABOUR PRODUCTIVITY: A STUDY ON LABOUR POLICIES AND PRACTICES OF REGIONAL TEA PLANTATION COMPANIES IN SRI LANKA

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Abstract

Sri Lankan tea industry has been of a vital importance since in the past due to its high contribution made to the economy in terms of exports revenue and employment. However, in the recent past the contribution made by the tea plantation sector started shrinking due to its rising cost of production. Sri Lankan Regional Plantation Companies (RPCs) repetitively stress that the main reason for this failure is the rising labour cost which is not reflected in labour productivity. Conversely, it is apparent that estate workers' lower living conditions caused by poor financial and social conditions adversely affect their productivity levels. Accordingly, this has been an endless encounter between estate workers and RPCs and stresses the importance of immediate compromise in order to stabilize the future of the Sri Lankan tea industry while improving the quality of life of estate workers. Therefore, this research mainly focuses on the estate workers' social development oriented labour policies and practices of RPCs and evaluates its effectiveness and adequacy in addressing the prevailing labour problems in the tea plantation sector in order to enhance the labour productivity. The research is based on selected RPCs and the view points of both employers and employees were considered in arriving at the conclusion.

Key words: Labor policies, Social development, Labor productivity

I. Introduction

The tea plantation sector of Sri Lanka which was initially developed in the colonial period by the British, has been in operation since the 19th century (Loh et al. 2003) and

evolved throughout with an importance to the country, economically and socially. Economically, this sector makes a significant contribution to the economy of Sri Lanka in terms of its output, employment generation and foreign exchange earnings. Moreover, this sector is socially important to the country as the resident workers of this sector has been categorized as a separate social entity known as 'Estate population', characterized with unique set of attributes based on their socio-economic conditions. These residents have been geographically, socially, economically and politically isolated from other areas of Sri Lanka over a hundred and fifty years (Shunsuke, 2011; Jayawardena, 1984). Further, socio-economic indicators of Sri Lanka depict that the households of this sector is in a lower position when compared with the urban and rural sectors of the country.

The government of Sri Lanka privatized the management of state owned plantation sector in 1992 by clustering the estates into Regional Plantation Companies (RPCs) in order to eradicate the prevailed inefficiencies in production and labour management. Although, the RPCs were fully privatized in 1995, the labour problem remained unresolved (Wickramasinghe and Cameron, 2003). The labour problem has been mainly due to the social obligation related to the social well-being of resident estate workers, apparently which should have been sufficiently addressed by the labour policies and practices of RPCs. However, the management of RPCs repetitively stresses and highlights the high labour cost and low labour productivity in their tea plantations, which seems to be destructive for the future of the Sri Lankan tea industry. Therefore, this situation indicates the requirement for an immediate compromise to uplift the social well-being of tea estate workers and to improve their productivity level. Apparently, it is pointless to expect improvements in labour productivity without promoting their social living conditions. According to Sharpe (2004), economic variables such as investment in new technology and innovation alone do not fully explain differences in the levels of productivity. He pointed out that education, health and social divergence as social determinants of productivity. Therefore, the firm's investment on developing its employees' skills and welfare is essential as it probably enhances the abilities and satisfaction level of the employees and, creates a productive workforce (Koch and McGrath, 1997; Patterson et al., 2004).

Accordingly, this paper focuses on the importance of tea estate workers' social well-being in improving their productivity and the effectiveness of labour policies and practices which are designed and executed by RPCs in Sri Lanka in the process of uplifting the socio-

economic conditions of their estate workers. Hence, the paper begins with an elaborated explanation of the recent performance of the tea plantation sector and prevailing socio-economic condition of its resident estate workers. The succeeding section reveals the methods and materials used in this study. Further, this section depicts a theoretical model of the causality among socio-economic factors of estate workers, estate sector labour productivity and, firm specific factors such as profit level and labour policies and practices. This section will be followed by a discussion on major findings of the study undertaken. Finally, the paper concludes with several implications and policy recommendations for the future development of the tea plantation sector of Sri Lanka and the social well-being of its resident workers.

Table 1. Tea Plantation Sector Performance (2003 – 2010)

	2003	2004	2005	2006	2007	2008	2009	2010
Tea production (Mn. kg)	143.9 (47%)	134.1 (43%)	139.8 (44%)	128.3 (41%)	76.4 (25%)	79.1 (25%)	66.5 (23%)	142.7 (43%)
Yield (kg/ha)	1,413	1,312	1,392	1,312	1,283	1,357	1,506	1,493
Value added % of GPD	2.0	2.2	1.9	2.0	1.4	1.6	1.7	1.6

Source: Central Bank of Sri Lanka and Ministry of Plantation Industries, Sri Lanka

The above data (Table 1) explain the variation of the performance of the tea plantation sector in the last few years. Importantly, the low productivity of the tea plantations is obvious when compare the output (kg) per hectare with the tea smallholdings sector (1,895 kg/ha) of the economy and that of estate sector of the other major competitive tea producing and exporting country, Kenya (2,328 kg/ha). If the tea plantation sector does not implement a sudden change into its operations, probably there will be an economic and social loss to the nation, since the Sri Lankan tea industry accounts for 16% of the economy's foreign exchange earnings. Moreover, the collapse of the tea plantation sector adversely affects the estate population around 1 million which depends on the income earned by providing their labour to tea plantations (Table 2).

Table 2. Socio-economic Condition of the Estate Sector 2010

	Estate	Rural	Urban
Population (Mn)	1.0	16.3	3.0
Household size	4.2	4.0	4.3
Mean household income / month	219.6	320.2	434.4
Education (No schooling %)	13.1	4.0	2.5
Housing % (Floor area 100 – 250 sq. ft.)	39.4	12.6	11.8
Poverty (Head Count Index)	11.4%	9.4%	5.3%

Source: Department of Census and Statistics, Sri Lanka

The table 2 explains the prevailing socio-economic condition of the estate sector population compared to the other two sectors of the economy of Sri Lanka namely urban and rural. This data proves that the living condition of the estate population is well-below the conditions attained even by the rural population. Sharpe (2004) has stated that, “the greater the level of inequality and any increase in inequality, the less an increase in productivity and income will reduce poverty”. Therefore, it is evident that poor household income of the estate population has resulted in low level of education and housing which in turn affect the workers’ productivity level adversely.

II. Materials and Methods

This particular study has been design to explore effectiveness of labour policies and practices of RPCs in uplifting the social well-being of their tea estate workers. Hence, the study was designed with a focus towards two major players namely RPC management and the tea estate workers. For the purpose of conducting interviews with the RPC management, 6 RPCs were used out of 20 privatized RPCs that engaged in tea growing and processing, based on the accessibility. Interviews were carried out individually and in groups in some RPCs with the participation of top and middle level managers based on a questionnaire which targets the labour policy provisions of the company with an orientation of social development of their tea estate workers. Secondly, unstructured interviews were conducted with convenient samples of tea estate workers from above RPCs. Language barrier and cultural

³⁹⁹ Average exchange rate for 2010, USD 1 = LKR 110

distance were the main limitations that happened to encounter in conducting interviews with up-country Tamil estate workers.

Theoretical Model

Based on the primary study carried out, it could be identified some socio-economic factors hindering the social well-being of tea estate workers which obstruct the labour productivity improvements. Further, in developing this theoretical model, related RPC labour policy instruments were linked, so as to identify and explain the effectiveness of such practices.

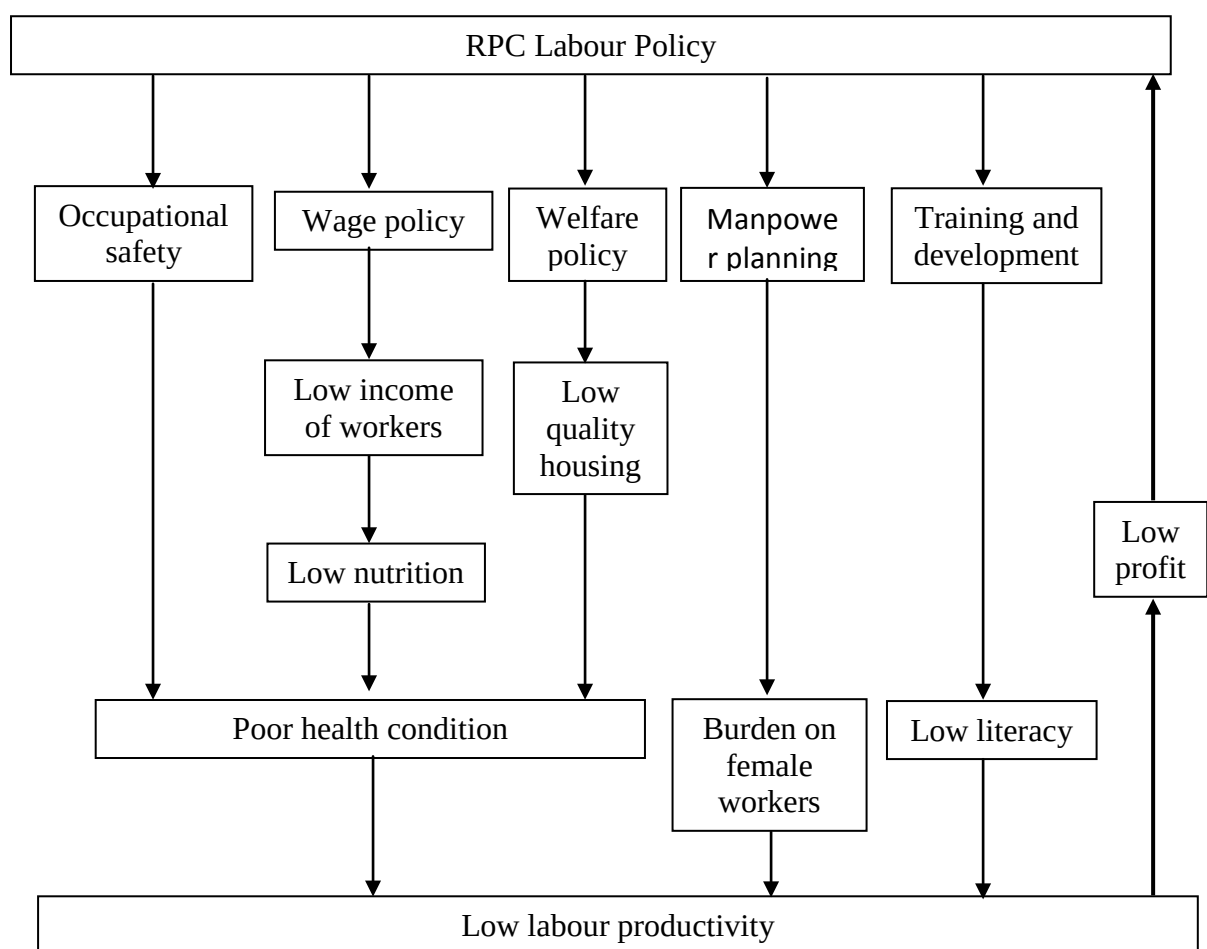


Figure 1. Vicious Cycle of Labour Productivity

According to the above theoretical model, it is apparent that the causality among RPC labour policy, social development factors, labour productivity and company profit has formed a vicious cycles which is continuing. In other words, lack of tea estate workers' social development oriented provisions in RPC labour policy has resulted low labour productivity and as a consequence RPCs are experiencing a low profit. Thus, low profitability of RPCs

has obstructed RPCs to provide more benefits for the social development of tea estate workers.

III. Findings and Discussion

Irz et. al, (2001) stressed that agricultural productivity is an important determinant of poverty, and it has the potential to lift a large number of individuals out of poverty. According to International Labour Organization (ILO), worker productivity and efficiency in tea plantations are crucial in the determination of output per worker per day, cost of production, profitability, quality of tea and volume of production. Further, they highlight that level of motivation, skills, knowledge, training and health are the main contributory factors determining the level of efficiency of the workforce. Therefore, it is apparent that the one of the main and possible avenues of raising profitability of RPCs is through improved labour productivity which consequently lowering the cost of production. Wickramasinghe and Cameron (2003) state that the profitability of tea plantations can be raised through improved productivity and labour productivity can be raised through superior management policies and practices. Therefore, it is firmly believed that labour policies and practices of organizations do matter and important in improving labour productivity of those organizations (Huselid, 1995; Koch and McGrath, 1996). Moreover, these policies and practices should be designed, focusing the organizational objectives such as employee satisfaction and motivation, cost efficiency and profitability. However, the prevailing labour condition in tea plantations in Sri Lanka has turned into unwholesome situation driving tea plantation sector into a risk and requiring immediate and long-lasting solution.

The following section discusses the major findings of this study related to the level of social development of tea estate workers and, effectiveness of RPCs' labour policies and practices in addressing such issues in order to improve prevailing low labour productivity in the tea plantation sector of Sri Lanka. The adverse effects and influences of estate workers' trade unions and low productive lands on plantations sector labour productivity are not discussed here.

1. *Low level of income of tea estate workers has limited their accessibility to wider range of economic choices which in turn adversely impacted on workers' performance.*

It is found out that the prevailing wage income of tea estate workers from the estate employment is not sufficient for them to meet a higher consumption level which enhances their production possibility through improved level of living. However, the management of RPCs still believes that the collective agreement to increase wages in every two years is a burden for them. Accordingly, it is apparent that this paradoxical situation further strengthens the vicious cycle depicted above (Figure 1).

Unarguably, the level of monetary income of a worker is the main determinant of his or her level of living as it determines that worker's consumption ability. The worker's consumption level mainly affects his or her nutrition and health condition which directly linked to the worker's productive ability. Therefore, the level of wages has become main root cause for many workplace disputes between employers and employees. Since 1996, changes to the wage structure of estate workers in Sri Lanka are determined by a Collective Agreement (CA) which is revised in every two years through negotiations between trade unions of estate workers and Employers' Federation of Ceylon (EFC) which represents RPCs. According to the latest revision introduced to the wage structure with effect from April 2011, an estate worker derives a fixed daily wage of LKR 515⁴⁰⁰ which is equivalent to USD 3.96⁴⁰¹ compared to the total daily wage of LKR 405 from the CA of 2009. However, RPCs and their representatives repeatedly stressed that there is no requirement of revising the wages introduced in 2009 since workers derive LKR 10,000 to LKR 12,000 per month and the poverty level of the estate sector has come down to the national average. Further, they have claimed that there is a negative productivity impact from the new wage revision as the wage-productivity link has been removed in the new system. Nevertheless, estate workers' trade unions demanded and obtained a wage revision on the grounds of rising cost of living and RPCs happened accept it due to the high bargaining power of estate workers' unions. Although, the minimum wage was revised, it seems that there is no considerable improvement in estate workers' living conditions and the level of poverty. Further, RPCs claim that though the wages were revised, it has not reflected in labour productivity.

⁴⁰⁰ Daily basic wage LKR 380, price share supplement (now, paid regardless of tea price fluctuations) LKR 30 and daily attendance allowance (if attend at least 75% of offered working days) LKR 105.

⁴⁰¹ Average exchange rate of April 2012, USD 1 = LKR 130

Devereux (2005) concluded that minimum wages should have poverty-reducing effects among a highly vulnerable group of workers, with limited negative consequences in the form of disemployment or displacement of retrenched workers into the informal sector. Accordingly, the above proves the continuation of the vicious cycle though the wages were revised. As a remedy for high labour cost component (approximately 60%) in the cost of tea production, RPCs can reduce the work days offered in order to avoid daily attendance allowance of LKR 105. Therefore, it is apparent that the methods introduced by Devereux for setting the minimum wages⁴⁰² which does not adversely affect both employees and employers, have become pointless in the tea plantation sector of Sri Lanka. The above table (Table 2) properly explains the level of income of estate workers and their living conditions compared to the other sectors of the economy.

2. *Traditional work norms in tea estates have created inefficiency in utilization of labour resource.*

It seems that the RPCs are still applying traditional work norms for male and female workers which evolved from the past. Out of the total estate workforce in the Sri Lankan tea plantation sector, 52.4% accounts for female workers and 95% of whom provides labour resource as tea pluckers. Since, the processing productivity in factories mainly depends on the plucking productivity (plucking productivity mainly concerns about the quantity of quality green leaves harvested per work day); female workers role as tea pluckers is a major component of labour productivity.

In the study it could found out that the female workers are providing there labour in the whole working day (8 am - 12 noon and 1.30 pm – 4.30 pm) whilst male workers engage in work only for the morning session from 8 am to 1.30 pm. Although, male workers provide 50% of their labour both categories are paid equally. This proves that RPCs are still practicing (or happened to practice) traditional work norms which leads toward inefficient utilization of labour. However, Philips (2003) stressed that women’s workload and working hours have increased in recent years, due to the profit-maximizing goals of RPCs. Moreover, apart from the full day work in tea estates, female workers have to look after the household

⁴⁰² Methods of setting appropriate minimum wages (Devereux, 2005)

- i. Negotiated and agreed wages by both trade unions and employers
- ii. Linking wages to some measure of worker productivity
- iii. Linking the minimum wage to cost of living

chores themselves as a requirement of the male dominant socio-cultural system of the Tamil estate community. Samarasinghe (1993) explains this as estate women's double burden. This practice adversely affects the major labour productivity component (plucking productivity) and probably a root cause for low labour productivity in tea plantations. Further, this traditional work norm has violated the United Nations' millennium development goal of promoting gender equality and empowering women. Therefore, RPCs have failed in maintaining equity in the process of manpower planning due to their inability of transforming the embedded socio-cultural practices within the estate community.

3. *Poor human development indicators in the estate population have resulted a greater negative impact on their productivity*

Relatively high human development factors such as quality education and training, proper health and nutrition, safety and security, quality housing, are proved to be the elements of higher level of living. Ability of getting these satisfied would probably motivate any kind of worker and thus improves his or her productive capacity. Khan et. al. (1991), have identified in their study that the past literacy has a strong causal effect on labour productivity in the manufacturing sector and this effect has been missing in the agricultural sector. Gopaldas and Gujral (2002) have identified the importance of improving micronutrient health of estate workers (specially, tea pluckers) in order to improve their productivity.

According to table 2, estate population in Sri Lanka is the least advantageous group which characterized with low human development condition. Nevertheless, RPCs claim that their abilities are well-above the rural community since they enjoy many facilities free of charge in the estate livelihood. They claim this since estate workers are provided free housing and health facilities by their employers. But, the available socio-economic statistics on estate sector and empirical findings prove that the prevailing conditions of those free facilities are not up to the standard. Low quality houses with poor sanitary facilities and insufficient space have created adverse health effects on estate workers. Low income level of workers avoids them in getting the daily required nutritional intake. Although, Plantation Human Development Trust (PHDT), the representing body of RPCs for estate workers human development has initiated and implemented many programmes to satisfy these human development requirements, the success rate is very low. Especially, PHDT has introduced new model houses for estate workers which can be acquired on monthly installment basis.

But, the estate workers response rate is around 12% and they mentioned that their income is not sufficient for them to meet these monthly installments.

Although the level of education of existing workers is very low, it could be identified that the new generation is very keen on acquiring higher education since it is provided by the government free of charge. At present around 95% of estate children are getting school education. This practice has become the major concern of RPCs regarding their future labour requirement. Estate workers do not want to bring their children to the job that they are doing and instead they want their children to move out for better opportunities. As far as estate workers social development is concerned, this trend and practice is a positive sign, but it adversely affects the future labour supply of the plantation sector. Therefore, RPCs have to go for alternatives in order to attract the highly productive educated labour back to the estate sector by providing them with better opportunities and good recognition. This is very much important since presently, the tea industry lacks qualified staff to supervise both cultivation and processing⁴⁰³. Further, the plantation sector lacks skilled workers at the absence of proper training coverage provided by RPCs. This issue has a greater impact on labour productivity as workers have become habitual workers. They should be given a proper training especially on pruning, weeding, fertilizing and processing. Further, effectiveness of training programmes can be enhanced by incorporating personal development oriented components in training programmes such as personality development, developing entrepreneurial skills, etc. (Dishanka and Amaratunge, 2011). It probably would be an added advantage for both the employers and employees since these additions would uplift their social life. Especially, this type of social awareness is important since the reported alcoholism and domestic violence is considerably high within the estate community. Further, these informal domestic practices adversely affect the productivity of workers due to physical and mental disorders and high absenteeism.

The occupational risk of every worker is high according to the nature of their activity. Male workers are highly vulnerable to the side effects of fertilizers and different chemicals they use. Female pluckers are usually victimized for snake bites and, back pain problems due to the tea basket that they keep carrying whole day. Processing workers are having a risk as many estate factories use outdated machines and equipments. Although, RPCs claim that they have taken necessary actions to maintain occupational safety; the empirical study revealed

⁴⁰³ Report on Sri Lankan Tea Industry (2008), Institute of Social Development, Sri Lanka

that those safety measures are not available in some estates and factories and, further, those are not utilized by many workers.

4. *RPCs responsibility towards stockholders hinders the worker orientation in its labour policy*

With the privatization of state owned plantations, stockholders' profit maximization has become the prime responsibility of the RPC management. Therefore, any management decision related to workers' welfare has to be taken after considering its impact on the profitability of the firm. It could be revealed in the study that the RPC management accepts that the prevailing socio-economic conditions of estate workers are below the social norms. But, they further emphasized their inability to address those issues due to the tea market conditions. It is generally accepted that Sri Lankan tea industry is a price taker in the world tea market due to the heavy competition and this creates constraints for the companies in meeting their increasing cost of production due to enhanced cost of labour. Therefore, they claim that if they can decide the selling price of tea, the benefits can be transferred to workers to improve their living conditions. Ikemoto (1992) also stated in his study in Thailand that decreasing crop prices and deteriorating agricultural production cause for an increase in poverty.

Further, these RPCs do not solely depend on producing and marketing tea. In addition to that they engage in some other agricultural crops such as rubber and oil palm. Therefore, the management is focusing on the profitability of those crops in order to settle the loss from tea as they are responsible for stockholders' returns. But, this practice necessarily does not solve the labour problem in the tea estate sector. It needs a concrete solution to uplift the economic and social well-being of workers.

5. *Isolation of estate management in labour related issues proves the ineffective labour-management relations of RPCs*

The 20 RPCs which are in operation are managing around 73,000 hectares bearing tea and this extent has been grouped into 304 estates. Each estate that belongs to a RPC is headed by an estate manager who is in charge of every operational aspect of that estate. In other words, he is responsible to the top management for production and labour related functions.

He is usually supported by an assistant manager and a supportive staff. According to the viewpoint of the top management of RPCs, the smooth functioning of the estate operations mainly depends on the interpersonal skills of the estate manager. The close relationship maintained by the estate manager with estate workers create a conducive operational atmosphere and the level of rigor of the manager determines labour problems and disputes. This practice could be further verified from the information that could be revealed from estate workers. They specifically pointed out that some estate managers usually look after their personal matters when there is a crisis situation. Konings (1995) in his study on plantation labour in Cameroon, stated that supervisors who are only task oriented, treat the workers as objects of production and often insensitive to the workers' plight. Hence, lack of top management intervention in labour-management relations at estate level proves the power distance maintained by top managers and resulted in creating a negative impression in workers.

6. *Future labour supply of tea plantations is at risk due to low worker income and low recognition of the job.*

Almost all the activities up to the harvesting such as land preparation, holing, planting, weeding, pruning in the tea production are done manually. In the last few decades, labour resource in estates was in abundance for all those activities. However, the younger generations now in estate worker families are much reluctant to follow their parents. There are two main identified reasons for this; first, the existing low wages are not sufficient for them to enjoy a life similar to their counterparts in the outer world and the second, the poor recognition given to their service by outer societies. As they realize that more income opportunities and better livelihood is available there in urban areas, migration occurs. However, Ikemoto (1992) claims that these migrants can be attracted back to their origins through pulling factors, that is, the recovery of agriculture. Hence, if the RPCs could refine their existing labour policies and, tea growing and processing system in order to give the workers an opportunity to earn a better income with a proper recognition; the future risk of tea plantations can be minimized to a greater extent by attracting potential labour back to the estate sector.

According to the existing labour policies of the RPCs, there is a limited career development and promotional system for lower level estate workers in order to retain and attract them towards the system. The maximum level that an estate worker reaches in the

hierarchy is the supervisory level that is also based on their loyalty, performance and educational attainment. As far as the management of RPCs is concerned, though the requirements for promotions are reasonable, under the prevailing socio-economic condition of this society, it is very hard for a worker to reach that level.

7. *Although RPCs are adopting short-term incentive schemes as remedies to the prevailing labour and productivity issue, some of these remedies seem to be informal and ineffective.*

In the study it could be found out that the RPCs are adopting the following practices in order to increase the production and productivity.

- Pluckers are paid an allowance for 'over-kilos' that exceeds the daily plucking target of 16kg of green leaf. If this was exceeded an allowance of LKR 17 is paid per additional kilogram.

Although, this practice has a direct link with the plucking productivity, it generates an additional cost. Therefore, many RPCs increased the daily plucking targets to 20 kg, but they could not maintain that due to the trade union pressure. Although, in high yielding periods (April–June and October–December), tea pluckers can go for higher income with this practice, it needs a considerable amount of effort and energy to go for such level. Estate managers emphasized that although the tea pluckers do not reach the daily plucking target in low yielding periods, they are still paid the daily wage in full.

- RPCs mechanize the pruning and plucking activities occasionally in order to lower the cost of production and increase the productivity.

Although, it is efficient in lowering the cost of production, not effective as far as the quality aspect is concerned. Therefore, it is apparent that the Sri Lankan tea industry might lose its market if the mechanization lowers the quality of the output. On the other hand, if the RPCs continue with this practice it would create unemployment and thus worsening the socio-economic condition of estate workers.

- RPCs enter into labour contracts with supervisory level workers in high yielding periods at estate level to utilize the idle time of male workers.

This seems to be an effective practice maintained by RPCs since it motivates the pluckers to earn an additional income and in turn improves the productivity. Further, this practice allocates a responsibility to the contracted and he manages to satisfy the contractual requirement by handling a set of workers. Through this process, the idle labour of male workers could be brought back to the production process. Therefore, this practice seems to be entrepreneurial in nature and successful in every aspect. But, RPCs mentioned that this practice can be applied only in high yielding periods. However, these labour contracts have been effective in nature as it mirrors the successful and highly performed tea production of smallholdings sector⁴⁰⁴ in Sri Lanka.

IV. Conclusion and Implications

The sole intension of this study was to evaluate the effectiveness of labour policies and practices of RPCs to uplift the social living conditions of resident estate workers, as it probably have a positive impact on labour productivity. Although, wage hikes to reflect the rising cost of living are introduced in regular intervals based on the collective agreement,

⁴⁰⁴ The balance tea output (Table 1) of the total tea production (except 1% contribution of state plantations) is supplied by tea smallholdings sector and the following table explains its distribution.

Extent of Tea Smallholdings in Sri Lanka

Category (hectares)	Land extent		No. of smallholdings	
	Hectares	%	Quantity	%
Less than 1 ha.	45,807	34.6	297,342	75.0
1 - 2 ha.	34,608	26.2	74,314	18.7
2 - 3 ha.	12,903	9.8	15,101	3.8
3 - 5 ha.	7,452	5.6	5,299	1.3
5 - 10 ha	7,386	5.5	2,936	0.7
10 ha. and above	24,173	18.3	2,231	0.5
Total hectares	132,329		397,223	

Source: Annual Report - 2009, Tea Smallholdings Development Authority, Sri Lanka

there is no evidence of considerable improvements in labour productivity and living conditions of estate workers and, discontinuation of the above vicious cycle. In order to discontinue it, the estate workers should be motivated for a higher performance by satisfying their physical human requirements and, social status and recognition. It is generally accepted that, social development of estate workers enhances their productivity and the gains from enhanced productivity improves the level of social development of workers. It is emphasized that the main reason for the continuation of the vicious cycle is this dual causality between social development and labour productivity. According to the findings of the study, it can be firmly stressed that the estate workers expect and await the first causality and the RPCs, the second. This has been the major reason for the continuation of the vicious cycle of labour productivity in the tea plantation sector of Sri Lanka and it is quite evident that there should be a considerable shift in the existing system to discontinue it. Finally, according to the above findings, it is concluded that the existing labour policies and practices of RPCs have failed in addressing labour problems and improving labour productivity of tea plantations in Sri Lanka. This failure does not definitely explain that the RPCs' labour policies are totally ineffective; rather those are insufficient in addressing those labour problems due to the prevailing deprived socio-economic condition within the estate community and budgetary constraints of RPCs.

Therefore, the main foreseeable solution for the labour issue in tea plantations would be the adaptation of tea smallholdings model into tea plantations in the form of family based Contract Farming (CF) up to the plucking layer. It might be a successful solution as the ongoing informal practice of labour contracts has been quite successful. This practice would probably discontinue the vicious cycle by satisfying the requirements of every stakeholder. Entrepreneurial nature of this practice will provide estate workers the lacking social recognition and it maximizes the utilization of idle male labour and attract the migrated workers back to the plantation sector. Further, it reduces the financial burden for RPCs due to the absence of high labour cost and, enhances their profitability. Importantly, this shift would be sustainable and equity based since it distributes the benefits to all the parties proportionately who contributes for the growth and development of the tea industry. That is, this practice would maintain the so-called dual causality between social development and labour productivity. The designing and implementation process should be carefully studied and planned with the intervention of the governmental policies and estate workers' trade unions.

References

- Devereux, S. 2005. Can Minimum Wages Contribute to Poverty Reduction in Poor Countries? *Journal of International Development*, vol. 17, no. 7, pp. 899-912.
- Dishanka, S. & Amaratunge, S. 2011. The Impact of Divergence in Internal Business Practices on Improving Productivity: The Case of Ceylon Tobacco Company, *Colombo Business Journal*, vol. 2, no. 1, pp. 1-16.
- Gopaldas, T. & Gujral, S. 2002. Empowering a Tea Plantation Community to Improve Its Micronutrient Health, *Food and Nutrition Bulletin*, vol. 23, no. 2, pp. 143-152.
- Ikemoto, Y. 1992. Income Inequality in Thailand in the 1980s, *Southeast Asian Studies*, vol. 30, no. 2, pp. 213-235.
- International Labour Organization. 2002. Labour and Social Issues in Plantations in South Asia, Geneva, International labour Office.
- Irz, X., Lin, L., Thirtle, C. & Wiggins, S. 2001. Agricultural Productivity Growth and Poverty Alleviation, *Development Policy Review*, vol. 19, no. 4, pp. 449-466.
- Jayawardena, K. 1984. The Plantation Sector in Sri Lanka: Recent Changes in the Welfare of Children and Women, *World Development*, vol. 12, no. 3, pp. 317-328.
- Khan, S., Shaw, W. D., & Hussain, F. 1991. Causality between Literacy and Labour Productivity in Pakistan, *Economics of Education Review*, vol. 10, no. 3, pp. 245-251.
- Koch, M.J. and McGrath, R. 1996. Improving Labour Productivity: Human Resource Management Policies Do Matter, *Strategic Management Journal*, vol. 17, no. 5, pp. 335-354.
- Konings, P. 1995. Plantation Labour and Economic Crisis in Cameroon, *Development and Change*, vol. 26, no. 3, pp. 525-549.
- Loh, A.T., Kam, B.H. & Jackson, J.T. 2003. Sri Lanka's Plantation Sector: A Before and After Privatization Comparison, *Journal of International Development*, vol. 15, no. 6, pp. 727-745.

Philips, A. 2003. Rethinking Culture and Development: Marriage and Gender among the Tea Plantation Workers in Sri Lanka, *Gender and Development*, vol. 11, no. 2, pp. 20-29.

Samarasinghe, V. 1993. Puppets on a String: Women's Wage Work and Empowerment among Female Tea Plantation Workers of Sri Lanka, *The Journal of Developing Areas*, vol. 27, no. 3, pp. 329-340.

Sharpe, A. 2004. Exploring the Linkages between Productivity and Social Development in Market Economies, *Research Report - Centre for the Study of Living Standards*.

Shunsuke, K. 2011. Tea Estate Plantation Community in Nuwara Eliya District of Sri Lanka: An Introductory Overview of Social Issues and Poverty among Residents Living under the Conventional Plantation System, *Yokohama Journal of Social Sciences*, vol. 15, no. 6, pp. 123-135.

Wickramasinghe, A.D. and Cameron, D.C. 2003. Economies of Scale Paradox in the Sri lankan Tea Industry: A Socio-cultural Interpretation, *14th Farm Management Congress*, Perth, W. Australia, 10 – 15 August 2003.

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MICRO FINANCE MOVEMENT EMPOWERING RURAL WOMEN: AN INDIAN EXPERIENCE

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Abstract

The position of women and their status in any society is an index of its civilization. Women are to be considered as equal partners in the process of development. In developing countries, among the poor, rural women are the poorest and more vulnerable. It is argued that the scheme of Micro finance through SHGs should create empowerment promoting the condition of women to move from positions of marginalized within household decision making process and exclusion within community, to one of the greater centrality and inclusion both in household and in the community.

This paper attempts to evaluate the women SHG's microfinance activities in the grass root level with objectives: to evaluate the nature of microfinance activities among women in the grass- root level in the Indian context, to analyse the managerial aspect of microfinance activities of women SHGs in the grass root level and to probe into the nature and impact of microfinance activities on women in the grass- root level. The paper will be both descriptive and analytical in nature and it concludes with that the microfinance activities created some kind of economic mobility among rural women. It created opportunities for rural women for self-employment and to become entrepreneurs. Women empowerment index shows their individual, social and economic status has improved after joining the SHGs microfinance activities. However, care need to be taken to see that the women members running ventures keep sustainable performance over the years.

Introduction

The position of women and their status in any society is an index of its civilization. Woman are to be considered as equal partners in the process of development. Regardless of the level of development achieved by the respective economies, Women play a pivotal role in agriculture and in rural development in developing countries. In developing countries, among the poor, rural women are the poorest and more Vulnerable. Empirical evidences suggest that women in rural areas are more adversely affected by poverty than men. The incidence of poverty among rural women is on the rise in most of the developing countries. .In many underdeveloped countries including India, women have much less access to income, consumption, education and productive employments. Improvement in the economic status is more visible indicator of women's empowerment. The Indian census (2010) estimates that 80.0 per cent of economically active women are engaged in agriculture. Thus, it is not exaggeration to say that the unorganized sector in India is women's sector. However, condition in this sector is miserable as they work for extremely low wages, with a total lack of job security benefits.

In this context, by providing access to financing of income generating activities, micro finance activities aim to reduce women's vulnerability to poverty which may lead to their empowerment". Empowerment is a process having personal, economic, social and political dimensions with personal empowerment being the core of empowerment process.

Main objectives of this paper are;

1. To evaluate the nature of microfinance activities among women in the grass-root level in the Indian context

2. To analyze the managerial aspect of microfinance activities of women Self Help Groups (SHGs) in the grass root level
3. To probe into the nature and impact of microfinance activities on women in the grass root level.

Method

The paper will be both descriptive and analytical in nature. First part would provide discussion on microfinance activities and women SHGs in India and Karnataka followed by analysis of sampled women SHGs and their members in the coastal Karnataka. A sample of 300 women members of SHGs in Dakshina Kannada District of Karnataka were interviewed to collect primary data required for the analysis. Analysis attempts to probe into the managerial and organizational aspects of microfinance and finally, impact on women.

Results and discussion

Micro finance is emerging as a powerful instrument for poverty alleviation in the new economy. In India, Microfinance scene is dominated by Self Help Group (SHGs)-Bank Linkage Programme as a cost effective mechanism for providing financial services to the “Unreached Poor” which has been successful not only in meeting financial needs of the rural poor women but also strengthen collective self help capacities of the poor ,leading to their empowerment. Rapid progress in SHG formation has now turned into an empowerment movement among women across the country.

Economic empowerment results in women’s ability to influence or make decision, increased self confidence, better status and role in household etc. Micro finance is necessary to overcome exploitation, create confidence for economic self reliance of the rural poor, particularly among rural women who are mostly invisible in the social structure. In India, the trickle down effects of macroeconomic policies have failed to resolve the problem of gender inequality. Women have been the vulnerable section of society and constitute a sizeable

segment of the poverty-struck population. Women face gender specific barriers to access education health, employment etc. Micro finance deals with women below the poverty line. Micro loans are available solely and entirely to this target group of women. There are several reason for this: Among the poor , the poor women are most disadvantaged –they are characterized by lack of education and access of resources, both of which is required to help them work their way out of poverty and for upward economic and social mobility. The problem is more acute for women in countries like India, despite the fact that women's labour makes a critical contribution to the economy. This is due to the low social status and lack of access to key resources. Evidence shows that groups of women are better customers than men, the better managers of resources. If loans are routed through women benefits of loans are spread wider among the household.

Since women's empowerment is the key to socio economic development of the community; bringing women into the mainstream of national development has been a major concern of government.

Micro finance is not just a financing system but a tool for social change, especially for women –it does not spring from market forces alone. It is potentially welfare enhancing – there is public interest in promoting the growth of micro finance- this is what makes it acceptable as valid goal for public policy. Because micro finance aims at poorest, micro finance lending technology needs to mimic the informal lenders rather than formal sector lending. It has to a) provide for seasonality b) allow repayment flexibility c) avoid bureaucratic and legal formalities d) fix a ceiling on loan size

. Micro finance institutions in India can be broadly classified in to two categories namely, formal institutions and informal organizations, Commercial banks, Regional Rural banks, Cooperative Bank that provides micro finance services in addition to their general banking activities are referred to as micro credit service providers. On the other hand,

informal organizations include non-governmental organizations (NGOs) that undertake microfinance services as their as main and also as their allied activities. It should be noted that SEWA (Self-Employed Women's Association), a cooperative of women of petty trade groups, established in 1974 in Gujarat was the pioneer informal organization providing microfinance services. First official interest in India took shape during 1986-87 on the initiative of the National Bank for Agriculture and Rural Development (NABARD). It sponsored an action research project in 1987 through an NGO called MYRADA (Mysore Resettlement and Development Agency) in Karnataka. Encouraged by the success of MYRADA, NABARD launched a pilot project in 1991-92 in the partnership with NGOs for promoting and grooming self help groups (SHGs) and making saving from existing banks and within the legal framework.

In India, micro finance scene is dominated by SHGs-Bank linkage programme, aimed at providing a cost effective mechanism for providing financial services to 'un reached poor'. Based on peer pressure and group saving as collateral substitute. Empowerment is a process of change by individuals or groups gain power ability to take control over their lives .It involves increased well being, access to resources, increased self confidence, self esteem and self respect, increased participation in the decision making .Micro finance tends to focus on promoting changes at the individual level. Micro finance assists women to perform traditional role better way

Karnataka does not figure out at the top of the tables published by financial institutions that show the number of self help group formed in each state. This is because the table captured data after 1991-92. when the NABARD launched the SHG-Bank linkage programme. However during 1984-85 MARYADA a non governmental organization engaged in rural development and based in Karnataka, promoted several co-operative societies that were enabled to give loans to their members.

Thus the history of Micro finance-SHG's promotion started with NGOs taking the lead in the mid-1980s and the lead passing on to the NABARD by the late 1980s. After the SHG-Bank linkage programme was launched in 1991-92, the very first loans to SHGs in the country were given in Kolar district of Karnataka. NABARD upscaled the programme in Karnataka by initiating a series of measures that included training of NGOs and bank staff, convening regular meetings of all intervening agencies, analyzing reports and providing feed back for changes in operational systems to make them more user friendly and launching the first RRB (regional rural bank) the Caverry Grameen bank of Mysore Districts an SHG promoting institution (1994-95). In 1990 the IFAD with World Bank collaboration and in partnership with the government of India and six state governments including Karnataka, launched a similar programme titled Swashakti. This experience encouraged Karnataka to launch a state wide programme called Stree Shakti (women power) based on the SHGs strategy.

Table- 1: SHG activities in Karnataka

Programme	No. of SHGs promoted
Swashakti: Implemented by the Karnataka State Women's Development Corporation with IFAD World Bank assistance.	2139
Stree Shakti: Implemented by the state government under the Department of Women and Child Development.	100000
SUJALA: Implemented by the Department of Watershed Development with World Bank assistance	1171
KAWAD: Implemented by the Karnataka Watershed Development Society with DFID assistance.	1013
Drought Prone Areas Programme (DPAP), Desert Development Programme (DDP), Integrated Watershed Development Programme (IWDP), Western Ghats Development Programme (WGDP), National Wastelands Development Programme	DPAP – 4795 DDP - 3220 IWDP – 1290 WGDP – 1075

(NWDP) Managed by the Watershed Development Department and implemented through the Zilla Panchayats. Funds are provided by the state and Central Government.	NWDP – 2840
Karnataka Urban Development and Coastal Environment Management Project (KUDCEMP) Implemented through Karnataka Urban Infrastructure Development and Finance Corporation (KUIDFC) with Asian Development Bank assistance.	3200
Swarna Jayanti Shahari Rozgar Yojana (SJSRY): Bank loans to SHGs accompanied by state and Central Govt. subsidy. Swarnajayanti Gram Swarozgar Yojana (SGSY)	6896 .
SHGs promoted by Regional Rural Banks with NABARD support	3044
SHGs promoted by Commercial Banks	21
SHGs promoted by DCC Banks and Co-operatives	34881
SHGs promoted by Non Government Organisations	30000
Total SHGs promoted	195585

(Source: Karnataka Human Development Report 2005, Government of Karnataka)

CONDITION OF WOMEN IN KARNATAKA

The condition of women in terms of income, inheritance rights and social status continued to be the matter of concern in all regions of the state. The Karnataka Government brought out Human Development Reports in the year 1999 and 2005 with an exclusive on women. These reports too computed Human development Index (HDI) and Gender Development Index (GDI) for all district of Karnataka's close readings of these indices enable us to understand as to how women continued to be at disadvantages. The report observed the presence of wide disparities in GDI and HDI among the districts of Karnataka. The following table shows the HDI and GDI for the districts in the state.

Table 2: Human Development (HDI) and Gender Development Index (GDI) in Karnataka

Sl. No	Districts	2001 (HDI)		2001(GDI)	
		Value	Rank	Value	Rank
1	Bagalkot	0.591	22	0.571	23
2	Banglore Rural	0.653	6	0.640	6
3	Banglore	0.753	1	0.731	1
4	Belgaum	0.648	8	0.635	9
5	Bellary	0.617	18	0.606	17
6	Bidar	0.599	21	0.572	22
7	Bijapur	0.589	23	0.573	21
8	Chamarajnagar	0.576	25	0.557	25
9	Chikmagalur	0.647	9	0.636	8
10	Chitradurga	0.627	16	0.618	14
11	Dakshin Kannada	0.722	2	0.714	2
12	Davangere	0.635	12	0.621	13
13	Dharwad	0.642	10	0.626	11
14	Gadag	0.634	13	0.625	12
15	Gulbarga	0.564	26	0.543	26
16	Hassan	0.639	11	0.630	10
17	Haveri	0.603	20	0.596	19
18	Kadagu	0.697	4	0.690	4
19	Kolar	0.625	17	0.613	16
20	Koppal	0.582	24	0.561	24
21	Mandya	0.609	19	0.593	20

22	Mysore	0.631	14	0.605	18
23	Raichur	0.547	27	0.530	27
24	Shimoga	0.673	5	0.661	5
25	Tumkur	0.630	15	0.681	15
26	Udupi	0.714	3	0.704	3
27	UttarKannada	0.653	7	0.639	7
	Karnataka	0.650		0.637	

(Source: Government of Karnataka H.D &G.D Report 2005)

The above table indicates that the HDI for the state has increased from 0.541 in 1990 to 0.650 in 2001, showing a 20.0 per cent improvement. There are wide disparities in the level of development among the districts. The district HDI in 2001 has been found to range from 0.753 in Bangalore urban district to 0.547 in Raichur district. Both HDI and GDI are higher in Dakshina Kannada district compared to the state average. It is widely understood that mere provision of state sponsor facilities to enhance women condition is not sufficient because these facilities are mediated through a complex socio-economic structure which to a great extent are women exclusive.

Table-3: Work participation rates of southern states of India

Year	State	Working population rate		Main workers		Marginal workers	
		Male	Female	Male	Female	Male	female
2001	India	51.68	25.63	87.32	57.27	12.68	42.73
	Karnataka	56.09	31.09	91.21	65.88	8.79	34.12
	Tamil Nadu	57.64	31.54	90.07	76.24	9.90	23.76
	Kerala	50.20	15.38	83.20	70.54	16.80	29.46
	Andhra	56.23	35.11	89.81	72.44	10.19	27.56

	Pradesh						
1991	Karnataka	54.01	29.04	98.96	77.35	1.04	22.65
Percentage point difference between 2001-1991 for Karnataka		2.55	2.59	-7.75	-11.47	7-75	11.47

(Sources: Register General of India Census 2001.)

The 1999 Karnataka Human development Report provided a range of data and analysis documenting widespread discriminations against girls and women in economic, political as well as social life. It pointed out those public policies to change this situation had not been completely effective because women had been viewed primarily as home makers rather than as full and equal citizens in a just society. Empowerment has emerged as a key concept in the policy discussions on gender over the last decade and half. The concept, in the recent years has become so elastic that it has lost the dimensions. The role of the state lies in preventing harm and protecting girls and women on the one hand, and also promoting women's empowerment, gender equality and male transformation.

Micro finance in Dakshina Kannada District

Dakshina kannada district is an important coastal district known for commerce banking, education and rich cultural heritage .AS we know from Human development report of 1991 and 2001 that Dakshina Kannada district is better in terms of economic, human and gender development indicators compared to other district s of the state .In fact this may be only district where we find women heading family tradition is prevailing. The district has made spectacle improvement in all the sectors of social and economic life with rapid modernization. However underneath the grab of modernity lie all kinds' contradictions, disparities, and imbalances. These Contradictions, disparities and imbalances are reflected in the unequal distribution of land and other sources of wealth and access to opportunities. Yet

it has been pointed out that the region's over all socio- economic situations is much better than any other parts of the state. Consequently the movement of self help groups and the programmes of micro finance for women empowerment were enthusiastically welcomed in the region hence the region offers an interesting site for exploring how micro finance schemes through self help groups affects women empowerment .

Dakshina Kannada district assumes an important place in the history of micro finance SHGs of Karnataka. Ever since the SHGs bank linkage programme of NABARD launched in Karnataka state in 1992, the movement started to spread soon across the district (Jayasheela et al 2006). The response in the district for SHG movement has been quite rapid due to the presence of good physical infrastructure and literacy rate and wide spread banking network in the district. Besides, there are plenty of NGOs in the district who took boldly the steps to promote and nurture SHGs. The role of state government too cannot be ignored. As a result today Dakshina Kannada district has more than 65000 SHGs in the state. About 70.0 per cent are exclusively women SHGs and remaining are men and mixed SHGs. Promoting agencies of SHGs in the district may be classified in to four categories. (1) NGOs (2) Bank (3) Co operative (4) Government. NGOs promote 50.0 per cent of the SHGs, followed by Cooperative and Bank (RRBs) 35.0 per cent and government 15.0 per cent. Government SHGs are under SGYSY of the central government and Stree Shakti, programme of the state government. SGSY groups are limited in number and are linked with leading NGOs, in the district.

Non Government Organizations run SHGs in D. K district

There are 8 NGO, which are actively involved in promoting SHGs in the district (NAB 2007:11). They are (SKDRDP), Nagrika seva trust(NST), Capuchin Krishik seva Kendra(CKSK) are all located in Beltghandy taluk, Prajana Counseling Centre(PCC), Canara Organization for Development and Peace(CODP), DEEDS, Karnataka State Trainers

Collective (KSTC) ADARSH are located in Mangalore taluk. It is surprising to note that all NGOs are located only in two taluks of the district i.e. Belthangdy and Mangalore.

Among the NGOs CODP, DEEDS and KSTL are primarily concentrating on training programmes to SHGs members and not involved in micro financing. Remaining NGOs, SKDRDP, NST, CKSK and ADARSH, and PCC are engaged in providing the training as well micro financing to take up income generating activities. Most of the NGOs restricted their operation to one or two taluks of the district. Because of their extended services and rich experience in SHGs micro financing, they are recognized as NGO-Micro finance Institution (MFIs) by NABARD. The rest of the NGOs have not assumed so far the role of MFIs (NABARD 2007:114)

Major Findings of the study

After the year 2000 empowerment through SHGs micro finance activities is one of the important components of development programmes in Dakshina Kannada district. In this district both Government and Non government SHGs are justifying their presence in the economic development of the region on the basis of their achievement in empowerment of women. In addition to the organizational style of SHGs, present study has measured women empowerment in terms of personal, social, economical and organizational aspect.

Organizational aspect

Organization of women in SHGs is an important strategy followed by both government and non-government organization, SHGs organizes women in to groups in order to deliver the services. The present study found no uniformity in the members of the SHGs, except in case of government run SHGs where maximum number could not exceed 20 members

Position in the group is on rotation basis; the management structure varies among the SHGs promoted by the different facilitators and includes a set of office bearers. The group elects the

office bearer once in a year, in general there are three types of office bearers in every group, and they are president, secretary and treasurer.

To record the various activities of the group and also meeting proceedings normally they maintain following books, member registration book, attendance book, individual pass book, group saving and account book, minute book and SGSY card.

Personal Empowerment

The important indicators used to understand personal empowerment are different components of personal aspects like *self confidence, social image, leadership quality, self awareness, skill development problem solving capacity, positive attitude, communication skill, negotiating power and risk taking ability*. Personal empowerment scores are given in table -6.1. Hence, the scores assigned by the sample members for all the variables are analysed using the following formula.

Formula used: $x_1s_1+x_2s_2+x_3s_3+x_4s_4 / X. = \sum xs / X$

Where x_1, x_2 , and $x_3...$ are visible variables responses and $s_1, s_2, s_3...$ are response scores and X is total no of respondents.

Table- 4: Personal Empowerment Scores

No	Visible		Very much 3	Much 2	Some what 1	Not at all 0	Scores
1	Self confidence	Rural	70(46.6)	50(33.3)	30(20.0)	00	2.27
		Urban	10(6.7)	120(80.0)	10(6.7)	10(6.7)	1.87
2	Self image	Rural	50(33.0)	100(66.7)	00	00	2.33
		Urban	100(66.7)	30(20.0)	20(13.3)	00	2.53
3	Leadership quality	Rural	15(10.0)	100(66.7)	25(16.7)	10(6.7)	1.80
		Urban	20(13.0)	120(80.0)	10(6.7)	-	2.06
4	Self awareness	Rural	30(20.0)	100(66.7)	10(6.7)	10(6.7)	2.00
		Urban	100(66.7)	40(26.7)	10(6.7)	-	2.60
5	Skill development	Rural	-	50(33.0)	90(60.0)	10(6.7)	1.26
		U	-	100(66.7)	20(13.3)	30(20.0)	1.46

6	Problem solving capacity	R	-	50(33.0)	60(40.0)	40(26.7)	1.06
		U	-	100(66.7)	40(26.7)	10(6.7)	1.60
7	Positive attitude	R	80(53.3)	70(46.7)	-	-	2.53
		U	60(40.0)	60(40.0)	20(13.3)	10(6.7)	2.13
8	Communication skill	R	-	50(33.0)	100(66.7)	-	1.33
		U	-	100(66.7)	50(33.0)	-	1.66
9	Negotiating power	R	-	80(53.3)	70(46.7)	-	1.53
		U	-	120(80.0)	30(20.0)	-	1.80
10	Risk taken	U	--	-	130(86.7)	20(13.3)	1.86
		R	-	-	150(100)	00	1.00

Note: Figures in parenthesis indicate per cent age

It is found that 80.0 per cent in rural and 87.0 per cent of the respondents in urban area experienced increased self-confidence. Around 99.0 per cent in rural areas, and 87.0 per cent of the respondents in urban areas experienced increased self image, 77.0 per cent of the respondents in rural and 93.0 per cent in urban areas respondents have improved their leadership qualities after joining SHGs. 86.7 per cent in rural and 93.3 per cent respondents in urban area said that SHGs have increased their self awareness. 33.0 per cent respondents in rural and 66.7 per cent in urban areas said that SHGs have helped them to develop their skill through their various progarmmes. 33.0 per cent in rural and 66.7 per cent respondents in urban areas have developed problem solving abilities after joining SHGs. Around 99.9 per cent of respondents in rural and 80.0 per cent in urban areas of respondents have found increased in their positive attitude 33.3 per cent in rural and 66.7 per cent in urban areas the respondents experienced improvement in their communication due to SHGs. Around 53.3 per cent in rural and 80 percent in urban areas respondents have experienced increased negotiation power but less than 10.0 per cent in rural and 5.0 per cent of the respondents in urban areas have experienced increase in their risk taking abilities.

Social empowerment

Women have also experienced improved status and gender relation after joining SHGs .The present study used indicators like *respect in family, recognition in society, ability to run family, participation in public programmes, social awareness, social mobility, decision making, social respect, risk taking ability and entrepreneurial ability* to measure social empowerment.

Table- 5: Social Empowerment Scores

Variables	Area	Very	Much	Some what	Not at all	Average scores
		3	2	1	0	
Respect in family	R	-	20 (13.0)	100 (66.6)	30 (20)	0.93
	U	-	30 (20.0)	85 (56.6)	35 (23.3)	0.97
Recognition in the society	R	10 (6.6)	70 (46.7)	60 (40.0)	10 (6.6)	1.53
	U	5 (3.3)	25 (16.66)	80 (53.3)	40 (26.7)	0.97
Ability to run the family	R	40 (26.6)	80 (53.3)	30 (20.0)	-	2.06
	U	20 (13.0)	20 (13.0)	80 (53.0)	30 (20.0)	1.20
Participation in public programmes	R	10 (6.6)	70 (46.7)	60 (40.0)	10 (6.6)	1.53
	U	-	50 (33.3)	80 (53.0)	20 (13.0)	1.20
Social awareness	R	-	70 (46.7)	60 (40.0)	20 (13.0)	1.33
	U	-	20 (13.0)	80 (53.0)	50 (33.0)	0.80
Social mobility	R	60 (40.0)	70 (46.7)	20 (13.0)	-	2.27
	U	20 (13.0)	60 (40.0)	70 (46.7)	-	1.67
Decision Making	R	-	-	100 (66.7)	50 (33.3)	0.67
	U	-	40 (26.6)	100 (66.7)	10 (6.6)	1.20
Social respect	R	-	-	130 (86.7)	20 (13.0)	0.87
	U	-	-	100 (66.7)	50 (33.3)	0.67
Risk taking ability	R	-	-	60 (40.0)	90 (60.0)	0.40
		-	-	40 (26.7)	110 (73.33)	0.27

Entrepreneurial ability	R	7 (4.7)	30 (20.0)	73 (48.7)	40 (26.7)	1.03
	U	5 (3.33)	30 (20.0)	75 (50.0)	40 (26.7)	1.00

(Notice: Figures in Parenthesis indicate per cent)

It is found that 13.3 per cent respondents in rural and 20.0 per cent in urban areas felt increased respect in the family after joining the SHGs. 53.3 per cent in rural and 19.96 per cent of the respondents in urban areas gained social recognition due to SHGs. 56.0 per cent in rural areas and 26.0 per cent urban respondents have got the ability to run the family on their own. 53.3 per cent of rural and 33.3 per cent of urban respondents told that SHGs have increased their participation in public programmes. 46.7 per cent of rural and 13.0 per cent of urban respondents experienced increased social awareness. 86.7 per cent in rural and 53.0 per cent in urban areas of the respondents gained social mobility due to SHGs. Around 20.0 per cent in rural and 26.7 per cent in urban areas the respondents have said that now they can take their decision on their own. As far social respect is concerned the study found only 10.0 per cent in rural and 20.0 per cent respondents in urban areas have experienced increase in their social respect after joining SHGs. Around 10.0 per cent in rural and 8.0 per cent in urban areas respondents experienced increase in risk taking ability and 27.3 per cent in rural and 23.3 per cent in urban areas respondents have experienced improvement in their entrepreneurial ability.

Economic empowerment

. The important indicators of economic empowerment used in this study are *income, savings, landholding, house ownership, jewels, consumer goods, occupation, expenditure on food and non food items*. Income is an important indicator of economic empowerment.

Table -6: Economic Empowerment Scores

Indicators	Region	Very much	Much	Somewhat	Not at all	Scores
		3	2	1	0	
Income improvement	R	-	30 (20.0)	90 (60.0)	40 (26.7)	1.00
	U	5 (3.3)	10 (6.7)	80 (53.3)	55 (36.7)	0.77
Consumption improvement	R	-	20 (13.3)	80 (53.3)	50 (33.0)	0.80
	U	10 (6.7)	30 (20.0)	100 (66.7)	10 (6.7)	1.27
Saving improvement	R	-	-	130 (86.7)	20 (13.3)	0.87
	U	-	-	140 (93.3)	10 (6.7)	0.93
Economic decision making	R	-	-	130(86.7)	20 (13.3)	1.87
	U	-	-	120 (80.0)	30 (20.0)	0.80
Investment change	R	-	-	10 (6.7)	140 (93.3)	0.06
	U	-	-	5 (3.3)	145 (96.7)	0.03
Managing economic activity	R	-	60 (40.0)	90 (60.0)	-	1.40
	U	-	20 (13.3)	50 (33.0)	80 (53.0)	0.60
Employment	R	-	-	80 (53.0)	70 (46.7)	0.53
	U	-	-	10 (6.7)	140 (93.3)	0.06
Asset position improvement	R	-	70 (46.7)	70 (46.7)	10 (6.7)	1.40
	U	-	-	30 (20)	120 (80.0)	0.20
Standard of living	R	-	-	130 (86.7)	20 (13.3)	0.87
	U	-	-	110 (73.3)	40 (26.7)	0.73
Sense of	R	-	-	70 (46.7)	80 (53.3)	0.47

economic security	U	-	-	80 (53.3)	70 (46.7)	0.53

(Note: Figures in parenthesis indicate per cent age)

In rural area 60.0 per cent of the respondents says that after joining SHGs their income have improved much while 40.0 per cent of the respondents in urban areas said it has improved their income. 20 per cent of the respondents in rural and 10.0 per cent in urban areas have experienced improved consumption. 86.7 per cent in rural and 93.3 per cent urban respondents said that they learnt savings only after joining SHGs. 13.7 per cent in rural and 26.7 per cent in urban area of the respondents have experienced economic decision ability 20.0 per cent in rural and 30 per cent in urban areas the respondents found investment change. 6.7 per cent of rural and 3.3 per cent of urban area respondents have experienced improved ability to manage economic activities. Just 10.0 per cent of the respondents in rural and 5.3 per cent in urban areas found improvement in their employment ability improvement after joining SHGs. 46.7 per cent in rural and 20.0 per cent in urban areas, the respondents found improvement in their asset position, around 86.7 per cent in rural and 73.3 per cent of the respondents in urban areas have experienced improvement in their standard of living. 46.7 per cent rural and 53.3 per cent urban respondents experienced increased sense of economic security after joining SHGs.

General findings

The present study found that micro finance activities with Self Help Group movement have experienced women empowerment both in rural and urban areas.

- Compared to urban areas SHGs and their impact on women are found very effective in rural areas, all the indicators used to measure economic empowerment, shows this point obvious.
- In rural areas awareness about various SHGs is more and in fact every women is a member of one or the other SHG, Whereas in urban areas majority of women living below the poverty line do not know the existence of such agencies, either because of their ignorance or lack of motivation by the staff of SHGs.
- Economic condition of women in rural areas is found to be better than their counterparts in urban areas, because in rural areas poor women are working at a time in multiple jobs in addition to the beedi rolling and agriculture but in urban areas majority of poor women are engaged only in beedi rolling while very few are engaged in other activities because of that they earn less income.
- Another important finding of the present study is that asset holding in the form of gold, land and houses also is very less among urban women because of high cost of living in city compared to rural areas.
- The study reveals that the respondents had experienced great relief from the burden of debt from money lenders but not completely liberated from debt as they continued to borrow money from different SHGs at the same time.
- In the absences of income generating activities among majority of the respondents, the standard of living continued to be low.
- Very few respondents have taken loan for productive purpose, so it is necessary to sensitize the members about the productive use of loan so that economic empowerment can be achieved.

- There is a sizable section of the women that is left out of the whole SHG movement precisely because thrift is the passport to the entry in to SHGs and they do not posses.
- SHGs run by the NGOs are performing better than SHGs run by the Government.
- The researcher found that women in rural areas are more active and involved in the SHG movement, compared to urban women who shown very limited interest in such movement.
- SHGs have developed awareness among women and are successful in developing their communication skill, leadership quality and also general knowledge. They have created a lot of self confidence among poor women and led to their personality development.
- A very interesting finding of the present study is that women both in rural and urban areas are getting good support from their families' particular from the male members.

Conclusion

No doubt the microfinance activities created some kind of economic mobility among rural people, but only in some regions of India. SHGs as an agency of Microfinance are promoted by government, NGOs and Banks. But NGO promoted SHGs are better performing. Major SHGs, in the region where they are active are women SHGs. It created opportunities for rural women for self-employment and to become entrepreneurs. Women empowerment index shows their individual, social and economic status has improved after joining the SHGs microfinance activities. However, care need to be taken to see that the women members running ventures keep sustainable performance over the years. No doubt some shortcomings have been noted in the working of micro finance activities in the findings of the studies conducted by the research scholars in district but performance of some agencies are so encouraging that by bringing desired suitable change this district can hope to make an impact in realizing women empowerment in the state.

References

- 1 Agarwal, B. (1994) "A field of one's own: Gender and land rights in south Asia", Cambridge University Press, UK.
2. Archana Sinha, "Micro finance for women empowerment-a Perspective", Kurukshetra, April 2004
3. Giriappa S.(1988), "Role of women in Rural development", Delhi, Daya Publishing House.
4. Government of Karnataka, "Karnataka Human development Report" 2005 published by government of Karnataka
5. Hulme and Mosely (Ed), Finance against Poverty, Vol.1, London, Routledge
7. Pandey, as cited in Prasad, R.R.Social Mobilization Concept, Meaning and Approaches, Kurukshetra, Vol.51 (8), 2003.
8. Pillai, J.K. (1990) "empowering women in India: New roles for education'. University News: 28(47)

VIRTUE ETHICS OF BUDDHISM: AN ASIAN CONTRIBUTION TO THE WORLD CULTURE⁴⁰⁵

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Abstract

When one looks at the ethical stance of Buddhism, it is evident that it does not fall into the two main ethical theories, namely, utilitarian (or consequentialist) and deontological, but it is rigorously a virtue ethic. The Buddhist virtue ethics offers standpoints that resonate more authentically the need of the humans and the world where they live in. This paper argues that the Buddhist ethics is virtue ethics. Aristotle is acclaimed to have given credence to virtue ethic in the Greek, and then to the western, philosophy. However, a soul-searching investigation of the Buddhist ethics reveals that it was the Buddhist ethics which gave primary importance to virtue ethics in the history of thought, two centuries well before the articulation by Aristotle. Hence, one would submit that the Buddhist virtue ethics is a distinctive Asian contribution to the world culture. In this paper, I place Buddhism in perspective in the first part, and in the second part I try to articulate briefly the meaning and significance of virtue ethics *per se* in the history of thought, and in the third part I take up and analyse the five precepts of Buddhism known as the *Pañcasīla* to bring home the verity that Buddhist ethics is nothing but virtue ethics. In part four, I sum up the paper, taking cue from the other parts, showing that Buddhist ethics is virtue ethics.

Keywords: Philosophy, Ethics, Buddhism

1. Prologue

Buddhism is an ethical religion, where metaphysical authoritarianism and dogmatism find less prominence. "Buddha is generally hailed as the initiator of the rationalist trend in Indian philosophy, rationalism being understood as contrasted with dogmatism and authoritarianism."⁴⁰⁶ But the first reactions to the Brahminical speculations and authoritarianism came from the Materialist thinkers of India.⁴⁰⁷ However, Buddhism stands

⁴⁰⁵ Final version of the paper under the session -theme 'History, Religion and Philosophy' presented in the *International Conference on Asian Studies 2012*, on 26-27 July 2012, Negombo, Sri Lanka. The author is grateful to Professor Toshiichi Endo, Professor Sushila Narasimhan, and Professor Asoka de Zoysa for their critical comments and suggestions.

⁴⁰⁶ A.K. Chatterjee, "Insight and Paradox in Buddhist Thought", in *Anviksiki: Research Bulletin of the Centre of Advanced Studies in Philosophy*, Vol.6, 1973, Varanasi, Banaras Hindu University, pp.181-82

⁴⁰⁷ The Materialist thinkers of India represented one branch of the naturalistic tradition, and the other was the *Ājīvikas*. There are different names by which the Materialists were called - the *Cārvākas*, the *Lokāyatas*, the *Bārhaspatyas* etc. The main Materialist teachers were Ajita Kesakambali, Pūraṇa Kassapa, and Pakudha Kaccāyana. Their teachings are generally considered a part of the heterodoxy. For further details see David J. Kalupahana, *A History of*

out to be the most powerful reaction to orthodoxy and dogmatism. Orthodox systems of Indian philosophy have the *Vedas* and *Āgamas* as the authoritative sources. The Buddhist discourse in the *Dīgha Nikāya*, that refers to sixty-two philosophical systems and metaphysical views regarding the nature of 'self' and 'world', ascertains that those were the contributions of two basic sources: *experience* and *reason*.⁴⁰⁸ However, the two are not exclusive. Buddha considered these sources of information as the basis for metaphysical speculations. He referred to and characterized the metaphysical speculations as *adhiṭṭhāpāda*, which would literally mean 'overstatement'.⁴⁰⁹ This metaphysics was 'a tradition-oriented one', and Buddha reacted against this over dependence on the revealed authority and tradition.

Buddhism has been often treated as a dissent and reform movement in the history of "that elusive system of socio-religious organization, which in due course of time, became loosely known as 'Hinduism'".⁴¹⁰ This may be challengeable. There had been the *Ārya* a tradition in the Indian sub-continent which was prevalent side by side with Vedic tradition, in thought and practice. A. K. Narain is of the strong opinion that the *Ārya* a tradition is antedated to the Vedic tradition, and Buddhism is a part of the *Ārya* a. He writes, "I consider Buddhism as a part of an independent tradition of indigenous origin, which antedated the Vedic Brahminic and was known as *Ārya* a. It is an irony of Indian history that Buddhism, and for that matter Jainism too, are regarded as heterodox against the heterogeneous Vedism – an 'Indo-European' gift to South-Asia – which is taken as orthodox. This *Ārya* a tradition ran counter, and sometimes even parallel, to the Brahminic a."⁴¹¹ Thus, one would submit that the Buddhism's root is in *Ārya* a tradition, which had been a powerful stream of thought and tradition, where ethics has paramount significance.

2. Virtue Ethics

Ethics is a branch of philosophy. It is moral philosophy or philosophical thinking about morality, moral problems, and moral judgments.⁴¹² Ethics is the theory, whereas

Buddhist Philosophy: Continuities and Discontinuities (Delhi: Motilal Banarsidass Publishers, 1994), 13-21

⁴⁰⁸ *Dīghanikāya* 1:12ff

⁴⁰⁹ *Dīghanikāya* 1:13

⁴¹⁰ A. K. Narain, "Toward a New history of Buddhism", in *Studies in the History of Buddhism*, A. K. Narain (ed) (Delhi: B. R. Publishing Corporation, 2000), xxi

⁴¹¹ A. K. Narain, , "Toward a New History of Buddhism," xxi

⁴¹² William K. Frankena, one of the leading moral philosophers of late 20th century, classifies three kinds of thinking that relate to morality: 1) The *descriptive empirical inquiry*, which could be historical and scientific, such as done by the anthropologist, historians, psychologist and sociologists. In this category the aim is to describe or explain the phenomena of morality and to work out a theory of human nature in relation to ethical questions. 2) The *normative thinking*, in relation to 'what is good, right, or obligatory' and subsequently forming some normative judgment as a conclusion. 3) The '*analytical, critical, or meta-ethical*' thinking, which tries to answer logical, epistemological, and semantical questions like 'what is the

morality is the practice. If one looks at the morality *per se*, one could find three kinds of morality: *personal*, *universal*, and *absolute*.⁴¹³ Further, ethical theories could be classified into three: *consequentialist* ethical theory,⁴¹⁴ *deontologist* ethical theory⁴¹⁵ and virtue ethical theory (virtue ethics).

Virtue ethics had been influential in moral philosophy from ancient times. In the Greek thought, it goes back to the classical times. It had a specific place in the discussions of the “classical writers like Plato and especially Aristotle.”⁴¹⁶ Aristotle’s *Nicomachean Ethics* was written sometime in c. 350 BC. “Aristotle in his *Nicomachean Ethics*, argued that the best life for a human being – *eudemonia* – consists in the existence of the virtues (or the ‘excellences’). Indeed his is perhaps one of the most radical virtue ethics ever, since he can be understood to be saying that there is nothing worth having in life except the exercise of

meaning of morally right or good.’ For details see: William K. Frankena, *Ethics*, 2nd edition (New Delhi: Prentice-Hall, 1999), 4-5

⁴¹³ This sort of classification has been made by Harry Browne, and according to him, *personal morality* is an attempt to consider all the relevant consequence of one’s actions, that is, one acts in ways that one hopes will bring the best consequence to one. This is self directed. *Universal morality* is meant to apply to all in the world, and this is not self-directed, but coming from someone else. *Absolute morality* is a set of rules to which one has to surrender one’s happiness, as there is an authority outside of the individual. Absolute morality is the most common type, and it suggests that God commanded that we live by certain rules. For a detailed exposition on these three types of morality see: Harry Browne, “The Morality Trap,” in John R. Burr and Milton Goldinger (ed), *Philosophy and Contemporary Issues*, 9th edition (New Delhi: Prentice-Hall, 2008), 193-198.

⁴¹⁴ Consequentialist ethical theory is a broad normative theory that bases the moral assessment of acts, rules, institutions, and the like exclusively on the goodness and value of their consequences. *Utilitarian ethical theory* is entirely a consequentialist theory.

⁴¹⁵ Deontologist ethical theory is based on the idea of ‘duty’ or ‘obligation’ to do certain things and not to do certain things. Here the action judged on the basis of ‘prohibition’ or ‘obligation.’ By and large, in deontological ethical theory God’s command to do or not to do certain things are signified. Some take recourse to the *categorical imperative* of Immanuel Kant in this theory. Immanuel Kant’s *Groundwork of the Metaphysics of Morals* is notable for the categorical imperative, which is central to Kant’s moral philosophy. Kant argues for an a priori basis for morality by saying “... this *categorical* ought represents a synthetic proposition a priori...” [Immanuel Kant, *Groundwork of the Metaphysics of Morals* 4: 454, Mary Gregor (tr and ed), Cambridge: Cambridge University Press, 2007), 58].

⁴¹⁶ Christopher Bennett, *What is this thing called Ethics?* (London and New York: Routledge, 2010), 91

virtues.”⁴¹⁷ However, virtue ethics suffered neglect in the twentieth century in the West. By the second half of the twentieth century, there was unhappiness among some philosophers with the debate of utilitarian and deontological ethical pursuits and theories, and they thought a large part of moral concern had been left out. “This led to a revival of the tradition of moral inquiry stretching back through St Thomas Aquinas to Aristotle.”⁴¹⁸ The Aristotelian notion of *eudaimonia* (*eudaemonia* or *eudemonia*) or ‘happiness’⁴¹⁹ explicitly brings home the idea that ethics is properly an account of the conditions for leading a good life.

In virtue ethics, ethics is more concerned with life. Bernard Williams, one of the most influential ethical thinkers of analytic philosophy in the late twentieth century, was against any theory based approach to ethics. Ethical life was primary concern for him, not so much of theory. He writes: “Morality has always been connected not only with law and politics, but also with the meaning of an individual’s life and his or her relations to other people. In these connections, the authority of theory over moral life remains quite opaque.”⁴²⁰ Ethics is all about personal life, for Bernard Williams, and not for theoretical ambitions. An author writes referring to Williams, in this sense, “good ethics should abandon theoretical ambitions” because it “deals with personal life rather than public policy.”⁴²¹ Ethics’ concern is all about ‘real life’ and a fidelity to it.⁴²²

⁴¹⁷ Roger Crisp and Michael Slote, “Introduction” in their *Virtue Ethics* (Oxford: Oxford University Press, 1997), 2

⁴¹⁸ Christopher Bennett, *What is this thing called Ethics?* (London and New York: Routledge, 2010), 91

⁴¹⁹ Aristotle, *The Nicomachean Ethics*, Book 1: 4 (1095a15–22) David Ross (tr) Lesley Brown (notes and introduction) (Oxford: Oxford University Press, 1980), 5

⁴²⁰ Bernard Williams, “Contemporary Philosophy: A Second Look,” in N. Bunnin and E. P. Tusi-James (ed), *The Blackwell Companion to Philosophy* (Oxford: Blackwell, 1996), 36

⁴²¹ Peter Railton, “Toward an Ethics that Inhabits the World,” in Brian Leiter (ed), *The Future of Philosophy* (Oxford: Clarendon Press, 2006), 269

⁴²² “There is another strand in his (Bernard Williams) remarks. He begins his essay expressing a hope that philosophy can get beyond the twentieth-century *Kulturkampf* of ‘analytic’ vs. ‘continental’ philosophy, and that the methods of analytic philosophy can be divorced from a proprietary, artificially-narrowed conception of the proper goals or domain of philosophy, and put in the service of a more adequate general conception of the goal of understanding ethics and its place in human life – truer to ‘the psychology of the people’s actual lives,’ as he put it. Moreover, to advocate the role of literature in moral thought may

In virtue ethics the most significant idea is ‘virtue.’ The importance difference between virtue ethics and the other theories is that “virtue ethics takes it that motive is essential to right action: a person acts virtuously, not just when they act as a virtuous person would, but when they act because they care about the same things in the situation as the virtuous person would. It is this that makes the action right.”⁴²³ The *motive* behind an action tells the character and nature of an individual. “So virtue ethical view says that right action is action done from the correct motive; that the correct motive is the virtue or virtues appropriate to the situation; and that the virtuous are those personal qualities that are necessary to live the life proper to human beings.”⁴²⁴ The *motive* is a value which is emerges from the nature of an individual as her preferences.

3. Buddhism and Virtue Ethics

Buddhism is an ethical religion, and “Buddhism as a moral system has an infinite variety of names and ideas in morality.”⁴²⁵ Further, “the Buddhist morality, therefore, in spite of the fact that the system has so many precepts and instructions,⁴²⁶ is in its foundation

be to take seriously the imagination, rather than encourage us in the direction of the imaginary. Again, the key for Williams seems to be a kind of fidelity to real life.” [Peter Railton, “Toward an Ethics that Inhabits the World,” in Brian Leiter (ed), *The Future of Philosophy* (Oxford: Clarendon Press, 2006), 269]

⁴²³ Christopher Bennett, *What is this thing called Ethics?* (London and New York: Routledge, 2010), 95

⁴²⁴ Christopher Bennett, *What is this thing called Ethics?*, 96

⁴²⁵ Shundo Tachibana, *Ethics of Buddhism* (Richmond, Surrey: Curzon Press, 1994), 57

⁴²⁶ Buddhism has many precepts which the Buddha laid down for the guidance of his disciples. Thus, Buddhism might seem to be a system in which the followers have to observe and follow the precepts and injunctions of the Buddha. But the Buddha himself had instructed his followers to be a light unto themselves, and not to turn to the Buddha, or his teaching for guidance. His words go like this: And whosoever, Ananda, either now or after I am dead, shall be a lamp unto themselves, and a refuge unto themselves, shall betake themselves to no external refuge, but holding fast to the truth as their lamp, and holding fast as their refuge to the truth, shall look not for refuge to anyone besides themselves..” [Digha Nikaya 2: 100-101 and Samyutta Nikaya 5: 154.]

autonomous, more autonomous than the morality of any other religion.”⁴²⁷ David J. Kalupahana, one of the contemporary philosophers who writes on Buddhist philosophy, argues cogently for a ‘pragmatic’, ‘experientially grounded,’ perceptive of Buddhist thought,⁴²⁸ and when it comes to the Buddhist ethics, he situates it in its historical context, contrasting with ‘the deontological ethical theory of the *Upaniṣadic* tradition on the one hand and on the other the utilitarian theory of the ancient Indian practical thought and *realpolitik* of Kauṣṛīyan legacy.’ In the *Upaniṣadic* tradition there is the moral absolutism and in the Kauṣṛīyan legacy there is the moral relativism of self –interest.⁴²⁹ Virtue ethics puts greater emphasis on the ethical assessment of the agents and their inner motives, than on their actions.⁴³⁰ Individual good has always been considered that which is good for others, and Buddhism has never considered individual good as separate from the good of others. The motive of/behind meritorious action must always be the good of the other sentient beings.

Now let us consider some aspects of Buddhist ethics. Let us take the *Paṭisaṁsa* principles of Buddhism.⁴³¹ The set of five precepts is known as the five *Ṭkṣapadāhi* in Sanskrit literature. It is called *sikkṣapada* in Pāli which might refer to the special rules for the monks only.⁴³² They are also known as the *Ṭkṣapadas* of an *upāsaka* or lay man.⁴³³

⁴²⁷ Shundo Tachibana, *Ethics of Buddhism* (Richmond, Surrey: Curzon Press, 1994), 89-90

⁴²⁸ See David J Kalupahana, *A History of Buddhist Philosophy: Continuities and Discontinuities*, Honolulu: University of Hawaii Press, 1992

⁴²⁹ For details see David J. Kalupahana, *Ethics in Early Buddhism*, Honolulu: University of Hawaii Press, 1995

⁴³⁰ Michael Slote, *From Morality to Virtue*. NY: Oxford University Press, 1992, 89

⁴³¹ These five precepts must have its origin from the four old Indian ethical rules with the three ‘roots of evil’, namely, *rāga*, *dveṣa*, and *moha*. The ancient sages of India inculcated four virtues and discouraged four vices by teaching the people to abstain from killing, falsehood, theft and sexual-misconduct. These are the four basic articles of social ethics found in Hindu sacred literature (*Yoga-sūtra* 2, 30; *Baudhāyana-dharma-sūtra* 2,10.18.2. *Ahimsa satyam astainyam maithunasya ca varjanam*), in the Decalogue of Judaism (Exodus 20, 1-17), Five Mahāvratas of Jainism (*Sarvārtha-siddhi* 9:2, 7: 13-17), and in the Pāli Canon of Buddhism (*Dīgha-nikāya* 3:133 & 182).

⁴³² The *Vinaya* I: 53

⁴³³ The *Avadāna Śātaka* I: 340: 1

Every lay man has to make a vow to follow⁴³⁴ these five precepts immediately after accepting the faith in Buddha, Dharma, and Sangha. In Pāli, they are also mentioned as *Pañca-sīla*,⁴³⁵ and this has come down to us under the same name down through the ages.

The first principle of *Pañca-sīla* is to refrain from taking the lives of living beings. This is non-violence or non-killing in simple words, which we call as *ahiṃsā*.⁴³⁶ This is the key-note of Buddhism, and the same could be found in Jainism and Hinduism as well. The scripture says: “He (human) should not kill a living being, nor cause it to be killed, nor should he incite another to kill. Do not injure any being, either strong or weak, in the world.”⁴³⁷ This is the ethics of non-injury which all others inherited from Buddhism in Indian soil.⁴³⁸ In our own times Mahatma Gandhi had been an ardent advocate of non-violence.

The rule of *Ahiṃsā* has got relevance in every age and place. Non-killing (*ahiṃsā*) is the highest virtue. It is said in the scripture: “Suffering disappears for him to the same extent that he gets rid of thoughts of harming anyone.”⁴³⁹ *Ahiṃsā* or non-killing is neither a treaty nor a law made by human beings. It is in itself a natural law. (One can pose the question whether one form of life is the food of some other forms taking recourse to *Jīvo jīvāsyā bhojanam* - ‘one living being’s food is another living being’- principle. I am not denying the natural order here, anyway).

⁴³⁴ The *Avadāna Śātaka* I: 301: 4; I: 324: 10

⁴³⁵ The *Samyutta Nikāya* II: 68; The *Anguttara Nikāya* III: 203; The *Sutta Nipāta* 394 - 399, etc.

⁴³⁶ The word *Ahiṃsā* comes from the desiderative form of the Sanskrit verbal root “*han*” (= to kill) with the negative prefix “*a*”, and it means “non-killing”. Though it sounds negative, *Ahiṃsā* has a positive meaning. It means positive love in the form of compassion (*karuṇā*) and friendship (*maitrī*) towards all beings in thought, word and deed.

⁴³⁷ The *Suttanipāta* II: 14

⁴³⁸ *Ahiṃsā* gets pre-eminence in both the *śramaṇa* traditions, namely Buddhism and Jainism. *Ahiṃsā* is the first among the five *Mahāvratas* of Jainism. Hinduism too has given prominence to *Ahiṃsā*, and some scholars are of the opinion that both Buddhism and Jainism have borrowed this noble concept from Hinduism, which could be true.

⁴³⁹ The *Dhammapada*: 390

This precept wards off the scope for recent ethical issues like euthanasia and abortion. *Euthanasia* as a practice that involves intentional and deliberate taking of life is contrary to the basic Buddhist ethical teachings because it violates the precept of non-killing. Both *active* and *passive* forms of the practice, even when accompanied by a compassionate motivation with the intention of avoiding suffering are ruled out. It is true that the term “euthanasia”, as it is used today, has no direct equivalent in canonical Buddhist literature. In consonance with the Buddhist ethical stance of non-killing, it was heartening to read the news that very recently on 25 January 2012 the Parliamentary Assembly of the Council of Europe (PACE) adopted a Resolution stating that ‘euthanasia must always be prohibited.’ This resolution articulates a strong principle for life and against euthanasia. This is the first time euthanasia has been so clearly rejected by a European political institution.⁴⁴⁰ Again the *question of abortion* is also applicable in this precept.

The second principle is to refrain from stealing. It implies refraining from taking anything from anywhere knowing it (belongs to another). Whatever is not given by others should not be taken.⁴⁴¹ It means non-stealing. Theft, robbery, burglary, shoplifting, larceny, pilfering, etc. should never be done nor encouraged. The scripture says: “A disciple should avoid taking anything from anywhere knowing it (it belongs to another). He should not steal nor incite another to steal. He should completely avoid theft”.⁴⁴² Monks and nuns should live only by alms. Lay men are asked to live on right livelihood by fair means. This noble precept of non-stealing is found in both Hinduism and Jainism, and they employ the term ‘*asteya*’ for this precept. This principle applies to all of us who are faced with the challenges of corruption in today’s world, whether in public life, political life or even in the armed forces, which has been a matter of discussion these days in the media.

The third principle is to refrain from un-chastity. Right conduct with regard to sexual life is the subject matter of this precept. This is called as *Kāma-mithya Kāra*. It is said in the

⁴⁴⁰ See <http://www.europeandignitywatch.org/day-to-day/detail/article/council-of-europe-bans-euthanasia.html> accessed on 4 April 2012.

⁴⁴¹ This is known as *adattādhāra viratī*. We see also *adatta-hara* *Am*. See The *Mahāvastu* I: 107: 14

⁴⁴² The *Suttanipāṭa* II: 14

scripture: "A wise man should avoid un-chastity as (he would avoid falling into) a pit of glowing charcoal. If unable to lead a celibate life, he should not go to another's wife."⁴⁴³ One should avoid false conduct in sexual life. A monk/nun has to abstain from the sexual life completely. A life of *brahmacarya* was advocated for the Sangha (order of monks and nuns). As for the layman/woman this precept meant to remain faithful to one's life partner in the matter of sexual life. It is said that one should not cast longing eyes on the life partners of others. One should not harbour even a lustful thought with regard to other married people. Adultery is like a poison that mars and destroys human life, even if it is committed in secret.⁴⁴⁴ This principle brings together all that we speak of in sexual ethics.

The fourth principle is to refrain from telling lies. This precept is about truthfulness and honesty. In Sanskrit tradition we have the equivalent term as *satya*. One is given the injunction to speak the truth and nothing but the truth. The scripture says: "Having entered a royal court or a company of people he should not speak lies. He should not speak lies (himself) nor incite others to do so. He should completely avoid falsehood".⁴⁴⁵ One's actions should be in harmony with his words. One should not tell a lie even in dreams. Truthfulness is the highest spiritual austerity.⁴⁴⁶ One should become neither a slanderer, nor act as tale-bearer. Honesty in private and public life is envisaged in this precept. Much of our *professional ethics* could be tempered and fine tuned by this precept. One should avoid harsh words and also frivolous talks. Refraining from telling lies has got a wide range nuances as we have just mentioned above. It is known as *mānasa-virati* and *anāta-vacanavirati*, which literally mean 'abstain from telling lies'. It implies speaking at the proper time which is relevant and instructive. It also implies avoidance of gossip and even flattery. 'Sweet speech' is the means of teaching the dharma. One's words should be pleasant, true, and conducive to the Good.⁴⁴⁷ Our speech should express the hope that all will grow in faith,

⁴⁴³ The *Suttanipāṭa* II: 14

⁴⁴⁴ The *Dāśa-bhūmika-sūtra*: 23; The *Jāṭaka-M* 85:10

⁴⁴⁵ The *Suttanipāṭa* II: 14

⁴⁴⁶ The *Bodhisattva-vadha-kalpalatā* II: 841: 41

⁴⁴⁷ The *Aśṭa-Sahasrikā-Prajāpāramitā* 323: 12; 326: 4

virtue, knowledge, charity and wisdom.⁴⁴⁸ It is wonderful contribution of Buddhism that right speech gets prominence in one's life. "The rules with regard to speech were increased and amplified by the Buddhists."⁴⁴⁹ It is a typical characteristic of Buddhist ethical system that the duty of pleasant speech is especially emphasized, not as an obligation, but as a driving motive to bring peace and happiness to others.

The fifth principle is to refrain from intoxication. The scripture says: "A layman who has chosen to practice this Dhamma should not indulge in the drinking of intoxicants. He should not drink them nor encourage others to do so; realizing that it leads to madness. Through intoxication foolish people perform evil deeds and cause other heedless people to do likewise. He should avoid intoxication, this occasion for demerit, which stupefies the mind, and is the pleasure of foolish people."⁴⁵⁰ We read in the *Jātakamālā*: 17: 1-33 entitled 'The Story of the Jar', a detailed analysis of the evil consequences of alcoholism.⁴⁵¹ The text says: "This liquor has the power of taking away your consciousness, so as to make you lose the control of your thoughts and behave like a brute beast, giving your enemies the trouble of laughing at you. Thanks to it, you may also dance in the midst of an assembly, accompanying yourself with the music of your mouth. Being of such a nature, it is worth purchasing by you, that liquor within the jar, devoid as it is of any good!"⁴⁵² Alcoholism will eradicate all virtues: "In short, drinking this destroys every virtue. It deadens good conduct (*śīla*), forcibly kills good reputation, banishes shame, and defiles the mind."⁴⁵³ We are aware of the evil consequences of alcoholism and drug addiction in our present-day world. This principle has much to do with our contemporary state of affairs where many suffer from drugs and narcotics.

⁴⁴⁸ The *Bodhisattva Bhāṣya* 86a: 5: 2

⁴⁴⁹ Har Dayal, *The Bodhisattva Doctrine in Buddhist Sanskrit Literature*, 197

⁴⁵⁰ The *Suttanipāṭa* II: 14

⁴⁵¹ Āryaśaṅkara's *Jātakamālā*, J. S. Speyer (tr), 1895): <http://www.ancient-buddhist-texts.net/English-Texts/Garland-of-Birth-Stories/17-The-Story-of-the-Jar.htm>, accessed on 14 August 2012.

⁴⁵² *Jātakamālā* 17:14

⁴⁵³ *Jātakamālā* 17:29

4. Conclusion

In summary, one could submit that the five precepts of Buddhism, though would appear and sound like a code of obligatory precepts to be followed in letter and spirit, they, in fact, if analysed well in the light of the *motive* behind them, go in line with the virtue ethics' stance, and not with the consequentialist (utilitarian) or deontological theories. "So whereas utilitarianism says that an action is right if it produces the best *outcome*, and Kantian deontology says that a action is right if it conforms to an a priori moral *principle*, virtue ethics claims that what makes an action right is that it would demonstrate the best *character*."⁴⁵⁴ These precepts are all about the *motive* of an individual which tells upon her *character* or nature. Morally worthy conduct does not need to have a notion of 'obligation' or 'moral law' (deontology) between the action and the agent, or need not look at the end result of such actions (consequentialism), but social emotions like love and friendship can become the moral motivation.

Buddhist ethics is not simply a codified theoretically rigid code, but an ethics in complete praxis. This is an action-oriented philosophy, the philosophy of "becoming". It teaches us *right action*. It could be followed by all, irrespective of caste, creed, sex, nationality, as one's action is important in it. As it has been stated earlier: "good ethics should abandon theoretical ambitions" because it "deals with personal life rather than public policy."⁴⁵⁵ Ethics' concern is all about 'real life' and a fidelity to it.⁴⁵⁶ The Buddhist virtue ethics offers standpoints that resonate more authentically the need of the humans and the world where they live in. Aristotle is acclaimed to have given credence to virtue ethic in the western philosophy. However, a soul-searching investigation of the Buddhist ethics reveals that it was the Buddhist ethics which gave primary importance to virtue ethics in the history of thought, two centuries well before the articulation by Aristotle. Hence, one would submit that the Buddhist virtue ethics is a distinctively Asian contribution to the world culture.

⁴⁵⁴ Christopher Bennett, *What is this thing called Ethics?*, 95

⁴⁵⁵ Peter Railton, "Toward an Ethics that Inhabits the World," in Brian Leiter (ed), *The Future of Philosophy* (Oxford: Clarendon Press, 2006), 269

⁴⁵⁶ Peter Railton, "Toward an Ethics that Inhabits the World," 269

WOMEN'S EDUCATION AND THE CONSTRUCTION OF A NEW MUSLIM WOMAN IN LATE NINETEENTH CENTURY NORTH INDIA

Abstract

My paper seeks to examine how Nazir Ahmad's *Muntakhib-ul Hikayat* (1866-68), *Mirat-ul Uroos* and *Banaat-un Nash* (1872) evolve a new pedagogy, which responds to some aspects of the colonial critique of Indian indigenous education. My argument is that in his new pedagogical scheme, in which emphasis on meaning is linked with the moral improvement of the pupils, is a movement away from the traditional Persio-Arabic oriented system of education to the new vernacular system, in which English culture was supposed to play a dominant role. The new method of instruction, glimpses of which are seen in *Mirat-ul Uroos* (1869), is fully developed in its sequel *Banaat-un Nash* (1872). Modelled upon Thomas Day's *History of Sandford and Merton* (1783), Nazir's second novel *Banaat-un Nash* deploys stories and fables that draw upon Western educational principles. My paper seeks to demonstrate by making stories vehicles of moral instruction in his conception of women's education, Nazir Ahmad's novels recreate Victorian Protestant ethics that sought to redraw boundaries of domestic sphere and hence the new roles that women were supposed to perform. What was stressed in the instruction of Muslim women was their moral upbringing as the future guardian and transmitter of a Protestant life style. The new Muslim woman that Muslim reformers of North Western Provinces in the second half of the nineteenth century sought to forge had as its bases the new moral pedagogy that are seen in Nazir Ahmad's first two novels.

Introduction

The idea that moral education is essential for the reformation of character had been a recurrent theme in the writings of British educators of nineteenth century India. This concern appears in Charles Grant's *Observations on the State of among the Asiatic Subjects of Great Britain; Particularly with Respect to Morals; and on the Means of Improving it* (1793). In his *Second Report on the State of Education in Bengal, District of Rajshahi* (1836), William Adam wrote that the "radical defect of the system of elementary education seems to explain the radical defect of the native character". He argued that "no material improvement of the native character can be expected," and more importantly "no improvement whatever of the system of elementary education will be sufficient, without a large infusion into it of moral instruction".⁴⁵⁷ In the middle of the nineteenth century, Indian reformers internalized the belief that "the Indian masses suffered from a serious weakness of character, and that the educated Indians ought to improve the moral fibre of Indian society".⁴⁵⁸ Indian reformers began to regard education as a potent weapon for the moral improvement of the masses, a concern that they shared with or learnt from the British. This essentially moral programme of improvement was in part a response to "a harsh Anglicism", which resulted from the intersection of the reformist zeal of the evangelists with the radical social reforms of utilitarians. "Utilitarianism hoped to improve morals by reforming society; evangelicals hoped to improve society by reforming morals."⁴⁵⁹

⁴⁵⁷ Joseph DiBona, ed, *One Teacher, One School, the Adam Reports on Indigenous Education in 19th Century India* (New Delhi: Biblia Impex Private Limited, 1983), 58.

⁴⁵⁸ Krishna Kumar, *Political Agenda of Education: A Study of Colonialist and Nationalist Ideas* (New Delhi: Sage Publications, 2005), 44.

⁴⁵⁹ Francis G. Hutchins, ed, *The Illusions of Permanence: British Imperialism in India* (Princeton: Princeton University Press, 1967), 10.

The “degraded” state of Indian women highlighted by evangelists intersected with the utilitarian critique of Indian society by James Mill’s *History of British India* (1817), which, among other things, brought into focus the “extreme degradation” of Indian, especially Hindu women.⁴⁶⁰ The focus of the colonisers on prevailing gender inequalities in India was part of British justification of their colonization of India. As “the degree of estimation in which females are held” became “the best and surest test...of the degree in which one nation surpasses another in civilization”⁴⁶¹, Indian reformers decided to turn their attention to the reform of women, as “reform of the status of women became part of the self-definition of India’s nascent bourgeoisie.”⁴⁶² But, one of the related consequences of the new focus on women’s “low status” in the wake of colonial critique of Indian gender inequalities was “a greater policing of women’s behavior and the emergence of new forms of gender discrimination.”⁴⁶³

By the second half of the nineteenth century, Muslim reformers in the North Western Province realized the need to educate Muslim women. If Syed Ahmad wanted to transform his Muslim brothers by duplicating in Aligarh the corridors of Oxford and Cambridge, Nazir Ahmad undertook the task of reforming life in domestic arena.⁴⁶⁴ What is central to Nazir’s idea of domestic reform is the notion of a moral educational programme designed for girls. The increased emphasis in Nazir Ahmad’s stories and novels on morality was transmission and transformation of Victorian Protestant ethics that sought to redraw

⁴⁶⁰ James Mill, *The History of British India*, Vol. I (New Delhi: Atlantic Publishers, 1990), 281-82.

⁴⁶¹ J. E. Drinkwater Bethune’s 7 May, 1849 speech at the Calcutta Female School, quoted in Sabyachi Bhattacharya and et al. Ed. *Development of Women’s Education in India, 1850-1920*, (New Delhi: Kanishka Publishers, 2001), 6.

⁴⁶² Lata Mani, *Contentious Traditions: the Debate on Sati in Colonial India* (Berkeley: University of California Press, 1998), 81.

⁴⁶³ *Contentious Traditions*, p. 81.

boundaries of domestic sphere and hence the new roles that women were supposed to perform. Nazir's first two novels can be described as "educational novels", the kind of novels which are close to what Meenakshi Mukherjee calls "the novel of purpose".⁴⁶⁵ What sets them apart is their exclusive focus on education as the chief subject matter of the novels. The following section is an analysis of Nazir's *Muntakhib-ul Hikayat* (1866-68), *Mirat-ul Uroos* and *Banaat-un Nash* (1872), alongwith a discussion of *Majlis-un Nisa* (1874) of Altaf Husain Hali.⁴⁶⁶

Discussion

Educating Daughters: Cleansing Vices, Inculcating Virtues

Nazir wrote *Mirat-ul Uroos* (1869) for the instruction of his eldest daughter,⁴⁶⁷ *Muntakhib-ul Hikayat* for the younger one, and *Chand Pand* for his son Bashir Ahmad.⁴⁶⁸ In "Preface" to *Mirat-ul Uroos* (1869), Nazir draws attention to the sorry state of female instruction in India, lamenting that women's education is regarded as a vice by those people, who fear that the acquisition of knowledge of letters on the part of women will enable them to correspond with outside men (*gher-mard*). This capability threatens to subvert the purity of their virtues and the sanctity of *purdah*. But Nazir dispels such anxieties by dismissing them as the

⁴⁶⁴ C. M. Naim. *Urdu Texts and Contexts*, (Delhi: Permanent Black, 2004), 138

⁴⁶⁵ Meenakshi Mukherjee, *Realism and Reality* (New Delhi: Oxford University Press, 2010), 33

⁴⁶⁶ Born in Panipat, Altaf Husain Hali (1837-1914), when he was hardly seventeen, left for Delhi, where he received encouragement from Ghalib. In 1856 secured a small employment in Hisar at the Collector's office. After many ups and downs of the period of Mutiny, he found employment with Government Book Depot in 1871, where he was assigned the task of correcting Urdu translations of English books. Through his exposure to a wide range of English writings he learnt how poetry had been used as a vehicle of reform movements. His *Muqaddama-e- Shair-o-Shairi*, which first appeared as an introduction to his *Divan* (1890), was influenced by Western critical works. His famous book *Yadgar-e Ghalib* was published in 1897 and *Hayat-e Javed* in 1901.

⁴⁶⁷ Bashiruddin Ahmed, ed, *Lekcharon Ka Majmua*, Jild Dom (Mufid-e Istimar Press: Agra, 1918), 436-37.

temptations of the devil. Three decades before the publication of *Mirat*, Adam's *Second Report* had mentioned the prevalence among Hindu families of: (i) the superstitious belief that a girl taught to read and write would become a widow soon after her marriage, (ii) And the feeling that intrigues is encouraged by women, who possess knowledge of letters. Such cluster of beliefs caused an anxiety among family members, who, as a result, discouraged the acquisition of even elementary knowledge by the girl. Adam recorded that the only exception were the *zamindars*, who instructed their daughters in the elementary subjects so that in the event of widowhood they could manage the property of their deceased husbands.⁴⁶⁹ Indian Muslims shared "all the prejudices of the Hindus against the instruction of their female offsprings", in addition to the fact that the burden of poverty prevented them from providing their children with education.⁴⁷⁰ This discouraging attitude was exhibited by the two widely, read prescriptive books of the time. Nasir Uddin Muhammad Tusi's *Akhlaq-e Nasiri* (1235), a widely read Persian classic of *adab* literature in Medieval India⁴⁷¹ with enormous influence on South Asian Muslim elites, contained strictures against women's learning to read and write.⁴⁷² Whereas, an eleventh century classic Kaikaus Ibn Sikandar's *Qabus Nama*, which advocated the limiting of girls' education to household chores and religious rites, permitted women to read but was against their learning to write.⁴⁷³

Nazir offers an antidote to such fears by stressing the reforming influence of knowledge both on men and women. He reasons that if knowledge corrupts morals, then it

⁴⁶⁸ Ibid, pp, 436-37.

⁴⁶⁹ *One Teacher, One School*, p. 91.

⁴⁷⁰ Ibid, p. 92.

⁴⁷¹ Muzaffar Alam, *The Languages of Political Islam in India, c. 1200-1800* (Ranikhet: Permanent Black, 2010), 47-50.

⁴⁷² *Urdu Texts*, p. 141.

should be prohibited both for men and women, arguing that the association of evil influence with learning is erroneous.⁴⁷⁴ He argues that the denial of educational opportunities to women on the ground that it will lead to their moral degeneration is akin to compelling women to cultivate virtues. He opines that the promotion of women's education will lead to the cultivation of virtues in women, virtues that women will cherish of their own accord.⁴⁷⁵ Nazir opines that instead of subverting the privacy of *zenana*, education protects women's modesty by keeping secret the "delicate and private nature" of the subjects of women's thoughts, for it enables a literate woman to communicate her problems through letters to her mother or sister, who are not with her.⁴⁷⁶

Nazir's advocacy of women's education and reform was shared by his contemporary, Altaf Husain Hali, who in *Majlis-un Nisa* (1874) stressed the necessity of educating women because they are the real managers of the household and responsible for the early instruction of children. The work is in the form of the conversation among women (*Majlis-un Nisa*), Atuji, an old governess, Mahmuda Begam, Mahmuda's mother, Bari Begam, and her close friend Miriam Zamani. In first *majlis*, Atuji mourns the sharp decline in the instruction of Indian women: "Oh misery! What has happened to the daughters of respectable households! Why have they given up learning to read and write?" She attributes it to the selfish motives of the parents: "Fathers and mothers are willing to educate their sons because they think they will get a share of their earnings, but they think it is a waste to educate their daughters." Atuji declares that it is a matter of shame that "the woman, who has to look after everyone else's rights, has not been accorded her own rights by the world

⁴⁷³ Ibid, p. 141.

⁴⁷⁴ Nazir Ahmad. *Mirat-ul Uroos* (Delhi: Kitabi Duniya, 2003), 9.

⁴⁷⁵ *Mirat*, p. 11.

at large.”⁴⁷⁷ She argues that it is incumbent upon parents to educate their daughters; in case of the dereliction of this duty, parents are answerable to God.

A School for the *Ashraf* Girls

Nazir Ahmad’s advocacy of women’s education has to be understood in connection with his association with Syed Ahmed Khan’s reformist school. Although an admirer of Carpenter’s work for Indian women’s education⁴⁷⁸, Syed insisted that women’s education had to be conducted within the confines of the Muslim home, not in government schools. In *Aligarh Institute Gazette* of July 8, 1870, Syed stated that “if education means letting them loose to mix with whom they please; if it means that as they progress in learning, they shall deteriorate in morals, if it means the loss of our honour and the invasion of the privacy of our homes”, he preferred honour to the education of women.⁴⁷⁹ Syed’s fear of the intermingling of sexes and castes was a manifestation of his anxiety to preserve *ashraf* identity. “Central to the construction of an *ashraf* identity”, writes Ayesha Jalal, was that “women from the upper and middle classes were cast in an image that was the obverse of the unprotected and rejected woman as prostitute.”⁴⁸⁰ Syed Ahmad’s insistence on the education of *sharif* women in a secluded space was “the struggle to retain a measure of cultural autonomy in the face of alien encroachments that generated the momentum for the education of *ashraf* women.”⁴⁸¹

⁴⁷⁶ Nazir Ahmad, *The Bride’s Mirror: A Tale of Life in Delhi a Hundred Years Ago*, trans. By G. E. Ward (New Delhi: Permanent Black, 2004), 8.

⁴⁷⁷ Gail Minault, *Voices of Silence*: English translation of Khwaja Altaf Husain Hali’s *Majlis un-Nisa* and *Chup ki Dad* (Delhi: Chanakya Publications, 1986), 34-36.

⁴⁷⁸ Graham, *The Life and Works of Syed Ahmed Khan*, C. S. I., pp. 120-21.

⁴⁷⁹ *Aligarh Institute Gazette*, 8 July 1870, Selections, L/R/5/47, IOL, pp.268-71, cited in Ayesha Jalal, *Self and Sovereignty: Individual and Community in South Asian Islam since 1850* (New Delhi: Oxford University Press, 2001), 70.

⁴⁸⁰ *Self and Sovereignty*, p. 70.

⁴⁸¹ *Ibid*, p. 70.

In *Mirat*, there are tensions inherent in Nazir's views on *purdah*. In "Preface" to *Mirat*, Nazir observes that the custom of women's seclusion in India has inhibited their intellectual progress.⁴⁸² In Altaf Husain Hali's *Majlis-un Nisa*, the custom of *purdah* is shown as curtailing women's freedom, hence depriving her from the means of learning and intellectual improvement outside of the house. The paucity of educational opportunities for women coupled with their exposure to strings of complaints, gossips, and superstitions prevalent among womenfolk renders them vulnerable to a danger lurking within the *zenana*, that is, "a new religion which is unique in all the world, a strange sort of faith which you won't find mentioned in the Quran or the *hadith*."⁴⁸³ For Hali, solution does not consist in stepping out of the confines of *zenana*, for in India there are dozens of communities that do not practice this custom but are still affected by the same problem.⁴⁸⁴

Asghari's *maktab*, in *Mirat*, is meant exclusively for the instruction of *ashraf* girls only. The arrangement of Asghari's *maktab* is displayed, when the spoilt rich girl from her neighbourhood Husn Ara comes to study at Asghari's house. Husn Ara's father, Fatihullah Khan, is retired manager-in-chief of the estate of the Ruler of Indore and her uncle was once treasurer to the Maharaja in the state of Patiyala. Since Husn Ara has been betrothed to the Nawab of Jhajjar, her ill manners become the cause of real concern for her family. Husn Ara's aunt on her mother's side Shah Zamani Begum, who lives in the same *mohulla* in which Asghari's mother resides, recommends Asghari's name.⁴⁸⁵ Asghari's refusal to work as a conventional *ustani* at Husn Ara's house is an assertion of her *ashraf* origins and the respectability of her class, as Mani Ji tells Husn Ara's mother: "...she is not the kind of

⁴⁸² *Mirat-ul Uroos*, p. 15.

⁴⁸³ *Voices of Silence*, p. 59.

⁴⁸⁴ *Ibid*, p. 63.

⁴⁸⁵ *The Bride's Mirror*, pp. 119-120.

teacher who works for money; she is the daughter of a *tehsildar* and the daughter-in-law of a wealthy family.”⁴⁸⁶ The principle of *sharafat* underlies the entire operation of Asghari’s *maktab*. Though her school is “besieged” by the daughters of the whole *mohullah* when Husn Ara begins to attend, Asghari picks only those who are “born of good parents”. The word “*sharifzadiyon*”⁴⁸⁷ is used in the original, which implies the nobility of birth and culture, and is not necessarily related to money.⁴⁸⁸ Asghari has hired a maid, whose salary is paid out of the money generated by selling goods made by the girls of the school.⁴⁸⁹ There are twenty girl students in the *maktab*, who learn to read in first half of the day, and practice writing and sewing after a short break in the afternoon.

New Method of Instruction

“But it is in these very amusements that I teach the girls things of real use.”⁴⁹⁰

It is not so much spatial economy of education that sets Nazir apart from Syed as his new scheme of pedagogy. *Mirat* offers a scathing indictment of the traditional method of education adopted in girls’ school, where:

“...there is nothing but restraint all day long, and the harshness of the governess, and the minimum of learning with the maximum of beating and task work.... from morning to evening the same dull repetition, and if any girl is silent for a minute, and the teacher’s eye falls upon her- then woe betide her!”⁴⁹¹

⁴⁸⁶ Nazir Ahmad, *Banaat-un Nash* (Delhi: Kitabi Duniya, 2003), 7.

⁴⁸⁷ Nazir Ahmad, *Mirat-ul Uroos* (Delhi: Kitabi Duniya, 2003), 104.

⁴⁸⁸ Gail Minault in *Voices of Silence* notes that wealth is less important in determining *sharafat* than birth and culture, someone who is *sharif* may be poor, (p.156). A detailed discussion of the term *sharafat* is provided in David Lelyveld’s *Aligarh’s First Generation*.

⁴⁸⁹ *The Bride’s Mirror*, p.126.

⁴⁹⁰ *Ibid*, p. 131.

⁴⁹¹ *Ibid*, pp. 126-127.

In G. E Ward's translation, Nazir's description of the misery of the girls in traditional schools, is followed by Ward's footnote: "This book was written more than thirty years ago, and probably has had as great an influence on public opinion in India as 'Nicholas Nickleby' had in England."⁴⁹² The footnote indicates two things: first, the immense popularity that *Mirat* enjoyed in North Western Provinces in India, second, that *Mirat*'s critique of educational system was as influential as offered by Charles Dickens's *Nicholas Nickleby* (1838-39), which shows that Dotheboys Hall, run by Wackford Squeers, is a sadistic regime, in which Smike is perpetually beaten up to the point of death: "stripes and blows, stripes and blows, morning, noon, and night". But, Nazir conceives of Asghari's school as free from such sufferings, as there is "nothing here of that sing-song drone like a spinning wheel, which begins in the morning and is not over by sunset." At this juncture in the translation, Ward adds a footnote: "The ordinary method of instruction is for a monitor to read a few words of the prescribed text, which all the other children repeat together over and over again, till they get the cue for a few more words, and so on. The meaning of the words is never explained."⁴⁹³ Ward points to a distinctive quality in Asghari's method: the insistence on meaning rather than on memorizing.⁴⁹⁴ The desirability of the privileging of meaning over memorization had been a recurrent theme in the colonial critique of indigenous education. William Adam in his *Second Report* had given a detailed account of the manner in which instruction was imparted in elementary Persian schools. Describing the different "stages" in which instruction is divided, Adam protested that in the economy of indigenous education, elaborate attention was paid to the correct pronunciation of words, the graphic form of the letters, and the memorization of text, leaving the meaning of text for a latter stage: "The

⁴⁹² Ibid, p. 127.

⁴⁹³ Ibid, p. 126.

next book put into his hands is the *Pandnameh* of Sadi, a collection of moral sayings, many of which are above his comprehension, but he is not taught or required to understand any of them.”⁴⁹⁵ Adam observed that the use of books in manuscript form in Persian elementary schools was “solely for the purpose of conveying **lessons in language**- lessons in the knowledge of sounds and words” and “not for the purpose of sharpening the moral perceptions”.⁴⁹⁶ William D. Arnold, who was appointed Director of Public Instruction in Punjab in 1856, wrote about Persian schools in his second report of 1858, expressing astonishment at the prevailing concept of education in India, that is, the ability “to read fluently and if possible to say by heart a series of Persian works of which the meaning was not understood by the vast majority,” and what made this concept useless for them was the fact that “the meaning when understood was for the most part little calculated to edify the minority...”⁴⁹⁷ “What baffled the British most about the Indians’ prodigious feats of memorization”, writes Cohn, “was that it appeared to them that the Indians did not know the meaning of what they had internalized so effectively.”⁴⁹⁸ Colonial educators’ constant complaints about the relatively lesser importance accorded to meaning in the economy of Indian indigenous education had its origins in their belief in the necessity of moral thrust of education in colonial context. Unless a text meant something to the reader, it could hardly exercise any moral influence on them. In nineteenth century British conception of education, meaning was essential and subservient to morality. The primacy accorded to meaning by colonial educators was part of the emphasis placed upon the moral function of

⁴⁹⁴ Ibid, p. 126.

⁴⁹⁵ Joseph DiBona, ed, *One Teacher, One School: The Adam Reports on Indigenous Education in 19th Century India* (New Delhi: Biblia Impex Private Limited, 1983), 60.

⁴⁹⁶ Ibid, p. 61.

⁴⁹⁷ J. A. Richey, *Selections from Educational Records, Part II, 1840-1859* (Calcutta: Superintendent Government Printing India, 1922), 301.

education. The reason why stress was laid on the moral purpose of education in colonies was because of contemporary stereotyping of Indians wanting in morality. On the other hand, the scripturalist emphasis of Islamic revivalism in India had already stressed the necessity of understanding the correct meaning of original Islamic teachings.⁴⁹⁹

Nineteenth century Indian Muslim reformers had realized effectiveness of the use of stories as a medium of conveying a message.⁵⁰⁰ What is central to the new method of teaching adopted in Asghari's school is the use of stories as vehicle of moral instruction. Making a distinction between the obscenely popular tales enjoyed by a majority of people and the morally uplifting stories recited in her school, Asghari informs that her pupils do not indulge themselves in the stories of the birds (*chidiya chide ki kahani*), but have an excellent book of stories called *Muntakhib-ul Hikayat*, which contains very good tales.⁵⁰¹ In Preface to *Muntakhib-ul Hikayat*, acknowledging children's fascination with the genre of stories, Nazir criticizes such popular tales as "Chida Chide ki Kahani", which, in his view, are obscene and "useless" (*la hasil*). Nazir's condemnation of popular, immoral tales in his time was characteristic of Indian Muslim reformers' attitude towards popular aspects of Indian culture. In nineteenth century north India, story-telling was a popular past-time among Muslim women, with many of the stories partaking of "the romantic cast which characterizes the well-remembered 'Arabian Nights' Entertainment', one story begetting

⁴⁹⁸ *The Bernard Cohn Omnibus*, p. 51.

⁴⁹⁹ He was born in Sambhal, a *qasba* in Muradabad district in Western Uttar Pradesh, and was a disciple of the eminent Sufi Mirza Mazhar Jan-e Janan of the Naqshbandi *silsila*.

⁵⁰⁰ Altaf Husain Hali, *Voices of Silence: English Translation of Khwaja Altaf Hussain Hali's Majalis-un Nisa and Chup ki Dad*, (Delhi: Chanakya Publications, 1986), 116.

⁵⁰¹ *Mirat-ul Uroos*, p. 113. Ward's translation has left out the name of the book, which is by Nazir Ahmad himself. Nazir's tendency to advertise his own books is evident in *Banaat* also.

another to the end of the collection.”⁵⁰² One of the consequences of print revolution in the mid-nineteenth century India was a proliferation of such romantic tales. The year 1869 witnessed the publication by Nawal kishore Press of a collection of four Urdu Masnavis of Nawab Mirza Shauq: *Bahar-e Ishq*, *Zehar-e Ishq*, *Lazzat-e Ishq*, and *Fareb-e Ishq*.⁵⁰³ The same year *Dilbahlao* was published by two different presses in Agra.⁵⁰⁴ Dismissing *Dilbaglao* as “bazaar trash in the shape of ribald verses, some of them grossly indecent”, Kempson warned that “It is stuff of this kind which arms native opposition to female education with its most powerful objections, and poisons the mind of the youth in large towns.”⁵⁰⁵ Nazir’s appeal, in *Mirat*, not to deprive women of the benefits of education merely on ground of the existence of a few bad books in the world⁵⁰⁶, must have had in mind the popularity of such romantic, amatory books.

The combination of entertainment with moral edification in *Muntakhib-ul Hikayat* reflects Nazir’s attempt to plant the seeds of moral virtues in the form of tales, which were the primary source of entertainment for children. Nazir’s move to make moral virtuosity a necessary adjunct of instruction appears to be a tactic to cleanse the realm of education in order to make it habitable for women. In “Preface” to *The Bride’s Mirror*, Nazir mentioned the desirability of a book, “well stored, of course, with *moral instruction*, and which should

⁵⁰² Mrs. Meer Hasan Ali, *Observations on the Mussulmans of India Descriptive of their Manners, Customs, Habits and Religious Opinions Made during a Twelve Years’ Residence in their Immediate Society* (London: Oxford University Press, 1917), 251.

⁵⁰³ Sisir Kumar Das, *A History of Indian Literature, 1800-1910; Western Impact: Indian Response* (New Delhi: Sahitya Akademi, 2008), 551.

⁵⁰⁴ Charu Gupta, *Sexuality, Obscenity, Community: Women, Muslims, and the Hindu Public in Colonial India* (Delhi: Permanent Black, 2005), 52.

⁵⁰⁵ *Selections from the Records of Government, North western Provinces, 1869*. “Publication registered at Curator’s Office”: 24; quoted in Ulrike Stark, *An Empire of Books: The Naval Kishore Press and the Diffusion of the Printed Word in Colonial India*, (Ranikhet: Permanent Black, 2008), 94.

⁵⁰⁶ *Mirat*, p. 10.

improve their ideas and correct their habits in respect of *those affairs which a woman encounters in her daily life*, and in which, *by reason of their romantic notions*, or through ignorance or perversity, so many women are overtaken by disaster and sorrow”.⁵⁰⁷

Many tales in *Muntakhib-ul Hikayat* are either translations of or adaptations from *Aesop's Fables*. The fact that Nazir had access to *Aesop's Fables* is recorded in his letter to his son Bashir-uddin Ahmed.⁵⁰⁸ Translation of *Aesop's Fables* into Indian languages had begun in the early nineteenth century.⁵⁰⁹ The College of Fort William published *The Oriental Fabulist* (1803), which contained translations of the fables into Bengali, Hindi and Urdu. In 1850, Munshi Nizamuddin made a translation of *Aesop's Fables* into Urdu.⁵¹⁰ The very first story of *Muntakhib* is an adaptation of *Aesop's* story “the Cock and the Jewel”. The hungry cock, who finds a pearl while searching for food, laments that it is of no use to him as it cannot satisfy his hunger. The moral (hasil) of the story is that luxurious and ostentatious things are of no use in real life.⁵¹¹ Story of “the Town Mouse and the Country Mouse”, taken from *Aesop's Fables*, touches upon the same theme. Some of the stories in *Muntakhib-ul Hikayat* underline the importance of completing work in time and with dilligence. Hikayat 25, taken from *Aesop's Fables*, is the story of “the Hare and the Tortoise”. The moral underlined is that even a simple task turns difficult if it is not executed properly.⁵¹² Hikayat 41, taken from *Aesop's Fables*, is the famous story of “the Crow and the Pitcher”, which

⁵⁰⁷ *The Bride's Mirror*, p. 3. Emphases mine.

⁵⁰⁸ *Muazz-e Husna*, p. 97, quoted in Iftikhar Ahmad Siddiqi, Maulawi Nazir Ahmad Dehalawi, 226.

⁵⁰⁹ The College of Fort William published *The Oriental Fabulist* (1803), which contained translations of the fables into Bengali, Hindi and Urdu. The Marathi *Bala bodh Mukta vali* (1806) and Bengali work *Nitikatha* (1818) were adaptations of *Aesop's Fables* (Sisir Kumar Das. *A History of Indian Literature, 1800-1910; Western Impact: Indian Response*. New Delhi: Sahitya Akademi, 2008. P. 75).

⁵¹⁰ *A History of Indian Literature, 1800-1910*, p. 495.

⁵¹¹ Nazir Ahmad, *Muntakhib-ul Hikayat*, (Delhi: Kitabi Duniya, 1941), 3.

highlights the use of intelligence to execute a difficult task.⁵¹³ Hikayat 31(not from *Aesop's Fables*) is about a person who lives in the company of criminals. When he is approached by a *maulawi*, he agrees to repent next day, but, keeps delaying for two years. *Maulawi* tells him, which is the moral of the story: today's work should not be left for tomorrow.⁵¹⁴

Nazir's decision to select tales from *Aesop's Fables*, and other contemporary sources, instead of modeling them upon Sheikh Saadi's *Gulistan*, a book which was a widely accepted part of educational curriculum in North India for the beauty of its diction and the morality of its subjects,⁵¹⁵ owes much to Nazir's objections to *Gulistan* for its frank treatment of the subject of sex.⁵¹⁶ In *Taubat-ul Nussooh*, Nassoooh expresses his reservations about *Gulistan's* status as a text book meant for women's instruction. Hence, before Fahmeedah's lessons, he would ink over sentences and pages of Saadi's *Gulistaan* because they were "unfit" for her to read.⁵¹⁷ Nazir's attitude towards *Gulistan* seems to be influenced by colonial perceptions of obscenity, as nineteenth century British translators of the book had leveled charges of obscenity and immorality against it.⁵¹⁸ Nazir's idea to

⁵¹² Ibid, p. 24.

⁵¹³ Ibid, p. 38.

⁵¹⁴ *Muntakhib-ul Hikayat*, p. 29.

⁵¹⁵ *Observations on the Mussulmauns of India*, p. 256.

⁵¹⁶ Nazir Ahmad, *The Repentance of Nussooh (Taubat-Al-Nasuh): The Tale of a Muslim Family a Hundred Years Ago*. Trans. by M. Kempson (Delhi: Permanent Black, 2004), 62.

⁵¹⁷ Ibid, p. 62.

⁵¹⁸ Francis Gladwin, first Professor of Persian at the Fort William College and also the first to translate *Gulistan* into English in 1806, had made a number of excisions to obviate its supposed indecency (Sheikh Saadi, *The Gulistan or Rose Garden of Sadi*. Trans. by Edward Rehatsek, (London: George Allen and Unwin, 1964, p 14). James Ross, who made a second translation of the book in 1823, rued that it is not just "in his book of professed impurities that Sadi thus violates decency; for even the morality of *Gulistan* is occasionally tarnished with such indecorous allusions" (*The Gulistan or Rose Garden of Sadi*. Trans. by Edward Rehatsek, p. 13). Despite the praise lavished on the book by Edward Backhouse Eastwick, who produced a third version of *Gulistan* in 1852, he left out eleven of the twenty one stories in chapter V on love and youth and made many other minor omissions (*The Gulistan or Rose Garden of Sadi*. Trans. by Edward Rehatsek, pp. 17-20). John T. Platts articulated the

exploit the entertainment value of stories for the moral instruction of girls continues in his second book *Banaat-un Nash* (1872). Modelled upon Thomas Day's *History of Sandford and Merton* (1783)⁵¹⁹, *Banaat-un Nash* deploys stories and fables that draw upon (through Thomas Day's *Sandford*) Richard Lovell Edgeworth's educational principles.

Thomas Day's *The History of Sandford and Merton* adopts the use of stories for moral edification. In his *An Account of the Life and Writings of Thomas Day* (1791), James Keir pointed out that the chief object of Thomas Day's academic pursuits was "the discovery of moral truths".⁵²⁰ The story of "the Flies and the Ants" delivers the moral that hard work is necessary for one's survival. The story of "the Gentleman and the Basket-Maker" provides the moral lesson that riches are the cause of idleness, which renders one incapable of surviving in foreign lands. "The History of the Two Dogs", which is an adaptation of the story of "the Two Dogs" in *Aesop's Fables*, again emphasizes the centrality of industry to self-preservation. The story of "Androcles and the Lion" is taken from *Aesop's Fables*. The stories of the good-natured little boy and the ill-natured little boy, the grateful Turk, the history of Agesilus, the Leonidas, and the king of Persia are woven into the main narrative of *Sandford*. The story of "Androcles and the Lion" in Thomas Day's *Sandford and Merton* is taken from *Aesop's Fables*.

Thomas Day's *The History of Sandford and Merton* was commenced as a contribution to Richard Lovell Edgeworth and Honora Edgeworth's collection of short stories *Harry and*

often repeated issues of obscenity while translating certain passages (*The Gulistan or Rose Garden of Shaikh Muslihud-Din of Shiraz*. Trans. by John T. Platts. New Delhi: Indigo Books, 2007. P. 25).

⁵¹⁹ *Lekcharon Ka Majmua, Jild Dom*, p. 438. Raja Shiva Prasad, Joint Inspector of Schools in the Benares Circle from 1856, had translated Day's book into Urdu and Hindi around 1860. (Ulrike Stark. *An Empire of Books: the Naval Kishore Press and the Diffusion of the Printed Word in Colonial India*. Ranikhet: Permanent Black, 2009. pp. 231-33).

Lucy, which their daughter Maria Edgeworth continued some years after Honora's death.⁵²¹ Day⁵²² (1748-89) expanded it into the first volume of *Sandford* (1783), followed by two more volumes published in 1786 and 1789. Richard and Honora Edgeworth had composed the story about two children, Harry and Lucy in 1779.⁵²³ The "Preface" of the story explained the educational objective of its composition, that is, to inculcate in children "the plain precepts of morality, not by eloquent harangues, but by such pictures of real life, as may make a child wish to himself in the place of the character intended to excite his emulation".⁵²⁴ As education for Mr Edgeworth was primarily a tool of moral edification, the interesting material of stories was exploited to sugarcoat strong doses of morality.

Nazir Ahmad's *Banaat-un Nash* (1872) records the transformative power of education on the character of Husn Ara, a spoilt girl from a rich family. The first chapter, titled as "Husn Ara's Bad Temper and Naughtiness", catalogues a variety of complaints the whole household levels against her. A fairly long list of Husn Ara's bad habits is provided in chapter IV: mischievous behavior, bad temper, narcissism, boldness, belligerence, jealousy,

⁵²⁰ James Keir. *An Account of the Life and Writings of Thomas Day* (1791). www.General-Books.net. ISBN 978-1-151-86243-3.

⁵²¹ The original *Harry and Lucy* of 1780 appeared in a revised form as a volume of *Early Lessons* (1801). The *Early Lessons*, which was a whole series completed from 1801 to 1825, included: *Early Lessons (Harry and Lucy, Frank, and Rosamond, 1801)*; *Continuation of Early Lessons* (1814); *Rosamond, A Sequel* (1821); *Frank, A Sequel* (1822); *Harry and Lucy, Concluded* (1825).

⁵²² Since Day's book was inspired by Richard's interest in children's writings, it is often associated with Edgeworth's work in the field of education. (Marilyn Butler. *Maria Edgeworth: A Literary Biography*. Oxford: Clarendon Press, 1972. P. 59.) Marilyn Butler writes: "perhaps as a result of Edgeworth's influence, he (Day) discovered the modern primitivist Rousseau, and found his austerities so appealing that he became a disciple for the rest of his life." (*Maria Edgeworth: A Literary Biography*, p. 29).

⁵²³ Richard Lovell Edgeworth to Mrs. Barbauld, n.d. (1778), quoted in *Maria Edgeworth: A Literary Biography*, p. 61).

⁵²⁴ *Maria Edgeworth: A Literary Biography*, p. 64.

lying, disrespect, narrow-mindedness, greed, impatience, slothfulness, and ill-manners.⁵²⁵

She is the embodiment of all sorts of bad habits that are bred by pampering and wealth.⁵²⁶

Her character closely resembles that of Tommy Merton in *Sandford*. Like Tommy who assumes that “he had a right to command everybody, who was not dressed as finely as himself”⁵²⁷, Husn Ara looks down upon other girls in Asghari’s maktab, just because they are the daughters of service class or peshadar, and treats them as if they are her bondmaids.⁵²⁸

In order to deflate Husn Ara’s arrogance that one “who possesses money is never in want of anyone; but the rest of the world needs her/him”, Mahmuda tells her the story of the origin of money, which she has read from a book given by Asghari.⁵²⁹ Elucidating the distinction between the exchange value of money and the use value of money, Mahmuda argues that since the use of money in itself is nothing, the pride that the rich take in money is hollow. She cites example of the Mutiny of 1857, in which money was of almost no value in getting daily provisions.⁵³⁰

Just as Mr. Barlow, with the assistance of Harry Sandford, undertakes to gradually purify Merton from his aristocratic accretions, in *Banaat*, Asghari recruits her sister-in-law Mahmuda to cleanse the Aristocratic habits of idleness and arrogance that Husn Ara has picked. Though the character of Mahmuda has some resemblance with Harry Sandford, who is Tommy’s mentor and model, she is not endowed with any of the fine “sentiments” that

⁵²⁵ *Banaat-un Nash*, p. 10.

⁵²⁶ *Ibid*, p. 12.

⁵²⁷ Thomas Day, *The History of sandford and Merton* (Dodo Press, ISBN 9781409908692), 24.

⁵²⁸ *Banaat-un Nash*, p. 14.

⁵²⁹ *Ibid*, p. 19.

⁵³⁰ *Banaat-un Nash*, pp. 21-22.

characterize Harry's personality, who is the personification of the educational and philosophical ideals espoused by Rousseau.⁵³¹

Nazir Ahmad's *Banaat* seeks to cure women's quarters of the decadent values of idleness, arrogance, and lethargy that in the post-Mutiny period came to be associated with Mughal aristocratic class. Barbara D. Metcalf in "Reading and Writing about Muslim Women in British India" observes that Muslim reformers of the late nineteenth century displayed a tendency to associate Muslim women with "the decadence of a nawabi life style".⁵³² Mahmuda's criticism of Husn Ara's excessive dependence on her servants⁵³³ is indicative of the fact that *Banaat* shares with *Sandford* the Purinatical attitude towards the aristocratic ideal of leisure. The tenth chapter of *Banaat* portrays the family of the maid Humsai as the embodiment of values of effort and hard work.⁵³⁴ The device of contrast is employed to underline the idle and useless lifestyle of the rich as opposed to the life of hard work led by Humsai. Hers is a poor but hard-working family; she comes to grind wheat at Asghari's house; her husband goes to get clay from the river. Humsai never complains of heat and humidity while working; she is acclimatized to hard work, which is the very essence of her life.⁵³⁵ Her daughter can lift heavy objects. Humsai says: "If our children were as thin-bodied, frail, and slender as the rich (*raheeszade*), we will not be able to sustain ourselves." Ustani identifies idleness as the primary cause of the ills found among women of the *ashraf* class. As a result of their inactive life, the *ashraf* women suffer from all kind of diseases such

⁵³¹ Harry is considerate enough to "step out of the way for fear of hurting a worm, and (he) employed himself in doing kind offices to all the animals in the neighborhood." He is "destitute of the artificial graces of society" but possesses "that natural politeness and good nature, without which all artificial acquirements are unsatisfactory". *Sandford*, p. 171.

⁵³² Zoya Hasan, ed, *Forging Identities: Gender, Communities and the State* (New Delhi: Kali, 1994).

⁵³³ *Banaat-un Nash*, p. 18.

⁵³⁴ *Ibid*, p. 23,

as constipation and dysentery. Hence, they are always at doctors' doorstep; medication becomes a habit of life. They degenerate into the sensitive plant *Mimosa Sensitiva*, ready to wither at the slightest touch. They are always in distress no matter what season it is. Loss of appetite and sleeplessness are their major complaints. They can neither relish food nor enjoy sleep.⁵³⁶ Nazir Ahmad's vision of the debilitating effect of money/riches in *Banaat* largely derives from *Sandford*, at the heart of which is a profound suspicion of luxurious life. According to James Keir, Day wrote *Sandford* to guard his generation against "the infection of the ostentatious luxury and effeminacy".⁵³⁷ Tommy sums up the moral of the stories, inserted in the main narrative of *Sandford*: "In all these stories I have heard, it seems as if those nations who possess little or nothing, are more good-natured, and better, and braver, than those who have a great deal."⁵³⁸ But *Banaat* does not offer an unqualified critique of wealth. It is only critical of the corrupting influence of money on the character of the rich, not the riches per se.

"But if, after getting money, a man turns arrogant and thinks that: he is the greatest and all poor are despicable, and they are born to serve him so that he does not need to move his hands, and he starts resting at the cost of others' labor, and that money is bestowed upon him only for his luxuries, and he disregards his duty to help the needy; then such wealth is the cause of troubles for his future."⁵³⁹

⁵³⁵ *Banaat*, pp. 23-24.

⁵³⁶ *Ibid*, pp. 25-26.

⁵³⁷ Keir, *An Account of the Life and Writings of Thomas Day*, p. 26.

⁵³⁸ *Sandford*, p. 225.

⁵³⁹ *Banaat-un Nash*, pp. 30-31.

In Hali's *Majlis*, Zubaida's innovative upbringing by her mother through toys guards her primarily against the habit of idleness as three toys with ugly faces are named laziness, idleness, and sloth.⁵⁴⁰

The chapter "Comparison between the Climate of the City and Country" in *Banaat* is not so much the discussion of the different aspects of country and the city as the criticism of now extinct Muslim aristocratic living. The comparison drawn between the rural and urban lifestyle relies very heavily on the lists of accusations each side level against each other. Despite the presence of Mahmuda as the moderator of the debate, the list of charges brought against city-dwellers is much longer. What are presented as the negative aspects of urban living is more often than not identifiable with the ideals of Muslim aristocratic class. Responding to the accusation made by Husn Ara against the village-dwellers that they are ignorant (*ujadd*), uncouth (*akkhad*), and ill-mannered (*badsaliqa*), Khair-un Nisa calls people of the city useless (*nikamma*), rascal (*kambakht*), coward (*past himmat*), and ostentatious (*zahirpasand*).⁵⁴¹ Later in the conversation, she prepares the full charge sheet: "False cordiality, apparent liking, contrived attachment, false display of love".⁵⁴² Chapter 39 demonstrates Khair-un Nisa's view that people of the city are ostentatious and excessively formal through a long description of the behavior of people in the wedding she attended; how the guests were "a picture of bragging and show", who exploited the slightest opportunity to make a vulgar display of their wealth. The extravagance of their social gatherings is further highlighted by showing their disinclination to help the needy.⁵⁴³

⁵⁴⁰ *Voices of Silence*, pp. 47-48.

⁵⁴¹ *Banaat-un Nash*, p. 82.

⁵⁴² *Ibid*, p. 96.

⁵⁴³ *Banaat-un Nash*, pp. 86-88.

Mohammad Mujeeb's observation that Nazir Ahmad through his novels wanted to tell Indian Muslims that "wastefulness should be avoided" is certainly applicable to *Banaat*.⁵⁴⁴

Discussion on the topics of the elegance of conversation and delicacy of character contains elements of criticism of the aristocratic ideals of sophistication and refinement. The comparison drawn between the speech of the country and the city is a vehicle of this criticism. Shahar Bano and Husn Ara, who are supporters of the city, call the language of the rustics uncouth and their pronunciation jarring.⁵⁴⁵ Khair-un Nisa, the spokesperson for rural way of living, responds that villagers certainly are "manner less" if manners (*saliqua*) mean the frequent use of the address such as *qibla aur kaba*, the employment of elaborate salutations such as "*mujra*" and "*kornish*", and the formal use of the terms of respectable inquiry such as "*mizaj muqaddas*".⁵⁴⁶ The debate moves on to the related topic of the delicacy of character or the lack of it. Husn Ara launches attack on rustic simplicity by accusing the villagers of being completely devoid of "delicacy" (*nazakat*). Mahmuda, the moderator, provides the definition of "delicacy": someone who has a lean body (*dubla deel*), thin arms and legs (*sunte hue haath paon*), a small appetite (*kam khuraq*), and unable to endure difficulty and do labor. Picking on the definition of "*nazakat*" as given by Mahmuda, Khair-un Nisa interprets "*nazakat*" as illness and disability (*rogi aur apahaj*) and ridicules it.⁵⁴⁷ By making Husn Ara the spokesperson of urban life, *Banaat* facilitates the easy identification of the ills of city life with the nawabi way of living. *Bannat*'s attack on the nawabi ideals of *nazakat* partly derives its energy from *Sandford*'s discussion of what constitutes true gentility. In chapter 13 of *Sandford* the reigning definition of the term

⁵⁴⁴ Mohammad Mujeeb, *The Indian Muslims* (New Delhi: Munshiram Manoharlal Publishers, 2003), 532.

⁵⁴⁵ *Banaat-un Nash*, p. 90.

⁵⁴⁶ *Ibid*, p. 96.

gentleman is given. Master Compton's "gentility consisted chiefly in a pair of buckles, so big that they almost crippled him, a slender emaciated figure, and a look of consummate impudence."⁵⁴⁸ However, *Sandford* offers an alternative definition of a true gentleman represented by Sir Phillip Sydney, who had "the generous habit of always slighting his own gratifications for the sake of his fellow-creatures."⁵⁴⁹

Conclusion

Nazir's early works were attempts at cleansing domestic space of the supposedly decadent ideals of Muslim aristocracy that were held to be responsible for the loss of Muslim sovereignty, the ideals that were enshrined in the Persio-Arabic educational system. Nazir tries to direct Muslim women towards the new Victorian Protestant ethics of hard work, and the ideology of separate spheres.

References

Urdu

Ahmad, Nazir. 2003. *Banaat-un Nash*. Delhi: Kitabi Duniya.

---1941. *Muntakhib-ul Hikayat*. Delhi: Kitabi Duniya.

---2003. *Mirat-ul Uroos*. Delhi: Kitabi Duniya.

Ahmed, Bashiruddin, ed. 1918. *Lekcharon Ka Majmua*, Jild Dom. Mufid-e Istimar Press: Agra.

Siddiqi, Iftikhar Ahmad. 1971. *Maulawi Nazir Ahmad Dehalawi: Ahwal-o Asar*. Lahore: Majlis Taraqqi Adab.

⁵⁴⁷ Ibid, p. 95.

⁵⁴⁸ *Sandford*, p. 175.

⁵⁴⁹ Ibid, p. 190.

English

Ahmad, Nazir. 2004. *The Bride's Mirror: A Tale of Life in Delhi a Hundred Years Ago*, trans. By G. E. Ward. New Delhi: Permanent Black.

--- 2004. *The Repentance of Nussooh (Taubat-Al-Nasuh): The Tale of a Muslim family a hundred Years Ago*. Trans. by M. Kempson. Delhi: Permanent Black.

Alam, Muzaffar. 2010. *The Languages of Political Islam in India, c. 1200-1800*. Ranikhet: Permanent Black.

Ali, Mrs. Meer Hasan. 1917. *Observations on the Mussulmauns of India Descriptive of their Manners, Customs, Habits and Religious Opinions Made during a Twelve Years' Residence in their Immediate Society*. London: Oxford University Press.

Bhattacharya, Sabyachi and et al. ed. 2001. *Development of Women's Education in India, 1850-1920*. New Delhi: Kanishka Publishers.

Butler, Marilyn. 1972. *Maria Edgeworth: A Literary Biography*. Oxford: Clarendon Press, 1972.

Cohn, Bernard S. 2008. *Colonialism and its Forms of Knowledge: The British in India in The Bernard Cohn Omnibus*. New Delhi: Oxford University Press, 2008.

Das, Sisir Kumar. 2008. *A History of Indian Literature, 1800-1910; Western Impact: Indian Response*. New Delhi: Sahitya Akademi.

Day, Thomas. 1793. *The History of sandford and Merton*. Dodo Press, ISBN 9781409908692.

DiBona, Joseph, ed. 1983. *One Teacher, One School: The Adam Reports on Indigenous Education in 19th Century India* (New Delhi: Biblia Impex Private Limited).

Francis G. Hutchins, Francis G. ed. 1967. *The Illusions of Permanence: British Imperialism in India*. Princeton: Princeton University Press.

Graham. *The Life and Works of Syed Ahmed Khan, C. S. I.*

Gupta, Charu. 2005. *Sexuality, Obscenity, Community: Women, Muslims, and the Hindu Public in Colonial India*. Delhi: Permanent Black.

Hali, Altaf Husain. 1986. *Voices of Silence: English Translation of Khwaja Altaf Hussain Hali's Majalis-un Nisa and Chup ki Dad*. Delhi: Chanakya Publications, 1986.

Hasan, Zoya, ed. 1994. *Forging Identities: Gender, Communities and the State*. New Delhi: Kali.

Jalal, Ayesha. 2001. *Self and Sovereignty: Individual and Community in South Asian Islam since 1850*. New Delhi: Oxford University Press.

Keir, James. *An Account of the Life and Writings of Thomas Day (1791)*. www.General-Books.net. ISBN 978-1-151-86243-3.

Kumar, Krishna. 2005. *Political Agenda of Education: A Study of Colonialist and Nationalist Ideas*. New Delhi: Sage Publications.

Mani, Lata. 1998. *Contentious Traditions: the Debate on Sati in Colonial India*. Berkeley: University of California Press.

Mill, James. 1990. *The History of British India*, Vol. I. New Delhi: Atlantic Publishers.

Mujeeb, Mohammad. 2003. *The Indian Muslims*. New Delhi: Munshiram Manoharlal Publishers.

Mukherjee, Meenakshi. 2010. *Realism and Reality*. New Delhi: Oxford University Press.

Naim, C. M. 2004. *Urdu Texts and Contexts*. Delhi: Permanent Black.

Orsini, Francesca, ed. 2010. *Before the Divide: Hindi and Urdu Literary Culture*. Hyderabad: Orient Blackswan.

Richey, J. A. 1922. *Selections from Educational Records, Part II, 1840-1859*. Calcutta: Superintendent Government Printing India.

Saadi, Sheikh. 2007. *The Gulistan or Rose Garden of Shaikh Muslihud-Din of Shiraz*. Trans. by John T. Platts. New Delhi: Indigo Books

--- 1964. *The Gulistan or Rose Garden of Sadi*. Trans. by Edward Rehatsek. London: George Allen and Unwin.

Stark, Ulrike. 2009. *An Empire of Books: the Naval Kishore Press and the Diffusion of the Printed Word in Colonial India*. Ranikhet: Permanent Black.

**REVISITING NORTH SOUTH DICHOTOMY IN INDIA
IN TERMS OF
THE SOCIAL CONDITION OF WOMEN**

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ABSTRACT

The North India, the Aryan region is very much different than the Dravidian region of south India, not only in terms of physiographic but also in terms of the culture they symbolized. This study is basically an endeavor to revisit the largely debated issue of north-south dichotomy in India. In this paper some of the many dichotomous parameters especially those which are also important indicators of women's social condition are considered based on the available literatures and it has been tried to verify their degree of difference in the present context. The cartographic techniques are used in this paper to show the spatial variations. Choropleth maps of different periods are used to detect the temporal differences. The statistical testing such as t-test is done to ascertain the extent of difference in the mean values of north and south to argue about a real dichotomy.

INTRODUCTION

India is a country of vast cultural, sociological and panoramic diversity. Every place has its own identity, very distinct from others. There are people living in the Twenty First Century, with access to the brand new inventions of the modern science at the same time there are people living in the Stone Age as well. It embraces many different types of regions within it, which may be very different from some other region in some parameters, at the same time may be similar in some other parameters with them. Considering regions as a mental creation, as suggested by the pioneers in the field of geography, one can find many types of regions within the same political boundaries of the nation-state called India.

Difference between two regions is a common feature in a country of diversity, but sometime there is so much difference so that a large inaccessible gap exists between them, that seems can never be removed. They may be just the opposite of the other. Two such regions which are very prominent in India are the northern and the southern states, together forming the North and the South regions. There is no doubt that these two regions have had

very different trajectory in their historical evolution, much different from each other, which is definitely very important in causing differences. There are definite possibilities that dichotomy between these two regions may vanish over time but at the same time there are equivalent chances of becoming sharper in the future.

When we talk of northern and the southern region of India the first thing that comes to our mind is the physical difference between these regions. The north Indian states mostly comprise of the North Indian Plains, which provide vast fertile alluvial land for cultivation and development of human civilization, whereas, the south Indian states comprise of either hills or plateaus or a small areas of deltaic alluvial plains. Most of the soil of southern India are rocky and thus provides little scopes for the development of riparian culture. In the historical past also, it is evident that the north Indian plains are the base for the development of the pan Indian powers (Schwartzberg, 1961). This is basically because of the numerous scopes provided by the region for the development of granary, army and extension of territory. The south India is surrounded by water masses on the three sides which gave little scope for the extension of territories to the past rulers in the region.

The literatures viewing this dichotomy are frequently found to be blaming the Aryan visa vie Dravidian background of the regions responsible for creating sharp differences the social, cultural and demographic character of the region. The linguistic difference between north and south is one of the most important indicators of cultural diversity between these two regions. The southern states are predominantly speakers of the Dravidian tongue whereas the northern states are those of Aryan speaking stock.

When we are talking about the north and the south dichotomy we are basically talking about some particular states in the North and the South of India. Bose, in 1988, has used his acronym BIMARU which stands for Bihar, Madhya Pradesh, Rajasthan and Uttar Pradesh to

indicate the Northern Indian states and his South comprise of Kerala, Tamil Nadu, Andhra Pradesh and Karnataka.

The dichotomy between north and south has been observed in cultural, social and demographic sphere of the two regions. While considering the cultural nature of the regions, the common character of household's in the Indian subcontinent is the existence of joint family and caste system. The understanding of the cultural phenomena of regions includes the configuration of the linguistic region, the institution of cast and the family organization. The north is comprise of the Indo European or Aryan kinship where as the south has Dravidian kinship (Karve, 1993).

North has sharp distinctions between a daughter and a bride. It has a patriarchal social setting, where as the South has very complicated pattern of Kinship and family organization, it has families which are patrilineal and patrilocal at the same time there are matrilineal and metrilocal families. The cross cousin marriage is strictly prohibited in the Northern region whereas in South people prefer cross cousin marriages (Karve, 1993). Most of the rules of the marriage are common in north and the south (Dumont, 1993).

While considering the demographic characters it is found that the fertility behavior of a region has strong relation with the gender inequality. The patriarchic nature of North India, in contrast, to the matriarchic and bilinear nature of South India, has its effect on the existing dichotomy in fertility (Malhotra, *at el.*, 1995). Mortality and poverty has a positive correlation. The female education has strong impact on the fertility and mortality. While comparing the states of north and south, at district level, it was found that there are remarkable differences between these group of states in terms of gender bias in the under 5 mortality, which is high in North and low in south, the fertility rate is also high in north whereas the some of the southern states has already achieved the fertility rate of below replacement (Murthi *at el.*, 1995).The southern states are doing well on the family planning

front then the northern states, Kerala and Tamil Nadu have already attained fertility level below the replacement while the record of the BIMARU states is most unsatisfactory (Bose; 2000). The percentage of married women, between age 13-49, using contraceptive is higher in the southern state in contrast the larger north Indian states have a low percentage (Jeffery and Jeffery, 2000).

The general sex ratio is considerably low in the larger northern states as compared to south (Gulati, 1975). The prevalence of the female infanticide and feticide through amniocentesis in the north Western India has serious implication on the regions sex ratio. The other reason for the low sex ration may be the lack of enumeration of the daughters which are married between 12-17 years. The preference of boy over girls has led to the large family size among poor who cannot go for amniocentesis (Jeffery and Jeffery, 1983).

The north Indian states except Punjab, has low female literacy rates, compared to the southern states (Gulati, 1975). The Northern States except Panjab and Haryana, shows a low work participation rate as a whole, whereas most of the southern states has Female Work Force Participation Rates between 10-30 percentage which is more than the northern states, which may be because of the political and the cultural setting of the area since centuries (Gulati, 1975). Interregional variation in the agricultural factors leads to the interregional variation in the female work participation (Reddy, 1975). A movement from North to South and from East to West seems to be accompanied by higher female participation, but exceptions like those of Himachal Pradesh and Kerala have to be borne with (Gulati, 1975). There is an interstate variation in the Female Work Force Participation Rates but no sharp North South Divide (Nayyar; 1987). A clear relationship appears to exist between the female labour participation rates and the regional pattern of the seclusion of females. The females in the North do little rural work and they do not participate in the marriage procession whereas

in South, they are very active as workers and are also frequently present in processions (Miller; 1982). The interstate analysis of the National Sample Survey estimates that in almost all the state the Female Work Force Participation Rate has increased over time. The regions with relative high agricultural share of the workforce and also a high incidence of rural landlessness tends to have relatively high Female Work Force Participation Rate, conversely, the region with a high rate of urban/ industrial expansion, relatively affluent farmers and low incidence of landlessness tends to have relatively low Female Labour Force Participation Rate (Bardhan, 1993). Female workforce participation also has effect on the child mortality. Female workforce participation is higher in south India as compared to north (Murthi *at el.* 1995). In all most all the above sited literatures the basic intension is either to establish the north south difference or to argue that the north south differences are elimination over time. Most of them are using the socio-cultural and economic parameters to proceed in there endeavor.

There are differences within the Aryan north and Dravidian south Indian states in many socio-cultural parameters since the historical period. The present process of globalization is thought to have the capacity to vanish all spatial difference and establishing universalization. In such a condition, it is very necessary to revisit the existing of the north south dichotomy. Thus, in this paper the major thrust is to revisit the north south dichotomy in the social condition of women in India. Two research questions which have been included in this paper are:- (a) Is the difference between north and south in women's social condition, significant enough to create a north south dichotomy? (b)What is the temporal trend in this dichotomous situation? The basic hypothesis that is considered in this paper is that the mean values of the selected parameters for the north Indian districts are equal to their respective values in the south Indian districts in these parameters. To test this Students t-Test is used.

DATA BASE and MATHEDOLOGY

The literatures suggest the dichotomy between north and south to be existed in some of the social, economic, cultural and demographic parameters. I have chosen few indicators which are broadly including all the above mention parameters and also indicates the social condition of women. The main indicators used in this paper are Sex Ratio 0-6 Years, Literacy Rate, Female Workforce Participation Rate, the Child Mortality Birth, and Birth Order 3 and above (as a proxy of fertility).

The Data for Sex Ratio 0-6, Literacy rate, Female Workforce Participation Rate and the Child Mortality are taken from the Census 2001 and 1991, respectively. The Data for Birth Order 3 and Above has been taken from the *State Reports* of District Level Household Survey, DLHS-2 (2002-2004) and DLHS-3 (2007-08).

The methodology used in this paper are simple, the spatial differences in the considered indicators are shown with the help of Map. The mean values of the different parameters for northern and the southern regions are calculated. The significance test is done to establish whether the difference between North and South are significant enough. Maps prepared for different time periods for the same indicator gives the temporal change in the parameter.

ANALYSIS

(i) The General Literacy Rate

The Literacy rate is the percentage of people above age 7 years, who can read and write and understand a particular language to the total population above the age of 7years. Literacy rate is the indicator of access of the population of a region to the acquisition of knowledge, thus it become an important parameter of creating disparity among the regions and hence

giving different regions. The literacy has been mentioned by many scholars as one of the factor in evolving the North South Dichotomy in India.

The Literacy rate has increased in both the Northern and the southern region of India over the decade 1991-2001. The difference in the Literacy Rate between the North and the South is significant in both the years (at 95% significant level). And the difference has slightly increased over the decade (t-value deviating more from confidence level).

(ii) The Sex Ratio 0-6 Years

The Child sex ratio is an indicator of the status of girl and a boy child a favorable Child sex ratio (0-6 years) implies that both the boys and the girls are treated equally in the given society, they are getting equal care. The unfavorable Child Sex Ratio especially towards the girl child is an indicator of poor treatment towards the girl child in the society. The Child Sex Ratio has always been not in favor of the girls in the period of two decades. The condition degraded from 1991 to 2001 in both the northern and southern states but there is a slight improvement in 2011 in the north whereas the south shows a slight decline.

The difference between north and south was significant in 1991, but it became insignificant in 2001 but it again became significant in 2011 (at 95% confidence level).

(iii) The Birth Order 3 and Above

The Birth Order 3 and above is basically used as a proxy of high fertility of the women. Many of the literatures have argued the North South Dichotomy on the basis of the development of family planning and low fertility in south with the lesser development of family planning and more fertility of women in the north. Here, the percentage of the birth order 3 and above to the total birth ever taken place is used for the analysis.

Although, the average of the percentage of Birth Order 3 and above for all the districts of North and South has declined from 2002 to 2007, visible from the prepared Maps, but the difference between the average of North and South has remained significant (at 95% level of significant). There is a definite sign of declining the disparity between North and south (the t-value is approaching the confidence for means to be equal).

(iv) The Female Work Force Participation Rate

The female workforce participation rate is low in general throughout the country. It has increased in all most the states of North as well as South India in the period between 1991 and 2001. But the difference between North and South has remained significant in both the years (at 95% level of significant). There is a strong decline in the difference between north and south which is not only visible in the maps but also determined by the value of t in the t-test.

(v) Child Mortality Rate:

The Total Child Mortality rate is basically an indicator of the access to the modern science and technology, more specifically the Medical science. The plotting of the child mortality rate in the map shows that the northern states has higher child mortality, on an average as compared to the southern states. The difference between the north and the south is also significant (at 95% level of significant).

CONCLUSION

The North and South dichotomy was in its strongest form in the past which has its evidence in the recent time also but the difference between north and south are reducing for sure. To say that the Northern states are reacting in opposite direction to the Southern states will be wrong. Both are indeed moving in a positive direction, in almost all the parameters considered in this paper. In some cases, the average growth of North is faster than the south, may be because of the lower base of the north in most of the positive indicators. The difference between north and south, in Child sex ratio has become insignificant in the census 2001, in the district level analysis. But the result is not because north is improving but because the south is now following north in this particular parameter. There is a definite evidence of convergence of North-South differences and it can be accepted there will be no North South dichotomy in the future but will this be good or bad for the women is doubtful.

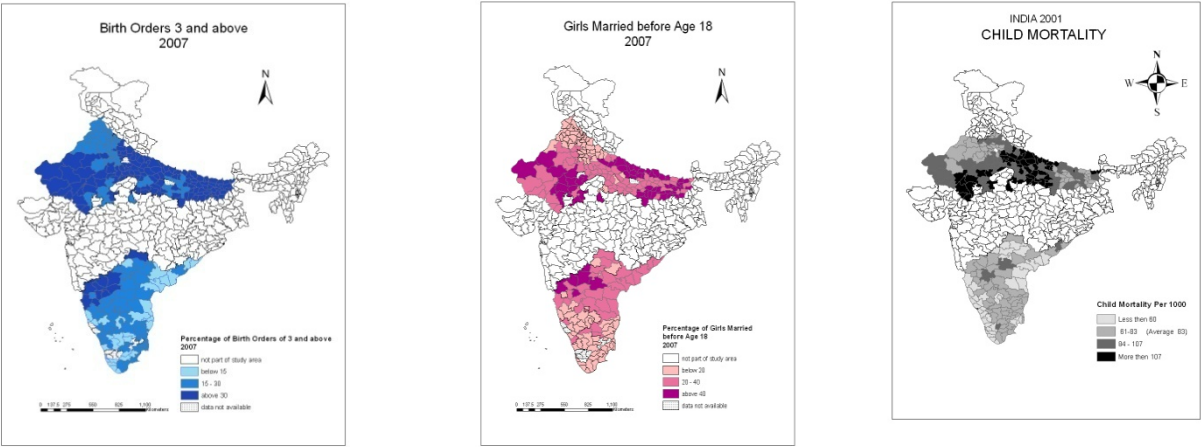
REFERENCES

- Agarwal, B. 1995. *A Field of One's Own: Gender and Land Rights in South Asia*. New York. Cambridge University Press.
- Bardhan, Kalpana. 1993. Work in South Asia: An Inter Regional Perspective in Raju Saraswati and Bagchi Deipica, (eds.) *Women and Work in South Asia Regional Pattern and Perspectives*, London, Routledge.
- Bose, Ashish. 2000. North-South Divide in India's Demographic Scene, *Economic and Political Weekly*, vol. 35, no. 20, pp. 1698-1700.
- Dumont, Louis. 1993. North India in Relation to South India, in Uberoi, Paricia. (ed.), *Kinship and Marriage in India*, Oxford, Oxford University Press, pp. 91-111.
- Gulati, Leela. 1975. Female Work Participation: A Study of Inter-State Differences, *Economic and Political Weekly*, vol. 10, no. 1/2 (Jan. 11), pp. 35-42.

- Gulati, Leela. 1975. Occupational Distribution of Working Women: An Inter-State Comparison, *Economic and Political Weekly*, vol. 10, no. 43, pp. 1692-1695, 1697-1704.
- Jeffery, Patricia. 1982. *Indian Women in Purdah*, *Current Anthropology*, vol. 23, no. 2, The University of Chicago Press, pp. 195-196.
- Jeffery, Roger and Jeffery, Patricia. 1983. Female Infanticide and Amniocentesis, *Economic and Political Weekly*, vol. 18, no. 16/17, pp. 654-656.
- Jeffery, Roger and Jeffery, Patricia. 2000. Religion and Fertility in India, *Economic and Political Weekly*, vol. 35, no. 35/36, pp. 3253-3259.
- Jeffrey, Craig. 2002. Caste, Class, and Clientelism: A Political Economy of Everyday Corruption in Rural North India, *Economic Geography*, vol. 78, no. 1, pp. 21-41.
- Karve, Irawati. 1993. The Kinship Map of India, in Uberoi Paricia (ed.), *Kinship and Marriage in India*, Oxford University Press, pp. 50-73.
- Kolenda, P. 1984. *Woman as tribute, Woman as Flower: Images of 'Woman' in Weddings in North and South India*, *American Ethnologist* pp. 98-117.
- Malhotra A., Vanneman, R., Kishor, S., 1995. Fertility, Dimensions of Patriarchy, and Development in India, *Population and Development Review*, vol. 21, no. 2, pp. 281-305.
- Miller, Barbara D. 1982. Female Labor Participation and Female Seclusion in Rural India: A Regional View, *Economic Development and Cultural Change*, vol. 30, no. 4, pp. 777-794.
- Murthi, M., Guio Anne-Catherine, Drèze, J. 1995. Mortality, Fertility, and Gender Bias in India: A District-Level Analysis, *Population and Development Review*, vol. 21, no. 4, pp. 745-782.

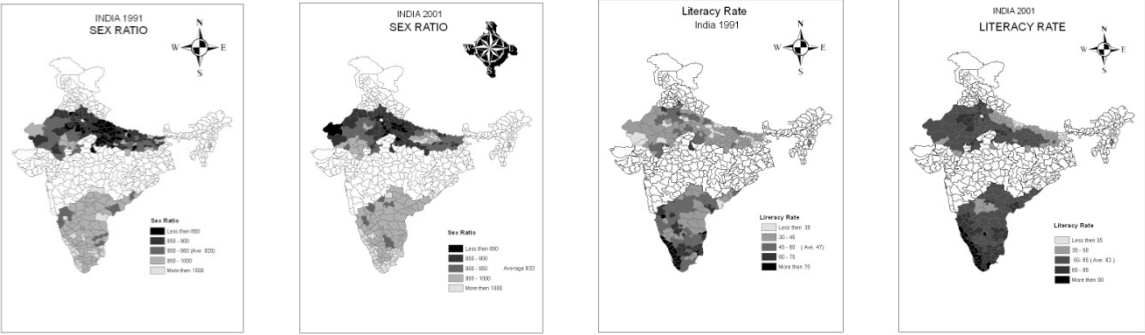
- Nayyar, Rohini. 1987. Female Participation Rates in Rural India, *Economic and Political Weekly*, vol. 22, no. 51, pp. 2207-2216.
- Pai, Sudha. 1987. Class, Gender and Agrarian Change: An Analysis of the Status of Female Agricultural Labour in India, *Social Scientist*, vol. 15, no. 6, pp. 16-32.
- Reddy, D. Narasimha. 1975. Female Work Participation: A Study of Inter-State Differences: A Comment, *Economic and Political Weekly*, vol. 10, no. 23, pp. 902-905.
- Schwartzberg, J.E. 1961. *Occupational Structure and Levels of Economic Development in India: A Regional Analysis*. Census of India, Monograph No. 4, Delhi: Office of the Registrar General.
- Trautmann, T.R. 1993. The Study of Dravidian Kinship, in Uberoi Paricia (ed.), *Kinship and Marriage in India*, Oxford University Press, pp. 74-90.
- Uberoi, Paricia. 1993. *Family, Kinship and Marriage in India*, Oxford University Press.
- Uberoi, Patricia. 1994. Sociology, Gender, Family Studies: Regressive Incorporations, *Economic and Political Weekly*, vol. 29, no. 27, pp. 1686-1687.

NORTH-SOUTH DICHOTOMY IN FERTILITY AND CHILD MORTALITY IN RECENT TIME



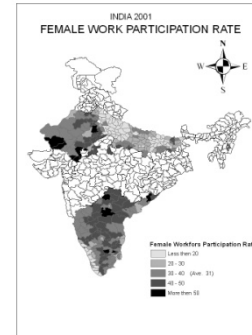
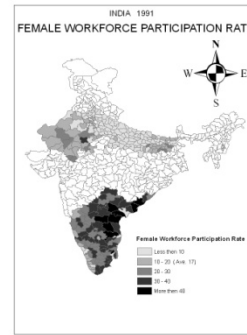
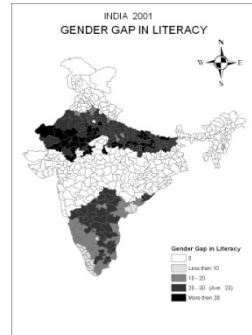
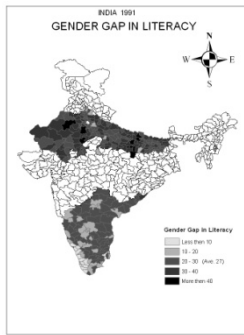
DECADAL CHANGE IN SEX RATIO

DECADAL CHANGE IN LITERACY RATE



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DECADAL CHANGE IN FEMALE WORK PARTICIPATION RATE



POSTMODERN VEILED IDENTITIES: ISLAMIC FEMINISM IN IRAN

By: Mahrokhsadat Hosseini

Abstract

Iranian women like many other women in other regions live in complicated societies and therefore social realities require particular awareness. Islamic Feminism as a term is a challenging and controversial notion and this movement can be recognized as a reaction to the social and political realities.⁵⁵⁰ It is perceived as the marriage of 'Western' meanings with those of 'Islamic' norms. There is a great amount of literature that has been produced about 'Islamic Feminism' and directly associates with the discussion of rights in Islamic regions. 'Islamic Feminism' appears as a contradictory term by itself, however, applying the term in Iran as a case study attempts to discover that the notion of Islamic feminism is in fact a justifiable and acceptable proposal rather than being contradictory. The shifting and transitional characteristic of Iranian culture, diverse politics and its youthful population, prepared the Iranian women's activities one of the forceful voices in the Islamic nations. The remarkable point about

⁵⁵⁰ Moghadam, Valentine, *Islamic Feminism and Its Discontents: Towards a Resolution of the Debate*, Signs: Journal of Women in Culture and Society, vol. 27, no. 4, 2002, p1135.

Iran after the revolution is the paradoxical situation that the regime directed women within its Islamic outlines to obtain a feminist identity although the Islamic legal system in Iran has always expressed their disagreement and resistance to the term 'Islamic feminism'. For the purpose of this paper the aim is to present a concise outline of Iranian women's transferral identities and their compulsory veiling by investigating the women's movement in Iran after 1979. The paper examines how the meanings of veiling (hijab) in Iran altered in response to the social and political realities and finally suggests unifying of individual movements' joint forces to empower the Iranian women.

KEYWORDS: Iran, veiling (hijab), Postmodern Feminism, Islamic feminism, Gender Identities

Introduction

At the rise of the twenty-first century, the veiled Muslim woman has represented new meanings of veiling in contrast with the meanings of backwardness, suppression and oppression. This degraded image originated from the nineteenth and twentieth century when one of the purposes of colonization was to free the 'other' woman in order to rule them according to their popular culture at that time.⁵⁵¹ In Feminist discourse it is assumed that the western model should be applied as the only true style to free and emancipate the women.⁵⁵² These new meanings have found their origin from reinterpreting Islamic sources such as the Q'uran, Sunnah or practice, Hadith and even juristic interpretation made by Islamic scholars. This new phase has been studied by feminists who emphasize uncertainty in the grand narratives and assumptions of truth.

⁵⁵¹ Ahmed, Leila. *Women and Gender in Islam: Historical Roots of a Modern Debate*. New Haven: Yale University Press, 1992, P: 166.

They deny the metaphysical and epistemological former principles of modernist identity.

Some scholars state that feminist discussions in Muslim countries, mainly in Middle East and North Africa, are wrapped by Western feminist discussions. However in recent years many writers have been writing a large quantity of literature on Islamic feminism notions. These are either in theory, novels, poetry or other forms which are associated with the discourse of rights in Islamic countries.

Islam has been illustrated as anti-feminist. The Isolation and seclusion of women implied as Islam's control and suppression for many centuries. Even though, it is not deniable that social rules and standards relevant to women's behaviour in many Islamic countries have been appointed by men to stress their power and control, however, the women's suppression was not restricted by Islam but rather it had economic reasons behind or as Neshat stresses " it grew out of the social and economic condition of the region."⁵⁵³ For these hierarchical social territories which applied Islam in their

⁵⁵² Abu-Lughod, Lila. *Remaking Women: Feminism and Modernity in the Middle East*, Princeton: Princeton University Press, 1998, P: 14.

⁵⁵³ Neshat, Guity, *Women in Pre-Revolutionary Iran: A Historical Overview* in Neshat, Guity (edt.), *Women and Revolution in Iran*, Westview Press, 1983, p6.

rulings, seclusion of women was included in their standards. Therefore, the feminist movements are considered as constructive and optimistic actions in achievement of human rights and specifically women's right.

In this paper the researcher will explore the feminism discourse and hijab evolution in Iran after the revolution. It is suggested that the Islamic feminism is created lately; however, it was present for centuries and it is the term "Islamic Feminism" that has been newly made up. The term for many political leaders represents Western notions in Iran. In spite of this, as we are living in globalized world where the west is in all places "in structure and in minds".⁵⁵⁴ This paper's purpose is to present a concise outline of Iranian women's transferral identities and veiling by investigating the women's movement in Iran from 1979 to the present time and to clarify the frequent misconceptions of Islamic Feminism notions. It should be mentioned that there is no equivalent Farsi term for the term feminism in Iran and therefore it is usually misinterpreted. It is very appealing to the researcher to propose an equivalent term

⁵⁵⁴Ahmed, p236.

instead of feminism in Iranian contexts, however, the word feminism is previously applied by many Iranian scholars, either being feminist or not. This paper has classified Iranian feminists into three groups: secular feminists, Muslim feminists and Islamic feminists. The researcher is aware of the existence of other models of feminism such as radical and social types in Iran. However, they are not in the scope of this paper.

The researcher's personal narrative

I was sitting in one of my poetry classes, which we had once in a week in Tabriz Azad University while doing my BA in English Literature in 2004. My classmates and I at the time were adamant that we were not feminists but followers of women's right especially the ones which concern Iranian women. The subject of the class was how Sylvia Plath indulged the theme of Feminism in her poetry. The aim was to understand Feminism and the language of poetry within this theme. The teacher selected Sylvia Plath as the example poet who wrote her poems in the 1960's, a time when women were still dominated by men. She explained in the patriarchal society women had set roles to play; they were to

remain in the kitchen and were never to voice an unwelcome view. She added that Plath and the women she illustrates in her poems felt struggled within this domestic confinement and were serious to present a role for themselves outside their inserted patriarchal roles. The teacher picked one of Plath's stanzas from her last poem of her life *Edge* to explain the poet's use of binary oppositions:

“The moon has nothing to be sad about, / Staring from her hood of bone”

The teacher said the impression of the moon which Plath applies here in her poem *Edge* is a traditional impression of female obedience. Using binary oppositions in poetry backs to before Renaissance and connotes the sun with men and the moon with women. The moon gets its light from the sun and this shows the dependency of the moon to the sun. So in the same way women are said to be dependent on men. While the teacher explaining one of my classmates raised her hand and asked a question that was in mind of most of us in the class but did not have the courage to ask. “Was Plath a Lesbian?” she asked. The teacher with a smile on her face asked: “what did make her to ask this question?” I could see the uncertainty and reluctance in her eyes but she answered: “since Plath is applying feminism connotations, it portrays her anti masculine desires...” what I found surprising was that almost many Iranians imply the same interpretations from feminism in their first interaction. Much of the confusion takes place due to the reality that the term “feminism” does not have a Farsi

counterpart and is generally applied as a Western connotation into Farsi. The term feminism in many non-Western countries has a negative connotation.⁵⁵⁵

Many of my friends including myself had the same thoughts of feminism until that day. At times it was simply misunderstood. Surprisingly after the teacher's profound explanations, many of my classmates called themselves feminism including myself. However, I changed my views two years after identifying my own position and recognizing the teachings of Islam and its view on women.

Applying the term feminism by self-proclaimed feminists in Iran is to carry their defence for equal gender rights and their resistance to the patriarchal and classified private and public organizations. However, the term is wrongly used and misinterpret by both the followers of the women's rights movement and their adversaries. The discussion around Feminism, Human Rights and Islam are the most recent relevant issues to our time. The difficulty begins as to whether Islamic principles are opposing to the modern principles of equality and human rights which are considered two requirements for carrying out women's rights. The same difficulties develop when addressing Islam and

⁵⁵⁵ Leila J. Rupp and Verta Taylor also point out the contested notion of the term feminism and ask the question of "Who, indeed, was a feminist?", for more see Rupp, J. Leila and Taylor, Verta, *Forging Feminist Identity in an International Movement: A*

feminism or more lately Islamic Feminism. Western Feminism is seen by some Muslims as “one of the many instruments of colonialism, but also they despise the kind of freedom offered to women in the West.”⁵⁵⁶ Afshar criticizes these Muslim women have been struggling on different occasions for different reasons but none were doing well as those who have placed their political action in the Islamic framework and its instructions. She believes the reason for this is from the time when the Islamic Republic of Iran self-respects itself on its observance of Islamic values.⁵⁵⁷

Muslim women obtained a modern awareness. Mir-Hosseini declares this awareness is “a gender discourse that is ‘feminist’ in its aspiration and demands, yet is ‘Islamic’ in its language and source of legitimacy emerged”⁵⁵⁸ and the discourse of ‘Islamic Feminism’ emerged. This category of feminists originates from different cultural, social, economical and also educational settings. Mir-Hosseini asserts this category of feminists

Collective Identity Approach to Twentieth-Century Feminism, Signs, Vol. 24, No.2, Winter 1999, p 363-386.

⁵⁵⁶ Yamani, Mai, *Feminism & Islam, Legal and Literary Perspectives*, New York University Press, 1996, p200.

⁵⁵⁷ Yamani, p197.

similar to other feminists; their standing points are local, varied and 'evolving'.⁵⁵⁹

Therefore Islamic Feminism has no specific definition even in Iranian case specific

groups who were recognized as Islamic-Feminism has transformed their position to

'Muslim Feminists'.⁵⁶⁰ One will observe in the next sections that Feminists who are

active in an Islamic framework for equal opportunities can be classified into several

groups in accordance with their description of 'equality' and their understanding or

interpretation of Islamic discourse. One sharp example of classifying of these women

has done by Shekarloo. She states:

One can find within the movement's ranks religious women who shy away from

the term feminist, "Islamic feminists" who argue that women's rights can be

provided for by Islamic law, "Muslim feminists" who come from religious

⁵⁵⁸ Mir-Hosseini, Ziba, *The Quest for Gender Justice Emerging Feminist Voices in Islam*, Presented at the conference: Reframing Islam, Irish Centre for Human Rights, NUI Galway, 2005.

⁵⁵⁹ Mir-Hosseini, 2005.

⁵⁶⁰ The term 'Muslim-Feminism' in this paper is different from the term 'Islamic-Feminism'

backgrounds but not use Islamic law as their point of reference, and feminists who would prefer that the republic of Iran not be “Islamic” at all.⁵⁶¹

Another example of women’s categorization belongs to Fazaeli who defines her classification as that of Shekarloo plus some diversity in definition. She categorizes the movement as a collective feminist movement grouped into sub-categories of Islamic state feminists, Islamic nonstate feminists, Muslim feminists and secular feminists.⁵⁶² As she takes the movement as a collective feminist movement she inserts the word “feminism” in each point of views in women’s movement in Iran despite the fact that conservative state women (or I, the researcher, prefer to call them the women working in “Iranian legal system”) do not consider and legalize their activities in collation with feminism.

⁵⁶¹ Shekarloo, Mahsa, *Iran: Iranian women take on the Constitution*, Women living under Muslim laws, 21st July 2005. <http://www.wluml.org/ru/node/2370>

⁵⁶² Fazaeli Roja. Contemporary Iranian Feminism: Identity, Rights and Interpretations. *The Transnational Muslim World, Human Rights, And the Rights of Women and Sexual Minorities*, Volume 4, Article 8.

To a large extent my own classification of Islamic women's activists are close to Fazaeli or Shekarloo with some modifications in definition. After the revolution 1979, two main approaches have distinguished the women's movement. The first one is Muslim women activists who strongly have trust in the Iranian Islamic revolution and religious principles. The second, although supportive and devoted to the State and Islam in different scales, regards women's rights as a main concern. I identify the first category "power-seekers" and the second "rights-seekers". Power-seekers have developed groups or divisions within active groups. Reliable to the governing Islamic Republic's discourse, power-seeker women try to attain a place in the male-dominated politic environment. In their discourses, they raise the accomplishments of the Islamic government in fields like education, employment and the progression of female social contribution. The raise and improvement in these areas is regarded as a power source for these women and awards them a good deal of opportunity to obtain advanced administrative positions within the regime.

On the other hand, the rights-seekers have strengthened their groundwork in civil society. Whereas power-seekers progress in different categories from traditional to reformist, rights-seekers have grown from restricted leaders assembling in the 1980s to the 1990s NGOs, organised by women and stretching to women. The reform government in Khatami's period granted them the freedom to expand their basis in Iranian society and develop into more structured and very capable activists. I label the right-seeker activists into Iranian Secular Feminists, Muslim Feminists and finally Islamic Feminists. The scope of the research will cover mainly Islamic and Muslim Feminists activities in Iran. In order to understand the feminist activities in Iran it is important to review a brief understanding of postmodern feminist ideologies before exploring the terms Islamic and Muslim feminism in Iran to facilitate the emergence of these different thoughts. In the end of the chapter I will portray four interpretations of Muslim and Islamic feminists about veiling from selected writers.

Postmodern feminist theories and the birth of Islamic and Muslim Feminisms

Postmodern Feminism is shaped by postmodern principles. It emphasizes human beings' biological differences, especially between women and men, and women among themselves. It also emphasizes uncertainty in the grand narratives and assumptions of truth, denying the metaphysical and epistemological principles of modernist identity. Postmodern feminism argues that women cannot be defined or considered by certain templates and fixed socio-cultural structures. However, this approach has been criticized by radical and liberal feminists. The term 'Postmodern Feminism' consists of two words, feminism and postmodernism surrounding around a set of concepts about women's issues which are sometimes conflicting and contradictory. Postmodern Feminism is a new lexical word which covers the later mainstream of women's issues.

Under the influence of postmodern approaches the group that followed feminist trends after the seventies called themselves postmodern feminists. By maintaining their primary emphasis on human beings biological differences, they believe not only that the universal beliefs or meta-narratives are unacceptable and unavailable but also that they would be the foundation source for new oppression against women. They believe not

the marriage or mothering roles on their own but setting a group of imposed relations on women has caused their slavery. Before explaining Islamic Feminism we need to know the differences among Islamic Feminists, Muslim Feminists and Islamists. Postmodern feminists claim the cause of women's oppression is the set of behaviours that classifies masculinity and femininity. Postmodern Feminism suggests the theory of 'men and women with new definitions', they insist on similarity of men and women in family and social environment. Postmodern Feminists mention the effects of multiple discourses, theoretical framework and stories that define sexuality. They argue these stories and anecdotes have essential role in defining sexuality and identity. The definition of sexual identity is reflected as socio-political power relations.⁵⁶³ However, the researcher's comparison shows that despite many differences in perspectives and feminist approaches there may be common grounds:

1. They all know the human findings as a resource and criteria to the legislation and regular standards.

⁵⁶³ Bell, D. & Klein, R. *Radically speaking: feminism reclaimed*, North Melbourne, Vic.,

2. They are built upon the understanding of Renaissance movement and humanist thoughts, a time of questioning and scientific discovery (acceptance of a Copernican vs. a Ptolemaic universe; advances in the natural sciences; questioning of the literal truth of the Bible); and a time of political revolution; freedom of religion; freedom of the press; a social contract between rulers and ruled
3. They target their attacks on families ruled by men.
4. They aim to resolve all sexual distinctions in law, education or opportunities, social affairs and etc.

It is very interesting in this regard to refer to a recent 'postmodern view' that Ahmadinejad obtained about veiling in Iran in public TV broadcasting channel 2. Mahmoud Ahmadinejad is not closely identified for his progressive views. He made the unexpected and encouraging shift of opposing Iran's police attacks in streets on bad veiling or 'corrupt morality'. In response to the sensitive efforts of the 'morality police,'

who've been criticizing women on the street and at random interrupting cars to make sure if women are appropriately veiled or in suitable company, Ahmadinejad said, "[I am] strongly against such actions. It is impossible for such actions to be successful."

He continued that these social behaviours are considered un-Islamic and immoral. He argued, "The government has nothing to do with it and doesn't interfere in it. We consider it insulting when a man and a woman are walking in the streets and they're asked about their relationship. No one has the right to ask about it," This made the clerics to criticise Ahmadinejad for not being strict enough on women's veiling. Rare incidents like this can pave the way to postmodern approaches in Iran. Furthermore according to the cultural relativism approaches there is no single unity of patriarchy. However, the patriarchy, when it is under the question in an ethnic society, due to postmodern approach should be analysed based on its unique ethnic culture and individual tradition. This view is an excuse to refuse criticizing the issue and would be also a reason to not raise any other cultural values in the society.⁵⁶⁴

⁵⁶⁴ Bayes, Jone H. & Tohidi, Nayereh (eds.), *Globalization, Gender, and Religion: The Politics of Women's Rights in Catholic and Muslim Contexts*, Palgrave, New York. November 2001. Chapter 8. p181

The question now arises is how the Iranian society has influenced by postmodern feminism thoughts? Due to the Islamic revolution in Iran, a number of Muslim intellectuals revised their previous views. These Muslim reformers claim that they are not against the West and in fact, they pick and apply some of their key concepts such as freedom, democracy, women's rights and civil society. They do not agree with secularism and regard themselves as postmodernists. Therefore they introduce a new form of feminism: Islamic Feminism with postmodern foundation. Applying cultural relativism of postmodernism they argue that there are differences between women in the West and the women in the East. They conclude that the experiences and achievements of western feminism cannot be applied in Iran and it is useless.⁵⁶⁵

Rethinking of gender among Islamic feminists in Iran signifies their inclination to embrace postmodern believes in their debates of topics concerning women in Iran. Postmodern concepts reframing Islamic perceptions and principles from a feminist point

of view, and provide accessibility for people other than Muslims to interpret sacred texts and discussions on issues concerning women. In the world of politics it is assumed that Islamist movements indicate a trend that guides in a return to the old fashioned Islamic age, according to scholars, but these movements are a modern trend. These movements barely can be regarded a response to modernity; instead, they are the result of the modern reorganizing of Islamic cultures. Eisenstadt identifies them, “Jacobin dimension of modernity.”⁵⁶⁶ Islamic feminists in Iran take some advantages of postmodern theoretical means. They recognize the value of celebrating broad-mindedness, hopefulness and the motivation for self-knowledge and emphasis a postmodern feminist notion of multiplicity and diversity. Diversity in truths, responsibility and realities are elements of postmodern feminists’ motivation. Islamic feminists in Iran support postmodernists’ elimination of essential nature of women. This is due to postmodernist’s tolerance of multiple truths and elimination of essentialism. In addition to postmodernist’s tolerance to diversity, Islamic feminists in Iran also remain reliable to a

⁵⁶⁵ Jahanbegloo, Ramin. *Iran: between tradition and modernity*. Lexington Books. 2004. P: 11.

postmodernist view of language. Feminists have extensively specified the language of conventional Western monotheistic believes in the role of being gender biased in support of men. Therefore this idea created new debate that the interpretation of God from gender biased theologians could easily lead to the oppression of women because of their masculine interpretations. Islamic feminists in Iran have also in their interpretations of sacred texts, applied postmodern feminist assessment, particularly their stress on language. Fereshteh Ahmadi⁵⁶⁷ makes an outstanding example by showing Islamic feminists challenge to increase the domain of reinterpretation of the Arabic word 'rajo'. The issue involves the right of women to be political leaders. The Council in Iran has eliminated women's right to compete for president position. Due to council's rejection of the right, Islamic feminists apply a postmodern debate of language and power. Ahmadi explains:

At issue is the interpretation of a constitutional clause requiring the president to be a rajo, an Arabic word for man; in setting out the conditions for

⁵⁶⁶ Eisenstadt, *Fundamentalisms, Sectarianisms, and Revolution: the Jacobin dimension of modernity*, Cambridge, Cambridge University Press.1999.

presidential candidacy, Article 115 uses the term *rajol*, which applies to a man but may also refer to a recognized personality. The Guardians' council stipulated that the word *rajol* means "man," a significant interpretation given that under the constitution the president of the Islamic Republic must be a religious or political man. Some Islamic women activists, such as Faezeh Rafsanjani, Azam Taleghani, and Fatemeh Alia, argue that in Iran the word *rajol* as used in the constitution means in the Persian language "mankind" and not "man" and thus do not exclude women.⁵⁶⁸

According to Islamic feminists, the council's interpretation of '*rajol*' is its plain and literal meaning, which is male gender. However, according to the Islamic feminists in Iran, *rajol* could have other interpretations such as "personalities" in Persian, and this is the translation applied in some English translations of the government. In this respect:

⁵⁶⁷ Ahmadi, Fereshteh. *Islamic Feminism in Iran: Feminism in a New Islamic Context*, Journal of Feminist Studies in Religion - Volume 22, Number 2, Fall 2006, pp. 33-53

⁵⁶⁸ Ahmadi, pp. 33-53.

Fatemeh Alia, Tehran's deputy in parliament, emphasizes language as being value laden and has asserted that in Arabic literature the word *rajol* is gender neutral.⁶⁰ Thus, the Council of Guardians' rejection of women's ability to run for president is, according to her, a matter of interpretation of the word *rajol* and not Qur'anic law.⁵⁶⁹

Faezeh Rafsanjani, another activist and the daughter of former president, also challenges the word's interpretation. She emphasises that the word *rajol* has been interpreted in several ways in different situations. She asks, "What's the difference between being president of the republic and running a government department? None. They're both executive jobs. So why can't a woman run the country when she can be head of a government department?"⁵⁷⁰

These examples explain how Islamic feminists in Iran have attempted to reinterpret the sacred texts in the setting of Arabic language to hold back the attempts to avoid

⁵⁶⁹ Ahmadi, pp. 33-53.

⁵⁷⁰ Kian-Thiébaud, Azadeh. "Islamist and Secular Women Unite, Iranian women take on the mullahs", 1. Retrieved April 2, 2011.

women from their participation in political stages. Meanwhile, there are substantial differences among the terms 'Islamic feminist,' 'Muslim feminist'. Islamic feminists base their arguments in Islam and its teachings⁵⁷¹, look for the full equality of women and men in the individual and public sphere and include non-Muslims in the discourse and debate. Muslim feminists consider themselves Muslims and feminist but may use arguments outside Islam, for example, national secular law or international human rights agreements, to counter gender inequality. The researcher could assert that the terms Islamic feminism and Muslim feminism are puzzling as in many articles the terms Islamic and Muslim feminism are compatible and identical. The researcher would explain the differences in the following paragraphs.

Islamic Feminism in Iran

Islamic feminism is a new phenomenon in Islamic countries, especially in Iran. It ages not more than two decades. Some intellectuals considered Islamic feminism as methods and behaviours in implementing gender justice and equality in the form of Islamic

⁵⁷¹ Badran, Margot. (Interview), '*Islamic feminism means justice to women*', *The Milli*

values.⁵⁷² Others consider Islamic feminism as a female interpretation of Islam. The Iranian Islamic revolution established the Islam laws that were interpreted by the State from Islamic Sharea. Many of women who fought to the regime before revolution were recognized as supporters of Khomeini after the revolution. They claimed the right to demand a place in politics. They involved in the State's politics. Kian affirms "they attempted to present a different reading of Islam and Islamic laws which would be more attentive to the condition of women."⁵⁷³ These women realized the State's support of patriarchal traditional Islam. However, their attempts were not strong enough since they depended on the State and traditional Islamic ideology, and moreover the war between Iraq and Iran postponed their attempts because of the State's giving priority to other issues. These women loyal to Guardianship of the Islamic Jurists (wilayat-e-faghih) and Islamic traditions recognized that "the present laws and regulations

Gazette 5 (2), MG96 (January 16-31, 2004) Retrieved April 2, 2011.

⁵⁷² Shahidian, Hamed. *Feminism- i islami' va junbish-l zanan-l iran*, in *Iran Nameh*, vol. 16, no. 4, 1998. P: 612.

⁵⁷³ Kian-Thiébaud, Azadeh. *Women and Politics in Post-Islamist Iran: the Gender Conscious Drive to Change*, British Journal of Middle Eastern Studies, 24 (1). 1997. P: 75.

concerning women do not reflect the promising slogans of the revolution in the realm of the family, politics and society.”⁵⁷⁴

Although in the reform era some amendments happened to the favour of women but the progress was very slow in dominated male parliament who supported the traditional framework of Islam. In short, Islamic feminism in Iran involves the supporters of traditional Islam who at the same time carry the framework of the State and have an idealized image of Iranian Muslim women: A veiled woman liberated from the capitalism and consumerism. Her role model is the Prophet Mohammad’s daughter, Fatimah and her right is considered as complementary to men.

Muslim Feminism in Iran

The term ‘Muslim feminism’ is used by some feminists in Iran who recognize themselves as Islamic feminists, but they want to separate themselves from the former group.

⁵⁷⁴ Bayes, Jone H. & Tohidi, P: 181.

Muslim feminists condemn Islamic feminists for not seeking amendments and improvements outside the context of Islam. Therefore, they regard themselves as a new class of feminists placed between Islamic and secular feminists. Roja Fazaeli⁵⁷⁵ describes a Muslim feminist that she talked with in summer 2004 defined Muslim feminism as follows:

Both Islamic and Muslim feminists seek to reform Islamic law using *ijtihad*. However, Islamic feminists use of dynamic *ijtihad* as a tool for reform is confined to the framework of traditional Islamic *fiqh*, whereas Muslim feminists look for answers outside this framework. They acquire most of their responses from philosophy and *Ahl Kalam*. *Ahl Kalam* believe that before entering into the debate of dynamic *ijtihad* where time and context are crucial, one has to take into account some principle rules such as justice and equality, both of which are the essence of Qur'an.

⁵⁷⁵ Fazaeli Roja. Contemporary Iranian Feminism: Identity, Rights and Interpretations. The Transnational Muslim World, Human Rights, And the Rights of Women and Sexual Minorities, Volume 4, Article 8. P: 12.

After the victory of the Islamic revolution, a group of Iranian women joined women's rights organizations and continued their opposition either in or out of Iran. This group supports the previous regime and some of these active feminists who were defending women's rights within their secular belief concluded that because of the strong religious trend among Iranian women, no fundamental change can happen regardless of the religion. Therefore we can conclude that they were seeking a theory that would cover the feminist views in a religious context and this was the time that the Muslim feminism was born in Iran. Iranian feminists who applied this theory in their protests are: Nayereh Tohidi, a U.S.-trained professor of women's studies in California, Afsaneh Najmabadi, educated in both the U.K. and the U.S., now a professor of women's studies in New York, Parvin Paydar (Nahid Yeganeh), After 1979 Iranian revolution Paydar became a founder member, in London, of the influential feminist Persian language journal 'Nimeyeh Digar' - a voice to women both in the West and in Iran, and Haleh Afshar, a British professor and a life peer in the House of Lords and later Ziba Mir- Hosseini, a Cambridge-educated social anthropologist based in London and Hamideh Sedghi who are active out of the country and provoking Muslim feminism

perspectives. From their point of view it can be understood that the Muslim feminism is a world between the fundamentalist and Western feminism.

Muslim feminists' discussions either in or out the country based on cultural relativism, which means that any society has its own specific method and approach to resolve their issues and these issues should be studied in their specific cultural context.⁵⁷⁶

It is clear that Muslim feminism has been partly influenced by postmodern theories.

Muslim feminists acknowledge patriarchy and male dominated society as the fundamental issue of women in the family and society. Seeking equality between men and women is their aim and they criticize the differences in the provisions and sharia (law) between men and women.

They also borrow the concepts of the western interpretation of humanism, secularism, human rights and the similarity between women's and men's rights. They attempt to provide new interpretations and readings of the Qur'an verses and simultaneously to provide the patterns from the West. While Islamic feminists seek for the reinterpretation

⁵⁷⁶ Fazaeli, P: 613.

from Q'uran, Hadith and Shariah, Muslim feminists seek their interpretation outside these frameworks, mostly from Philosophy and Ahl Kalam.

Critiques received from feminists and Islamic movements about Islamic feminism in Iran

Islamic and Muslim feminist movements are not unique to Iran, and other Islamic countries have encountered this phenomenon. Prominent writers from these countries criticized the principles of feminist movements by using religious language. Nawal Alsadavy, an Egyptian woman writer, and Fatima Mernissi, a Moroccan writer, are the great examples from feminist movement. However, Islamic feminism has also been criticized by some feminists and the West- oriented schools too. Haideh Mogheysi and Hamed Shahidian⁵⁷⁷ highlighted their views about Islamic feminism as below:

These opponents have called the Islamic feminist theory a populist women's belief which ignores universal ideas about women. Therefore they convert one form of patriarchy to another. They also criticize Islamic feminism for seeking equality and

women's rights promotion within the Islamic framework. Some feminists like Nahid Yeganeh⁵⁷⁸ do not confirm Islam as an approach to defend women's rights and Identity. They claim women interpreting Islamic texts would not help to ignore the misogyny in Islam. On the other hand, Islamic movements which practice Ijtihad for their fundamental critics and decisions, criticize feminist movements. They define complementary roles for both women and men regarding their biological differences. They cannot tolerate secularism and religion for them shows an important role in the state. They claim several verses in the Qur'an reveal the importance of religion in different aspects of people's life. The verses include S: 2: 247 (about how to choose laws and government), S: 3:275 (about forbidding usury), S: 2: 222 &242 (about marriage issues), S: 7: 90 (about trade).

Islamic movements in Iran recognize Islamic feminists as re-interpreters of the religious texts and the Qur'an to compare their new interpretations whereas Ijtihad in Islamic

⁵⁷⁷ Moghissi, Haideh. *Populist feminism and Islamic feminism. Kankash*, 1997, P: 57 and Shahidian, Hamed. *Feminism- i islami' va junbish-i zanan-i iran*, in *Iran Nameh*, vol. 16, no. 4, 1998. P: 116.

movements authorize the interpretations within the accepted and legal principles. They reject illegal and unauthorized interpretations out from Ijtihad framework and independent of the traditional schools of thought. One of the researcher's own concerns about Muslim feminists in Iran is their ignorance of the political, religious and economic issues of society. This major gap almost covers any religious or secular type of Muslim feminists. She (the researcher) argues in their debates, they have the lack of attention to the economic policy of poverty, of education, civil society and religious minority when they emphasis absolute performance of human rights. Even if they raise some issues, they are very much in general forms and not effectual or threatening to make any changes. We can now point to one of the aims of this research to understand how hijab or veiling is understood by Islamic and Muslim feminists. Also how have these groups of activists, with a background of promoting equality between genders by means of reinterpretation of Islamic foundation contents, discuss with the issue of women's hijab?

Dress codes and social expectations in Islamic and Muslim feminism

⁵⁷⁸ Yeganeh, Nahid. Islamic Feminism. *Rahe Azadi*, no. 46, P: 12.

Dress codes and social expectations of Muslim women are one of the important issues that concern Islamic and Muslim feminism. Some Islamic feminists insist on maintaining women's hijab, however others believe in women's right of dress choice.

In countries such as Iran, Afghanistan and Saudi Arabia women are expected to cover themselves with chador, long and tight dresses with scarves, burqa or abaya whereas in some other countries such as France, Tunisia and Turkey, women are forbidden and fined to wear veil or even head scarves in public buildings or schools. Islamic feminists believe that the style and model of dress should be a personal choice based on a person's belief or understanding. Therefore, it shouldn't be a legal requirement in these countries.

In countries that hijab is required some feminists consider it as a mechanical means for women to apply so they can be active in the society rather than remaining at

home. Some other women e.g. in Iran altered the compulsory hijab and dress code into stylish and fashionable styles.⁵⁷⁹

Another concern for Islamic and Muslim feminists is the cultural or social control by social traditional expectations from women that require them to remain inside their homes and follow the moral expectations. Azza⁵⁸⁰ Confirms that:

Islamic feminism is not merely a call for women to stay at home. It is a call to enhance and to credit traditional women's roles within the family with an Islamist feminist nuance that gives women a sense of value and political purpose in these gendered roles and a sense of confidence as well: women are not less than men but equally important in different ways.

Conclusion:

⁵⁷⁹ Moghadam, Valentine. *Islamic feminism and its discontents: notes on a debate*. Iranbullegin.org. April 2000, Retrived FApril 24, 2011.

⁵⁸⁰ Azza M. Karam et al., *Islam in a nonpolarized society*. Amsterdam: Royal Tropical Institute Press, 1996, P: 22.

Muslim feminists consider veiling or dress codes as having a strong symbolic significance. Women with veils are visibly acknowledging their religious beliefs and the traditional roles of women in modern society. Gole argues that they clearly show their opposition to modernity and highlight the hermeneutics of women's emancipation.⁵⁸¹

Secular feminism argues that religion could oppress and subjugate women from participating in social affairs. These feminists claim that religion blocks the right of one to think with their own brains. Therefore, veiling not only covers women's head but also it covers their thinking ability.⁵⁸²

Where the secularists see veiled women as Islamic traditions' victims, Muslim feminists and some Islamic feminists know the secularists responsible for dominating and imposing their ideology and thoughts on women who are compelled to defend their rights. They restate these women should be respected for what they choose to wear.

⁵⁸¹ Gole, Nilufer. *The Forbidden Modern Civilization and Veiling*. University of Michigan Press, 1996, p: 4.

⁵⁸² Kynsilehto, Anitta. *Islamic Feminism: Current Perspectives*. Tampere Peace Research Institute Occasional paper, no. 96, 2008, P: 52.

In Feminist discourse it is assumed that the western model should be applied as the only true style to free and emancipate the women.⁵⁸³ These new meanings have found their origin from reinterpreting Islamic sources such as the Q'uran, Sunnah or practice, Hadith and even juristic interpretation made by Islamic scholars. This new phase has been studied by feminists who emphasize uncertainty in the grand narratives and assumptions of truth. They deny the metaphysical and epistemological former principles of modernist identity. Some scholars state that feminist discussions in Muslim countries, mainly in Middle East and North Africa, are wrapped by Western feminist discussions. However, Islamic feminism notion is in fact a popular and likely influential determining force, rather than being inconsistent and ironic in shaping the identity of women after the revolution, to portray their veiled feelings.

⁵⁸³ Abu-Lughod, Lila. *Remaking Women: Feminism and Modernity in the Middle East*, Princeton: Princeton University Press, 1998, P: 14.

The future of the women's movement in Iran depends on the link between active members inside Iran and those who have left the country. As Shirin Ebadi⁵⁸⁴ recently declared that the regime's attack will only make the activists stronger, the women's movement could reach its aims if different branches gather its forces and get unified. A good example for this could be Zahra Rahnava, the wife of presidential candidate Mir-Hossein Mousavi in the last election, in 2009. She was able to link the gap between women activists from different backgrounds. She criticized the state's policies and supported the reform ideology while being recognized as a conservative and anti-feminist. Therefore it is suggested in this paper that the maintaining and intensifying the link between secular, younger women generation and the religious age group might be a central key to attention for women's movement in Iran to succeed in recognizing women's rights and legal equality.

Bibliography

ABU-LUGHOD, L. 1998. *Remaking Women: Feminism and Modernity in the Middle East*.

⁵⁸⁴ Ebadi, Shirin. *The brutal crackdowns only make Iran's women stronger. The Guardian*, 8 June 2010, <http://www.guardian.co.uk/commentisfree/2010/jun/08/brutal-crackdown-iran-women-protest>, Retrieved: 12 August 2011

- AHMADI, F. 2006. Islamic Feminism in Iran: Feminism in a New Islamic Context. *Journal of Feminist Studies in Religion*, 22, 33-53.
- AHMED, L. 1992. *Women and gender in Islam : historical roots of a modern debate*, New Haven ; London, Yale University Press.
- AZZA, M. K. 1996. *Islam in a Nonpolarized Society*.
- BADRAN, M. 2004. Islamic feminism means justice to women.
- BELL, D. & KLEIN, R. 1996. *Radically speaking : feminism reclaimed*, North Melbourne, Vic., Spinifex.
- EBADI, S. 2010. *The brutal crackdowns only make Iran's women stronger*.
- EISENSTADT, S. N. 1999. *Fundamentalism, sectarianism, and revolution : the Jacobin dimension of modernity*, Cambridge, Cambridge University Press.
- FAZAELI, R. 2007. Contemporary Iranian Feminism: Identity, Rights and Interpretations. *The Transnational Muslim World, Human Rights, And the Rights of Women and Sexual Minorities*, 4, 12.
- G©ELE, N. F. 1996. *The forbidden modern : civilization and veiling*, Ann Arbor, University of Michigan Press.
- JAHANBEGLOO, R. 2004. *Iran: between tradition and modernity*.
- KIAN, A. 1997. Women and Politics in Post-Islamist Iran: the Gender Conscious Drive to Change. *British Journal of Middle Eastern Studies*, 75.
- KYNSILEHTO, A. 2008. Islamic Feminism: Current Perspectives. *Tampere Peace Research Institute Occasional paper*, 52.
- MIR-HOSSEINI, Z. 2005. The Quest for Gender Justice Emerging Feminist Voices in Islam.
- MOGHISSI, H. 1997. Populist Feminism and Islamic Feminism. *Kankash*, 57.

NESHAT, G. 1983. *Women and Revolution in Iran*.

RUPP, J. L. A. T., VERTA 1999. Forging Feminist Identity in an International Movement: A Collective Identity Approach to Twentieth-Century Feminism. *signs: Journal of Women in Culture and Society*, 24, 363-386.

SHAHIDIAN, H. 1998. Feminism-e Islami'ye Jonbesh-e Zanan. *Iran Nemeh*, 16, 116.

SHEKARLOO, M. 2005. Iran: Iranian women Take on the Constitution, Women living under Muslim Laws.

THIEBAUT, A. K.-. Islamist and Secular Women Unite, Iranian women take on the mullahs. 1.

TOHIDI, J. H. B. N. 2001. *Globalization, Gender, and Religion: The Politics of Women's Rights in Catholic and Muslim Contexts*.

VALENTINE, M. 2002. Islamic Feminism and Its Discontents: Towards a Resolution of the Debate. *Signs: Journal of Women in Culture and Society*, 27, 1135.

YAMANI, M. 1996. *Feminism & Islam, Legal and Literary Perspectives*.

YEGANEH, N. 1982. Islamic Feminism. *Rahe Azadi*, 12.

REFERENCES

- ¹ Brian Black(ed.) and Simon Broad beck(ed.), *Gender and Narrative in the Mahabharata*, Taylor and Francis, 2007, Preface, p. 9
- ¹ Gerda Lerner, *The Creation of Feminist consciousness from Middle Ages to 1870*, OUP, Delhi, 2009, p.2-4
- ¹ Uma Chakravarti, *Everyday Lives, Everyday Histories: Beyond Kings and Brahmins of Ancient India*, New Delhi, Introduction, p.xxvii
- ¹ Gerda Lerner, *The Creation of Patriarchy*, New York, OUP, p.318
- ¹ Vijaya Ramaswamy, *Researching Icons, Representing Indian Women*, Manohar Publishers, New Delhi, 2003
- ¹ Uma Chakravarty, Conceptualising Brahminical Patriarchy in Early India: Gender, Caste, Class and State, *Economic and Political Weekly*, Vol. 28, No. 4, April, 1993, 579-585
- ¹ Bhagvad Gita, X.32
- ¹ Krishna Goswami , *Sant Kavya Me Nari*, Rohtak, Shanti Prakashan, 1989
- ¹ S. J. Rosen, Vaisnabi – *Women and the Worship of Krishna*, Delhi, 1996, p.236
- ¹ *The Mahabharata*, IX. 75-79
- ¹ Badrinath Chaturvedi, *The Women of the Mahabharata*, Orient Blackswan, Hyderabad, 2010
- ¹ *The Mahabharata*, XIII.31.5
- ¹ Vijaya Ramaswami, *op. cit.* , p.7
- ¹ *Anushasanaparva*.149.9-11
- ¹ *Ibid*.146.16
- ¹ *Vanaparva*, 61.30
- ¹ *Shantiparva*, 144.13-16
- ¹ Sarabhai, M. & Martin, J., *In Search of the Goddess*, unpublished performance script
- ¹ Chitra Bannerji Divakaruni, *The Palace of Illusions*, Picador, Oxford, 2008, Introduction, p.xiv
- ¹ Simon Pearse Broadbeck, *The Mahabharata Patriline: Gender, Culture and the Royal Heredity*, Ashgate Publishing, U.K., 2009, p. 261
- ¹ Cf. Kevin Mcgrath, *Stri: Women in Epic Mahabharata*, Harvard University Press, London, 2008.
- ¹ Book Review by Pradip Bhattacharya , <http://www.boloji.com>, accessed on 2.8.2011
- ¹ Amartya Sen, *The Argumentative Indian*, Penguin books Ltd. Great Britain, 2005, p.9
- ¹ Translation by Indira Viswanathan Peterson, *Design and Rhetoric in Sanskrit Court Epic*, State University of New York Press, New York, 2003, p.191
- ¹ Pande, G. C. , *Foundations of Indian Culture: Spiritual Visions and Symbolic Forms in Ancient India*, Books and Books, New Delhi, 1984, pp. 270-271

ROLE OF EDUCATION FOR THE EMPOWERMENT OF DALIT WOMEN IN INDIA

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Abstract

Keywords: Women Empowerment, Caste- Dalits, Education

Oral Presentation.

Dalit women had long been denied the equal privileges and opportunities in India and they were treated as second class citizen. In the name of caste, Dalit women have been suppressed in multiple fields. Highly victimized in caste discrimination, an age-old dehumanizes practice, which is still practiced. Hence caste and gender becomes an obstacle for progress of Dalit women. As a result, from the Vedic period onwards the door of education was closed to these people. The advent of British and introduction of modern education, but helped only the upper caste people. Leaders like Mahatma Gandhi, Ambedkar, Mahatma Phule etc. worked hard to abolish this practice but in vain. After independence the government of India though abolished untouchability literally but it did not disappear in practice. The government had introduced several welfare measures to empower the dalit women through education and made it free, compulsory and also reserved seats at the colleges for the dalit students. In spite of that, Dalit woman have a much lower literacy rate than the non-Dalit women and remains much backward. The aim of the paper is to analyze the role of education for the empowerment of Dalit women in post Independent era.

Role of Education for the empowerment of Dalit women in India

Full Paper:

As Leo Tolstoy said.

“The abolition of slavery has gone on for along time.

Rome abolished slavery, America abolished it, and we did.

but only the words were abolished not the things".⁵⁸⁵

True to his word Dalitism is still an unsolved problem and today it is the major burning problem in our country. So it is appropriate that research needs to be done on Dalitism along with the women and analysis how both were placed in the society and why they occupy the backseat and the role education for their empowerment.

Dalit women had long been denied the equal privileges and opportunities in India and they were treated as second class citizen. In the name of caste, Dalit women have been suppressed in multiple fields. Highly victimized in caste discrimination, an age-old dehumanizes practice, which is still practiced. Hence caste and gender becomes an obstacle for progress of Dalit women. As a result, from the Vedic period onwards the door of education was closed to these people. The advent of British and introduction of modern education, but helped only the upper caste people. Leaders like Mahatma Gandhi, Ambedkar, Mahatma Phule etc. worked hard to abolish this practice but in vain. After independence the government of India though abolished untouchability literally but it did not disappear in practice. The government had introduced several welfare measures to empower the dalit women through education and made it free, compulsory and also reserved seats at the colleges for the dalit students. In spite of that, Dalit women have a much lower literacy rate than the non-Dalit women and remains much backward. The aim of the paper is to analyze the role of education for the empowerment of Dalit women in post Independent era.

In this paper I wish to present the education policies introduced by the government and effects on the dalits women and how it helps for their social and economic status in modern India. I have also highlighted some dalit women who achieved empowerment through education.

Methodology

The study is depended on a primary source such as government G.Os, newspaper articles and interviews with dalits women were performed.

As a secondary source the researcher had reviewed the available literature.

Objectives/Scope:

The main objectives of studying is to assess the education policies of India.

⁵⁸⁵ Bibhuti Yadav, *"Dalits in India"*, Vol-I, p.220.

Assess the conditions of dalit women and their struggle to access education.

Finally how education helps the dalit women for their empowerment.

The Schedule Caste in India

The traditional Indian society has been characterized as a closed system because of the dominance of caste and religious factors. The co-existence of these factors operated in the society in a such way that a system developed which imposed segmental division of labour, rigid rules of hierarchically ascribed statuses, religious and civil disabilities and privileges, restrictions on social interaction, and on the choice of occupation. This type of system gave rise to a caste-based hierarchy with structured social inequality. It promoted a pervasive and deep rooted culture of inequality with a very strong religious legitimacy.⁵⁸⁶

According to Sharma, who has traced the social history of the shudras upto 500 A.D. in his book "Sudras in Ancient India", the different stratum in the caste society and the rigidity of the caste system are not found in the Vedic society. Rig Vedic society was basically tribal in character.

The idea of ceremonial impurity of the Shudras involving prohibition of physical and visual contact with him appeared toward the close of the Vedic period (1000-600 BC). The first notice of such a marked degradation is found in the Sakapatha Brahmana, where a carpenter's touch is said to impart ceremonial impurity. The advent of foreign peoples served to loosen the shackles the Varna system. Some improvement in the Sudras legal and political status as also in their social and religious position might have been affected on account of the liberal religious outlook of the Kushana rulers (78.220 AD). By the time the Britishes had consolidated their position in India, the Hindu social system had accumulated many undesirable features. Foreign invasion also rendered it more conservative.

In the 1930's Mahatma Gandhi exercised over the problem of untouchability; the chief concern was the welfare of the Harijans. 'Gods chosen' who constituted a sizable section of the Hindu Community, numbering about 5 crores (According to 1931 census). More importantly Harijans had been victims of discrimination and labelled as untouchables. According the census of 2001 there were 16.2% of Scheduled Castes in India and half of them were women.⁵⁸⁷

Dalits in India

Dalit etymologically a sanskrit word which means 'broken' and 'downtrodden' is not a new coinage. There has been narrow definition based on the caste above, and a broader one to encompass all those considered to be either similarly placed or natural allies. Various known as 'Untouchables'. 'Harijan' etc. The Dalits and Dalit issues have been much debated and discussed among intellectual circles, government and non-government agencies and social scientists. Dalit is not a new word. The word as such first used as far back as 1931 in journalistic writing, following this the Dalit Panther movement of Maharashtra in the early 1970s gave currency to

⁵⁸⁶ Quresh.M.U., "Encyclopaedia of Social Problems and Social Welfare", Ed. 2006, p.209

⁵⁸⁷ http://censusindia.gov.in/Census_Data_2001/India_at_glance/scst.aspx

the concept and the word Dalit to highlights the suffering and struggles of the untouchables to begin with but later extending it to include all the appressed groups namely the SC, the tribes, the workers, landless, labourers, small farmers and other poor, and also the res-Buddhist converts.

In 1930 there was a depressed classes newspaper published in Pune called 'Dalit Bandu' (Friend of Dalits). The word was also used by Dr.B.R.Ambedkar chose the term 'broken men' an English translation of Dalit to refer to the original ancestors of the untouchables for reasons which must have been self evident because he did not explain then. Since the early 1970's, the word has come into increasingly wide usage in the pressed in common parlance where it is normally used in the original narrower, caste based sense. And in recently the SC (earlier called Depressed classes under the British, and Harijans by Gandhiji) prefer calling themselves 'Dalits' or the oppressed.

Reservation durign the pre-independent India.

The idea of reservation was first introduced by the Justice Party in Tamilnadu. During their rule in Tamilnadu, there was a sea change in the policy of education especially for the Backward Class people. Their policy came as a great boon for the downtrodden in India, who were oppressed in the name of caste. Their rule marks lot of policies, like half fees for the backward class students in schools and colleges, education rules were (Article 102) amended.

G.O. 759 Home (Education) dt. 1.7.1920

G.O. 81 Law (Education) dt. 18.7.1921

G.O. 239 Law (Education) dt. 1.3.1922

The SC student who were appearing for SSLC were exempted from examination fee, but it can be avail only once. G.O. 1241 Law (Education) dt. 17.10.1922.

General Scholarship for SC students in higher secondary school and college was increase. G.O. 1631 dt. 15.11.1921588

Constitutional remedies to Safeguard the Dalits.

Indian constitution drafted by Dr. Ambedkar, (dalit leader) which came into force on 26th , Jan 1950. The Contitution guarantees ot its citizens certain Fundamental Rights such as right to equality, right to freedom of Speech, etc which are very essential for the development of every human being. Since the ancient period India has hierarchial caste system. It has deep rooted in the society. Each person was born into a unalterble social statue. Hence the Government of India has enacted and implement many laws to protect the socio-economic conditions of the Dalit people. These laws include reservation/quota system to ensure the SC to access the education.

According to the Constitution of India, Article 15 (1) states that the state shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them. According to Article 15 (4), the state shall make special provision for the advancement of any socially, educationally backward classess of citizens or for the Schedule castes and the Scheduled Tribes. 589 Under Article 15 (3) certain posts are reserved exclusively for women.

⁵⁸⁸ G.O on Education

⁵⁸⁹ Pandey. J.N., "Constitution Law of India", Ed.2000, p.107

Article 16 (4) further enables the state to make reservation in services and posts in favour of any backward class of citizens, which in the opinion of the state is not adequately represented in service. As per the Article 16 (4) reservation should not exceed 50% (T.N. Act 45 of 1994)

To safeguard the interest of section (Dalits) of the society, special social enactments have come into force from time to time including privileges by way of reservations for them. The major legal enactments sponsored by centre are:

- i. Protection of Civil Rights Act, 1955
- ii. SC/ST (Prevention of Atrocities) Act, 1989

The Protection of Civil Rights Act, 1955 was enacted in furtherance of Article 17 of the constitution by which untouchability was abolished and in practice in any form forbidden, further in order to check and deter crimes against SCs / STs by persons belonging to other communities, the SC and ST (Prevention of Atrocities) Act, 1989 was brought into force from 30th Jan 1990. These enactments have extended positive discrimination in favour of SC/ST to the field of criminal law in as much as they prescribe penalties that are more stringent than for corresponding offences under Indian Penal code and other laws. For speedy trial of cases registered exclusively under these Acts, special courts have been established in the status of Indian Union.

In addition, in pursuance of the Constitution 65th Amendment Act, 1990, the National Commission for SCs and STs was constituted on 12th March 1992 with functions and powers of civil courts to take up matters which are of vital importance for socio-economic development of SCs and STs.

The 93rd Constitutional Amendment was passed in 2005, which ensures reservation to Other Backward Classes and SCs and STs in private educational institutions. Reservation was introduced for other Backward Classes in Central Government Educational Institutions in 2006.

The Constitution states that no discrimination will be practised with regard to appointments to Government vacancies on the basis of caste, sex, and religion etc of a person. The Constitution also demands that the State shall endeavour to raise the social status of Backward classes and shall look after their economical and social well-being.

The Economic and Social Council of the UN in its first session constituted the Human Rights Commission. The UN ratified the Declaration of Human Rights prepared by the Human Rights Commission. The Declaration deals with civil, political, and cultural rights. Article 1 contains the rationale upon which the Declaration is based. It reads as under:

All human beings are born free and equal in dignity and rights
They are endowed with reason and conscience and should
act towards one another in spirit of brotherhood.

The U.N. Charter the Declaration of Human Rights are meant for the suffering humanity and in India, the Scheduled Caste and Scheduled Tribes can be considered its real representatives.⁵⁹⁰ In spite of these laws, the Dalits were exploited in the society especially Dalit women.

⁵⁹⁰ Devasia.V.V., Leelamma Devisia, “*Women, Social Justice and Human Rights*”, Ed. 1998, pp.19-20

Dalit women in India.

Inequality between men and women is very common practice in Indian society. The earliest literature Vedas shows the clear picture of Indian women. Code of Manu, the law book of Hindus, describes as, “a girl, by a young woman, or even by an aged one, nothing must be done independently, even in her own house.” (Manusmriti V.147) 591

Her father protects (her) in childhood, her husband protects (her) in youth, and her sons protect (her) in old age; a woman is never fit for independence. (Manusmriti IX.3)

Women have no right to study the Vedas. That is why their Sanskaras are performed without Veda Mantras. Women have no knowledge of religion because they have no right to know the Vedas. The uttering of the Veda Mantras is useful for removing sin. As women cannot utter the Veda Mantras, they are as unclean as the untruth. (Manusmriti IX.18)

Even the killing of a dalit woman is explicitly justified as a minor offence for the Brahmins: equal to the killing of an animal (Manusmriti). If the killing of an untouchable was justified as a minor offence, you can imagine the treatment they received throughout their lives.

In a male dominated society, Dalit women suffered unimaginable oppression, not only through caste, but gender too, from which there was no escape. The laws in the Manusmriti and other Vedic scriptures close all economic, political, social, educational, and personal channels through which Dalit women could be uplifted.

The horrendous Laws in the Manusmriti were incorporated into Hinduism because they were favourable only to the Upper castes, which form the majority of India. Even today, in modern times, we see the severe oppression and exploitation of Dalit women. The Laws of the Manusmriti have a devastating effect on the level of education reached by Dalit women.

The caste discrimination inherited by birth results in Dalit women facing multiple oppression that violates their economic, political, social and cultural rights. The most deprived section of the society comprises of dalit women who are the poorest, illiterate and easy targets for sexual harassment. The women face not just caste violence inflicted on them by the dominant castes, but also state violence. Though practicing untouchability or discriminating a person based on his caste is legally forbidden.

Needless to say that the major problem of Dalits is poverty superimposed by social discrimination. Dalits particularly SC were denied right to property, Right to education and Right

⁵⁹¹ Raj Kumari Pruthi, Rameshwari Devi, Romila Pruthi, “*Encyclopaedia of Status and Empowerment of Women in India*”, Vol- I, Ed. 1999, p.75

to bargaining for wages. An attempt is made here to look into the position of Dalits and their access to top education in the post independence period.

Dalit women's education in India.

No one will die from lack of education as he will from lack of food or basic health care. It seems that education is not even essential to happiness. More than a century ago, J.S.Mill argued for Universal Education on moral grounds, holding that it would manifestly increase the general balance of pleasure over pain, happiness over unhappiness. We find today that, on the whole universal provision had had no such effect.⁵⁹²

Education is the crucial input for empowering people with knowledge and skills to acquire productive employment and empowerment of women is essentially for the development of nation. Traditionally nature of gender has kept women away from formal education. The education status in Puducherry is high in comparison to the rest of India next only to Kerala which has the highest literacy rate in India.

In Hindu society, caste is still the most powerful factor in determining a person's dignity. In India the caste system is so strong that even today people believe in the old and worn out classification of society as the basis of four varnas. And caste has almost total control over the educational system it tries to perpetuate itself by making the entire educational machinery as an instrument of power.⁵⁹³

Since independence particularly from the First Five Year plan onwards various special development measures were initiated in addition to general development progress for the social and economic development of Dalits.⁵⁹⁴

National Policy for the empowerment of women. (2001) The goal of the National Policy for the empowerment of women is to bring about the advancement, development and empowerment of women. Some of the specific objectives of this policy are: Equal access to health care, quality education at all level and elimination of discrimination and all forms of violence against women and girl child.

Education is a milestones for the empowerment of women as it enables them to respond to the challenges, to confront their traditional role and change their life. Empower is an active multidimensional process which enables the women to realise their power in all spheres of life. Literacy sets one free from exploitation, poverty and ignorance. It liberates the minds and gives self confidence to open for a new life. Education is a gateway to information, employment and empowerment. Although discrimination has been banned by the Constitution and guaranteed by equality, still there is differences and women were oppressed in the society.

⁵⁹² Mary Warnock, "A Common Policy for Education", Ed – 1988, p.1

⁵⁹³ Qureshi.M.U., "Encyclopaedia of Social Problems and Social Welfare" Vol – VIII, Ed. 2006, p.216

⁵⁹⁴ Udai Veer, "Bharat Singh, Encyclopaedia of Dalits", Vol – I, Ed.2004 ,p.197

Education not only improves the skills of the people but also plays a major role in social change. The literacy rate is an important indicator of educational development. During 1961 to 1991 the literacy rate rose from 10.27% to 37.41% among SC while it increased from 37.41 to 57.40% in case of rest of the population. The gap in literacy between SC and the rest of the population has been increasing. Some improvement steadily in the literacy of SC women also but gap in the literacy between SC women and others has also been widening. There is also wide inter-state variation in literacy is found levels of SC. According to 1981 census in Kerala in the case of SC the literacy rate was 55.96% while Bihar had only 10.40% Among females in the both the categories literacy rate is very low in the case of SCs it was 10.93% in 1981.

Percentage of Literacy rate among the Schedule Caste in India. 595

YEAR	GENERAL CATEGORY			SCHEDULE CASTE		
	MALE	FEMALE	TOTAL	MALE	FEMALE	TOTAL
1961	40.40	15.35	28.30	16.96	3.29	10.27
1971	45.96	21.91	34.45	22.36	6.44	14.67
1981	56.38	29.76	43.57	31.12	10.93	21.38
1991	64.13	39.29	52.21	49.91	23.76	37.41
2001	75.30	53.70	64.80	66.64	41.90	54.69

From the data above we can generalize that the literacy rate has improved over years in SC category. But again the quality of education differs.

Literacy trends for the Schedule Caste in India.

YEAR	GENERAL CATEGORY			SCHEDULE CASTE		
	MALE	FEMALE	TOTAL	MALE	FEMALE	TOTAL
1961	34.44	12.95	24.02	16.96	3.29	10.27
1971	39.45	18.72	29.46	22.36	6.44	14.67
1981	46.90	29.85	43.67	31.12	10.93	21.38
1991	64.13	39.29	52.21	49.91	23.76	37.41

Source: Department of Secondary & Higher Education, Ministry of Human Resource Development, Government of India.

About 50 % of the SC category is literate by 2001 while the data stands at 66.64 in the general category. The above data shows a positive trend for the SCs esp. the rise in female category from 3.29 in 1961 to 41.90 in 2001.

The above result was due the policy of the government, like the expansion in state funding for education. Initiatives like free school meals, and free school, uniforms and books, had helped as well. In Tamilnadu the government provides free bicycle for the 12th Standard students. Recently the government announced Rs. 50,000 for the graduate girls. Reservations that gave Dalits preferential access to government employment made post-SSLC qualifications, attractive, enabling them to go on to apply for government employment in schools and elsewhere. There has been a substantial rise in Dalit participation in education

⁵⁹⁵ Census of India, 2001

Though there is a tremendous increase during the post independence period in the number of school and college going girls, it falls too short of that of boys. The existing gap between the education of men and women need be narrowed so that the gains of education to the fair sex in all the stages may reach them. This is possible if special measures like starting separate educational institutions for girls are undertaken particularly in these areas where social prejudices inhibit enrolment of girls in co-education and the recruitment of female teachers at all levels are pressed for vigorously. Among other programmes need to be taken up for the benefit of women are non-formal education, general education accompanied by vocational education condensed course particularly for growing women.⁵⁹⁶

In spite of much socio-economic and political progress life still remains difficult for a woman than man.⁵⁹⁷

Some of the Dalit women, who empowered through education

Saibaba Jyotirao Phule, was social reformer, the first female teacher of the first women's school and work for the empowerment of girls and women. She was also considered as the pioneer of modern Marathi poetry. She opened a school for Untouchable girls and rendered service through 'Satyasodhak Samaj'. She was honoured by the British for her educational work.⁵⁹⁸

Mayawathi: For a woman who has made a career out of her membership of the lowest rung of Indian society. The "Queen" of Dalits, the acceptable name for what were once the untouchables. She was born in Delhi, daughter of a government clerk and a housewife, member of the low-caste Hindu Jatav community.⁵⁹⁹ She acquired her LLB degree and worked as teacher and wants to be an IAS officer. In her autobiography she quoted, "My grandfather said that granddaughters were perfectly capable of continuing the family heritage. He said that if girls are given a good education they can be as capable if not better than sons".

According to her biographer Ajoy Bose, Kanshi Ram, the founder of Bahujan Samaj Party introduced her to politics. She was elected as the Chief Minister of UP and she was elected to the Indian Parliament.

Dr. Geeta Reddy, a gynecologist and Indian politician belong to Mala community, she served as a Minister under various Chief Minister. She lived in Australia, London and Saudi Arabia and in 1983 she returned to India and chosen to work in public life with the encouragement of former Prime Minister Rajiv Gandhi. She was also first dalit woman, leader of the Legislative Assembly in K. Rosaiah Government.

P.Sivagami. IAS: India's leading feminist Dalit novelist-cum-politician. The writer does not treat herself as a person with a caste identity because "she is beyond it". The former senior Indian Administrative Service (IAS) officer gave up her job to become a full-time writer in 2008.

"When we talk of women's empowerment, we give priority to those who live below the poverty line -- malnourished and poor women. Even in that respect, Dalit women are the worst

⁵⁹⁶ Ramesh Bhandari, "Women Rights and Welfare", Ed. 2010, p.199

⁵⁹⁷ Ibid., p.200

⁵⁹⁸ The Hindu, Dated. 4th Jan 2011

⁵⁹⁹ The observer, dt. 26th April 2009

affected," she argued. Sivakami feels that the concept of education for Dalit women is yet to take root in the society.

Panabaka Lakshmi, belongs to Andhra Pradesh, she was twice elected to the Lok Sabha and also Union of State, in the Ministry of Textiles.

K. Pratiba Bharathi, is a dalit politician, former speaker of Andhra Pradesh. She was the first woman speaker of Andhra Pradesh's history. She was Minister of Social Welfare thrice (1983, 1985 and 1994) and in 1998 Minister for higher education.

A dalit government college professor, she is the youngest of the five sister and she is the one educated, while all her sister got married. She is first generation graduate. she worked hard and raise to this position. Now married, still able to help her sisters. Education not only empowered her but helps so many families today.⁶⁰⁰

Santosh Rani, age 27, is pursuing her PhD from the Hindi Department, Punjab University, Chandigarh. Second eldest among her eight siblings, she is the first woman from her village and surrounding areas in the state of Haryana to pursue doctorate. Her efforts, motivations and commitment not only towards her own quest for higher education but also for the empowerment of the entire Dalit community.

Quotes by leaders about the education of Dalit.

Rahul Gandhi, who earlier visited a slum of Dalits and interacted with women and children and had tea with them, said "their real future lies in education and this sector needs all the focus".

"Without good education a child cannot rise, cannot get employment and he would keep wandering all his life", Rahul said and asked why with a government of Dalits in place Dalit children are found sitting in back benches.⁶⁰¹

Yadav said that if the intention was to promote women, then why was reservation not being offered in government jobs and in the education sector. "If they want uplift of women why don't they offer 40 to 50 per cent reservation in government jobs or in the education sector. We have no objections," he said.⁶⁰²

Veteran Communist Party of India leader A.B. Bardhan said, quoting Mahatma Gandhi, that a Dalit woman should be the President of India. ⁶⁰³The Hindu, 14th June, 2012

Hindu law has been changed and modified. Far reaching changes have been introduced, for the empowerment of women. Our constitution has given equal rights to women. Their rights have been safeguarded.

Recommendations

The commercialisation of education should be stopped.

⁶⁰⁰ Interviewed on 20th May 2012

⁶⁰¹ The Indian Express, dated. 24th October, 2008

⁶⁰² The Indian Express, dated. 7th, 2010

⁶⁰³ The Hindu, 14th June, 2012

For this, the central government must increase its own outlay on education to 6 % of the GDP.

SC/ST students should be given special scholarships to pursue their studies.

The stipends in Social Welfare hostels should be raised and the quality of these hostels improved.

Steps should be taken to universalise primary education and expand secondary education.

Special measures to curb the drop-out rate among SCs should be undertaken.

Concession /Scholarship should be given to dalit girls in private insitution.

NGOs should come forward to help to the dalit girls.

Conclusion

Even as we are in the 21st millennium, caste discrimination, an age old practice that dehumanize and perpetuates a cruel form of discrimination continues to be practiced. According to Arpita Anant, reseacher, Dalit women in India (thrice discriminated) face the triple burden of caste, class and gender. Women had been denied equal privileges and opportunities all over the world. But the advance of the nation required the removal of customary barriers and women must fight against the institution like caste, marriage laws, untouchability and customs that “crush our womenfolk” 604

The liberation and education of women, in Vivekananda’s view was most crucial for national development, but it had to be for all women, particularly the lower castes.605 Vivekananda being a sanyasi, could take a more detached view- and see that the women’s question was not just the simple one of oppression from some outdated social customs that the reformers thought it to be. Nehru, more familiar with the western liberation movements, emphasised economic indepedence and political partication, but still saw the question as basically one of tyranny of man-made customs and laws”, which chained, as individuals.606

There is no doubt that education, improved legal rights, and the possibility of seeking employment outside the family introduced an element of option in the lives of some women. In the post independence period, encouraged by constitutional guarantees drafted under the aura of the Gandhi-Nehru ideology, Indian women moved into postions of leaderships in politics and government.

⁶⁰⁴ . Rajkumari Pruthi, Rameshwari Devi, Romila Pruthi, Encylopadeia of “*Status and Empowerment of Women in India*”, Ed.1999, p.241

⁶⁰⁵ Ibid. p.244

⁶⁰⁶ Ibid p.245

Reference:

Primary Sources:

1. G.O. 759 Home (Education) dt. 1.7.1920
2. G.O. 81 Law (Education) dt. 18.7.1921
3. G.O. 239 Law (Education) dt. 1.3.1922
4. G.O. 1241 Law (Education) dt. 17.10.1922
5. G.O. 1631 dt. 15.11.1921
6. The Indian Express
7. Interview
8. The Hindu, Dated
9. The observer, Sunday

Secondary Sources

1. Bibhuti Yadav, Dalits in India, Vol-I, Page No.220.
2. Devasia.V.V., Leelamma Devisia, " Women, Social Justice and Human Rights" APH Publishing Corporation, New Delhi, 1998, pp.19-20
3. Mary Warnock, "A common Policy for education" Oxford University Press, New York, Ed – 1988.
4. Pandey. J.N., Constitution Law of India, Ed.2000.
5. Quresh.M.U., Encyclopaedia of Social Problems and Social welfare. Vol – VIII, Elements of social conflict, Anmol Publication Pvt Ltd., New Delhi, Ed. 2006
6. Rajkumari Pruthi, Rameshwari Devi, Romila Pruthi, Encyclopadeia of "Status and Empowerment of Women in India", Mangal Deep Publications, Jaipur, Ed.1999.
7. Ramesh Bhandari, "Women Rights and Welfare", Alfa Publications, New Delhi, Ed. 2010.
8. Udai Veer, Bharat Singh, Encyclopaedia of Dalits, Vol – I, Reference Press, New Delhi, Ed.2004

ROLE OF SPORTS MANAGEMENT IN DEVELOPING LEADERSHIP QUALITY
AMONG YOUNG WOMEN OF SCHOOL LEVEL : THE STUDY OF LUCKNOW,
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ROLE OF SPORTS MANAGEMENT IN DEVELOPING LEADERSHIP QUALITY AMONG YOUNG WOMEN OF SCHOOL LEVEL : THE STUDY OF LUCKNOW, INDIA

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Abstract

Participation of women in sports is gradually gaining acceptance in Indian Society. In the present article opportunity to develop leadership quality among women at school level had been undertaken. However out of 10 institutions only 4 girl institutions were taken into considerations because others 6 were boys institution.

Key words : Female, Leadership.

Introduction :

“It does not make sense to achieve a ‘developed’ status without a major & continuing upliftment of all Indians who exist today and of many more millions who would be added in the years to come.¹

Sports is an institution with Universal significance whether it is Baseball in Japan, Soccer in Brazil, Ice-hockey in Czechoslovakia, Cricket in England, Australia and West Indies, Field hockey in India and Pakistan or Football in America. Thus, it is a significant human experience. Sports have certain characteristics, which impel it more than other human activity towards international understanding and goodwill (Wohl, 1970)6072 and Blanchard and Cheska (1985)3.

¹ APJ Abdul Kalam & Y. S. Rajan (1998) : India 2020, “A vision for the New Millennium”, Penguin Books, New Delhi. P : 3

² Andrez, Wohl (1970): “Competitive Sports & Its Social Function.” Int. Rev. Sports. S O C. 5 (1): 117-130.

³ Kendall, Blanchard & Alyee, Cheska (1985): The Anthropology of Sports. Massachusetts: Bergin & Garvey Publishers, Inc.: 7.

Sports are not merely a means of recreation but an institution. It is gaining credibility as a tool of both cultural exchange & international political negotiation. The twenty first century has seen a phenomenal growth in the super structure of international and transnational sports organization providing a cornucopia of sports competition. Higher standards of sports and record breaking performances have been developed through "Integrated approach by use of knowledge from Basic and Applied Sciences".^{4&5}

Sociologist George Sage (1974)⁶, has observed, "Sports is a pervasive human activity that to ignore it is to overlook one of the most significant aspects by contemporary society. It is a social phenomenon, which extends into education, politics, economics, arts, mass media and even international diplomatic relation. Involvement in sports as participants or indirectly as a spectator almost considered a public duty by people. It has been observed, that if there is any religion- it is sports."

Mankind all through the ages has been endeavoring to equip its younger generation with knowledge, experience and skills, so that it may face the realities of life with courage and confidence. Such fundamental human tendency has given rise to a social organ called educational system. Therefore the educational system in society became an agency to transmit

⁴ S. S. Sharma (1991): Sports Science Researches- A New Perspective. Varanasi, Shri Thakur Press:1-2.

⁵ J. E. Kane (1970): Personality & Physical Abilities, Contemporary Psychology Sports. Athletic Institute, Chicago.

⁶ Goegre, Sage (1974): Sports and Social Science. The Annual. (1): 455.

racial experience, social ideals and philosophy to the younger generation to meet the future challenges ahead in real manner as possible.

Cozen & Florence⁷ expressed the importance of games in education mentioning that the games are the touchstone for understanding how people live, work and think. As we know that successful living, working and thinking depends on health & fitness. Therefore, health has been regarded as the foremost heavenly blessing, as cited by Justice⁸. Health is, “The rich man’s blessing, the poor man’s wealth.”

Evidently educational pattern has to be designed to provide opportunities for participation in activities which are directed to develop favorable attitudes, toward self society and nation, particularly in India where education happens to be an instrument of change, which will enable us to adopt democracy, not only as a form of government but also as a way of life.⁹

In view of the enumerated aim of education it is evident that an individual in the present society, should become a physically efficient person there by contributing to national

⁷ Fredrick C. Cozen & S. Stunpf Florence (1953) : Sports in America (Chicago : University of Chicago Press) : 59

⁸ J. Schiffres Justice (1961) : Essentials of Healthier Living. Newyork : John Wiley & Sons Inc:2

⁹ Ministry of Education (1966): Report of Education Commission, 1964 – 66. Democratic Value; Govt. Of India: 17.

productivity and be mentally alert to think and judge for oneself, society and the nation, in a joyful manner so that he is able to adhere to the responsibilities and\ opportunities.

Human bodies are made for motion whether for long purposeful strides across a backcourt or for the free expressive creations of a dance, there is something very magnetic and totally captivating about physical activities. It challenges, and it satisfies, it excites and it calms, it wins out allegiance with a compelling urge that may be an answer to some fundamental human needs. We are inline and rejuvenated by the pure joy of movement.

Physical activity is essential for life. If the organism is not physically active, the functions of the body will gradually but surely diminish from desirable level until there is difficulty in moving even under minimal conditions. Without physical activity, the regression in bodily functions will continue until death results.

Physical activity is a part of society and an integral facet of the culture. It varies in each nation, community and group. It has been a part of life of all people from early times to the present. The influence of international sports has made physical activity a part of life in all cultures and nations.

The preparation of the young for later life is an activity to which almost all living species give considerable attention, time and energy. In human beings this process is fairly prolonged and is termed as education. The ultimate aim of education is the fullest development

of the individual's potentialities. The various areas of development have traditionally been classified under four major heads namely physical, mental, emotional and social development.¹⁰

Physical education has always been interested to mould the present generation to cater for the needs of the future. Many Physical education experts have already made some predictions of the future. All education aims at preparing the child for tomorrow.

Physical education should not only aim at preparing physically fit children to face the crisis and challenges of complex life style of future but also enable them to choose the kind of future preferred for a better life. In the process of bridging the gap between the present and the future, future oriented physical education should be encouraged at every stage different alternatives can be explored for popularizing futuristic physical education in schools, college and Universities. Today it is expected from physical education soldiers to march onward with the "Olympic torch" going on before. The tremendous effort by physical education experts and the Government when made successful, it will help the present generation to prepare their generation in the onward march of physical education towards the future.¹¹

¹⁰K.V.K. Reddy (1987): "Comparative Effectiveness of a Programme of Movement Education & Traditional Physical Education on Movement, Satisfaction, Attitudes towards Physical Activity & Self - Concept of - Elementary School Children". Unpublished Ph.D Dissertation, Jiwaji University.

¹¹ S.R. Gangopadhyay (1993): The Onward Journey of Physical Education: New Delhi, Friends Publication: 149-153.

Sports also enable the students to escape from the monotony and boredom of continuous studies. This aspect is particularly relevant from the point of view of young students. Young students especially, may develop an aversion towards studies and start shirking work if they are not allowed time for playing and enjoyment.

The importance of sports does not arise singularly because of considerations for physical fitness or health. But, also because they contribute in a significant way towards shaping the personality of students. As was said earlier education involves much more than studies. It is incomplete unless it inculcates in students sound principles, moral strength and give them a proper direction to enable them to use their talents.

Sports are greatly instrumental in achieving this purpose of education. Through participation in sports students develop the qualities of coordination, team spirit, unity, perseverance, competitiveness & confidence. Sports teach students never to give up their endeavors. The students learn how to improve themselves under the pressure of competition. Most important of all, by developing the spirit of sportsmanship, students learn to accept both victory and defeat with equanimity and solidarity and to take failures in their stride while striving for success.¹²

¹² Souvenir (2001): Seth M. R. Jaipuria School, Gomti Nagar, Lucknow.

It is an art of balancing the vices and virtues that life manifests before us. It teaches man to juggle with the many facets of his existence. It enables him to grow out of his narrow thoughts, far into the realms of happiness as he shares in the laughter of another, without repenting at his personal defeat. A sports man never stands to lose. He is a thorough winner competing with none but himself. In his struggle to out do his own achievements, he creates landmarks of successes for others to follow, setting down ideals of honest existence and healthy thinking.

The change in the global perspective from late 1950's made the education reformers to think positively towards physical education for women. Many women in India were courageous enough to select physical education as their profession against many social odds. Physical education and sports is the field where women not only find opportunity to be leaders in developing human values but also assume an assertive role as a professional leader.

With this a question arises how Sports can make wonderful leaders?

A leader is one who is able to effect positive change for the betterment of others, the country and society. All people are potential leaders. Moreover, the process of leadership cannot be described simply in terms of the behavior of an individual; rather leadership involves collaborative relationships that lead to collective action grounded in shared values of people who work together to effect positive change.¹³

¹³ The women's sense of team fits the vision of leadership Plummer adopted from Helen and Alexander Astin of UCLA:

As it is said healthy body makes healthy mind, therefore sports is corner-stone in making leaders. There are great similarities between a sportsman and a leader. There are some attributes and qualities which also make him a great leader. In sports one develops and learns following qualities which make a sports man successful in other all spheres of life as well:

While remaining in sports group one learns:

- Co-operation
- Co-ordination
- Enthusiasm to lead in sports
- How to Make oneself physically and mentally strong
- How to live in groups

As leaders are charismatic personalities – of course they are human beings but having some peculiar and special qualities of their own. So, sports can help develop their one in million personalities.

Qualities essential for becoming leader rightly be acquired by having participation in sports

1. Quality to lead
2. Quality to take consultation
3. Quality of patience
4. Quality of commitment
5. Quality to face the reality & accept it
6. Quality of discipline

7. Quality of being part of the team (team work)
8. Quality of taking up the challenge
9. Quality of planning/strategy
10. Quality of character building

Sport Leaders act as the motivators. It is that energy that brings honor self-respect, and grace as the fruits of leadership. The psychological relation between the sports & leadership could be understood in the following reflection:

- **Sport as an outlet for aggression in leaders:**
 - One accumulates aggression through the occasional (or frequent) frustration of daily life and hence piles up his aggressiveness at time.
- **Sport as lessening inferiority feelings and make leaders:**
 - The normal person possesses inferiority feelings and wants success popularity, and admiration from his fellows. Sports permit friendly rivalries and joyous interplay within his own family and peer groups.
- **Discipline for leadership:**
 - Discipline in a sports learning, facilitate learning and performance, either of the individual or in the group. The complete absorption in the group takes his mind away from self and focuses it outwardly; it states a direction of attention. The drive to excel, to do better, to surpass one's own previous performance, the records set by others, the competitor of the moment, all are a part of the human striving for maximum performance and efficiency.

- **Sports can make high morals of leaders:**

- It gives steady self-central courageous determined conduct despite danger and privations, based upon a conviction being in the right, and on the way to success.
- Morale is a mental and emotional success of zeal, hope, enthusiasm in work towards preconceived goals.

Leadership has been thought of as a specific attribute of personality, a personality trait, that some persons possess and others do not, or at least that some achieve in high degree and others scarcely at all (Gibb, 1947)¹⁴. Leadership depends on attitude and habits of dominance in certain individuals and submissive behavior in others (Warren, 1934).¹⁵ Leadership quality can be defined as the ability and readiness to inspire and guide others, individuals or groups, towards specific objectives. Leadership is partly a learned ingredient and is composed of a matrix of qualities. Since all learning is a result of doing and since leadership is partly a learned attributed there must be practice and training in leading.

Leadership is always something of a two-way street in which leaders influence followers and followers, in turn, hold some degree of influences over leaders. As almost all serious leaders soon learn that peak performance requires more than physical training. Mental and emotional "conditioning" are also very important to be a leader sports teaches a leader how to

¹⁴ Gibb, C.A., 1947. The principles of Traits of Leadership. Journal of Abnormal and Social Psychology. Vol. 42.

¹⁵ Warren, H.C., 1934. Dictionary of Psychology, Houghton Mifflin.

relax, how to ignore distractions, or how to cope with emotions. A good leader, may also benefit from sports for many, the payoffs are stress reduction a better self-image and improved general health.

Sports is an art of balancing the vices and virtues that life manifests before us. It teaches man to juggle with the many facets of his existence. It enables him to grow out of his narrow thoughts, far into the realms of happiness as he shares in the laughter of another, without repenting at his personal defeat. A sports man never stands to lose. He is a thorough winner competing with none but himself. In his struggle to out do his own achievements, he creates landmarks of successes for others to follow, setting down ideals of honest existence and healthy thinking. It also helps in developing quality of co-ordination, team spirit, unity, perseverance, competitiveness, confidence & leadership.

Sports activity has been acclaimed for stimulating the real soul out. A sportsman always is vital and stands out of the crowd, prominent and healthy, both mentally as well as physically. Sports always develop the leadership qualities and maintain the body and mind coordination in one's personality. Personality ; a term used to characterize the individual that emerges as a person grows, matures, and reacts to the thousands of environmental stimuli that surround him. The learning of social values, and particularly sportsmanship, must be a part of the purpose of the individual; its results must be recognized and be made satisfying if learning is to take place. Discipline in the sports learning situation brings guidance in behavior, most

conducive to learning process and effective for successful performance. Best sportsmen lead very healthy, active, peaceful and disciplined life.

“You can tell the condition of a nation by looking at the status of women”- as said by our first prime minister - Pt. Jawahar Lal Nehru.¹⁶

“The victor in any given struggle is often the one who pushes the hardest and the longest.”¹⁷

Vera Katz gives voice & substance to integrative leadership. The current Mayor of Portland and former speaker of the Oregon house of representatives believes she and other women lead by emphasizing collaboration and partnership rather than competition & self interest.

WOMENS EXECUTIVE COMMITTEES (WEC) : The women’s integration network council was established in March 1995 with representatives from the women’s executive committees. The council sets directions for WECS to inspire more women toward community leadership and contribution, WECS plays an important role in galvanizing women from all walks of life to promote community bonding, nurture leadership quality among our women and help the less fortunate. The objectives of WEC are :

¹⁶ http://wiki.answers.com/Q/What_are_the_Roles_of_women_in_Modern_India#ixzz1xlylR83M

¹⁷ Cindy Simon Rosenthal (1998) : When women lead : Integrative leadership State Legislatures, contributors. Publisher : Oxford University Press, New York: 54

1. Widen outreach to women of all races to build strong bonds among them.
Engage women and their families in activities and programmes that meet their needs and interests.
2. Create opportunities for women to participate in community and national affairs.

Role of woman in modern India can be called as phenomenal. The transition of woman from the past to present is worth mentioning. Woman who once considered to be the masters in the art of home making are now considered to be the forces that shape a country. Today many women are well educated and they are now into different professions. They manage the team, show leadership qualities, act tactfully during crises and what not they also has their hand in changing the political picture of our country by contributing 56% of electoral roll. Agriculture which is considered to be the back bone of India is getting more and more feminized. Comprising the majority of agricultural laborers, women have been putting in labour not only in terms of physical output but also in terms of quality and efficiency.

It's heartening to see Indian women leaving their footprints across all disciplines after coming out of the shackles of conservative Indian society. Be it Sonia Gandhi, Renuka Chaudhary, Sheila Dikshit, Sushma Swaraj on political fronts and the likes of Indira Nooyi, Chanda Kocchar and Kiran Majumdar Shaw in international corporate circles; the likes of Aishwarya Rai and Sushmita Sen for their beautiful bodies and minds Indian writers like Kiran Desai and Jhumpa Lahiri and not to forget, the nightingales of Indian subcontinent, Lata

Mangeshkar and Alka Yagnik etc., for their dexterity in singing. But when it comes to sports, we can barely count numbers on fingers. For instance, Sania Mirza, Anju Bobby George, K Malleshwari and PT Usha.

Indian women making mark internationally clearly shows that the attitude of our society towards women is changing. Indian families understand the importance of their daughter's academics and educational qualifications, to make her independent. However, they still need to understand that encouraging sports among girls is as important for her personality development as her academics are, and the virtues like team spirit, leadership, decision making ability and flexibility can be learned on the sports ground only, not by merely playing ghar-ghar with kitchen sets.¹⁸

Women leaders are more assertive and persuasive, have a stronger need to get things done and are more willing to take risks than male leaders....Women leaders were also found to be more empathetic and flexible.

The Caliper study findings are summarized into four specific statements about women's leadership qualities:

1. Women leaders are more persuasive than their male counterparts.

¹⁸ Luthra, Khushboo : Time to support women in sports!; The Viewspaper "The voice of the Youth"

2. When feeling the sting of rejection, women leaders learn from adversity and carry on with an "I'll show you" attitude.
3. Women leaders demonstrate an inclusive, team-building leadership style of problem solving and decision making.
4. Women leaders are more likely to ignore rules and take risks.

The study was conducted by Al-Tale Abdul Hakim, with the sole purpose that today sports has become a science or precisely a multi disciplinary field of human activity. Interest in the Olympic games is increasing every day and games have become a Mecca for millions of youth who come from many nations of the world to participate in honest competitions. The Olympic games help to spread the spirit of love and peace among the athletes irrespective of their regimes and political ideologies.¹⁹

This study was conducted by UDO Masahiko and Kazuo by researcher in Tokyo University, Japan with a sole purpose to identify the concept in theories, domain between sports management and physical education management, have to be examined. Human behavior organization with different aspect of motivation, leadership, organisational structure

¹⁹ Al- Tale Abdul Hakim (1988): University of Baghdad, Baghdad, Iraq; The Role of the Arab Confederation in Spreading the Olympic ideas among the Arab Nations: As Personally Communicated 2003.

to distinguish between human behavior between public sector agencies private & commercial agencies to conclude the structural aspects of the management.²⁰

In the past, more than five decades since Independence, our country has seen a phenomenal growth of institution of higher learning, the progress in the field of agricultural, resulting in the “green revolution”, the discovery in the field of genetic engineering and biotechnology, industrial growth, advancement in space technology, human resource development and management, thus virtually every facet of human life.

²⁰ UDO Masahiko & Yana Gisama Kazuo (1988): Tokya University, Otsuka, Japan & Japan’s Women’s College, Tokyo, Japan; Recent Subjects Concerning the Management Science of Sports and Physical Education. New Horizon of Human Movement Abstract (II) D4: p 223

METHODS AND PROCEDURE

The procedure of research involves first identifying a problem and then to make it pinpointed so as to work out the solutions in a scientific manner. Therefore, methods, procedure and techniques are important pre-requisites of any study. Owing to the diversity of problems and the subject matters, the data needed for their solutions vary significantly. This has lead to the development of different techniques each with its own body of safe guarding rules. In order to ensure comparative evaluation studies by different investigators, it is necessary to give the details of the gathering data, methods and the techniques followed in a particular study (Fox 1969).²¹

Keeping the above views in mind, all the investigations cannot be carried out with the same method. Different researchers need different methods to study. The present investigation is the survey type of research involving questionnaire, interview, and personal contact with the administrators, teachers, and students to obtain the correct information required for the present study. In the words of the Best (1983)²²

“Research is considered to be moral, formal, systematic, intensive, procedure of carrying on methods of analysis.”

²¹ David J. Fox (1969): The Research Process in Education. New York; Holt, Rinehart & Winston: 42.

²² John W. Best (1983): Research in Education. New Delhi; Prentice Hall of India; Fourth Edition: 33

1. Questionnaire
2. Interview
3. Statistical Techniques –Chi-Square Test (χ^2)

$$\chi^2 = \sum [(f_o - f_e)^2 / f_e] \quad \text{(Chi- Square formula for testing agreement between observed and expected results.)}$$

In which,

f_o : Frequency of occurrence of observed or experimentally determined facts;

f_e : Expected frequency of occurrence on some hypothesis.

RESULTS & DISCUSSION

Table - 1

LEADERSHIP TRAINING CAMP :

(a) Kakori Kannya Inter College

	Yes	No
f_o	0	30
f_e	15	15
	15	15
Correct	14.5	14.5
$(f_o - f_e)^2$	210.25	210.25
$(f_o - f_e)^2 / f_e$	14.016	14.016
	$\chi^2 = 28.032^*$	

(b) Emma Thompson School

	Yes	No
f_o	5	25
f_e	15	15
	10	10
Correct	9.5	9.5
$(f_o - f_e)^2$	90.25	90.25
$(f_o - f_e)^2 / f_e$	6.016	6.016
	$\chi^2 = 12.032^*$	

(c) Carmel High School

	Yes	No
f_o	30	0
f_e	15	15
	15	15
Correct	14.5	14.5
$(f_o - f_e)^2$	210.25	210.25
$(f_o - f_e)^2 / f_e$	14.016	14.016
	$\chi^2 = 28.032^*$	

(d) LalBagh Girls Inter College

	Yes	No
f_o	30	0
f_e	15	15
	15	15
Correct	14.5	14.5
$(f_o - f_e)^2$	210.25	210.25
$(f_o - f_e)^2 / f_e$	14.016	14.016
	$\chi^2 = 28.032^*$	

Table 1 indicates that all 4 girl's institution 3 institution (Lalbagh Girls Inter College, Carmel High School & Emma Thompson) conduct leadership training camp which shows that these institutions are aware for the future of their students and only one institution Kakori Kanya Inter College did not have any training camp which shows that still some institutions are their which required proper guidance in field of Sports. This also shows that there is a difference in level of sports in urban & Rural areas as above 3 institutes are from urban area and Kakori Kanya Inter College is from rural area. Therefore urban areas still need promotion regarding level of sports for the betterment of student's future.

Leadership training camp is very important for every institution because it helps the students to develop a leadership quality in them. This is very much helpful in building strong character of the student. By these camps students will come to know how to manage the things in life and how to face, and solve problems boldly in life.

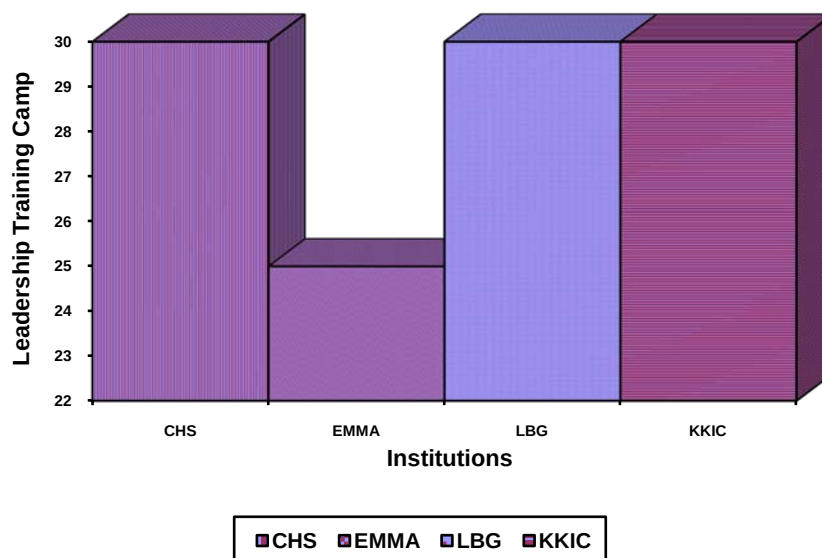


FIGURE : LEADERSHIP TRAINING CAMP

Leadership training camp is very much helpful in all round personality development because it inculcates the quality of good leader like honesty, helpfulness, discipline, good control and coordination with other.

Leadership skills are simply functions that need to be performed in any democratically operated group. And who ever can do them most conveniently and effectively should be turned to for leadership at that point. Every member of a democratic group should share leadership to the utmost of his ability. Hence, the one who is nominally the leader needs to fulfill only those responsibilities which the group itself, because of inability or inconvenience, cannot perform. The more mature the group, the less the man designated as leader will have to do.²³

Leadership qualities are very important criteria. It should be inculcated in every student of each institution. For this schools should arrange for leadership training camps, which will help the students to develop confidence and leadership qualities in them. These qualities will not only help the students to become good leaders but also guide them to become good human beings, and worthy citizens of their nation. It will also help them to achieve their goal for a better and brighter future.

²³ Franklyn. S. Haiman (1951): Group Leadership and Democratic Action. (Boston: Houghton Mifflin Co.): 111.

CONCLUSION

Conclusions are the factor, which come at the end, which contains overall information/results of the work done. This paper contains brief knowledge of explanation and meaning of the topic, how topic was selected, how study was done, what tool were applied to continue the study further and what were the results gained by the appropriate test applied, and how this study can prove helpful in wider range or to others in the field of sports.

The subjects of the study were not a homogenous group. They were from various institutions of the city and their socioeconomic condition and background were different. Many of them were from rural areas, obviously they were shy. However, the organized physical education training programme provided opportunity to express and show their leadership quality. This insignificant improvement in leadership quality may be due to their heavy burden of syllabus and some other factors which were beyond the scope of this research i.e. cultural, educational, socioeconomic, family background, etc.

The results proved that leadership training camp are very helpful for building strong character and personality of the students. It inculcates the quality of self-confidence, self-discipline, hard work, and coordination among students. These qualities are necessary in the field of sports for the better performance of students.

It is clear that school management/authorities play an important role in promotion of sports by providing all the necessary facilities like equipments, fields/ courts, required for proper functioning, without their help no department can function smoothly at their level best. The results indicate that now mostly school management/ authorities had started taking interest in promotion of games and sports. Now the level of sports is improved in maximum institutions.

This is clearly proved by the result that games and sports were very much beneficial in wholesome development of the personality of the child. Most of the institutions and parents had clear vision about the importance of games. They knew that sports did not hinder in studies of children but refreshes the student's mind and help them to build a strong personality.

IMPORTANCE OF RESEARCH & ITS CONTRIBUTION

Empowerment of women in India during 21st Century clearly indicates that further emphasis in the institutes of higher learning (Universities) is required in the present society. We know that at present first women President of India Smt. Pratibha Patil and first speaker of Lok Sabha Smt. Meera Kumar, first women Railway Minister Mamta Banerji, & first time in India a Lady Merry Com was awarded Rajiv Gandhi Khel Ratna Award for Boxing. Since independence of our country keeping in view of above facts this study will further enhance the role of women in institute of higher learning as well as in developing leadership qualities among the women.

WOMEN'S EMPOWERMENT IN INDIA

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Abstract:-

Women constitute half of humanity and work two thirds of the words working hours. They are the nation's most precious human resource, contributing for sustainable development of the society. The empowerment of the women was implicit in the preamble of the Indian constitution in the promise to secure justice, social economic and political, equality of status and opportunity and assuring dignity of the individual It was to achieve the above objectives that the provision had been made in the chapters on fundamental rights and Directive principles of state policy for the empowerment of women. The political rights have succeed to bring about the desired changes in the empowerment of women. Women empowerment is identified with women's ability to influence there own lives and also other decisions in the society which may be expected to result in the betterment of the socio economic condition of society.

It is found that numbers of women are empowered. It also enhances the leadership quality decision making, social awareness and enhances social status. today maximum women are arrived on the high post in the various offices. Women are also contributed to their family income. They stand on their own leg. This is the ideal example of empowerment of the women.

The most fundamental prerequisite for women empowerment could be attained only through education.

Keywords – Constitution, empowerment, Discriminate and education.

Introduction:

In ancient India, the women enjoyed equal status with men in all fields of life. Women Brahmanvadinis like Gargee and Maitreye had actively participated with rishies in Intellectual and philosophical discourses. Husband and wife were joint owners of family property. Wife was regarded as an indispensable member of husband's family and proved herself a sincere friend, partner and guide of her husband. She could move freely to attend fairs, festivals and assemblies of learned persons.

Unfortunately, in post Vedic Era after the Epic period the status and position of women was gradually declined and deteriorated. She was regarded as sub servant and appendage to male and confined to household chores and child bearing. According to menu, a woman could not enjoy independent status. She was deprived of education and confined to the four walls of the house. Child marriage, Parda Pratha and Sati pratha become common. But during British rule, social reformers like Rajaram Mohanroy and Dayanand Saraswati tried hard to eradicate barbaric these social evils.

After independence the democratic welfare state adopted the constitution and conferred various fundamental rights to all Indians. Women are the beneficiaries of these rights in the same manner as men. Article-14 ensure "equality before law" and Article-15 "Prohibits any discrimination".

Article 16 –equality of opportunity, Article 39- Equal pay for equal work. In addition, it allows special provisions to be made by the state in favor of women and children (Article 15(3)) and maternity relief (Article-42) the constitution also promises. Social and economic justice to women. The status of women has been subject to many great changes over the past few millennia. From equal status with men in ancient times through the low point of the medieval period, to the promotion of equal rights by many reformers the history of women in India has been eventful. In modern India women have adorned high offices in India including that of the president, chief ministers, speaker of Lok Sabha and leader of the opposition. As of 2011 the president of India, the speaker of Lok Sabha and the leader of the oppositions are all women.

Objectives:

- 1) To find out the status of education of women in India..
- 2) How much the female literacy rate in India.
- 3) How much number of women representative in Lok Sabha in India.
- 4) To find out which steps taken by Government of India in the area of women empowerment.

Methodology and Hypothesis:

This paper is based on secondary data from Books, Journals, Magazines, News papers and the records of the Government Departments. Averages and percentages were calculated to draw inferences.

- 1) Maximum women's are working in various departments in central & state Government. They are playing in decision making role.
- 2) Education status is growing in India.
- 3) Many steps taken by Government of India in the area of women empowerment.

Every year 8th March, International women's day is celebrated. To make this notion more fruitful, India celebrated the year of 2001 as the national women's Empowerment year. Empowerment, as the world suggests, is to empower or enable women undertake initiatives to do certain things and in most cases it connoted women wielding political power. A deeper understanding of the word throws light on many of its dimensions and implications. The very concept of empowerment of women, which is based on equality between sexes, is a long drawn, conscious and continuous process, comprising enhancement of skills, capacity building, gaining self confidence and meaningful participation in decision making.

SHGs as an empowering instrument. More than 80% providing are exclusively for women. SHGs are based on idea of dialogic small groups, which short function of developing collective consciousness linked with micro credit these Groups are able to access credit and subsidy to meet crisis needs as well as development needs reducing their dependence on money lenders.

Education is very important for the empowerment of women. But sixty years of independence, there still exists a great disparity between the male and female educational status. The nature of illiteracy of rural women is also alarming. Only 46.7 percent women are educated whereas male literacy is 71 percent in India. The following table 1 also supports the above statement by presenting male female educational status in India.

Table – 1 Male-female literacy rate in India (percentage)

Years	Male	Female	Percentage
1951	27.16	8.86	18.33
1961	40.40	15.34	28.31
1971	45.95	21.97	34.45
1981	53.45	28.46	41.42
1991	64.13	39.39	52.21
2001	75.85	54.16	65.38
2011	82.14	65.46	74.04

Source – Census of India – 2001,2011

Above table reveals that the percentage of educated people in our country was 18 percent in the year 1951. Out of them the percentage of male and female literacy was 27 and 9 respectively. In 2001 the percentage of educated persons increased to 65 out of them the educated male percentage and educated female percentage were 76 and 54 respectively.

There is also wide disparity in the female literacy rates in rural and urban regions in India. In the year 1951, the rural female literacy was 12 percent and urban literacy 34.59 percent. Following table-2 indicated the trends in the literacy rates in India by rural and urban areas.

Table- 2 – Female literacy rates in India (Rural and Urban 1951-2001)

Year	Female literacy rate	
	Rural	Urban
1951	12.00	34.59
1961	22.46	54.43
1971	27.89	60.22
1981	29.09	62.34
1991	30.06	64.09
2001	46.01	72.09
2011	58.08	79.09

Source – Census of India – 2011

Several factors influence the women literacy in India. Social and economic factors determine their education. Women's labour produces 70-80 percent of the food crops grown in India for that, their education is complete withdrawal from school. Other factors also contribute to reduced enrolment rates and increased dropout rates for girls include gender sensitive teaching methods, transport, sanitation facilities etc. Sharmila and Dhas points out that infrastructural barrier are responsible for lagging of women literacy in India.

Although the percentages of educated male and female were increased. That's why women have to play very predominant role in our social life as well as in politics through education in the society.

Political participation- women's political participation has been considered a main measure of women empowered, globally, through histories of the world. We have records of very few regents, sovereigns, and active agents in nobility who were women to measure women empowerment now GEM takes three indicators, women participation in economic political and professional activities. The percentage of women at various levels of political activity have vision from 4.5% to 25.40% women's are increasingly demanding not only basis but also Land literacy and fuller longer trainings instead of being short changed through orientations. More than one million women have now entered political life in India and 43% of the seats are occupied by them district, province and national level. Women's participation is understood in terms of voter turnouts, number of women contestants a part from number of those who succeeded in winning

Empowerment could be recognized as an ability to undertake a number of tasks either individually or in groups so that they have further access to and control of society resources. Therefore maximum women's are getting leadership in various countries are as follows.

World Leadership of Women:

Name of women	Country	Period	Post

Suhpatarin Yajma	Mangolia	1953-54	Act. President
Sirimao Badarnayake	Shrilanka	1960-65 1979-77	Priminister
Indira Gandhi	India	1866-77 1980-84	Priminister
Hilda Gibs Binoi	Granada	1967-72	Governor
Gold Mier	Israil	1969-74	Priminister
Maria Ebo Peron	Arjentina	1974-76	President
Elizabeth Damisian	Central African Republic	1975-76	P. M.
Lucida Da Costa	Netherland	1977	P.M.
Doris Iuyies Jonson	Bahama	1979	Act. Governor Journier
Lidier gveyalar Tejada	Bolivia	1979-80	Act. President
Smt. Pratibhatai Patil	India	2007-2012	President
Mira Kumar	India	2009---	Speaker of Lok Sabha
Smt. Soniya Gandhi	India	2011	President of

			National Congres
Smt. Shaik Haseena	Bangladesh	Present	P.M.
Smt. Benazir Bhutto	Pakistan	1988-90 1993-96	Priminister
Mari Kivirnimi	Finland	2011	Priminister
Yigluck Shinavatra	Thailand	2011	Priminister

By empowerment of these women's would be able to develop self esteem, confidence, realize their potential and enhance heir collective power.

According to Election commission of India, the total electorate for the election to the eleventh Lok Sabha was 591.60 million of whom 282.43 million (47.75%) were female. Their representation to the Lok Sabha in successive elections was marginal as shown in the table 2 under Table –2 shows the number of women's representation to Lok Sabha in successive elections.

Table – 3 Number of women representatives in Lok Sabha.

No of Lok Sabha	Year	Total Seats	No. of Women Candidates contested	No. of women Won the elections
1	1952	489	51	22

2	1957	494	70	27
3	1962	494	68	34
4	1967	515	66	31
5	1971	518	86	22
6	1977	542	70	19
7	1980	542	142	28
8	1984	508	157	44
9	1989	529	198	27
10	1991	521	307	36
11	1996	535	477	39
12	1998	545	271	43
13	1999	545	277	45
14	2004	543	355	45
15	2009	552	556	59

Source – www.cify.com/news

It is for the first time in our country that we have four women chief ministers of the states of TamilNadu, New Delhi, West Bengal and Uttar Pradesh at the same time. Significantly each of them has proved to be leader in her own right and has not depended an

any crutches to come to power. But these individual successes notwithstanding, there is no conclusive proof that women politicians have come of age.

But the condition of women is very pitiable in rural areas. Women are in subordinate position, the symbol of fun and entertainment. They can bear children and a respect for nurturing future generations. They have no faith in their social power. In case of human beings, male has been dominating the society since a very long time. For this condition of women, the causes are various types such as social, economic, political, religious, physical and biological in nature. In our society, women herself is responsible in her consciousness for this odd situation. Female child is considered a liability and male child is considered a property. This has created imbalance in the male-female ratio. Following table – 4 shows the trends of sex ratio during the different years.

Table – 4 Male-female ratios (as per thousand male)

Years	Ratio
1901	972
1951	946
1961	941
1971	930
1981	934
1991	927

2001	933
2011	940

Source – Census of India 2001, 2011

Indias declining sex ratio caused through foeticide, infanticide and systematic neglect requires urgent and compressive action.

Implications and Importance:

There is urgent need not only to understand the importance of women’s education but also to take effective measures towards addressing it, though it is basic human right. Women are in fact a vital part of human resources of a country. Education is the most effective instrument to channelise these resources for the national development. To attract and retain girls in educational institutions, many interventions are imperatives by way of more schools and hostels. Timing have to be more flevible, balance diet, free supply of uniform and books should be provided.

In the present millennium, strategies for empowerment of women must focus on certain important issues relating to womens education regarding health, social, evils, crimes, environment, social reorientation and social justice. No country can strive and develop when a large proportion of its female population continuos to remain illiterate and backward.

Education is considered a Key instrument for this change to abolish this discrimination. It is true saying that “If you educate a boy, you educate an individual, but if you educate a girls,

you educate a family, society and ultimately the nation. Education liberates women from ignorance and enhances her self-esteem. It enables them to choose their own way and look after their families in a better way. Napoleon Bonaparte who has rightly said, "Give me an educated mother, I shall promise you the birth of civilized nation.

Some of the good policy steps taken by GOI in the area of women empowerment.

Firstly, the move reserve one third seats in the parliament for women could probably be the boldest and biggest step taken by Indian govt. in the area of women empowerment. If the bill passed more than 180 seats in the lower house (Loksabha) occupied by women compared to less than 30 occupied currently.

Secondly, to provide integrated social empowerment of women, the Govt.intiated a scheme called as "Swayamsidha" in 2001 which helps them in establishing self reliant women's self help groups (SHG). The objective is to achieve all round empowerment of women by ensuring direct access and control over resources. It helps in creating confidence and awareness among the members of SHG regarding health, nutrition, education, hygiene and economic upliftment. A number of rural women have already been benefited though this scheme and this project is one of the long term strategic initiatives taken by the government in the area of women empowerment.

Another initiative is a programmed called as STEP (Support to Training and employment programmed for women) the objective of this programmed is to empower women by provide sustainable empowerment opportunities .This programmed has already made a significant impact in the lives of a number of women in the traditional sector.

In 2010 march 9, one day after International Women's Day, Rajya Sabha passed women's reservation bill, ensuring 33% reservation to women in parliament and state legislative bodies In short, Govt. is taking same concrete steps in empowering women by helping women to help themselves and their families.

Conclusion:

The paper's study was undertaken in the empowerment of women through some issues.

It is found that the empowerment of the women has been increased through education. It also enhances the leadership quality, decision making social awareness and enhances social status. Today maximum women's are arrived in the high post in various offices. This is the ideal example of empowerment of the women. I would like to quote Pandit Nehru's words here, "When a woman moves forward the family moves and the villages move and the nation moves." Upliftment of women is an essential ingredient of human development. When women are supported and empowered, all of society benefits. Their families are healthier more children go to school income increases. In short communities become more resilient.

In India our women leadership has empowered that's why the Government of India declared 2001 as the year of women's empowerment. . In the Panchayat Raj institutions, over the millions have actively entered political life in India. As the 73 & 74 constitutional amendment acts, all local elected bodies reserved one-third of their seats for women.

References :

A.V.V.S. Subbulakshmi (2008) Micro Finance and Empowerment of Rural Women, The Economic Challenger, No, 11 Issues 41 October – December.

Aloysius Fernandez & Vijay Ramchandran —SHG approach in Karnataka. — Southern Economist 1-2007 p29.

Dr. Meena Agrawal, Dr. Shobhana Nalasco, Empowerment of rural women in India (2009) Kanishka Publisher, New Delhi,

Gender Development Decision and Policies, Edited by Siddhartha Sarkar and Netten Naaajana, Serials Publications, New Delhi, pp 326.

Narayanswamy, B Samantha R.K & Gouda K.N 2007 —Self Help Group —A Key to Empowerment of rural women Delhi Press.

P Prashanti and A Padma 'SHG and Women Empowerment —Indian Journal of social work vol 71.issue 4 Oct 2010p537.

- Roshmi Agnihotri, H. R. and Dr. M.A. Knnur, (2008) Empowering women through SHGs, Third concept, Vol- 23, No. 270, August.

Swarnlata EV. 1997—Empowering of Women Through Self Help Groups New Delhi
Discovery Publications.

Rural Women Empowerment Through SHGs- A Way For Rural Development

<http://www.publishyourarticles.org/knowledge-hub/essay/an-essay-on->

the-empowerment-of-women-in-india.html

www.cify.com/New.

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WOMEN'S DEVELOPMENT AND SOCIAL CONFLICTS IN INDIA

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Abstract

The worth of a civilization can be judged by the place given to women in the society. One of the factors that justify the greatness of India's ancient culture is the honorable place granted to women. The Muslim influence on India caused considerable deterioration in the status of women. They were deprived of their rights of equality with men. Raja Ram Mohan Roy started a movement against this inequality and subjugation. The British rule in India brought improvement in the status of women. The third factor in the revival of women's position was the influence of Mahatma Gandhi who induced women to participate in the Freedom Movement. As a result of this retrieval of freedom, women in India have distinguished in all the fields. But inspite of this amelioration in the status of women, the evils of illiteracy, dowry, ignorance, and economic slavery would have to be fully removed in order to give them their rightful place in Indian society.

The present study is intended to highlight the development of women in India. An attempt has been made to analyze and explain their position keeping in view the general structure of Indian society.

Introduction

A social conflict arises when two or more persons or groups manifest the belief that they have incompatible objectives. Social conflicts are natural, inevitable, and essential aspects of social life. They serve to alert individuals, organizations, and communities about underlying tensions that exist in some degree in every social relationship. They provide a pathway through

which challenges to an oppressive status quo can be articulated and they give individuals and groups a vehicle for achieving desired social change.¹

Karl Marx identifies social conflict as an inherent part of human relations. Engels applies conflict theory to the family. This paper seeks to explore how this theory of social conflict can be applied to the relations of gender in present day patriarchal India. It examines the social realities that the women labour under and how unequal gender relations promote social conflict and disharmony.

Objective of the paper

To bring out a historical growth of Women's development from ancient to modern India

To explore how the theory of social conflict can be applied to the relations of gender in present day patriarchal India.

To examine how unequal gender relations promote social conflict and disharmony

Methodology

Data, Sources and Tools

This study is both descriptive and analytical nature; it relies on primary and secondary data. Primary data is generated through Government Orders, Census Report, Administrative report, Newspapers and random sampling. Secondary data has been taken from the published Books.

This research paper tends to provide the historical status of women from the ancient to modern period. The paper also describes about the social conflict between patriarchal and matriarchic society. This research paper also provides certain suggestions which will be useful for policy makers to improve the status of women.

Power is a conflict. Here patriarchal conflict. Women work is not respected that is where the conflict arises. More violence is taking place in the present century compare to Vedic period. The twenty-first century will go into the pages of the history of human civilization as one of the great epochs of human progress. The British regime and the post-independence have brought in many social changes in India. The old order has changed, yielding place to the new, thus bringing a perceptible transformation in society. The transformation has brought both prospects and problems. With the advancement of science and technology, new technologies have come

into our daily routine and new wants have increased. Women's emancipation gained momentum and they were considered equal if not superior to men. However, the present status of women in society is quite encouraging and deserves careful study. While it is true that the known present cannot always be explained in terms of historical origin, it is almost certain that it is impossible to study the present without reference to the past. For this reason, a discussion of the historical background of the Indian women will be rewarding and helpful.

Historical background

Women in the Ancient period

In our country, the place of women was very high in the Vedic times. They had the same educational and social opportunities as men.² There was no discrimination based on gender with respect to opportunities for receiving education and the sages who were teaching made no difference in imparting education to women. The girls who were educated were regarded with great respect. The importance of girl's education is stressed in Athervana Veda, which states, "The success of a woman in her married life depends upon her training during the Brahmacharya, that is, the student life".³

To name a few of these significant Rishis (Rishikas- Feminine for Rishis) who figure in the Rig Veda Samhita are: Gosha Kakashivati, , Sarama, Devasuni, Yami Vaivasvathi, Rathir Bharadwaja, Poulomi and others. They were held in high esteem and their works are credible enough to include in the Vedas. This shows that women had the right to religious teachings.⁴

Throughout the Vedas, equality among sexes has been emphasized. The Vedas demand that the women ought to be physically strong. There are particular professions recommended for women, such as teachers, judges, writers, administrators, community leaders, and of course, housewives. The job description of a housewife was quite different during the Vedic

period. The wife had complete control of the household, the finances and supervision of all the servants and staff.⁵

In ancient India women played an important part in art and religion. Dr. S. Radhakrishnan, a world renowned philosopher and former President of India, recalls some examples of the active part played in intellectual and social life by women in ancient India: "Brahmin girls were taught Vedic wisdom, girls of Khatrya community were taught the use of the bow and arrow. The Barhut sculptures represent skillful horsewomen in the army. Megasthenes speaks of Chandragupta's bodyguard of *Amazonian women*. Kautalya mentions about women archers. In the universities of ancient India, boys and girls were educated together⁶. . There is no evidence of child marriages in the Rig Veda. The minimum age at which the girl should get married has been recommended as 16 years and it is evident from the hymn 1.116.10 of the Rig Veda. Polygamy was permitted during the Vedic times but monogamy was in general practice. Polygamy was mostly practiced by the Rajyanya class (the ruling class). These are clear evidence that the remarriage of widows was permitted in certain circumstances, though there is no definite reference to it in Rig Veda.⁷

Widow re-marriage was in existence in the Vedic period. This can be proved from the following evidence namely Parasara, Chapter IV, verses 26 to 29: "A (married) woman may take a second husband under any of the five exigencies, viz., if her first husband long remains unheard of, or dies, or takes to asceticism, or loses his virile power.⁸ Dowry system was not in vogue. It appears that the bride's parents gave gold, cattle, horses and valuable articles, which she carried to her new home. She had the right to deal with it as she pleased. No doubt the dowry the girl brought with her made her more desirable.⁹

The high status, women enjoyed during the early Rig Vedic period, gradually started to deteriorate in the later Vedic period between 1000 and 500 B.C. Women began to confine to the household. They were kept away from many religious and social occasions. Lineage began to be traced in male line and sons were sole heirs to family property. As the economic and social status of sons began to rise, the position of women saw a steep decline. Thus there was a general decline in the status of women in the later Vedic period. But there were still instance of women intellectuals who showed great scholarship. Gargi and Maitreyi were well known women scholars of this period.¹⁰ Generally the position of women went on witnessing a steady decline and reached an all time low during the age of the Dharmashastras, it belong to a large body of secular literature, compiled in 500 – 200 B.C.

Two most important authoritative law codes of this period were Manu Smriti and Yagnavalkya Smriti. Manu Smriti upheld the view that the woman did not deserve freedom at any point of time in her life. Manu's view that *'a women, in her childhood a female must be subject of her father, in youth to her husband, when her lord is dead to her sons; a woman must never be independent.'*¹¹ The view of Manu was not just a theoretical idea but also a practice followed into by the society of that period. The same Manu also said that *'where women are respected, there the 'God of delight'*. This is a statement, which is a clear contradiction of his pronouncements about women not deserving any freedom.

Yagnavalkya laid down that parents who did not get their daughters married before they attained the age of puberty would be committing an unpardonable sin. While girls had to be married at a very tender age no such restrictions were imposed on men. The husband was even given the right to enforce the obedience of his wife by resorting to physical punishment.¹²

In most of the Puranas a woman has been portrait as being physically weak and is overpowered by evil men who harass her in many ways. She begs for god's help and she gets it in one form or other and is relieved form her distress.¹³ During the period of Dharmashastra, child marriage was encouraged and widow re- marriage looked down upon. The birth of a girl was not welcomed and many parents went to the extreme extent of killing their female infants. The practice of Sati existed because of the ill treatment meted out to widows. It was during the period of the Dharmashastras the status of women completely deteriorated.

Jainism and Buddhism took roots around the 6th Century B.C. Both the religions emerged as potent religious reform movements. Women were admitted to the religious order and could give up family life to become ascetics. During the time of Mahavira, a large number of women drawn from different background joined the monastic order. Buddhism permitted women to participate in religious discourses and seek membership in *Sangha*. The renowned Hindu scholar and philosopher Shankracharya, who lived during 788 to 820 AD, opposed to female education.¹⁴

Women in the Medieval Period

The status of women began to decline with the Islamic invasion and the Mughal rule. In the Medieval period, more rigorous regulations were imposed upon Hindu women, and their freedom got gradually curtailed.¹⁵ The system of Purdah which was generally prevalent among royal families, nobles and merchant prince classes prior to the advent of Muslims spread to other classes also. The customary practice of the upper castes particularly the twice born castes were considered as the practices of all Hindus.. The strict observance of purdah resulted in the seclusion of women in the society.

Marriage was a contract among the Muslims and it was a man's prerogative to divorce his wife. Among the Muslims marriage, divorce or inheritance questions are decided as per the provisions contained in the Muslim Personal Law (Shariat). Even today, in the absence of a uniform civil code, Shariat governs Muslim family life. Therefore, it could be said that the status of women reached worst position during this period.¹⁶

Due to insecurity with regard to women's chastity, *pardah* became more rigid and women were even forbidden to visit the holy shrines. Hindu widow's life became more miserable because of Sati practice. The practice had become compulsory and the widow had to burn herself with the dead body of her husband even against her wishes. Among the Rajputs of Rajasthan, the Jauhar* was practiced. In many Muslim families, women were secluded to Zenana.¹⁷ Some of the Mughal emperors like Akbar, Jahangir and Aurangzeb issued order to prohibit the practice of Sati but could not be suppressed. *Purdah* was imposed on women. Female infanticide was practiced during the Mughal period. There was no question of having any political status for woman and no chance for woman to participate in the administration during this period.

Women in the British Rule

The modern period began with the onset of the 19th Century. The British came to India in 1600 A.D. For nearly 200 years the East India Company didn't take efforts made to address questions of social inequality. Social evils such as sati, suppression of widows, denial of the rights to education for women, and child marriage were prevented. With the dawn of the 19th Century an era of change began and it was during this period that many efforts were made both by the British rulers and progressive sections of Indian society to put an end to social evils.

With the British conquest of India, the spread of Christianity and the establishment of educational institutions by the British, created a far-reaching transformation. As a result, a new class of educated Indians came into existence. It was a section of this class which became the vanguard of all progressive movements in India. The spread of Western type of education enabled women to realize their subordinate position, and it persuaded them to regain their legitimate status. A new value system was evolved which recognized women as a unique personality. It was really an event of decisive significance for their future development. Educated women gradually came forward demanding equal rights with men.

Reform Movements in India

In the social sphere many social Hindu reformers who had studied Western languages and culture simultaneously started the reformist organisation such as the Brahmo Samaj, founded by Raja Ram Mohan Roy, the Arya Samaj was set up by Swami Dayanand Saraswati, and Ramakrishna Mission created by Vivekananda, Theosophical Society by Madame Blavatsky and Colonel H.S. Olcott and individual male reformers like Ishwar Chandra Vidyasagar, Ramakrishna Paramahansa, Keshab Chandra Sen, Maharshi Karve, E.V. Ramaswami Naicker, Mahadev Ranade, and Gopala Krishna Gokhale, led the fight against women's oppression by condemning such practices as polygamy, early marriage and enforced and disinvested widowhood, and by advocating family literacy.¹⁸

While Sati was widely practiced in North India, it had little influence in South India where Dravidian culture dominated. Mostly Royal family members committed sati. In 1602 when the Naik of Tanjore died three hundred and seventy five women committed self-

immolation.¹⁹ In 1802, Ammer Singh, the Raja at Tanjore died, his two wives committed sati. The mercantile community in the Madras Presidency too conducted sati.²⁰

The British imposed a ban on the inhuman practiced in the society. Raja Ram Mohan Ray took up the cause of the emancipation of India's women.²¹ He organized the historic agitation against the inhuman custom of Sati and he published three major pamphlets which described "Sati as nothing but murder".²² The Governor General Lord William Bentick who took the lead in enacting the Sati Prohibition Act. But orthodox Hindus, who were against the abolition of this ancient religious rite and considered it as the right of Indian women, resented it. Despite such opposition sati was abolished in 1829 and it was declared "illegal and punishable by criminal courts" by Regulation XVII.²³ The law was first applied to Bengal but the Madras Government also passed a similar regulation on February 2, 1830.²⁴ There have been around forty reported cases of sati since independence. In 1987, the Roop Kanwar case of Rajasthan led to The Commission of Sati (Prevention) Act.²⁵

After the abolition of sati, another social evil that attracted the attention of almost every reformer was the miserable plight of Hindu widows and restrictions on their remarriage. Ishwar Chandra Vidyasagar's crusade for the improvement in conditions of widows led to the Widow Remarriage Act of 1856 passed on 19 July 1856.²⁶ Later the British Government passed an official proclamation prohibiting infanticide through an Act in 1870. According to this Act, it was compulsory for parents to register the birth of their children both boys and girls. This law was strictly enforced.

In 1891, 'The Age of Consent Act' was passed which forbade the marriage of a girl before the age of 12. Though Mahatma Gandhi himself married at the age of thirteen, he later urged the people to boycott child marriages and called upon the young men to marry the child

widows. The reformers were successful only when the Government of India passed the Child Marriage Act, popularly known as Sarada Act of 1929.²⁷ Today the minimum age of marriage for a woman is 21 and for a man, 23 years. These changes were brought about by the Child Marriage Restraint (Amendment) Act, in 1976. According to “National Plan of Action for Children 2005”, (Published by Department of Women and Child Development of India) a goal has been setup to eliminate child marriage completely by 2010 but it still exists.²⁸

To raise the status of women, Raja Ram Mohan Roy demanded for the right of inheritance of property. In 1937, the Indian legislature passed to the Hindu women, the ‘Property Act’ which conceded to the Hindu widow, a share in the husband’s property. In 1946, the Hindu Women’s Right of Separate Residence and Maintenance Act 1946 was passed. The movement for the liberation of women received a great stimulus for the rise of the Militant National Movement in the 20th century.

Participation of women in the freedom movement

Gandhi, and other men and women worked for the upliftment of women. Gradually, women participated in large numbers in the agitation against ‘Partition of Bengal’ and the ‘Home Rule Movement’. More than any other factors, participation of women in the national movement contributed to their awakening and emancipation. Women’s struggle for equality took a big step forward with the coming of independence.

Women played an important part in India’s Independence struggle. Some of the famous freedom fighters include Bhikaji Cama, Dr. Anni Besant, Pritilata Waddadar, Viyalakshmi Pandit, Rajkumari Amrit Kaur, Anjali Ammal, Aruna Asaf Ali, Sucheta Kriplani and Kasturba Gandhi.

Other notable names include Muthulakshmi Reddy, Durgabai Deshmukh, etc. The Rani of Jhansi Regiment of Subhash Chandra Bose's Indian National Army consisted entirely of women including Captain Lakshmi Sahgal. Sarojini Naidu, a poet and a freedom fighter, was the first Indian woman to become the President of the Indian National Congress and the first woman to become the Governor of a state in India. In 1917, the first women's delegation met the Secretary of State to demand women's political rights, supported by Indian National Congress.

29

Diarchy, with the consequent transfer of responsibility for the Education Department to an Indian minister in 1921, was a landmark in the history of Indian education. The movement for political citizenship for women grew in strength and effectiveness, and for the first time women were granted electoral enfranchisement by the provincial legislatures.³⁰ With the advent of autonomous Provincial Government in 1937 (Government of India Act, 1935) women had achieved such a degree of emancipation that soon they were to hold important ministerial posts; a woman was appointed to the post of Speaker.³¹

Status of Women after Independence

After the periods of fluctuating fortunes from Ancient to British period, it can be stated that the period of freedom struggle was a dawn for women's resurgence and it gave an impetus to women's movement. After independence, effective steps were taken to improve the status of women by envisaging equality before law and equal protection of laws in the Constitution of India. The formation of Constituent Assembly during 1946 gave opportunity to some of the women leaders, to participate in decisional process of bringing structural changes through

constitutional means. However, there were only about eleven female members out of 341 members of the Constituent Assembly. The Constitution of India has brought the Indian women into a new era with all rights and privileges.

Article 14 of the Indian Constitution enunciates 'the general principle of right of equality before law and equal protections of laws.' Thus, all men and women are equal before law and law will protect all citizens, either men or women. Moreover, special protection which is discriminatory is also provided to women under Article 15 in the name of protective discrimination, Directive Principles of State Policy also enumerate certain Directive towards emancipation of women. Equal pay for equal work without any sex discrimination is provided under Article 39 of the Constitution.³²

With the progress of science and advance of knowledge, a movement has been started for the emancipation of women, known as Woman's Liberation Movement. For Parallel to this, runs progress of democracy and establishment of republican form of Government upholding the Rule of Law and Human Rights. Equality before law is the basic foundation of a society which is governed by the Rule of Law.

Many Acts have been passed to raise the status of women. *Hindu Marriage Act in 1956*, *Hindu Minority and Guardianship Act in 1956*, *Dowry Prohibition Act in 1961* and the subsequent amendments of 1984 and 1986 allows for punishment of the in-laws, if a woman committed suicide within seven days of marriage and cruelty has been proved, *Maternity Benefit Act in 1961* grants maternity leave with full pay for 135 days to women who have completed 80 working days in a given job and prohibits the dismissal or discharge of a woman during the leave period. The Act extends to factories, mines, plantations, shops and

establishments where 10 or more persons are employed, *Equal Remuneration Act in 1976*, provides for payment of equal wages for men and women for equal work, *The Indecent Representation of (Women Prohibition) Act, 1986* prohibits indecent presentation of women in advertisements and media campaigns and makes it a punishable offence. All these acts were passed only for the benefit of women and to raise the status of women. The modern Indian legislation had helped in stabilizing the position of women and they had become economically free which helped them to break permanent bondage of dependence on men.³³

The Criminal Law Amendment Act (1983) protects the victim from the glare of publicity during investigation and trial. It changed the definition of rape to remove the element of consent, and to add the crime and shifted the onus of proof on the accused. In a similar vein the Criminal Law Second Amendment (1983) gave, for the first time, legal recognition to domestic violence by making cruelty inflicted on the wife by the husband or his relatives as an offence.

Personal Laws

In India family laws are determined by the religion of the parties concerned. Hindus, Sikhs, Jains and Buddhists come under Hindu law, whereas Muslims and Christians have their own laws. Muslim law is based on the Shariat. The personal laws of other religious communities were codified by an [Act](#) of the [Indian parliament](#).³⁴ Even today in the face of a series of laws for the advancement of women, they are subjugated and exploited. Their subjugation and exploitation is being done in the name of safeguarding the personal laws. Personal laws in India are the product of socio-religious set up of the country is highly discriminatory in nature as far as women are concerned.

Personal laws deal with marriage and divorce, maintenance, guardianship, adaption, inheritance and succession, ownership of property etc. These laws are basically divided along with religious lines in India. Thus Hindus are governed by the Hindu Marriage Act 1955, the Hindu Succession Act 1956, the Hindu Guardianship and Minority Act 1956 and the Hindu Adaption and Maintenance Act 1956. Muslims are governed by the Shariat Act 1937, the Muslim Women's (Protection of Right on Divorce) Act, 1986 and Muslim personal laws. Christians are governed by Indian divorce Act 1869, the Indian Succession Act 1925 and the Christian Marriage act 1972. The Parsees are governed by the Parsi Marriage and Divorce Act 1936.

The main characteristic of all these personal laws is that they are largely anti-women and blatantly discriminately especially in their implementation ³⁵. For example, while a Hindu, Christian and Parsi wife can sue her husband for bigamy, a Muslim woman cannot because Muslim personal law allows Muslim man to have four wives at a time. Even in those cases where the law is codified, as among Hindus and accords equality wide gap exists in legal prescriptions and societal acceptance.

In such a scenario, where the condition of Indian woman is pathetic it is pertinent here to analyse the various constitutional and other provisions which protect and promote the basic rights of Indian women. Indian constitution is an instrument which guarantees the entire citizen's of India certain basic Human Rights, Fundamental Rights and Directive Principles of State Policy. To overcome the existing disparity in treatment of women from different communities and to give effect to the equality concept under personal laws, the enactment of a uniform civil code, as directed under Article 44 of the Constitution is a good decision. ³⁶

Patriarchy which symbolized the historic and social dimension of women's exploitation has sanction of all major religions. Hindu, Muslim and Christian unequal rights of women under personal laws is a phenomenon generated from the system of Patriarchy, capacity to hold property, custody of children and other family relations.

Contemporary Status of the Indian Women

The Indian society still remains at cross ends; the individuality of women is yet to be realized by them. The western education which was imparted to them made aware that they were one of the two wheels of the life-cart and that they were also key persons in the family. They began to understand that an all round development of them, equal to men, was necessary for the growth and prosperity of the nation. After a half century of the freedom with 14 Constitutional guarantees, the status of women in the country continues to be unsatisfactory. The present status of women in India in terms of sex-ratio, education, health, employment and political representation has been examined.

Sex Ratio

The sex ratio of women in India is low. The sex ratio has been continuously declining from 1901 onwards. There was a marginal increase of one point in 1951 but thereafter it again dropped to 930 in 1971. The development process of independent India has not succeeded in stopping the decline of sex ratio. According to 2011 Census the ratio is 940 to 1000 males.³⁷

Every year 12 million girls are born, but 25 per cent do not survive to see their fifteenth birthday. The most alarming finding of the Census 2001 was 'Missing Girl child'. The sex ratio of the child population in age group 0-6 years has declined sharply. The child sex ratio in 1991 was 945, which has now come down to 927.9.

Education

Women have been benefited much less from educational opportunities. In spite of the forceful intervention by a bastion of female privilege, feminist critics, constitutional guarantees, protecting laws and sincere efforts by the state governments and central government through various schemes and programmes over the last 64 years, the United Nation's enormous pressure with regard to the uplift of the plight of women in the field of education is still in the state of an enigma in India for several reasons. Gender discrimination still persists in India in women's education. The gap in the male-female literacy rate is just a simple indicator. While the male literary rate is more than 82% according to the 2011 Census, the female literacy rate is just 65.46%. It is virtually disheartening to observe that the literacy rate of women in India is even much lower to national average i.e. 74.04% .The growth of women's education in rural areas is very slow. This obviously means that still large womenfolk of our country are illiterate, the weak, backward and exploited. Moreover education is also not available to all equally. The following table gives a clear picture about the literacy rate of women.

EDUCATION

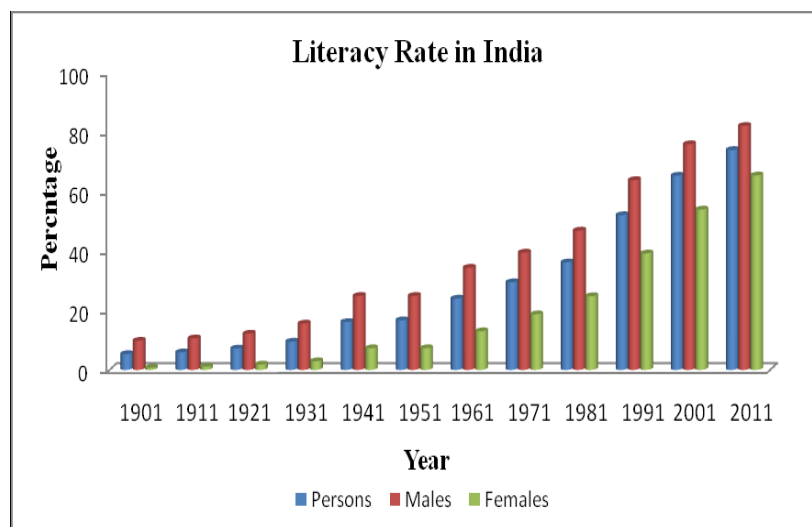


TABLE -1**LITERACY RATE IN INDIA**

Year	Persons	Males	Females
1901	5.3	9.8	0.7
1911	5.9	10.6	1.1
1921	7.2	12.2	1.8
1931	9.5	15.6	2.9
1941	16.1	24.9	7.3
1951	16.7	24.9	7.3
1961	24.0	34.4	13.0
1971	29.5	39.5	18.7
1981	36.2	46.9	24.8
1991	52.1	63.9	39.2
2001	65.38	76.0	54.0
2011	74.04	82.14	65.46

Source: Census of India (2011)

According to the above Table the pre-Independence time literacy rate for women had a very poor spurt in comparison to literacy rate of men. This is witnessed from the fact that literacy rate of women has risen from 0.7 % to 7.3 % where as the literacy rate of men has risen from 9.8 % to 24.9 % during these four decades. During the post-independence period literacy rates have shown a substantial increase in general. However the literacy rate of male has almost tripled over the period e.g. 25% in 1951 and 82 % in 2011. The rate of school drop outs is also found to be comparatively higher in case of women. In spite of the programme of free compulsory primary education being in existence, a large number of girls are not able to make use of these opportunities on account of domestic burden and economic constraints. The effort of the government to increase female literacy through formal and non-formal education has been tremendous. In spite of these gains we are still lagging behind in our achievements as compared to other developing countries.

This higher rate of illiteracy of women is undoubtedly attributing for women dependence on men and to play a subordinate role. The lack of education is the root cause for women's exploitation and negligence. Only literacy can help women to understand the Indian's constitutional and legislative provisions that are made to strengthen them. Thus promoting education among women is of great important in empowering them to accomplish their goals in par with men in different spheres of life.

Health and Nutritional Status

The neglect of women's health is clearly linked with the lower status that has been accorded to women in Indian society. Women in rural areas perform not only what the census of India defines "work" but a lot of other energy consuming activities like cooking, collecting fuel, fetching water, looking after cattle and other animals, un-remunerative work of the family, craft and child care. Calorific needs for women are calculated without regard to the actual work burdens of women, but even these, norms are not fulfilled for women and girls as they eat consistently less nutrition's food than their requirements. Malnutrition's, therefore, aggravates diseases, increases risks of infection and yet, ironically women do not consider.

An important indicator of women's health is her life expectancy at birth. The available data, which traces life expectancy for men and women, indicate that women had lesser life expectancy than men upto 1971-81. It is only now that women have a slight edge over men. There is an increase in the life expectancy of women from 31.7 years in 1941-51 to 66.9 years in 2001-2006.³⁸ This has been due to the multifaceted health initiatives taken by health agencies. It is a very significant achievement.

The health status of women is one of the crucial elements in the assessment of quality of life of the people. Health related indicators like maternal mortality rates, infant mortality rates,

life expectancy, fertility rates, along with nutritional status reproductive health of women point towards women's well being and physical status. The key to the health of children lies much greater in the health and nutrition of women, her physical condition, education and economic status. The nutritional status of women, especially that of rural and lower socio-economic group is far from what is desired. Nutritional anaemia is widespread among the women of childbearing age and contributes significantly to maternal morbidity and mortality. A National Plan of Action for the SAARC decade of the girl child 1991-2000 was formulated. The plan envisaged equality of status for the girl child, prevention of female foeticide and infanticide. The Child Survival and Safe Motherhood (CSSM) programme launched in 1992 aimed at improving health status of women and reduction of maternal, infant and child mortality. There are many innovative strategies in the reproductive and child health programmes presently in operation in the entire country.

Employment

Women are considered as secondary citizens with no independence of any sort. Since centuries, women were the targets of social exploitation and subordination, women work for as many hours as men do; yet their labour is counted as "shadow work" giving them neither the due credit nor equal pay for the work done. Women play a critical role in the family and community as major contributors to family income.

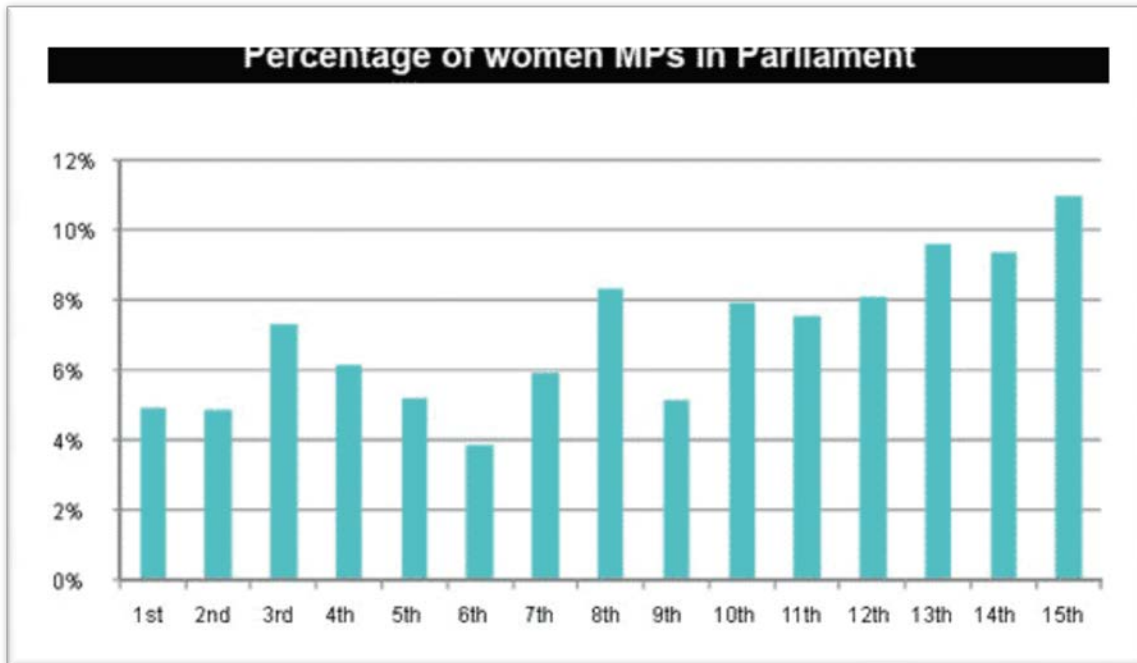
The women's work participation rate had increased from 22.73 percent in 1991 to 25.68 percent during 2001.³⁹ The employment of women in different branches of the public sector and various government agencies indicates concentration of women in state government and local bodies. The share of employment of women in central government services is very low as

compared to men. If we see women's status as indicated in all sectors of employment, it would be clear that women are concentrated in low paid jobs and are low in the hierarchies of status..

Women in Politics and Administration

In post-independence India, women have been extremely visible in politics. Though women are holding numerous high posts including the Prime minister ship, President and the Speaker of the Parliament, yet women percentage in politics are very low. In the democratic power struggle, the most important aspect is the mobilization of women as voters.⁴⁰ The right of vote was granted to women through Constitution. There has been a marked increase in the level of literacy and political awareness of women. However, the representation of Indian women in the parliament has always remained at a very low level never going beyond 10 percent at any point of time. In the case of Rajya Sabha also the percentage of women members has never crossed 12 percent. Thus, the participation of women has dwindled in the country's political life.⁴¹

Women constitute 11 per cent of the Fifteenth Lok Sabha. In comparison, only 5 per cent of MPs in the First Lok Sabha were women. Though the percentage of women MPs has increased over the years, it is still lower in comparison to some countries. These include Sweden (45 per cent), Argentina (37 per cent), UK (22 per cent), and USA (17 per cent).



The statistics reveal women are lagging behind men in politics and work participation. It proves the fact that the gender bias still haunting the male dominated Indian society. In 1987 out of 4,202 IAS officers 339 were women. In 1987 there were 21 women IPS officers against 2,418 men (0.9 per cent) .⁴²

Violence against women

The violence against women has become a serious issue in post modern India. Crimes against female start when the child is born and if she is not murdered then continue all through her adolescent age and marital life. The most common forms of violence against women and girls are Female infanticide, Child beating, Bride burning, Dowry deaths, Honour killings Domestic violence, Sexual harassment. Our Constitution unequivocally grants to the woman a place in the society equal to that of men by giving them equal rights of work, wages and vote. But man, his mind attuned to the notion of woman as chattel, is hitting hard at woman's assertion of equality and dignity.

The main reasons attributed to the rising violence against women are the failure of the existing law and that of the law enforcement agencies to effectively deal with it. Though the status of the women has risen in the society, the rate of the crimes has risen and has taken hybrid forms. Among many reasons attributed to the failure, we are most concerned with the approach of the legal machinery towards crimes against women. Over the years the Indian State has enacted general as well as specific provisions to deal with this menace. But a patriarchal umbrella covers these laws making them female insensitive. An ideal law should not only have substantive but procedural fairness as well. The rate of crime has increased marginally from 17.4 during the year 2009 to 18.0 during 2010.

Dowry death

In spite of modernization and the increasing role of women in all walks of life, the practice of dowry in India is becoming widespread, and the value of dowries is increasing. "The dowry system is so deeply rooted in Indian culture, that sometimes one feels that there's going to be no way out – at least not for another century." 'Bride-burning,' a term which is very common now a days is used to describe the increasing number of young Indian housewives found murdered each year. Hardly is there a day when one does not read of dowry deaths in the national daily newspapers

It is seen that dowry is a deep rooted social problem and it is the cause of many unfortunate deaths of young brides. It is generally committed in the house and often given the impression of being an accident or suicidal death. The Dowry Prohibition Act of 1961 was enacted with the purposes of curbing the evil of dowry but unfortunately the Act failed to achieve its purpose as it was full of contradictions and loopholes. The Act laid down a very narrow definition of dowry as "property given in consideration of marriage" and as a condition of the marriage taking place. Official statistics show a steady rise in dowry crimes. More than 95,000 women are killed every year in India over dowry. Bihar and Uttar Pradesh still record the

maximum number of dowry crimes, four women reportedly die every day because of dowry harassment and domestic violence. The cases of dowry torture are the highest accounting for 32.4% of crimes against women in the country.

The dangerous outcome of this tradition is sex-ratio. The girls are killed prior to birth and sex-ratio is decreased very much in India (941/1000 as per 2011 Census). Despite protest by women's organizations, serious activism, legal amendments, special police cells for women, media support and heightened awareness of dowry being a crime, the practice continues unabated on a massive scale. Despite every stigma, dowry continues to be the signature of marriage. Women need real social, political, financial and moral support in their fight against the system. They have to be empowered so that they can take their decisions about their own life by refusing the dowry system.

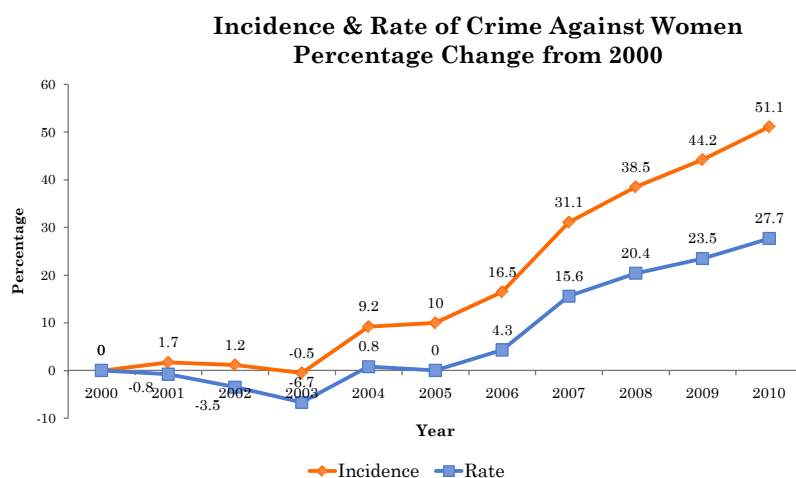
A statistical profile prepared by the Commission's Social Development and Women's Programme division reveals that, selected crimes against women has increased manifold. The following table proves clearly the crimes against women in India.

Crime Head-wise Incidents of Crime Against women during 2006-2010 and

Percentage variation in 2010 over 2009

Sl.No.	Crime Head	Year					Percentage variation in 2010 over 2009
		2006	2007	2008	2009	2010	
1	Rape(Sec.376 IPC)	19348	20737	21467	21397	22172	3.6
2	Kidnapping&Abduction (Sec.363 to 373 IPC)	17414	20416	22939	25741	29795	15.7
3	Dowry Death (Sec.301/304 IPC)	7618	8093	8172	8383	8391	0.1

4	Torture (Sec.498-A IPC)	63128	75930	81344	89546	94041	5.0
5	Molestation (Sec.354 IPC)	36617	38734	40413	38711	40613	4.9
6	Sexual Harassment (Sec.509 IPC)	9966	10950	12214	11009	9961	-9.5
7	Importation of Girls (Sec.366-B IPC)	67	61	67	48	36	-25.0
8	Sati Prevention Acr,1987	0	0	1	0	0	—
9	Immoral Traffic (Prevention) Act,1956	4541	3568	2659	2474	2499	1
10	Indecent Representation of Women (Prohibition)Act,1986	1562	1200	1025	845	895	5.9
11	Dowry Prohibition Act,1961	4504	5623	5555	5650	5182	-8.3
	Total	1,64,765	1,85,312	1,95,856	2,03,804	2,13,585	4.8



Sexual abuse, also referred to as molestation, is the forcing of undesired sexual behaviour by one person upon another. When that force is immediate, of short duration, it is called [sexual assault](#). The offender is referred to as a molester. The recent incident is an example which took place in Assam. A teenage girl molested by a gang at Christian Basti along the Guwahati-Shillong Road on 9th July night, 2012. The incident sparked strong protest in the State

Just what is this awful sickness that lies within us? What malodorous disease could lead a random mob of men to molest a minor schoolgirl, stripping her and beating her by turns in the middle of a busy downtown street, as if they were engaged in some casual sport? Surely, this appalling crime which took place barely a kilometre from Assam's State Surely, it should hold up a mirror to all of us and lead us to ask what has gone so horribly wrong in our society.

We live in a time when crimes against women are growing alarmingly, over 2.25 lakh in 2011 according to the National Crime Records Bureau. The data reveals that over the last couple of decades, the (reported) incidents of rape have increased at a far steeper rate than other serious crimes such as murder and theft. Even so, we assiduously cultivate the patriarchal lie that women are fundamentally responsible for many of the crimes against them.

Above noted discriminations/crimes against women speak aloud the need for initiating effective legal and administrative measures for proper empowerment of women in our country.

Women Development Programmes

In order to improve the status of women some development Programmes were introduced in India. ⁴³The Women's Development Programme (WDP) is one of the First initiatives in India to adopt a collaborative approach to Women's Development. WDP aims at

empowering women through awareness generation in order to be able to recognize and improve their socio-political and economic status in society. Realizing this significance of girls and women, there are four important policies having implications for women. These include National Policy on Education (1986), the National Health Policy (1983), the National Population Policy (1993) and the National Nutrition Policy (1993), covering education, health, nutrition and overall development of girls and women. Besides government's intervention for women's empowerment, various non-government organizations have taken interest for the selfless voluntary action..⁴⁴

Suggestions

- Educated women can help in the reduction of infant mortality rate and growth of the population
- Women should learn about health, disease, nutrition, adolescence, hazards of early marriage, childcare and also their legal rights.
- The emphasis should be given to girls' education that can delay the age at marriage, enhance their self-image and self-esteem and help to participate in decision-making processes.

Conclusion

India is emerging as one of the largest democracies in the world today. However, it is an undeniable fact that without equality and social justice there can be no democracy. In the India of tomorrow, if it is truly going to be democratic, adequate emphasis has to be laid on this aspect of equality and social justice. Equality indicates a person – to – person relationship based on freedom and dignity.

This acute problem that has pervaded all spheres of our social life requires comprehensive legislative action with focus on women crimes. The laws are outmoded and need a definite change if we are to achieve our twin Constitutional objective of justice and equality. The judiciary needs to play its part in interpreting the laws in favour of women. Moreover, the state has every right to enter the private realm of home if great injustice is being done behind closed doors of home. The legislature needs to take up relevant issues and deal with contemporary problems instead of relying on old legislations. The problem requires a comprehensive law covering all the aspects of the crime, like preventive punishment, legal procedure and social safeguard.

Justice is not rendered to women. Society faces constant conflict regarding patriarchic values perpetrated so far.

It is commonly held that the position of women has steadily getting better or improving since ancient times and today women are equal partners in development but an examination of the realities as explained above believe this claim though legislation exists to promote and protect women's rights, they remain only on paper and are ineffective because the society is overwhelmingly patriarchal and the structures of power weigh against women.

END NOTE

1. Louis Kriesberg & Bruce Dayton, 2012: Constructive Conflicts: From Escalation to Resolution, Rowman & Littlefield Publishers, United States of America, pp. 2-3.
2. Subhas Chandra Parida, 2009: Empowerment of Women in India. Northern Book Centre, New Delhi, p. 17.
3. Arun R. Kumbhare, 2009: Women of India: Their Status since the Vedic Times, iUniverse, USA, p. 3.
4. Ibid., p. 6.
5. Andal N., 2002: Women & Indian Society, Rawat Publications, New Delhi, p. 22.

6. Arun R. Kumbhare, Op. cit., p. 22.
7. Ibid., p. 12.
8. G. O. Letter. No. 2696, Law (General) Department, August 11, 1928.
9. Arun R. Kumbhare, Op. cit., p. 8.
10. Andal N., Op. cit., p. 22.
11. Shobana Nelasco, Op. cit., p. 4.
12. Kamaladevi Chattopadhyaya, 1939: The awakening of Indian Women, Everymans Press, Madras, pp. 15-16.
13. Arun R. Kumbhare, Op. cit., p. 28.
14. Andal N., Op. cit, p. 23.
15. Ibid., p. 38.
16. Ibid.
17. Shobana Nelasco, 2010: Status of Women in India, Mayur Enterprises, New Delhi, p. 8.
 *Jauhar refers to the practice of the voluntary immolation of all the wives and daughters of defeated warriors, in order to avoid capture and consequent molestation by the enemy. The practice was followed by the wives of defeated Rajput rulers, Subhas Chandra Parida, Op. cit., p. 19.
18. SundaraRaj, 1992: Dowry Problem in Tamilnadu view by Government, Media and Public 1920 – 1988, Tamil Nadu Archives, Madras, p. 34 & Kaye Dohn William, 1853: Administration of the East India Company, London, p. 529.
19. Ibid., pp. 268, 269.
20. Subhas Chandra Parida, Op. cit, p. 18.
21. Ghose J.C., 1901: The English works of Raja Ram Mohan Roy, Vol. III, Calcutta, pp. 87-97, 98-127.
22. Government Advertisement (Official) No. 10, December 7, 1829 (253), Calcutta Gazette: Bengal Criminal and Judicial cons., December 4, 1829.
23. Clarke Richard Comp, 1848: Regulation of the Government of the Fort St. George in Force at the end of 1847, East India Company, London, Bengal Regulation XVII of 1829, Madras Regulation I of 1830, p. 496 & Kiran Devaendra, 1985: Status and Position of Women in India, Sakti House, New Delhi, p. 10.
24. Shobana Nelasco, Op. cit., p. 9.
25. Proceedings of the Legislative Council of India, 1854 – 1855, Government of India, p. 781.
26. G.O. No. 3971, Law (General) Department, December 12, 1927 & Unrepealed General Acts 1928 – 1932, Vol. IX, 1933: Government of India, Calcutta, pp. 77 – 79.
27. Andal N., Op. cit., p. 43.
28. Ibid., p. 49.

29. Subhas Chandra Parida,. Op. cit., p. 19.
30. Ibid.
31. Kiran Devendra, 1994: Changing Status of Women in India, Vikas Publishing House, New Delhi, p. xv.
32. Ibid., pp. 9 - 23.
33. Rachana Kaushal, 2000: Women and Human Rights in India, Kaveri Books, New Delhi, p. 17.
34. Times of India, June 6, 1995, p. 11.
35. Kiran Devendra, Op. cit., p. 19.
36. Tamil Nadu Social Development Report, 2000: Government of Tamil Nadu, p. 129.
37. Statistics on Women in India, 2007: National Institute of Public co-operation and Child Development, New Delhi, p. 98.
38. Ibid., p. 224.
39. Andal N., Op. cit, p. 37.
40. Narayana E.A., Lakshmi E.V., 2011: Women Development in India, Regal Publications, New Delhi, pp. 229-231.
41. Statistics on Women in India, Op. cit., p. 297.
42. Narayana E.A., Lakshmi E.V., Op. cit., p. 234.
43. Dhanlaxmi Dash, 2005: Women, Environment and Health, Mangal Deep Publications, Jaipur, p. 12.

A FOREIGN FIELD NO LONGER: INDIA, THE IPL, AND THE GLOBAL BUSINESS OF CRICKET

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“Cricket is an Indian game, accidentally discovered by the British.”
--Ashis Nandy⁶⁰⁸

In the five years since the arrival of the Indian Premier League, the global business of cricket has shifted eastward. Formally, the sport of cricket is administered from Dubai, having moved its headquarters from London in 2005; informally, cricket is governed by forces farther east. In the past decade, India has become the financing hub for cricket, a broadcaster in its own right, and an agenda-setter in the management of all forms of the game. What some commentators have called the ‘Indianisation’ of cricket extends beyond business: it is a social, political, and cultural phenomenon. This paper discusses the material and symbolic roles the IPL has come to play in global cricket. It begins with a brief overview of the IPL’s five year history, then discusses how the IPL is changing the global business of cricket, and finally, explores how the IPL is changing the culture of the sport. The paper concludes with arguments about the IPL as a grand spectacle that challenges our traditional ideas of the game, and a cultural phenomenon that might prove its critics wrong.

A Brief History of the IPL

Like the game of cricket itself, Twenty20 is an English invention. In 2003, after years of dwindling attendance at its county matches, the England and Wales Cricket Board adopted a radical new idea. In the middle of the county cricket season, teams would take a break from first class matches (lasting 3-5 days in duration) and play a series of abbreviated, fast-paced matches. Limited to twenty overs (180 balls) for each team, Twenty20 quickly distinguished itself from traditional cricket. Fans flocked to the action-packed three hour spectacle; what they saw was the birth of a new form of the game -- a faster, more aggressive, harder hitting version of cricket. Twenty20 also proved popular with broadcasters, advertisers, and players; each of these groups stood to profit from the new form of the game.⁶⁰⁹

In the years that followed the ECB's experiment, Twenty20 found backers elsewhere in the world. In 2004, the eight-team Pro Cricket league launched in the United States; it lasted a single season and folded after the ICC refused to allow contracted players to join Pro Cricket, and the league failed to sign a broadcast deal. In 2005, two Australian first class teams sold out the WACA ground in Perth when they played a Twenty20 match.⁶¹⁰ In 2006, seeking to revitalize the cricket fortunes of the

⁶⁰⁸ Ashis Nandy (2001). *The Tao of Cricket*. New York: Oxford University Press, p. 1.

⁶⁰⁹ The ECB had first discussed the possibility of 20-over cricket in 1997, when its newly-installed chairman, Lord MacLaurin, published *Raising the Standard*, an ambitious plan to improve the quality of play at the county level, and create a financial model that would sustain first class cricket. See: England and Wales Cricket Board (1997), *Raising the Standard*. London: ECB. The idea lay dormant for five years until Stuart Robinson, a Warwickshire marketing executive, developed a concrete plan that incorporated Twenty20 as a component of the county cricket season.

⁶¹⁰ The Western Warriors defeated the Victorian Bushrangers by eight wickets. See the ESPNcricinfo editorial (2005), "Sellout at WACA for Twenty20 match", January 12, 2005.

West Indies, Alan Stanford held the eponymous Stanford 20/20 tournament in Antigua. The following year, the International Cricket Council (ICC) held a Twenty20 World Cup in South Africa; in a thrilling final, India beat Pakistan by five runs to win the tournament. Much like India's unexpected victory in 1983 in the 50-over World Cup, the country's triumph in the inaugural Twenty20 World Cup ushered in new pride and new ambitions for the Board of Control for Cricket in India (BCCI). With the backing of the BCCI and other national bodies, Twenty20 gained acceptance as a third sanctioned international format of the game, alongside test and one day matches. This is a long way from its humble origins. Initially conceived as a mid-season ploy to attract fans to county matches, Twenty20 quickly grew into an essential money-maker for domestic leagues in the world's cricketing countries, and has since become an integral component of international tours.

Twenty20 gained a large following in India, but off-field politics led to several years of uncertainty. In 2007, India saw its first Twenty20 league, the nine-team Indian Cricket League (ICL) created by Zee Telefilms. The ICL included a mixture of team types: a World XI, plus national teams representing India, Pakistan, and Bangladesh, and city-based teams in India and Pakistan. The BCCI had previously denied Zee the rights to broadcast domestic cricket matches, fearing a loss of its monopoly position; when Zee attempted to form its own league, the BCCI launched a legal and financial assault. Battered from the start by lawsuits and political opposition from the BCCI, the league lasted only two seasons before folding.⁶¹¹ In 2008 the BCCI launched its own Twenty20 project, the Indian Premier League (IPL). To cannibalize the ICL, the IPL

offered higher salaries; perhaps more importantly, the BCCI offered amnesty to players who had joined the ICL in violation of their contracts with national and domestic leagues. With such an offer, the remaining ICL players moved over to the BCCI's upstart league, and the ICL folded prior to the 2009 season.

The IPL's ambition grew out of several factors: national excitement over India's early success in the Twenty20 format, the enormous size of the Indian cricket market, and a gap in the Indian domestic cricket calendar, between the conclusion of the Ranji trophy in January and the onset of summer in late May. To introduce the league, underline its big-money status, and bring its players and uniforms into full public view, the IPL televised its player auction for its inaugural season in 2008:

Theatrical, wildly hyped, and hugely lucrative, the auction was a watershed moment for the IPL and the international game. In the last month, before a ball has been bowled, the league has raised \$1.8 billion, more than the ICC will receive for its next two World Cups. It has exposed the ICC's commercial limitations, strained relations between member states, underlined the deficiencies of the overcrowded international calendar and, by offering staggering annual salaries for six weeks' cricket, threatened the bond between players and national sides.⁶¹²

Since its beginning, the IPL has adopted an unusual quasi-national status. Like the ICL it supplanted, the IPL brings players from all cricket playing countries onto commercial teams in the Indian subcontinent. But the IPL has a stronger national element than did the ICL, since it is run by the BCCI and hosted by (currently) nine Indian cities. In a sharp break with the pan-South Asia approach of the ICL, the IPL has

⁶¹¹ Rob Steen (2008) refers to this period as the "acronym wars". See: "The Economics and Indianisation of Contemporary Cricket", in Rumford and Wagg (eds), *Cricket and Globalization*. Newcastle: Cambridge Scholars Publishing, pp. 84-88.

⁶¹² Paul Kelso (2008). "After spending \$42 million on players in a frenzied day, cricket's new princes take aim at a global fan base." *The Guardian*, Feb 21, 2008.

no teams in surrounding countries, and has remained cool to Pakistani players.⁶¹³ At the same time as it is a national league, the IPL is also a global project: it brings together players from all cricketing countries, occupies an established place in the international cricket calendar, and operates as an ICC-sanctioned tournament. The IPL's rules on team composition reveal the IPL's dual national-global role: teams must have at least 14 Indian players in the squad, and no more than 11 foreign players. In any given match they may have no more than four foreigners among the playing 11. The rules also favor young Indian talent: each team must include at least six players from the BCCI's under-22 pool of players. With these rules, the IPL is neither as national as the Ranji trophy, India's national first-class tournament, nor is it a fully global project; rather, it is a distinctly Indian *and* uniquely cosmopolitan league.

The national-global duality of the IPL is also manifested in its administration. The IPL is a project of the BCCI, but its franchises are privately owned. In advance of the inaugural season in 2008, eight franchises were auctioned off for a total of \$724 million, an average of about \$90 million per team.⁶¹⁴ As the IPL has expanded to new cities, franchise costs have soared: in 2010 the conglomerate Sahara bought the then two year-old Pune Warriors for \$370 million, and Rendezvous Sports bought Kochi Tuskers Kerala for \$330 million. As a point of comparison, two years earlier the century-old Manchester City football club was sold for \$330 million.⁶¹⁵ Given the high cost of IPL franchises, team owners have so far tended to be large Indian conglomerates. Current

⁶¹³ The sole Pakistani player in the 2012 IPL season, Azhar Mahmood, was able to sign with Kings XI Punjab by using his British passport and declaring himself an English player.

⁶¹⁴ See the ESPNcricinfo editorial (2008), "Big business and Bollywood grab stakes in IPL", January 24, 2008.

⁶¹⁵ Suresh Manon (2012). "India's cricket: IPL's legacy as season five begins", BBC online. April 3, 2012. Available at: <http://www.bbc.co.uk/news/world-asia-india-17587612>

owners include giants in infrastructure and industry (India Cements, GMR Group, UB Group), media (Sahara), and telecommunications (Reliance). Some Bollywood stars (Shahrukh Khan, Shilpa Shetty) have purchased stakes in teams, and have become public faces for their respective teams. In their ownership, IPL teams are a who's who of (mostly) new money in India, and a snapshot of the industries in which India is making its presence felt internationally. In construction, real estate, telecommunications, and film, India has large internal markets and even larger global ambitions. In this sense, the IPL at five years old is a torch-bearer for the economic realities and hopes of the country.

Changes in the Business of Cricket

The IPL has attracted a large fan base, both in India and, thanks to its sale of broadcast rights, in international markets. And with its fifth season now completed, the IPL has established itself as a major source of revenue for the BCCI, the ICC, merchandisers, advertisers, owners, bookies, and players. Although the IPL is only five years old, already we can identify several ways that the IPL is changing the global business of cricket.

Perhaps most obviously, the success of the IPL has strengthened the international position of the BCCI. In 2005 the BCCI surpassed the England and Wales Cricket Board as the richest national body in the sport; since then, it has widened the

gap, and now commands substantially higher revenues than does any other national body. The BCCI represents a population seven times larger than that of the second most populous Test nation (Pakistan); it also represents the country where upwards of 70% of global cricket revenue is now spent.⁶¹⁶ Much of the BCCI's new clout goes beyond the game of cricket; its ascension is also the result of wider economic trends. India is still some distance from surpassing the UK as the largest economy (in nominal terms) among Test-playing nations, but its growth rate remains higher than that of the UK, and its population is growing much more rapidly.

In addition to strengthening the BCCI, the IPL has also brought in a new form of cricket management: privately owned, big-money professional clubs. In this respect, the IPL is an outlier: in their domestic leagues, the world's cricket-playing countries utilize county or state teams, which tend to have limited fan bases, minimal merchandising, and little media coverage outside their respective annual championship tournaments. From the West Indies to England to Australia, national cricket bodies suffer from what has been described as an "inverted pyramid" of financing, wherein they must use profits from international matches to make ends meet at the domestic level.⁶¹⁷ During the initial years of the IPL, some observers expressed fear that the IPL would weaken, or possibly even doom, the Ranji trophy, India's national first class championship. That has not happened. Rather, the IPL has existed in parallel with the Ranji trophy, and scheduled its playing season several months after the end of the first class cricket season in India.

⁶¹⁶ Rob Steen (2010), "The Economics and Indianisation of Contemporary Cricket", in Rumford and Wagg (eds), *Cricket and Globalization*. Newcastle: Cambridge Scholars Publishing, pp. 84-88.

⁶¹⁷ For an in-depth look at the finances of county cricket and the reasons the ECB embraced Twenty20 as parts of its business model, see: Paul Kitchin (2008), "Twenty-20 and English Domestic Cricket", in Chadwick and Arthur (eds) *International Cases in the Business of Sport*. Oxford: Butterworth-Heinemann / Elsevier, pp. 101-113.

India thus stands alone: it has not one but two functioning domestic leagues, each serving a different audience.

The name, Indian Premier League, gives some clues to the ambitions the league has for its clubs. They are modeled largely after the highly-profitable franchises at the top of England's Premier League,⁶¹⁸ which enjoy lucrative broadcast deals, large followings in England, and networks of fans spanning the globe. While it may be slightly over-ambitious to compare itself to Association Football, the IPL has, in its own way, equipped its franchises for global reach. Part of this effort has involved the IPL's deliberate shaping of the league's identity. Like some English county cricket teams, IPL franchises are cosmopolitan, with players drawn from all cricket-playing countries. But unlike county cricket, the IPL is not rooted in a long history; it is an upstart league that has embraced an Indian globalism from its inception. The IPL is unique in bringing (most of) the world's best cricketers together in a single short playing season, for a tournament *not* decided on national lines. Only the 50-over ICC World Cup exceeds the IPL for concentration of cricketing talent in a single place, and that tournament is held every four years. By contrast, the IPL is an annual spectacle that lasts approximately as long (seven weeks) as the World Cup, follows a predictable schedule (round-robins commencing in early April; a final match the last Sunday in May), and fits broadcasters' schedules more easily due to the short length of the matches. From the start, the IPL has made broadcast a high priority: matches are frequently played in prime time, on a pitch lit by stadium lights, using a white ball (rather than the traditional red) so players can see the ball against the night sky. This allows broadcasters to schedule matches as

regular evening programming, rather than as sporadic full- or multi-day spectacles. The annual schedule of the IPL provides a routinization and new ritualization of televised cricket matches, encouraging long-term advertising contracts, within India and internationally. The IPL has sold broadcast rights -- often for undisclosed sums -- to television networks in all cricket-playing countries. When the IPL has released figures, the sums have been staggering: the IPL's publicly available broadcast revenues exceed \$1 billion; if all contracts were counted, the total would be several times that figure.⁶¹⁹

To reach a global audience, the IPL has downplayed the nationalism that infuses Test and One-Day International matches. Instead of drawing on tribal loyalties of nation, IPL franchises offer fans a variety of reasons to pick their team. Within India, local affiliation matters: home-town players are part of teams' branding. For fans outside India, locality matters far less; fans are more likely to follow their favorite players' teams. For this reason, IPL teams typically include a player from most Test playing countries (with the notable exception of Pakistan), giving fans from different countries a familiar face in the team's lineup. Some teams also use their owner as part of their branding. In Kolkata, Shahrukh Khan's animated presence is part of the entertainment. In the stands, people approach him for autographs; television cameras record his reactions after wickets, boundaries, and close calls; and other VIPs seek a place alongside him, on the mini-stage he has created for himself at Eden Gardens. With the glamour of Bollywood, a cosmopolitan mix of players from around the world, and (within India) a local identity with home-town heroes, IPL franchises offer a cricket spectacle that exists nowhere else. While other attempts to create club-based leagues -- notably the Pro

⁶¹⁸ Since its inception in 1992-93, only four teams have won England's Premier League title. They include: Manchester United, Blackburn Rovers, Arsenal, and Chelsea.

Cricket and Major League Cricket initiatives in the USA and the Indian Cricket League in India and Pakistan -- have failed to take hold, the IPL has established itself quickly and assertively. In a sport accustomed to strong national bodies, the arrival of rich, ambitious, and untraditional franchises is a major development. If other countries are able to generate even a fraction of the Twenty20 fan bases, broadcast rights, and advertising that the IPL enjoys, they may solve the “inverted pyramid” finance problem that has sapped national bodies for decades.⁶²⁰

Beyond India, the IPL has had effects in the scheduling of the game. After five years, the IPL is now an established part of the global cricketing calendar. Recognizing their players’ desires to take part in the IPL, most test-playing countries maintain a light schedule for their national teams in April and May. Many national bodies have chosen not to schedule international tours during the IPL playing season. For some countries, the IPL takes away so many players that the national bodies have decided it is not worth competing during this period.⁶²¹ And the teams that do play test and one-day matches during this period must accept that many of their best players will be absent, playing in India for far more money (and to larger crowds) than they could on a traditional international tour.⁶²² Of course, there are exceptions: Pakistani players have been largely shunned by the IPL, and Australian players have tended to either join the

⁶¹⁹ *Economist* (2012), “Go Fetch That”, January 13, 2011.

⁶²⁰ To date, more than a dozen countries have set up Twenty20 leagues, hoping to cash in on the same type of success enjoyed by the IPL. Examples include: KFC T20 Big Bash League (Australia), Scotiabank National T-20 Championship (Canada), Friends Life t20 (England), East Africa Premier League (Kenya), HRV Cup (New Zealand), Faysal Bank T20 Cup (Pakistan), MiWay T20 Challenge (South Africa), Stanbic Bank T20 Series (Zimbabwe), and the eponymous Sri Lanka Premier League.

⁶²¹ For a breakdown of the nationalities of players (and their respective performances), see: S. Rajesh (2012), “The overseas factor in the IPL”, ESPNcricinfo, May 11, 2012.

⁶²² In 2012, this was the case for the West Indies, which played series against Australia and England, despite being without captain Chris Gayle and several key players. The West Indies lost both series. See: David Hopps (2012), “The case for an IPL window”, ESPNcricinfo, May 31, 2012.

IPL as journeymen Twenty20 players, or wait until the twilight of test and one-day careers, and join the IPL at that stage. For Australia, the IPL presents less of a threat to the national side's test and one-day plans. But these are exceptions: increasingly, the rule is that test and one-day international cricket grind to a halt for two months each spring. For national bodies, the message is clear: the IPL can lure players from around the world, outbid national bodies, and shape the international cricket calendar.

Just as the IPL has altered the playing calendar of the game, so too has it altered the geography of cricket. India's growing dominance of cricket has helped create an unexpected winner: the United Arab Emirates. Since 2005, Dubai has been home to the ICC global office; the city is now also home to the ICC Global Cricket Academy, year-round training facilities, and a hub of expertise in sports-related media and finance. The UAE has also become the de facto host location for matches threatened by unrest (as demonstrated by the England-Pakistan Test series held in Abu Dhabi and Dubai in 2011-12. The special role the U.A.E. has taken on in cricket -- as a non-Test country with world-class facilities and the game's head office -- helps defuse tension that would undoubtedly develop if the ICC were located elsewhere. Moving the ICC from London to Dubai signaled the growing financial and political clout of India -- and the comparative decline of England's influence in the game's management. At the same time, by choosing Dubai rather than Mumbai, the ICC sent a signal to other countries that cricket needed a neutral city for its head office. Today, the administrative center of cricket is located a mere three hours' flying time from Delhi and Mumbai; while the game is still formally administered from outside India, Dubai could hardly be closer. Indeed, India may be better off with this arrangement: especially if the ICC and BCCI were

headquartered in the same city, critics from outside the country might perceive that India had captured the ICC. Whether realistic or not, such charges would damage the reputations of the ICC and BCCI. For these political reasons, the present arrangement looks like a wise long-term option.

While the IPL has thus far integrated itself into the existing structure of international cricket, it is unclear what the future holds. The IPL is not only an alternative to traditional business models and management structures in cricket; it is also a threat. A club-based format has worked in India for a number of sui generis reasons. The most obvious is India's sheer scale: it is by far the largest audience for the sport, and faces little domestic competition from other sports. This scale has allowed India to maintain two complementary domestic leagues -- one that retains the game's pastoral traditions in first class format, and one that embraces the urban and innovative game that developed in Indian streets.

A Cultural Shift in Global Cricket

What is happening in cricket goes beyond business; we are witnessing a cultural shift in how the game is played, perceived, and followed. Perhaps most striking is the culture of commerce that Twenty20 -- and the IPL in particular -- brings to cricket. Those who have come to the IPL after years of watching first class cricket immediately notice the ways that advertising has been integrated into the game. Advertising exists in traditional places, such as a perimeter ad board encircling the playing field, and in signs displayed throughout the stadium. But the IPL has taken this to a new level: bats, the

stumps, and even the playing field itself, feature paid advertising from sponsors. Advertising extends to the participants as well: players and -- more worryingly -- match officials, the traditional paragons of neutrality, are festooned with logos of league sponsors. When decisions are referred to the third umpire, the resulting decision is announced on television screens with the logo of a sponsor (currently Kingfisher), thus associating a brewery/airline with the impartial truth that cricket has traditionally given its officials. When teams call timeouts, broadcasters focus their cameras on the players in their respective circles; since it is difficult to hear what the players are saying during the timeouts, there is little for the audience to do but look at the ads on the players. With the clock counting down on a 'tactical timeout' (the IPL's term), the audience is treated to a player discussion-cum-commercial. This advertising model has proven highly lucrative for the IPL. The league's major sponsors have included DLF (India's largest real estate developer, which owns the league's naming rights, Hero Moto Corporation and Volkswagon (official motor sponsors), Pepsico (official beverage partner), Royal Challenge / Kingfisher (official umpires partner), Vodafone and Karbonn Mobiles (official telecom partners), and Citibank (official banking partner). These core sponsors have signed multi year deals worth between \$10M and \$50M.

This culture of commercialism is related to a second major shift: the onset of a culture of speed that raises questions about what is and is not cricket. The IPL playing season takes just six weeks. In the same amount of time traditionally reserved for a Test tour, the IPL packs in more than 70 matches in ten cities. In contrast to the traditional 3-5 days required for a first class cricket match and the full day taken up by a 50-over one-day match, Twenty20 matches are completed in less than 3.5 hours. Gone

are the lunch and tea breaks that have been a part of the cricketing ritual since first-class matches were formalized in the mid-19th century. Also gone is the leisurely pace between balls, and the tendency for bowlers to take 2-3 minutes between balls. In place of cricket's traditional speed, the IPL has ushered in a faster and harder-hitting game. In first class and even one day matches, it is common to see run rates of 2-3 runs per over; during its five years, the IPL average run rate has been nearly 7.5 runs per over. With short matches, faster bowling, and aggressive batting, the IPL has turned on its head the idea that cricket is a sport of leisure.⁶²³ The IPL season that finished this May produced 709 sixes (or 'maximums' in IPL parlance), an all time high for the league.⁶²⁴ Together, these ingredients produce a televised spectacle that is faster and harder-hitting than any previous IPL, and that challenges old assumptions of cricket as an epic contest spread over multiple days. While first class cricket remains, the newest form of the game is creating -- for good or ill -- a style of play more in line with other three-hour prime-time televised sports broadcasts.

While the IPL favors speed, it also places emphasis on certainty. The IPL is broadcast using cameras set up on the perimeter of the ground, in different parts of the stadium, and even overhead -- in much the same way that cameras on wires record track and field, swimming, and NFL football. The IPL has also been a major testing ground for Hawkeye technology.⁶²⁵ In the IPL, Hawkeye has served two main functions:

⁶²³ For a run rate comparison of the IPL's five seasons, see: S. Rajesh (2012), "Numbers Game: the IPL's most and least productive overs", ESPNcricinfo, May 4, 2012.

⁶²⁴ For a complete list of 2012 playing statistics, organized by player and team, see: Indian Premier League (2012) *IPL 2012 Stats*. Available at: <http://iplt20.com/stats/2012>.

⁶²⁵ Hawkeye is a software tool that projects the likely trajectory of a ball onto an animated version of the pitch. It has two main uses. The first is in aggregating player performance: the technology can show the balls delivered by a bowler during a match, a series, or a year; it can also reveal how well a particular batsman has played certain types of deliveries. This is especially useful in training: with the technology in use for more than a decade, coaches can draw from a large database of past matches. The second and

the first is to solidify the league's credentials as incorrupt and scientific. With closer scrutiny of certain types of decisions (mostly run-outs), the IPL can claim to have the most accurate officiating in contemporary cricket. The second, and related, function for Hawkeye has been financial. With so much at stake in team investments, sponsorships, and betting, the IPL needs to show that its officiating is incorruptible. While Hawkeye takes away from the traditional role played by match officials, the IPL has kept its use limited to certain types of decisions; in part because fans and players have high regard for the ICC's elite panel of umpires and in part because officials are part of the ritual of cricket, there is little enthusiasm to pursue the 'certainty' and 'science' that an all-Hawkeye decision process would allow.

The IPL has also encouraged another type of 'certainty', in the form of inside gambling. Cricket's standard feature of play -- a delivery from a bowler to a batsman -- makes it especially susceptible to spot-betting. Accidentally or deliberately, the bowler can take too long a stride and step over the line, earning a no-ball and giving the batting team a free run. Often, betting syndicates offer micro bets on specific balls in specific overs. At first glance, such bets seem random and innocuous. But the IPL has faced allegations its players have participated in betting schemes: earlier this year, in a sting operation, five players were caught on tape discussing the fees they had received in exchange for manipulating the outcomes of matches.⁶²⁶ With Twenty20 matches so

more controversial use has been in adjudicating umpires' calls. Hawkeye is used most frequently on leg-before-wicket (LBW) calls. When the two umpires on the field refer a decision to a third umpire, he/she watches the Hawkeye animation of the play and makes the call. Seated in a viewing room, the 3rd umpire enjoys a zoomed-in view of the action, as well as the benefits of slow-motion and multiple replay. For audiences in the stands watching on TV or mobile devices, Hawkeye is a form of accountability on umpires, as well as a source of entertainment.

⁶²⁶ For more detail on the "black money" scandal, see: Indranil Basu (2012), "BCCI suspends five players for IPL spot fixing", *The Times of India*, May 16, 2012.

short, each ball matters more, and it is increasingly common for matches to be decided in the final over. In this year's IPL, 30% of all matches ended in the final over, with 18 last-over victories for batting teams, and seven chases that ended on the last ball.⁶²⁷ This is exciting for fans, of course, but the tendency for matches to turn on a single ball makes match-fixing more tempting for players on the take, and more difficult for the IPL to prevent. With long odds for, say, calling a no-ball on a specific delivery in a specific over, in advance of the match, betters are turning to any available information -- including inside tips on how a particular delivery might be bowled -- to beat the oddsmakers. With audiences so large, with so many matches in such a short timeframe, and with so many permutations available for would-be betters, the IPL has generated significant gambling activity, much of it online, international, and difficult to police.

The IPL is also accelerating a change already underway: the urbanization of cricket. Although cricket has pastoral origins in rural England, these are largely neglected by the IPL. While 70% of Indians continue to live in rural areas, not a single team is located in Uttar Pradesh, India's most populous state, nor is there a team in Bihar, Orissa, or Madhya Pradesh. Ramachandra Guha has criticized this neglect, saying that, "[t]o leave out four of India's largest states — all cricket-mad, and which collectively account for close to half the country's population — must seriously disqualify the League's claim to be 'Indian'."⁶²⁸ Certainly, the IPL has many players and fans from rural parts of the country, but for many (if not most) Indians, the IPL takes place in cities, and looks outward rather than inward. For rural Indians who prefer to watch cricket live, from the stands, the main option is the Ranji trophy, the national first class tournament.

⁶²⁷ Sharda Ugra (2012), "The IPL earns its cricket cred", ESPNcricinfo, May 28, 2012.

The Ranji trophy retains a pastoral feel, with traditional 3-5 day matches in smaller grounds, and a league that includes a mix of city and state-based teams. But for Guha and many others, the IPL is part of an urban centrism that prioritizes broadcast dollars over inclusivity, and produces a skewed national sporting narrative.

But this same urbanism has its supporters, notably the young people who have flocked to the IPL, attended its matches, bought its merchandise, and signed on to its social media. A striking feature of the IPL is its emphasis, not only on cities, but on making cricket a younger game. Studies have shown that cricket suffers from an image as “boring, impossible to understand, too long, played during the week when people are at work”, and watched by a crowd typically over the age of 50.⁶²⁹ Since its beginning, the IPL has mandated that each team include at least six players under the age of 22, thus giving fans exposure to less well-known and often young players. And by scheduling its matches during evening hours, the IPL has made it easier for young fans to attend games or watch them via broadcast. The more remarkable youth-oriented changes have come in the IPL’s rituals of performance. Players enter the field in a manner that’s less cricket than stadium rock: with music playing and fireworks exploding in the night sky, cricketers dressed in bright colors run between lines of gerbs that shower the pitch with sparks. If this sounds peculiar for a cricket match, it is by design:

A common charge levelled at the IPL is that it's not just cricket - but this works in the tournament's favour as far as the spread of its crowds goes... At the Wankhede in Mumbai, you could have your photo taken with life-size cardboard cutouts of cricketers. Matches in Mohali, home to Kings XI Punjab, are preceded by performances by popular local artistes. At Bangalore's Chinnaswamy Stadium

⁶²⁸ Ramachandra Guha (2012), “Smash-and-grab crony league”, *The Hindu*, May 25, 2012.

⁶²⁹ Maria Hopwood and Allen Edwards (2008), “The game we love, evolved: Cricket in the 21st century”, in Chadwick and Arthur (eds) *International Cases in the Business of Sport*. Oxford: Butterworth-Heinemann / Elsevier, p. 262.

you just might spot a popular local actor driving around the periphery of the boundary, like in a parade of floats. Then there are the cheer girls, the DJs, the fireworks...⁶³⁰

On the pitch and in the stands, the IPL has sought to distinguish itself from the traditional colonial game. Indeed, for many young Indians, the charge that the IPL is “not *just* cricket” is a mark of pride. They want cricket, but they also want the celebrities, noise, and bling that have become inseparable from what happens on the field.

But as the IPL adds new elements to the culture of cricket, it also challenges several traditions. The first is the narrative of cricket as a multi-day epic. The IPL has taken the basic elements of the game and created a formalized league, with a packed annual playing season and a championship final similar to that of association football or the NFL in the United States. With an increasingly cluttered calendar, individual matches are more common and, accordingly, less special than the sporadic and intense Test and one-day matches we have seen in the past. For a generation of young fans -- in India and abroad -- cricket is a prime time spectacle. This stands in sharp contrast to the leisure-oriented cricket that existed until the ‘Packer revolution’ of the 1970s, when one-day cricket developed and the World Cup came into existence. Supporters of the IPL will argue that this sentiment is mostly nostalgia. But in the IPL the game itself is different: for players and officials, a Test match is a grueling experience, played on different days on a pitch whose properties evolve thanks to changing weather and the course of play. Luck has always played a large role in Test cricket; many a match has been decided by rain or by deterioration of the pitch. The IPL is an effort to standardize the game and reduce the element of luck. Who, after all, wants a match -- and all its

⁶³⁰ Nikita Bastian (2012), “Fun for the whole family”, ESPNcricinfo, May 27, 2012.

corresponding bets -- to be decided by the quality of the pitch? While Test cricket will endure -- perhaps it will even grow, thanks to new revenue from Twenty20 matches -- the dominant narrative of cricket may be that of the short game and its most exciting league.

With the exception of the BCCI, whose wealth and influence have grown, the IPL also undermines traditional national bodies. During the early years of the IPL, the boards of England and Australia each tried to curtail the league's ability to recruit players from national sides. Today, neither board, to say nothing of the poorer and less influential national boards, would attempt to take on the IPL on the issue of player availability. Faced with a league that can outbid them, national bodies can do little except shift their schedules and hope that their players are not worn out or injured during the IPL season.

For many, perhaps the most troubling aspect of the IPL is the culture of money it introduces to a sport founded on Victorian ideals. Certainly, individual players have profited handsomely -- average salaries are more than \$400 000 for seven weeks of play -- and the IPL has generated an influx of cash into India, which traditionally has been the poorest cricket-playing country. But what is unclear is whether the IPL has been oversold. It commands high broadcasting, advertising, and franchise fees, largely on the assumption that India is a highly populated, single-sport society with an insatiable appetite for all things cricket. But with the league now five years old, it is possible to ask, is the hype justified? In 2010, the UK division of Brand Finance India valued the IPL at \$4.1 billion. Its 2012 figure is a more modest \$2.9 billion.⁶³¹ And

⁶³¹ Brand Finance (2012), *Indian Premier League Valuation 2012*. Available at www.brandfinance.com.

according to the Hindu Business Line, this year saw a 24% drop in the cost of advertisements on the IPL broadcast within India.⁶³² Perhaps these figures are the result of new sophistication in valuation methods for an upstart cricket league. Or perhaps the IPL *has* been over-hyped and over-branded, and perhaps, as Ramachandra Guha has written, the has developed an internal culture of celebrity and money-worship. If true, this would present a new type of threat: that the business model that could make it a global game might simultaneously weaken its legitimacy as a sport different from others.

Looking Ahead: Cricket as a Tamasha

Many supporters of Test cricket who have embraced Twenty20 have done so because the short form of the game offers a profitable gambit. In its planning, the ECB emphasized that Twenty20 could provide an exciting side-show that would help unprofitable county teams, drawn in new viewers, and inspire some of these new viewers to explore the long form of the game. In an interview with the Sydney Morning Herald, Stuart Robinson, the Warwickshire marketing executive who helped convince the ECB to try Twenty20 cricket, explained:

⁶³² Purvita Chatterjee (2012), "Brands not bowled over by IPL 5", *Hindu Business Line*, March 15, 2012.

When we began researching this (Twenty20 cricket), we didn't want the rules to be radically different, because it was intended to be a stepping stone to watch the longer versions of cricket. It was more a means to an end than an end in itself. It was your fun-sized Mars bar: a little taste of cricket that, hopefully, would get people who merely tolerated cricket -- rather than those who considered themselves fans of the game -- to upgrade to one-day and maybe four- and five-day cricket.⁶³³

Ideally, Twenty20 will exist in a symbiotic commercial and cultural partnership with Test and one-day cricket, but this is no easy task. All indications suggest that Test cricket will survive, but the future of 50-over cricket is less certain. Despite early excitement in the 1970s, one-day cricket has not gained mass global appeal. It suffers from some of the same constraints as Test cricket: broadcasters dislike the irregular scheduling and length (typically 8-9 hours) of one-day matches, and advertisers are aware that, apart from the World Cup, one-day cricket reaches relatively small audiences. Thus while the World Cup remains popular and profitable, in time, the IPL may begin to supplant it -- in the eyes of fans, players, and advertisers -- as the premier short-format tournament. And the IPL may be the catalyst for Twenty20 elbowing aside 50-over cricket as the mass audience counterpart to the epic of Test cricket.

The rapid growth of Twenty20 -- and the IPL in particular -- suggests that there is a sizable market for a fast, hard-hitting prime time version of the game. Indians are not alone in loving Twenty20: in the world's cricket playing countries, young fans have taken to the format. Some commentators, Ramachandra Guha among them, have criticized the IPL as a cheapened form of the game. With regular broadcasting of Twenty20 in India, the short form has become the narrative for young fans; while some of them will

⁶³³ Alex Brown (2005), "Twenty20 an appetiser for the uninitiated, not a threat", *Sydney Morning Herald*, February 2, 2005.

graduate from what Guha calls the “bathtub whisky” of the IPL to the “refined single malt” of Test cricket,⁶³⁴ many others will find that the IPL gives them what they want. Many fans like the essentials of cricket: eleven players, ten wickets, an oval field, six balls per over, and a central relationship between batsman and bowler. Like it or not, Twenty20 and the IPL are here to stay. The Twenty20 model arose in response to the financial challenges faced by traditional first class cricket, and even at this early stage we can identify ways that Twenty20 has brought new fans, new excitement, and new money, to the game. To those who criticize the IPL, one might ask: how else should the game win the hearts of young people? How else should first class cricket sustain itself? And how else should the sport grow beyond the Commonwealth, and reach a larger global audience? Rather than replace or diminish Test cricket, it seems that Twenty20 will play the complementary role first envisioned a decade ago, when the ECB introduced it as a mid-season experiment.

From a commercial and cultural perspective, the IPL is unique in the world of Twenty20. It is a tamasha -- a grand spectacle, celebration, and a participatory way-in to the game for new fans. The IPL has succeeded in India because it incorporates some of the elements Indians love about film -- the glamour, the heroes and villains, the turn of a match on a single ball, and the possibility that the underdog can win. It is no accident that the owner of the current IPL champions is also the king of Bollywood; in India, who understands the concept of tamasha better than Shahrukh Khan? And while the IPL has yet to enjoy the same success internationally as it has in India, in its fan base and global reach, it stands alone among Twenty20 leagues. The IPL has

⁶³⁴ Ramachandra Guha (2012), “Interpreting Indian History Through the Lens of Cricket”, lecture,

succeeded internationally because it offers a cosmopolitan face for India: when cricket fans elsewhere in the world see the IPL, they see a young, urbanized, confident India taking the lead on a formerly colonial sport. At home and abroad, the IPL has become a symbol of a India's global potential. Given the popularity of the sport in India, the big names involved, and the business possibilities for a prime time short-form cricket league in India, it was probably inevitable that scandals would arise. It remains to be seen whether the IPL can prevent spot betting and match fixing. Likewise it is unclear whether the IPL can say no to elements of commerce that take away from the game. Of course, the same can be said of Test cricket, which has had its own scandals (from ball tampering to match fixing) in the past decade. The lesson here is that for friends and foes of the IPL, it is important to see the larger picture: each of cricket's three formats plays a role. Twenty20 is a path of entry for young fans getting to know the game, and a business model for national bodies struggling to finance first class cricket. Given India's size, culture of film, and preference for a single sport, it now seems natural that it would take the lead on cricket as a global tamasha.

Much remains unclear at this stage. For starters, will India's growing clout in management and finance also lead to dominance on the pitch? While India has performed well recently in Twenty20 and one-day cricket, its Test team has struggled recently, and the BCCI has faced criticism that it has focused on Twenty20 to the detriment of the country's Test fortunes. A larger question is what audience(s) an increasingly Indian-led sport will find in the coming years. If the IPL is any indication, the answer is younger fans, and lots of them. It may be, then, that the IPL will create a new

and wider base for future Test fans; exposed to the short form of the game, some fans will find the time and inclination for the longer, richer, and more complex form of cricket. If this happens, it would represent a vision fulfilled for the ECB, which first discussed Twenty20 in 1997 and brought the format into its county season a decade ago. Looking ahead, we need not see the IPL and Test cricket as mutually opposed forces. Rather, they may represent different generations' ideas on what cricket should be. If the IPL brings new viewers, new passions, and new investment into the game -- and in doing so, reinvigorates the sport -- it seems premature to dismiss the IPL. Rather than seeing an old game cheapened, we may instead see it given new life.

NOTES

BIBLIOGRAPHY

- Bastian, Nikita (2012). "Fun for the whole family", ESPNcricinfo, May 27, 2012.
- Basu, Indranil (2012). "BCCI suspends five players for IPL spot fixing", *The Times of India*, May 16, 2012.
- Brand Finance (2012). *Indian Premier League Valuation 2012*. Available at www.brandfinance.com.
- Brown, Alex (2005). "Twenty20 an appetiser for the uninitiated, not a threat", *Sydney Morning Herald*, February 2, 2005.
- Chatterjee, Purvita (2012). "Brands not bowled over by IPL 5", *Hindu Business Line*, March 15, 2012.
- Economist* (2012). "Go Fetch That", January 13, 2011.
- England and Wales Cricket Board (1997). *Raising the Standard*. London: EBC.
- ESPNcricinfo (2005). "Sellout at WACA for Twenty20 match", Editorial, January 12, 2005.
- ESPNcricinfo (2008). "Big business and Bollywood grab stakes in IPL", Editorial, January 24, 2008.
- Guha, Ramachandra (2012). "Interpreting Indian History Through the Lens of Cricket", lecture, Columbia University, March 21, 2012.
- Guha, Ramachandra (2012). "Smash-and-grab crony league", *The Hindu*, May 25, 2012.
- Hopps, David (2012). "The case for an IPL window", ESPNcricinfo, May 31, 2012.
- Hopwood, Maria and Allen Edwards (2008). "The game we love, evolved: Cricket in the 21st century", in Chadwick and Arthur (eds) *International Cases in the Business of Sport*. Oxford: Butterworth-Heinemann / Elsevier.
- Indian Premier League (2012). *IPL 2012 Stats*. Available at: <http://iplt20.com/stats/2012>.
- Kelso, Paul (2008). "After spending \$42 million on players in a frenzied day, cricket's new princes take aim at a global fan base." *The Guardian*, Feb 21, 2008.
- Kitchin, Paul (2008). "Twenty-20 and English Domestic Cricket", in Chadwick and Arthur (eds) *International Cases in the Business of Sport*. Oxford: Butterworth-Heinemann / Elsevier.

Manon, Suresh (2012). "India's cricket: IPL's legacy as season five begins", BBC online. April 3, 2012. Available at: <http://www.bbc.co.uk/news/world-asia-india-17587612>

Nandy, Ashis (2001). *The Tao of Cricket*. New York: Oxford University Press.

Rajesh, S. (2012). "Numbers Game: the IPL's most and least productive overs", ESPNCricinfo, May 4, 2012.

Rajesh, S. (2012). "The overseas factor in the IPL", ESPNCricinfo, May 11, 2012.

Steen, Rob (2008). "The Economics and Indianisation of Contemporary Cricket", in Rumford and Wagg (eds), *Cricket and Globalization*. Newcastle: Cambridge Scholars Publishing.

Ugra, Sharda (2012). "The IPL earns its cricket cred", ESPNCricinfo, May 28, 2012.

SOURCES OF AGRICULTURAL PRODUCTIVITY GROWTH IN ORISSA, INDIA: A DISTRICT LEVEL ANALYSIS

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Abstract

Orissa is one of the poorest states in India, during the period 1991 to 2008 the growth rate of agriculture in Orissa is lower than all-India. There are perceptible regional disparities with the Coastal Plain having a distinct advantage in agricultural production compared to the Central Table Land region, Northern Plateau and Eastern Ghats regions as better initial socio-economic conditions in the Coastal plains. Significant income gains are possible through crop diversification from paddy to pulses, oilseeds and adoption of high yielding varieties, optimal use of fertilizers, irrigation and electric power with institutional and policy support in backward districts.

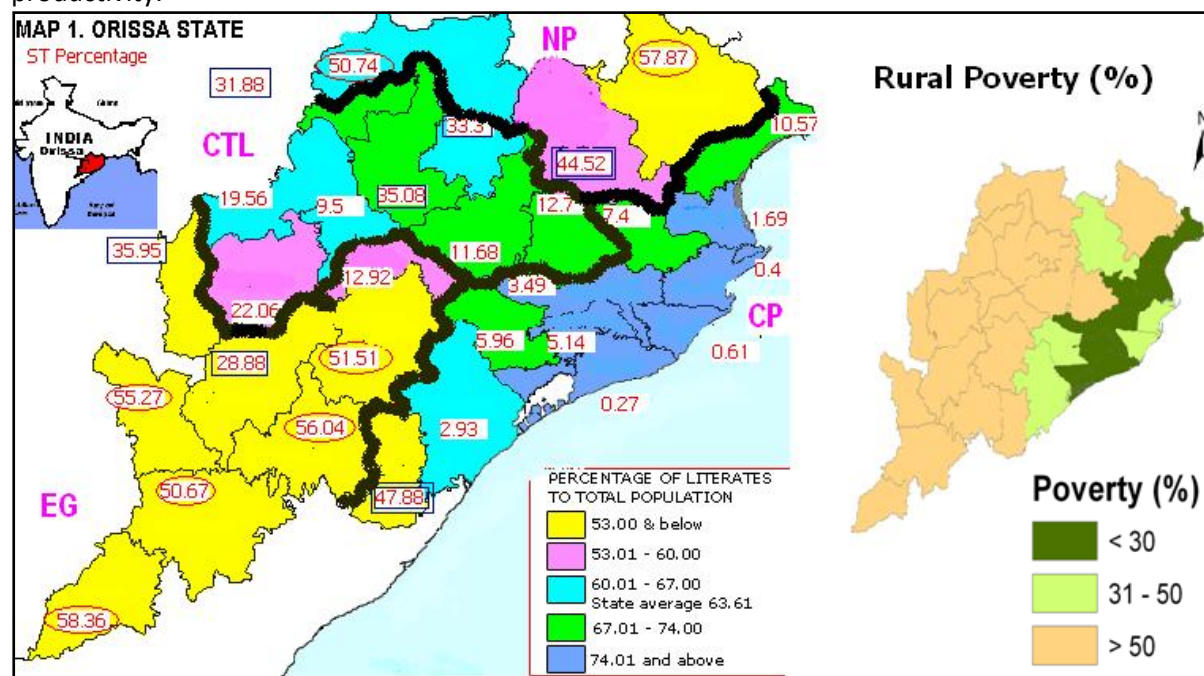
1. Introduction

The extent of India's regional disparities has been an issue since at least Independence, and this concern has been partly motivated by a desire to alleviate poverty (Datt and Ravallion, 1996). Agriculture remains an important feature of the economic, cultural and political landscape in India. Datt and Ravallion (1996) demonstrated that the poverty responds more to rural and agricultural economic growth than urban economic growth in developing countries. In the post-Green Revolution period, particularly in Asia, productivity growth has been sustained through increased input use and, more recently, through more efficient use of inputs (Pingali and Heisey, 1999). India is divided into 28 states on administrative reasons. Regional perspectives of the development discourse were seen in the writings of Myrdal (1957) suggesting cumulative causation and core periphery models, which were elaborated upon by many other studies. They were of the view that regional imbalances were likely to widen in the absence of state intervention and narrow with politically necessary interventions, till finally the periphery becomes a beneficiary of the external economies of the core (Williamson 1965). However, after 50 years of planned development in India, many backward regions remain backward. Recently both inequalities among states and inequalities among districts/regions within states are growing across many states due to misguided policy (Audirac, 1997; Kurian, 2000).

Orissa is one of the poorest states located in eastern India where about 85% of the population lives in rural areas (Map 1). Agriculture is the mainstay of the State's economy, providing employment to about 65% of the total work force, but it contributed only 22.5% to the Net State Domestic Production in 2009/10. More than 46% of the population lives below the poverty line in rural areas, as against 37% for all-India in 2004/5. Percent of small farmers (with less than 2 ha of land) is about 57% and landless laborers are about 36% of total households in rural Orissa (Mishra, 2009). In most of the development indicators, Orissa is backward compared to other states (Orissa Development Report, 2004) with large populations of scheduled tribes (22%) and scheduled castes (17%) who are socio-economically backward compared to other population. Orissa is 15.5 million hectare (mha) in geographical area, of which about 5.6 mha is cultivated land with a cropping intensity of 160%,

⁶³⁵ The paper is written as a part of a project financed by Planning Commission, Government of India.

indicating 60% of the net sown area is cultivated with two crops per year. The net irrigated area is 2.0 mha which is 35% of net cropped areas. Roughly 78% of the irrigation potential created is actually utilized as on 2010. Still more than 80% of gross cropped area is occupied by food crops like food grains and oilseeds with subsistence agriculture. The state is characterized by under-utilisation of natural resources like land and water, with large area under forests and hence is suffering from low productivity.



2. Historical background of regional disparities in Orissa and Motivation for the Study

Orissa is divided into four regions namely Coastal Plain (CP), Central Table Land (CTL), Northern Plateau (NP), and Eastern Ghats (EG) (Reddy, 2009). The CP region is the most prosperous region with an area of 26% of the state. The districts under this region are Baleswar, Cuttack, Puri and Ganjam. The average annual rainfall is about 1454 mm. The soils of this region are mostly alluvial. This region is with the highest land productivity in the state. The CTL region covers an area of 24% of the state comprising of districts Bolangir, Dhenkanal, and Sambalpur. The table land gradually rises from east to west and the elevation is within 300m above Mean Sea Level (MSL). The average annual rainfall of the region is 1484 mm. This region has light to medium textured red soils with low fertility. In addition, there are alluvial soils on hill slopes and river valleys with higher paddy productivity possible. The NP region is a plateau which covers about 18% of the area of the state. There are a number of hill ranges rising to an elevation of 600 to 900m above MSL. This region is comprised of districts namely Mayurbhanj, Kendujhar and Sundargarh. The average annual rainfall is about 1610 mm. The soils in the ridges and slopes are susceptible to erosion. These soils are acidic and have low fertility with low productivity. The EG region is one of the most backward region, and most of the well known KBK districts fall in this region which occupies the southern part of the state with 32% of the area of the state covering Koraput, Kalahandi and Phulbani districts. The average annual rainfall is about 1500 mm. Soils have low to medium fertility. It is the poorest region with highest Scheduled Tribes (ST) & Scheduled Caste (SC) population with lowest literacy rates (Map 1).

Since the formation of the Orissa state in 1936, the state government has given utmost priority exclusively to the CP ignoring more than half of the population of the state inhabited in about 73% of land area. Orissa is inhabited by more than 24% of tribal population concentrated mostly in EG and NP and CTL regions of the state. Due to the negligence of all successive state governments, the development of these three patches is far behind the CP by any parameter even though these regions are full of minerals and natural resources. The successive governments also concentrated on every

developmental activity in and around the state capital Bhubaneswar (which is also located in CP) at the cost of neglected regions like EG, NP and CTL. Since last two decades, many developmental programs were introduced into lagging regions but still these regions are not able to catch up.

Objectives of the Study

In the backdrop of high rural poverty, backward agriculture sector and distinct regional differences in Orissa agricultural sector, the paper explores **(i)** what is the productivity levels of Orissa compared to other competing states and all-India **(ii)** explore the reasons for backward agricultural sector, low growth rates in productivity and production of major crops like paddy, pulses and oilseeds during 1971-2008 **(iii)** examine the reasons for high concentration of area under low-productive *kharif* paddy and low-crop diversification to pulses, oilseeds and HVCs and **(iv)** Keeping high regional disparities in Orissa, the paper also examined regional variations in agricultural productivity and efficiency and what are the choices to increase production at district level?

3. Data and Methodology

Data

Inter-state comparison of agricultural sector with special emphasis on Orissa is done from 1971 to 2008 by using data from statistical abstracts of various states. The district level data of Orissa on agricultural production, other development indicators like markets, credit *etc.*, was examined to know the regional/district level variation in agricultural sector. The ICRISAT district level database from 1971 to 2008 is used for the study. The analysis is done for the old undivided 13 districts for the purpose of showing changes in development indicators since 1971, though 13 districts were divided into 30 districts in 1993. The whole study period from 1971 to 2008 is divided into two periods (**period-I: 1971-1990** representing pre-liberalisation of Indian economy; **period-II: 1991-2008** representing post-liberalisation). The Gross Value of Agricultural Production (GVAP) at district level is measured at constant prices of 2004 by aggregating all crops production value in the district. Land and labour productivity per hectare is measured by using the GVAP for all the districts and regions.

Battese and Coelli (1995) model

The technical efficiency of a district is defined in terms of the ratio of the observed GVAP (output) to the corresponding frontier GVAP (output), conditional on the level of inputs in the district. Technical inefficiency is therefore defined as the difference between the district GVAP and the frontier level of GVAP. The district level efficiency is calculated by using Battese and Coelli (1995) stochastic production function model. A stochastic frontier production function is defined for panel data on districts, in which the non-negative technical inefficiency effects are assumed to be a function of district-specific variables and time. The inefficiency effects are assumed to be independently distributed as truncations of normal distributions with constant variance, but with means which are a linear function of observable variables. In this, the inefficiency effects (U_i) are expressed as an explicit function of a vector of district-specific variables and a random error in a single regression, instead of two-stage regression. It may be expressed as:

$$Y_{it} = x_{it}\beta + (V_{it} - U_{it}), i=1, \dots, N, t=1, \dots, T, \text{-----}(1)$$

where Y_i is the logarithm of the GVAP of the i -th district;

x_i is a $k \times 1$ vector of logarithm of input quantities of the i -th district;⁶³⁶

β is a vector of unknown parameters;

the V_{it} are random variables which are assumed to be iid. $N(0, \sigma_v^2)$, and independent of the U_{it} which are non-negative random variables assumed to account for technical inefficiency in production and

⁶³⁶For example, if Y_{it} is the log of output and x_{it} contains the logs of the input quantities, then the Cobb-Douglas production function is obtained.

are assumed to be independently distributed as truncations at zero of the $N(m_{it}, \sigma_U^2)$ distribution; where:

$$m_{it} = z_{it}\delta \text{-----}(2)$$

Where z_{it} is a $p \times 1$ vector of variables which may influence the efficiency of a district; and

δ is an $1 \times p$ vector of parameters to be estimated.

The method replaces σ_v^2 and σ_u^2 with $\sigma^2 = \sigma_v^2 + \sigma_u^2$ and $\gamma = \sigma_u^2 / (\sigma_v^2 + \sigma_u^2)$. Parameter, γ , must lie between 0 and 1. One can test whether any form of stochastic frontier production function is required at all by testing the significance of the γ parameter. If the null hypothesis, that γ equals zero, is accepted, this would indicate that σ_u^2 is zero and hence that the U_{it} term should be removed from the model, leaving a specification with parameters that can be consistently estimated using ordinary least squares. The authors used frontier-4.1 software for estimating the production function.

The frontier 4.1 calculates predictions of individual district technical efficiencies from estimated stochastic production frontiers. The measures of technical efficiency relative to the production frontier defined as: $Eff_{it} = E(\exp(Y_{it}) | U_{it}, X_{it}) / E(\exp(Y_{it}) | U_{it}=0, X_{it})$, where Y_{it} is the GVAP of the i -th district in t -th period. In the case of a production frontier, Eff_{it} will take a value between 0 and 1. The efficiency measures can be shown to be defined as $\exp(-U_{it})$ as dependent variable is in log form.

District level production efficiency is estimated by using log of district level GVAP as dependent variable in Battese and Coelli model. The district level data set for 13 districts from 1971 to 2008 (37 years) is used to construct the model. The independent variables considered in the model are (i) Gross Cropped Area (1000 ha), (ii) Gross Irrigated Area (1000 ha), (iii) Rural Agricultural Workers (1000 nos), (iv) Total adult male buffalo and cattle population, (v) Tractor (number of tractors), (vi) Fertilizer use (tons), (vii) Area under HYVs (1000 ha) and (viii) Time (years). The variables which may influence the efficiency of a district are (i) Loans (Rs. 1000), (ii) Rainfall (mm), (iii) Rural literates (1000 nos), (iv) Length of roads (km), (v) Pulses area (1000 ha), (vi) Oilseeds area (1000 ha), (vii) HVCs area (1000 ha), (viii) Central Table Land dummy, (ix) Eastern Ghat dummy and (x) Coastal Plain dummy. All variables are in log-form except regional dummies and time.

The stochastic production function, defined in equation (1), is a linearised approximation of a Cobb-Douglas production function; hence the regression coefficients are direct estimates of elasticity of GVAP for respective input. Using the elasticities of GVAP (Y_{it}) with respect to area under pulses, oilseeds and HVCs (sugarcane, cotton, fruits and vegetables and spices) one can estimate the Value of Marginal Product (VMP) per one unit (per ha) shift in area from paddy to pulses, oilseeds and HVCs.

$$VMP/\text{ha of pulses area} = \beta_{(\text{pulses area})} * (Y/\text{pulses area}) \text{-----} (3)$$

$$VMP/\text{ha of oilseed area} = \beta_{(\text{oil seed area})} * (Y/\text{oilseed area}) \text{-----} (4)$$

$$VMP/\text{ha of HVCs area} = \beta_{(\text{HVCs area})} * (Y/\text{HVCs area}) \text{-----} (5)$$

4. Results

4.1 Stagnation in agricultural production and productivity

Out of the Gross Cropped Area (GCA) of 9.0 mha in 2008, 77 % is under food grains. Thus, only 23% of the GCA was under non-food grains, which includes oilseeds, fibre crops, and HVCs. Paddy occupies about 50% of GCA, followed by pulses (22%), oilseeds (9%) and HVCs (13%). Area under paddy decreased from 66% in 1971 to 46% in 1991, then again increased to 50% by 2008, while area under oilseeds increased from 4.9% in 1971 to 12% in 1991, then declined to 9%, and pulses area increased from 12.5% in 1971 to 22% in 2008 (Table 1). Area under HVCs increased from 8.1% in 1971 to 13 % of GCA in 2008. Cropping intensity increased from 133 % in 1971 to 158% in 2008.

Table 1. % area under different crops in 1971, 1991 and 2008 in Orissa

Crop	1971	1991	2008
Paddy	66.1	45.9	50.0
Other Cereals	6.3	5.8	5.0
Pulses	12.5	22.2	22.0
Food grains (cereals plus pulses)	84.9	73.9	77.0
Oil Seeds	4.9	12.1	9.0
Food Crops (cereals plus oilseeds)	89.8	86.0	86.0
Fibre crops (jute and mesta)	1.2	0.9	1.0
HVCs (Sugarcane, vegetables, fruits, spices, cotton)	8.1	12.4	13.0
All Crops	100	100	100
GCA (m ha)	5.6	6.3	9.0
Cropping Intensity (%)	133	141	158

Source: Orissa Agricultural Statistics (2011), various issues

Over all, food grain production increased from 5.6 million tons (mt) during Triennium Ending average (TE) 1973 to 7.4 mt in TE 2008, entirely contributed by increase in paddy production from 4.2 mt in TE 1973 to 6.0 mt in TE 2008. Pulses production stagnant at 0.8 mt and oilseed production is also stagnant at about 0.5 to 0.6 mt (Table 2). This indicated the dominance and increased importance of paddy in the state. However, productivity of paddy still low, increased slowly from 964 kg/ha to 1335 kg/ha in Orissa, whereas it increased from 1312 kg/ha in period-I to 1940 kg/ha in period-II for all-India. Productivity of pulses declined (from 503 kg/ha to 441 kg/ha) and oilseeds stagnant (from 683 kg/ha to 669 kg/ha) between two periods. The productivity of all major crops was lower in Orissa than all-India in both the periods. During period-I, growth in production of food grains is lower in Orissa compared to all-India, while growth in pulses and oilseeds is higher. During period-II, the growth rates for all the crops (food grains; including paddy, pulses and oilseeds) in production, area and productivity are lower (and reduced) in Orissa than all-India. This shows the decline or stagnation in Orissa agricultural sector during both the periods, but it is alarming during recent period. The over emphasis on paddy at the cost of pulses, oilseeds and other HVCs resulted in stagnation in productivity of the later crops during period-II (Reddy, 2004, Reddy 2009, Reddy et al., 2011).

Table 2. Trends in area, production and productivity of major crops

	Year	TE 1973 (period-I)		TE 2008 (period-II)	
		Orissa	India	Orissa	India
Food	Area (mha)	6.6 (0.89)	125.8 (0.15)	6.7 (-0.34)	122.6 (-0.13)
	Production (mt)	5.6 (2.46)	129.0 (2.64)	7.4 (0.69)	196.6 (1.27)
	Yield (kg/ha)	847 (1.57)	1024 (2.49)	1089 (1.02)	1603 (1.40)
Paddy	Area (mha)	4.4 (-0.42)	39.6 (0.54)	4.5 (-0.05)	43.3 (0.13)
	Production (mt)	4.2 (1.50)	52.3 (2.83)	6.0 (0.78)	83.6 (1.26)
	Yield (kg/ha)	964 (1.92)	1312 (2.29)	1335 (0.82)	1940 (1.16)
Pulses	Area (mha)	1.6 (4.92)	22.9 (0.16)	1.8 (-0.69)	22.5 (-0.10)
	Production (mt)	0.8 (6.02)	11.6 (0.92)	0.8 (-2.14)	13.3 (0.25)
	Yield (kg/ha)	503 (1.10)	504 (0.76)	441 (-1.45)	592 (0.36)
Oilseed	Area (mha)	0.7 (7.10)	18.2 (1.37)	0.9 (-2.67)	25.3 (0.04)
	Production (mt)	0.5 (8.09)	10.9 (3.05)	0.6 (-3.38)	22.2 (1.54)
	Yield (kg/ha)	683 (0.99)	595 (1.68)	669 (-0.72)	873 (1.49)

Source: Statistical Abstracts, Orissa and India; Note: figures in parentheses are annual compound growth rates (%) in period-I and period-II

4.2 Comparison of Orissa agriculture with other states

The comparative status of Orissa in agricultural sector for the TE 2008 is presented in table 3. The productivity of food grains in Orissa was much lower (1348 kg/ha) than the neighboring states like West Bengal (2332 kg/ha) and Andhra Pradesh (2120 kg/ha) was equivalent to less developed state like Madhya Pradesh (1177 kg/ha). The average productivity of paddy (single most important crop in Orissa) is only 1348 kg/ha compared to the all-India average of 2046 kg/ha. The reason for low productivity of paddy in the state is that, it was cultivated mostly in *kharif* (rainy) season (about 93% of total paddy area is from *kharif* season) which is characterized by low and uncertain productivity as most of the area is rain-fed. Development indicators like fertilizer consumption (just 43.8 kg/ha in Orissa compared to 136 kg/ha in West Bengal and 155.5 kg/ha in Andhra Pradesh), Credit-Deposit ratio (40% in Orissa as against 51% for All-India) and number of bank branches/1000 km² (3.9 in Orissa as against 6 for All-India) in Orissa were one of the lowest in India (Reddy 2006). Irrigated area is just 27.5 % of total cropped area in Orissa as against national average of 38.7%, even though the state had higher irrigation potential with many perennial rivers with annual rainfall of 1400 mm against national average of 1100 mm. Even though gross irrigated area is less, most of the irrigated area is occupied by paddy (65% of GIA), followed by vegetables (17% of GIA), pulses (7% of GIA) and oilseeds (5 % of GIA) (Orissa Development Report, 2004). As a result of all these factors, agricultural GDP/ha is just Rs 11839 /ha in Orissa as against Rs 39872/ha in West Bengal and Rs 21443/ha in Andhra Pradesh in TE 2008. Overall, it appears that low input use per ha (including fertilizer, power etc) and high concentration in paddy, low priority given to pulses and oilseeds characterize the Orissa agricultural sector. There is a need to increase area under irrigation in pulses and oilseeds, by reducing area under high water consuming crops like paddy in both *kharif* and *rabi* seasons.

Table 3. Inter-state comparison of Indicators of Agricultural Development TE 2008

State	Orissa	West Bengal	Andhra Pradesh	Madhya Pradesh	Punjab	Haryana	India
Productivity of food grains (kg/ha)	1348	2332	2120	1177	3964	2862	1717
% irrigated area to GCA	27.5	27.5	43.1	25.8	94.1	78.8	38.7
Credit-Deposit Ratio (%)	39.8	45.2	63.8	49.2	39.1	41.4	50.8
Bank branches/1000 km ²	3.9	8.3	4.7	3	5.9	4.2	6.0
Agril. GDP (Rs./ha)	11839	39872	21443	10881	41534	33741	22907
Poverty (%)	48	31.9	11.1	37.1	6.4	8.3	20.6

Source: Annual Statistical Abstracts (2011) of Various States

In the last two decades, the use of modern inputs is like fertilizer increased from 20 kg/ha to 53 kg/ha in Orissa, as against from 67.5 kg/ha to 115 kg/ha for India (Table 4). Share of agricultural sector in total power consumption in Orissa decreased from very lower level of 4.7% to just about 1.4% from 1991 to 2007, while, share of agricultural sector for all-India is hovering around 23% to 26% during the same period. In absolute terms also power consumption decreased from 229 million units to 130 million units. It indicates that the agriculture in Orissa is trapped in low-input low-output vicious cycle. Seed is most important input in increasing agricultural productivity. The Seed Replacement Ratio (SRR) is defined as the % of area sowed with new seed every year. It is much lower in Orissa than all-India for many crops including main crop paddy (Table 5). To enhance agricultural growth, we need to increase application of inputs like seed, fertilizer, power consumption and irrigated area. The lower SRR is also due to high logistic costs in seed production and distribution in the remote villages with low infrastructure and lack of farmer's ability to pay for high priced seed (Reddy 2004) resulted in reluctance of private seed companies in the seed distribution. Further, an analysis of trends in the number of operational holdings and area operated reveals that the number of operational holdings with less than 2 ha (small and marginal farmers) increased from 80.3% in 1972 to 83.8% in 2005. Reduced farm

size is a hindrance to adopt high-input incentive seed-fertilizer-irrigation agricultural technology (Orissa Development Report, 2004).

Table 4. Power consumption for agriculture as % of total consumption

	Power consumption for agriculture as % of total consumption		power consumption (million units) for agriculture	Fertilizer consumption (kg/ha)	
Year	Orissa	India	Orissa	Orissa	India
1991	4.7	26.4	229	20.0	67.6
2001	3.1	26.8	186	41.0	90.1
2007	1.4	22.9	130	53.0	115.3

Source: Statistical Abstracts, Orissa and India

Table 5. Seed replacement rate (%) in TE 2008

State	Paddy	Maize	Urd	Moong	Arhar	Mustard	Cotton
Orissa	6.0	1.4	1.3	1.3	1.6	17.5	9.0
India	24.2	34.4	16.4	12.6	10.4	56.7	21.6

Source: Statistical Abstracts, Orissa and India

4.3 Efficiency estimates

The results of Battese and Coelli (1995) model applied to district level data revealed that, GCA, cattle population and number of rural agricultural workers has positive and significant influence on district level GVAP (Table 6). This indicates that the Orissa agricultural sector productivity is still heavily dependent on traditional inputs like GCA, human labour and bullock labour. Another important variable 'time' is not significant, which infer that there is no significant technological progress during the past 37 years. As expected, inefficiency of district crop production is negatively affected by rainfall, number of rural literates, and area under pulses, oilseeds and HVCs. In other wards, efficiency at district level is positively and significantly influenced by rainfall, rural literacy, and area under pulses, oilseeds and HVCs. Among regional dummies, EG dummy influenced inefficiency positively, in other words districts of EG are most likely to have low efficiency compared to NP (which is taken as a reference category).

Table 6. Regression Results (Battese and Coelli 1995 model)
(Dependent variable: log (GVAP of districts in Rs.10000)

Variables	B	t-ratio	Mean
Constant	9.80	0.69	
Gross Cropped Area (1000 ha)	0.69*	6.90	661
Gross Irrigated Area (1000 ha)	-0.01	-0.23	199
Rural Agricultural Workers (1000 nos)	0.10*	1.84	313
Total adult male buffalo and cattle population	0.10*	1.85	1016
Tractor (number of tractors)	0.02	1.51	59
Fertilizer use (tons)	0.01	0.35	14723
Area under HYVs (1000 ha)	0.02	0.67	162
Time (years)	0.001	0.11	
Inefficiency effects			
Constant	4.85	0.34	
Loans (Rs. 1000)	-0.02	-1.29	75784
Rainfall (mm)	-0.15*	-3.80	1417
Rural literates (1000 nos)	-0.11*	-2.62	748
Length of roads (km)	-0.04	-1.41	10661

Pulses area (1000 ha)	-0.19*	-5.25	137
Oilseeds area (1000 ha)	-0.12*	-5.08	60
HVCs area (1000 ha)	-0.06*	-2.89	7
Central Table Land dummy	-0.07	-1.40	0
Eastern Ghat dummy	0.25*	5.73	0
Coastal Plain dummy	0.08	1.67	0
sigma-squared	0.04	15.03	
Gamma	0.31	0.03	

Log likelihood function = 107.1; LR test of the one-sided error =143.7

Note: all variables are in log-form except regional dummies and time

4.4 Growing inter-regional differences in agricultural development

Region-wise production trends of major crops are given in table 7. CP was the largest producer of paddy, followed by CTL, EG and NP, but the productivity is higher in CTL (1799 kg/ha), followed by CP (1667 kg/ha), NP (1464 kg/ha) and the least recorded in EG region (1402 kg/ha). While, in case of pulses CP and EG were large producers, in case of productivity all regions reported less than 600 kg/ha which was quite low compared to national average. In case of oilseeds, CP and CTL are large producers with higher productivity. Overall, the productivity, area and production of paddy and oilseeds are much higher in CP and CTL compared to NP and EG regions, while production of pulses is more in CP and EG but with very low productivity. Orissa is one of the most disaster prone states in the country, every alternate year there is high probability of either drought or flood. The Orissa agricultural production is characterized by high volatility as the % irrigated area is less (table 8). The instability is higher in oilseeds production (coefficient of variation is 107 %) followed by pulses (56 %) and the least in paddy (55 %). While instability in area is also higher in oilseeds (80 %) followed by pulses (54 %) and paddy (35 %), but instability in productivity was higher in oilseeds (48 %) followed by paddy (35 %) and the least in pulses (14 %). The less instability in productivity of pulses indicates their tolerance to biotic and abiotic stresses compared to paddy and oilseeds. One interesting feature is that instability increased in oilseeds and paddy increased in recent period. Overall, the instability is higher in EG for all the major crops followed by NP and CTL and the least in CP.

Table 7. Region wise trends in area, production and productivity of food crops TE 2008

Region	Production (1000 t)					Productivity (kg/ha)			
	Paddy	Pulses	Oilseeds	Sugarcane	Fruits and Vegetables	Paddy	Pulses	Oilseeds	Sugarcane
CP	8168 (72)	986 (30)	721 (190)	330 (19)	2836 (497)	1667 (90)	429 (-13)	1197 (21)	6634 (-2)
CTL	6096 (87)	575 (148)	509 (111)	119 (-26)	1446 (545)	1799 (99)	384 (-29)	629 (-29)	7183 (14)
NP	3268 (79)	258 (155)	126 (36)	7 (-74)	1767 (718)	1464 (88)	459 (0)	412 (-32)	5632 (-4)
EG	4015 (110)	750 (184)	470 (121)	351 (117)	1243 (748)	1402 (69)	516 (13)	601 (17)	7325 (44)
Orissa	21546 (83)	2568 (90)	1827 (130)	806 (29)	7292 (587)	1610 (87)	442 (-10)	730 (0)	6990 (15)

Note: figures in the parenthesis are % increase from TE 1973; region wise productivity figures were not available

Table 8. Coefficient of variation (%) of area, production and productivity of major crops in Orissa

		Paddy			Pulses			Oilseeds		
Region	Period	Production	Area	Yield	Production	Area	Yield	Production	Area	Yield
CP	1971-1990	38	29	29	46	41	12	91	60	33
	1991-2008	34	24	41	34	29	12	52	37	75
CTL	1971-1990	44	31	30	59	50	10	74	65	25
	1991-2008	53	35	28	31	25	9	92	79	105
NP	1971-1990	36	23	20	46	40	18	58	45	26
	1991-2008	51	32	92	12	9	5	66	45	93
EG	1971-1990	57	48	27	60	50	21	58	40	26
	1991-2008	59	47	34	55	48	21	84	65	102
Orissa	1971-1990	51	40	26	74	73	6	108	70	37
	1991-2008	55	35	35	56	54	14	107	80	48

Source: Statistical Abstracts, Orissa

Per cent share of each crop in GVAP at constant prices of 2004/05 is given in table 9. The share of paddy in GVAP decreased from 56 % in TE 1973 to 54% in TE 2008. Share of pulses stagnant at 13%, while share of oilseeds increased from 7% to 9% and share of fruits and vegetables increased at faster rate from 6% to 10%. In terms of contribution of regions to GVAP, share of CP region decreased from 42% to 38%, share of EG increased from 19% to 22%, while share of CTL and NP regions are stagnant at 26% and 14% respectively. Indicating catching up of EG with CP. Share of paddy is higher in both NP and CTL, but slightly decreased in TE 2007. In case of pulses, share of EG and CP is higher in both the periods. While in case of oilseeds, EG and CTL dominate in both the periods. Share of fruits and vegetables is about 10% of state GVAP, and its share is higher in NP with 12%.

Table 9. Region wise % share of major crop groups in GVAP in TE 1973 and TE 2008 at constant price of 2004/5

Region	Paddy	Pulses	Oilseeds	Sugarcane	Fruits and Vegetables	Rs. Million	% to state GVAP
TE 1973							
CP	54	26	8	0.71	7	50456 (100)	42
CTL	62	13	13	0.68	6	30398 (100)	25
NP	67	11	10	0.21	7	15624(100)	13
EG	46	19	15	0.88	7	23778 (100)	20
Orissa	56	19	11	0.67	7	120256(100)	100
TE 2008							
CP	54	20	14	0.49	10	86562(100)	37
CTL	60	17	15	0.26	8	58354(100)	25
NP	63	15	7	0.03	13	30039(100)	13
EG	41	23	14	0.81	10	56059(100)	24
Orissa	54	19	13	0.45	10	231013(100)	100

Source: Statistical Abstracts, Orissa

Table 10 shows that during TE 2008, cropping intensity is higher in CP followed by CTL, EG and the least in NP. In the same way CP (53.4kg/ha) and CTL (48.5kg/ha) regions ranked the highest in fertilizer consumption, while NP region ranked the lowest with 30 kg/ha. In credit (Rs/ ha of GCA), CTL region ranked the highest, while EG ranked the least. So credit uptake is higher in developed region than less

developed region. CP ranked the highest and EG ranked least in rural literacy. The above all development indicators show that the CP is the developed region and the EGs are the least developed region, while NP and CTL fall in the middle.

Table 10. Region wise indices of agriculture in TE 2008

Region	Cropping intensity (%)	Fertilizer/ha (kg/ha)	Rainfall (mm)	% irrigated area	Credit (Rs./ha)	average farm size (ha)	% rural Literacy
CP	176	53	1454	45	3855	1.1	46
CTL	158	49	1484	32	3023	1.5	37
NP	134	30	1610	27	2128	1.4	33
EG	157	38	1500	30	1432	1.7	22
Orissa	159	45	1500	35	2783	1.3	35

Source: Statistical Abstracts, Orissa

4.5 Inter regional differences in land & labour productivity and efficiency

Land and labour productivity are two important indicators of performance of agricultural sector in region. The land and labour productivity indices along with efficiency indices measured from Battese and Coelli (1995) model are given in table 11. Mean efficiency in the state is 37%, with average land productivity of Rs.6872/ha and average labour productivity of Rs. 13779/agricultural worker in 1991-2008. The highest efficiency was reported in CTL (46%) and CP (43%) followed by EG (32%) and the least in NP (25%). In similar lines, the land productivity is higher in CTL (Rs.8185/ha) followed by CP (Rs. 7596/ha), EG (Rs.6021/ha) and NP (Rs.5445/ha). The labour productivity is also higher in CTL (Rs.18134/agricultural worker) followed by CP (Rs.15760), EG (Rs.11272) and NP (Rs.9290) with state average at Rs.13779. CTL improved its efficiency from 33% to 46%, CP improved from 35% to 43%, EG improved from 22% to 32%, NP improved its efficiency from 20% to 25%, and over all state average efficiency improved from 28% to 37% between period-I and period-II. It indicates that, even though all regions improved their efficiency, still large gaps exist. There is good scope of increasing efficiency in NP (scope of increasing 75% efficiency) and EGs (scope of increasing 68% efficiency) compared to only 54% improvement in CTL and 57% improvement in CP region given their low efficiency under given socio-economic and agro-climatic conditions.

Table 11. Trends in efficiency and productivity indices

Region	Period	Land productivity (Rs./ha)	Labour productivity (Rs./agril. worker)	Efficiency estimates from B&C 1995 model (%)
CP	1971-1990	6153	16500	35
	1991-2008	7596	15760	43
CTL	1971-1990	6004	16216	33
	1991-2008	8185	18134	46
NP	1971-1990	4542	9419	20
	1991-2008	5445	9290	25
EG	1971-1990	4266	9775	22
	1991-2008	6021	11272	32
Orissa	1971-1990	5311	13248	28
	1991-2008	6872	13779	37

Source: Statistical Abstracts, Orissa

4.6 Inter-district variations

Inter-district variations in productivity of food grains shows that, it ranges from the highest 1949 kg/ha in Sambalpur to the lowest 1214 kg/ha in Kalahandi during TE 2008 (Table 12). % share of irrigated

area to GCA is the highest for Baleswar (54%) and the lowest for Kendujar and Phulbani with 24%. The districts, Baleswar and Sambalpur are ranked the highest in fertilizer consumption (kg/ha of GCA) with 99 kg/ha and 77 kg/ha respectively. While districts Dhenkanal and Phulbani are ranked the lowest with 22 kg/ha and 21 kg/ha. In credit disbursal Baleswar (Rs.5338/ha of GCA) and Dhenkanal (Rs.4379/ha) stand first, while Kalahandi (Rs.1334/ha) and Phulbani (Rs.1172/ha) ranked the least. Cuttack, Puri and Baleswar are three CP districts ranked the highest in rural literacy rate, while Koraput, Kalahandi and Mayurbhanj were ranked the lowest. A careful analysis of the data for different districts reveals that the four CP districts (Balasore, Cuttack, Puri and Ganjam) and two districts (Sambalpur and Bolangir) of CTL region are agriculturally more advanced than other districts. The agricultural success of four CP districts is due to well-developed irrigation facilities with higher doses of fertilizer consumption, high literacy rates and infrastructure. Districts of NP region namely Mayurbhanj, Keonjhar and Sundergarh, and Koraput of EG are found to be the most backward districts. A significant proportion of cropped area in these districts is under rainfed agriculture with frequent droughts and low cropping intensity. Phulbani of EG is the only district with declining agricultural development index over the study period.

Table 12. District wise indices of agriculture in TE 2008

Region/ district	Food grain Productivity(kg/ha)	Cropping Intensity (%)	Fertilizer/ ha (kg/ha)	Rainfall (mm)	% irrigated area	Credit (Rs./ha)	% rural Literacy
CP							
Baleswar	1654	143	99	1203	54	5338	48
Cuttack	1597	187	42	1372	47	3539	52
Puri	1576	187	44	1044	42	3587	51
Ganjam	1898	184	45	1150	38	3458	33
CTL							
Bolangir	1745	151	32	862	28	1532	31
Sambalpur	1949	148	77	1059	39	3203	38
Dhenkanal	1515	168	22	1090	25	4379	42
NP							
Mayurbhanj	1580	129	37	1029	29	1885	29
Kendujhar	1485	150	28	1006	24	1965	35
Sundargarh	1265	125	24	1090	26	2626	34
EG							
Koraput	1539	153	38	1151	29	1581	14
Kalahandi	1214	161	45	1051	33	1334	24
Phulbani	1497	163	21	1043	24	1172	30
Orissa	1610	159	45	1088	35	2783	35

Source: Statistical Abstracts, Orissa

4.7 Scope from crop diversification towards high value crops

In the Battese and Coelli model, both the dependent and independent variables are in log form, regression coefficients reveal elasticities i.e., % change in GVAP for a 1% change in independent variables. Given the high proportion of area under water intensive paddy, and need for judicious use of water with the cultivation of irrigated dry crops like pulses, oilseeds and other HVCs which increase land productivity through cropping intensity, estimates of marginal effects due to shift in area from

paddy to pulses, oilseeds and other HVCs are estimated and presented in Table 13. On average, shift of 1 hectare of area from paddy to pulses, oilseeds and HVCs resulting in an increase of GVAP by Rs.6220/ha, Rs.5990/ha and Rs.50430/ha respectively at state level. At district level, shift of area to pulses in Balasore, Mayurbhanj and Sambalpur gives higher returns per unit area; while shift to oilseeds generate more returns in Cuttack, Kalahandi, Keonjar and Puri districts. Shift to HVCs may result in higher increase of gross returns in Bolangir, Mayurbhanj and Sambalpur districts. The return is huge, given the average gross returns/ha in the state is only Rs 11000/ha and more than 50 per cent of cropped area is under paddy. However, it requires development of drainage facilities as about 70% of area in Orissa is submerged frequently due to high incidence of flooding. Supply of inputs like improved seed, fertilizer, credit and development of markets are essential for growing HVCs like fruits and vegetables and sugarcane. In focus group interviews local sugarcane farmers expressed that the local sugar factories were closed down due to uncertain supply and production of raw material (cane) since a decade and many more sugar factories are planning to windup.

Table 13. Increase in GVAP (Rs/ha) from crop diversification from paddy at 2004/5 prices

Crop	CP				CTL		
	Bolangir	Cuttack	Ganjam	Puri	Balasore	Dhenkanal	Sambalpur
Pulses	6920	5140	4210	5650	11710	4710	12040
Oilseeds	3890	10650	7190	10640	9500	5430	3650
HVCs	123250	58560	58110	64520	22520	48680	145600
	EG			NP			Orissa
	Kalahandi	Koraput	Phulbani	Keonjhar	Mayurbhanj	Sundergarh	
Pulses	3660	8160	4000	6380	10140	6710	6220
Oilseeds	14880	4020	3470	15640	9120	4790	5990
HVCs	16960	82320	26740	88030	224750	63650	50430

Note: estimates of marginal increase in gross revenue are based on elasticity of gross revenue for pulses, oilseeds and other HVCs are estimated as 0.19, 0.12 and 0.06.

District level productivity indices are given in table 14. In terms of land productivity Cuttack, Dhenkanal and Ganjam are top three districts, while in terms of labour productivity Dhenkanal, Puri and Cuttack are top three districts belongs to CTL and CP. While, in land productivity bottom three districts are Sundergarh, Keonjhar and Phulbani and in labour productivity bottom three districts are Koraput, Mayurbhani and Koenjhar. Most of the districts of CP and CTL were showed higher efficiency, while districts of EG and NP showed the lower efficiency. Cuttack, Sambalpur, Dhenkanal are top three districts, while Sundergarh, Keonjhar and Phulbani are bottom three districts in terms of efficiency.

Table 14. District wise estimates of efficiency and productivity indices (mean 1971-2008)

Region	District	Labour Productivity (Rs/labour)	Land productivity (Rs/ha)	Efficiency (%)
CP	Bolangir	12469	6051	30
	Cuttack	20992	7489	47
	Ganjam	10455	6730	38
	Puri	20866	6717	39
CTL	Balasore	13845	5937	32
	Dhenkanal	21415	7096	41
	Sambalpur	15756	7674	43
NP	Keonjhar	9540	4593	21
	Mayurbhanj	8295	5287	24

	Surendergarh	10264	4862	22
EG	Kalahandi	12554	5866	30
	Koraput	7827	4424	29
	Phulbani	10793	4677	20

Source: Statistical Abstracts, Orissa

4.8 Low productive *kharif* paddy and options for crop diversification

The area under paddy during *kharif* season is about 4.12 mha and during *rabi* 0.33 mha in 2008 (Table 15). *Kharif* paddy occupy 93 per cent of total paddy area in the state with 58 % of area under rainfed, hence suffering from low productivity (1658 kg/ha as against 2393 kg/ha in *rabi*) with higher variability (Coefficient of variation for *kharif* paddy is 24% against 7 % for *rabi* paddy) in productivity. Whereas, *rabi* paddy suffers from higher variability in area sown (21.6% as against 1.3% in *kharif* area) due to uncertain irrigated area. Further, there is stagnation in area under *rabi* paddy i.e., area is hovering between 0.14 million ha in 1971 to 0.33 million ha in 2008. As the *rabi*-paddy productivity is much higher, options to increase area under *rabi*- paddy, coupled with replacement of low productive *kharif* paddy area with rainfed or irrigated-dry crops like pulses and oilseeds needs to be explored.

Table 15. Season wise paddy production scenario

Year	area (mha)		Production (mt)		productivity(kg/ha)	
	<i>Kharif</i>	<i>rabi</i>	<i>kharif</i>	<i>rabi</i>	<i>kharif</i>	<i>rabi</i>
1971	4.33	0.14	3.91	0.19	902	1387
1991	4.19	0.21	4.84	0.43	1156	2019
2008	4.12	0.33	6.83	0.79	1658	2393
CV%	1.3	21.6	24.1	25.6	24.2	7.1

Source: Statistical Abstracts, Orissa

In Orissa, *Kharif* Paddy is grown on all types of lands irrespective of its suitability. Paddy grown on high-lands under rainfed conditions is most vulnerable to moisture stress, leading to drastic productivity reduction in years of poor rainfall. It is therefore necessary to diversify this area. The extent of high land paddy in the state is about 1.03 million ha (Table 16). Diversification from paddy to the above crops to be done in CTL, EGs and NP regions, as productivity of paddy in these regions is low and higher water scarcity. Since most of the small farmers who cultivate the high lands prefer to grow paddy for reasons of food security, partial substitution of paddy with alley cropping (Mixed cropping) is considered to be more appropriate measure to achieve the crop diversification. Generally farmers practice single crop per year with mixed farming practices like Paddy+Arhar(41% of mixed crop area), Arhar+Mung(23%), Arhar+Groundnut(20%), Ragi+Arhar(4%), Maize+Arhar(3%), Maize+Cowpea(2%) etc. The steps are also to be taken to produce and distribute improved seeds of early-type varieties of paddy along with seeds of pulses, oilseeds and fruits and vegetable seeds.

Table 16. Proposed crop diversification plan in Orissa (2007/08)

Diversification from	%	diversification to	%
rice fallow land (with pulses, oilseeds)	37.7	Pulses	34.6
Diversion from high land paddy	19.5	Vegetables	18.9
Drought affected medium land paddy	17.5	Cereals	14.8
Aromatic Rice	15.6	Oilseeds	13.9
Saline inundated area	3.3	Fibres	6.7
Sand Dune	2.9	Sugarcane	6.4
Rice Fish Culture	1.9	Horticultural	2.4

minor millets	1.6	Spices	2.3
Total area (1.03 million ha)	100	Total	100

Source: Statistical Abstracts, Orissa

5. Policy Options for improving efficiency of Orissa Agricultural Sector

Orissa is one of the poorest states in India with about 85% of population lives in rural areas mostly dependent on agriculture. Over the last three decades (1971-2008) there has been stagnation in crop production in Orissa with low-input and low-output vicious cycle dominated by only paddy cultivation. Paddy occupies 50% of gross cropped area and contributes to 54% to Gross Value of Agricultural Production (GVAP). The area under pulses is 22% (19% of GVAP), while area under oilseeds is about 9% (with 13% share in GVAP) and area under other crops which include sugarcane, fruits and vegetables is 13% (in value terms contributes only 10%). However, cost of production of pulses, oilseeds and other crops are low compared to paddy, hence net returns per hectare to economy and to the farmers are high compared to paddy (Reddy, 2009; Reddy et al., 2011; Reddy 2010). To enhance district level GVAP, Orissa needs to diversify its crop sector towards pulses, oilseeds and HVCs through creation/development of enabling factors like certified seed, credit, fertilizers, drainage facilities, supplementary irrigation and infrastructure for marketing, which also increases farmers income (Reddy, 2004). The growth rate of vital inputs like seed replacement ratio, fertilizer and energy use is slow and less than all-India, which needs to be improved (Orissa Agricultural Statistics, 2011). Literacy rate, irrigation, marketing infrastructure and transport facilities are crucial for increasing GVAP at district level, as the level of these inputs are not even reached to a threshold level to significantly influence productivity levels (Reddy and Kumar, 2006). District level average efficiency is very low (only 37 per cent). This indicates that with the existing resources and technology and given agro-climatic conditions, an average district can enhance GVAP by another 64%. It is important that, all these inputs should be supplied to the farmers under one roof, so that transaction costs to farmers can be minimized. Within state, there is significant regional differences, mainly Coastal Plain and Central Table Land regions are endowed with good natural resources, hence efficiency, land and labour productivity is higher and stable than other two regions Northern Plateau and Eastern Ghats which are less resource endowed. However, there is slow progress in efficiency and productivity during 1991-2008 over 1971-1990 in all the regions. In the successive five year plan (2002-07) very little funds are devoted to agricultural sector (2.18%) compared to irrigation and flood control (22%), special area program (13%), social services (26%). There is a greater need to directly focus on agricultural sector with more funds with the following objectives (i) drought proofing, (ii) improved agricultural productivity through crop diversification to pulses, oilseeds and other high value crops and (iii) improved quality input and output markets like credit/banking facilities, seed production and distribution at local markets, policies to increased use of fertilizer, electricity and technology in backward regions like EG, NP and CTL. In order to achieve these objectives, the following strategies seem appropriate: Building rural productive infrastructure (e.g., roads, bridges, drainage and irrigation projects, tanks, watershed development, markets and warehouses) (Reddy, 2011). Agricultural development on sustainable basis for transforming low-input-low-output agriculture to high-input-high-output agricultural sector especially in backward regions like Eastern Ghats and Northern Plateau (e.g., productive rural infrastructure, agriculture development programs, seed production and distribution and micro-credit support, targeting scheduled tribes and castes). Interventionist policies by removing barriers to factor mobility and ensuring minimum standards in basic services across the state will reduce regional disparities (Shankar R and A Shah, 2003).

References

- Annual Statistical Abstracts 2011. Directorate of Economics and Statistics, Various states
Audirac, Ivonne (ed.) 1997. *Rural Sustainable Development in America*. John Wiley and Sons.
Battese G E and T J Coelli 1995. A Model for Technical Inefficiency Effects in a Stochastic Frontier Production Function for Panel Data. *Empirical Economics*, 20, 325-332.

- Datt G and M Ravallion 1996. "How important to India's poor is the sectoral composition of economic growth?" *The World Bank Economic Review* 10(1): 1-25.
- Kurian NJ 2000. Widening Regional Disparities in India: Some Indicators, *Economic and Political Weekly* Vol. 35, No. 7 (Feb. 12-18, 2000), pp. 538-550
- Mishra S 2009. Poverty and Agrarian Distress in Orissa, Indira Gandhi Institute of Development Research, Mumbai September 2009 <http://www.igidr.ac.in/pdf/publication/WP-2009-006.pdf>
- Myrdal G 1957. *Economic Theory and Under-developed Regions*. London: Duck-worth
- Orissa Agricultural Statistics (2011), Directorate of Agricultural and Food Production, Orissa, Bhubaneswar, various issues.
- Orissa Development Report 2004. Planning Commission, Government of India, Yojana Bhawan, New Delhi.
- Pingali P L and P W Heisey 2003. Cereal Crop Productivity in Developing Countries. CIMMYT Economics Paper 99-03. Mexico D.F.: CIMMYT.
- Reddy A A 2004. Consumption Pattern, Trade and Production Potential of Pulses, *Economic and Political Weekly*, Vol.39 (44) pp.4854-4860, 2004.
- Reddy A A 2006. Productivity Growth in Regional Rural Banks, *Economic and Political Weekly*, Vol.XLI, No.11, March 18, 2006 pp. 1079-1086.
- Reddy AA 2009. Pulses Production Technology: Status and Way Forward, *Economic and Political Weekly*, Vol. 44, No. 52, pp. 73-80, December 2009
- Reddy AA 2009. Policy Options for India's Edible Oil Complex, *Economic and Political Weekly*, Vol. 44, No. 4, pp. 22-24, 2009
- Reddy AA 2010. Regional Disparities in Food Habits and Nutritional Intake in Andhra Pradesh, India, *Regional and Sectoral Economic Studies*, Vol. 10-2 (2010) 125-134
- Reddy AA and P Kumar 2006. Occupational Diversification of Households in Rural Andhra Pradesh, *Journal of Indian School of Political Economy*, Jan-June, 2006, Pp. 77-91
- Reddy AA, Ch Radhika Rani and GP Reddy 2011. Policy Options for edible oil complex in India under WTO Regime, *Journal of Rural Development*, Vol. 30. No. (1) p. 11-24.
- Reddy, AA 2010. Disparities in Agricultural Productivity Growth in Andhra Pradesh, *Indian Economic Journal*, Vol. 58, No. 1, April-June 2010. Pp. 134-154
- Reddy, AA 2011. Dynamics of the agricultural economy of Andhra Pradesh, India since the last five decades, *Journal of Development and Agricultural Economics* Vol. 3(8), pp. 394-410, August 2011
- Shankar R and A Shah 2003. Bridging the Economic Divide Within Countries: A Scorecard on the Performance of Regional Policies in Reducing Regional Income Disparities, *World Development* Vol. 31, No. 8, pp. 1421-1441, 2003
- Williamson J G 1965. Regional inequality and the process of national development: a description of the patterns, *Economic and Cultural Change*, 13, 1-84.

CONSTRUCTION OF COMMON GROUND AMIDST DIFFERENCES IN ETHNICITY, CITIZENSHIP AND NATIONALISM IN SRI LANKA

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Abstract

After years of civil conflict, the people of Sri Lanka, are slowly but progressively moving towards reconciliation and, perhaps, to finding political solutions to a great number of issues. The progress I see raises the question of how people from different ethnic and religious backgrounds develop common ground while the political and social environment is still conducive to violent clashes. During my recent fieldwork in Sri Lanka, I took up this question after observing many instances in which people from different ethnic and religious backgrounds were finding, albeit possibly unwittingly, common ground in their day-to-day lives, and in the socio-cultural, economic and political spheres. In this paper, I will explore this common ground, the tensions that divide people, and the concerns, routines and rituals that unite them with special reference to a middle class setting in Colombo. I will draw upon insights by Barth (1969), Harrison (2003), and Neofotistos (2004) to discuss religious rituals, neighbourhood relations, food sharing, life events, concerns over welfare, feelings of belonging, marriage, class, and business relationships in the people's everyday lives, and how members of Sri Lanka's middle class community create everyday relationships based upon their own classifications of "good" and "bad".

Key words: *ethnicity, common ground, middle class, conflict, Sri Lanka*

Introduction

Countries experiencing ethnic tensions are affected by a great variety of integrating and disintegrating forces, a fact evident in discussions centring on political solutions to societal divisions by means of power sharing that have taken place throughout history. The people of Sri Lanka suffered immensely following independence from Britain in 1948. Ethnic tension, violence, fear and intimidation paralysed the development of the country as well as the opportunities of its peoples to enjoy freedom. The 31-year long civil war that ended in May 2009 cost the country not only scores of human lives but resources that should have been disbursed for the eradication of poverty and the improvement of the welfare of the people. Not infrequently, international forums such as the United Nations and associated bodies, along with academic writings, tend to focus upon the elite's political behaviour, peace talks, military action and power sharing models. In other words, the wider world has viewed Sri Lanka as a theatre of violence and bad politics. While films and teleplays have narrated the peoples' suffering to some extent, they have also served as a catharsis rather than initiating broader movements and social change to eradicate suffering and create peace. Even though the war in Sri Lanka ended in 2009, the influence of divisive nationalist forces, chauvinist ideologies and ethnic politics persist. The government, which is yet to address crucial issues related to ethnic tension, seems unable to come up with lasting solutions. Despite all of the above constraints, it is within this milieu that the people of Sri Lanka must prosecute their everyday social reality.

Although post-independence Sri Lanka saw a lot of politically-motivated tension and a spate of ethnic clashes, a considerable amount of integration prevailed among the members of the various ethnic groups, who mostly lived in heterogeneous communities. They withstood the on-going provocation from various ethno-national and political corners. It was the people's own initiatives that allowed them to enjoy common ground, not the miracles of politicians. In this paper I explore how peoples from diverse ethnic backgrounds create environments in

which all can live in relative peace. Special reference is made to the middle class, who reside in the urban area of Sri Lanka's capital city of Colombo.

The above circumstances urged me to carve out a concept called common ground, which I wish to treat as one pragmatic concept although it is written using two words according to English grammatical order. My notion of the concept does not allow social engineers to treat "common" and "ground" as two separate entities. I approach the notion of common ground not as a settled state but as a continuing field of struggle similar to Michael Jackson's (2011) examination of human well-being in Sierra Leone. I admire the way he employed this static phenomenon in a lively discussion. The Sri Lankan people have had to endure a social life that has required them to cope with a variety of divisive forces, e.g., ethnic-nationalism, chauvinism, religious extremism and ethno-political factions. The nature of the struggle of ordinary people in this volatile political environment has been taken for granted or deliberately not made visible in most academic writings (Tambiah 1986; Tambiah 2005; Tambiah 1996).

The reality that I have observed in Sri Lanka is that most people are continuously constructing and reconstructing common ground in their everyday social lives, mechanisms for collaboration within a multi-ethnic society. In that sense, they are the real "war heroes". They will likely keep that momentum in the foreseeable future and perhaps meet the "happy ending" endorsed by politicians heralding a firm end to the ethnic conflict. In this paper, I seek to elaborate the concept of common ground.

In their analyses of ethnic tension in Sri Lanka, scholars including those discussed below, have basically adopted four approaches: primordialist, constructivist, instrumentalist and modernist. Examination of these approaches will facilitate an understanding of the socio-economic and political backdrop to the tension as well as of the approaches. The primordialist approach discusses language, religion, and culture in relation to the conflicting ethnicities and nationalism (Arasaratnam 1998; De Silva 1986; Imtiyaz 2009; Imtiyaz and Stavis 2008; Nissan

and Stirrat 1990). Advocates of this approach tend to argue that historical factors, in particular the age-old Sinhala/Tamil rivalry, can explain the on-going conflict. However, I will suggest that the explanations put forward are weak if not incorrect. History shows that Sinhala and Tamils have shown a propensity for an extensive, peaceful co-existence for more than a millennium. So, why do they engage in conflict now? (DeVotta 2004:197).

Researchers including Daniel (1996) and Tambiah (1986) have highlighted the constructivist approach. A careful reading of works by Arasaratnam (1998), Makenthiran (2003), Orjuela (2010), De Silva (1986) and many others indicates that authors who have tried to establish, confirm or reiterate ethnic divisions and tensions in society, appear to have quite conveniently either overlooked or taken for granted any peaceful coexistence or complexities which exist amidst tension. Tambiah (1986), for example, points out three types of difference in the pre-colonial period, e.g., caste, geographical and communal aggregates. In effect, these differences are not ethnic divisions. During the Portuguese and Dutch colonisation of Sri Lanka (1505-1796), while people were divided on the basis of caste, they were increasingly “enumerated and aggregated” according to the Sinhala caste structure: Karāwa (fishing), Salāgama (Cinnamon peelers) and Tamil castes; Mukkuvār (matrilineal Tamil caste), Vellāla, Karaiyār and Mukkuvār. Even today, there are intra-ethnic variations among the Sinhala, Tamil and Muslim peoples of Sri Lanka. Tamils are not an homogenous community: they have different identities such as Colombo, Batticaloa, Jaffna and Plantation (Daniel 1992; Schrijvers 1999; Wilson 1994). The Sinhala and Muslims are also no exception to this rule.

Instrumentalist theory attempts to explain the role of the elites - and of rational choice exercised by the people - in the creation of conflict. This, in my mind, is by far the best theory for explaining the causes of ethnic conflict (Arasaratnam 1998; DeVotta 2004). The argument proposed in this theory is that making Sinhala the official language, and the practice of that language in the country’s offices and schools for over two decades contributed to the

marginalisation of the non-Sinhala who in turn lost confidence in the government and isolated them from Sri Lanka's poly-ethnic society in general. DeVotta (2004) sees the Sri Lankan conflict as an ethno-national struggle sparked by ethnocentric practices initiated by the state and/or the majority Sinhala people. But, while these may be good observations, the instrumentalist theory not only fails to explain all of the factors that underpin Sri Lanka's ethnic tension: it fails to explicate how on-going peace can be achieved.

Modernisation theorists, including researcher Ted Robert Gurr (1993:90), assume that when the colony became independent, people became less influenced by their traditional, ethnic and religious allegiances due to the enlightening influences of modern education, media, state formation, democratisation, capitalism and the intellectualisation of culture. As far as the people were concerned, these modern traditions, it was assumed, would support broader identity development and diminish their tendency to align with parochial identities (Delanty and O'Mahony 2002; DeVotta 2004; Imtiyaz and Stavis 2008:06; Schrijvers 1997). But, this did not occur as anticipated: Sri Lanka's minority ethnic groups felt that not only had they been excluded from development; they had been deprived of any chances for a good life (Imtiyaz 2009; Nissan and Stirrat 1990; Schrijvers 1997).

My research findings, which aim to shed light on the above, are based upon my fieldwork observations and careful literature study. My review of the extant literature suggests that the politicization of ethnicity and ethnic relations has contributed significantly to the tension that destabilizes the country today (Imtiyaz and Stavis 2008:408; Spencer 2004; Tambiah 1986; Tambiah 1996). The prevailing situation warrants a constructivist approach from a broader perspective, perhaps borrowing from the instrumentalist and modernist approaches. The aim of this paper is to discuss common ground in connection with a middle class settlement that constitutes part of my broader research in four locations in Sri Lanka.

Boundaries and their limits

In any discussion of common ground, the actors' efforts to negotiate ethnic boundaries should feature at the forefront. Anthropologist Fredrik Barth is noted for changing the discourse of ethnicity from a static notion of difference to an interactional phenomenon. Barth's approach has three core principles: first, he identifies ethnic groups as categories of attribution and recognition by the actors themselves. According to this proposition, ethnicity plays a role in organising interaction between people; second, he discusses the diverse methods of producing and retaining ethnic groups; and third, in an attempt to facilitate an understanding of the ethnic boundary-making process, he shifts the existing paradigm studying the internal characteristics and history of ethnic groups to ethnic boundaries and boundary creation (Barth 1969).

Barth's recognition of cultural traits serving as ethnic boundaries, which is not exactly practical in the Sri Lankan context, was debated at the conference on *The Anthropology of Ethnicity* convened in Amsterdam in December 1993. The resultant publication titled *The Anthropology of ethnicity: beyond 'ethnic groups and boundaries'* (Vermeulen and Govers 1994) drew a threefold link between culture and ethnicity: "Ethnicity refers to the consciousness of (ethnic) culture, to the use of culture, and at the same time is part of culture" (1994:3). First, apropos of the final point, Barth depicts ethnicity as an element of social organisation to be considered as part of culture. Anthony P. Cohen (1994) claims that while boundaries can be seen in "interactional terms", they can similarly be regarded as "boundaries of consciousness". Second, in effect, it may be that ethnic identities are the outcome of "classification, ascription and self-ascription and bound up with ideologies of descent" (Vermeulen and Govers 1994:4). In this sense, inquiry into ethnicity is connected to the study of "ideology and of cognitive systems" from which standpoint it becomes part of culture. Ethnicity may from particular perspectives be considered as "meta-cultural" because it is often a manifestation of "what our and their culture is about". Third, the term 'ethnicity' implies "the

subjective, symbolic or emblematic *use* by a group of people of any aspect of culture, in order to differentiate themselves from other groups” (Vermeulen and Govers 1994:3-4).

Barth (1994) later stressed the situational nature of boundary-making as opposed to the more static notion of cultural boundary-making he proposed in the late 1960s. The notion of situational ethnicity has since been widely debated, mostly by social anthropologists (Okamura 1981). Barth highlighted the nature of culture as varied, constantly in flux, contradictory, incoherent from place to place, and as different in variously-positioned persons. Moreover, the survival of culture could be further varied in accordance with the ways in which a particular culture evolves within a community (Barth 1994:14). Verdery (1994), arguing in support of Fredrik Barth, endorsed the notion of situationalism that gained widespread acceptance by 1970s anthropology following publication of Barth’s *Ethnic Groups and Boundaries*. According to Verdery, the most influential examples of situationalism came from the “Third World” rather than the ‘First World’. However, the state-making processes of a country impact upon the ways in which ethnic identities are shaped. The usage of majoritarian democracy in Sri Lanka resulted in more representation of the Sinhallas, an outcome considered unfortunate by the ethnic minorities who organised their ethnic politics accordingly. This does not mean that the consolidation of modern nation states eliminates situational manipulation of identities altogether: it is possible that such manipulation also occurs in micro-interactions.

Verdery (1994) suggests that Barth did not mean to imply that culture necessarily works as an ethnic boundary established to block inter-ethnic relations when he posed the question: “How [can] culture ... be integrated and/or shared *to varying degrees*” (Verdery 1994:40). According to Verdery, Barth’s position was “that transactions across ethnic lines were possible with only the most minimal sharing of evaluative principles, and he showed that this minimal agreement was nonetheless sufficient to sustain interaction despite massive disagreements between interacting groups” (1994:40). This discussion validates my argument

against the blanket, divisive ethnic identities often projected in the ethnic conflict discourse in Sri Lanka. Perhaps, the situational ethnicity appearing in various places in Sri Lanka can be reckoned as a form of common ground created as a way of dealing with divisive ethno-nationalist forces.

Verdery's (1994) comments regarding the usage of ethnicity as a way of achieving political power and holding it summarises the long story of tense ethnic relations in Sri Lanka. She presents concepts such as ethnicity, nationalism, state and identity user friendly. Differences develop into politically important issues because ethnicity and culture are seen as the locus of homogenization, rendering groups visible as ethnically different. "These connections also encompass both nationalism and the notion of identity"(Verdery 1994:46). Ethnicity and nationalism are closely related social ideologies, social classifications based on the assumption of certain types of differences.

Despite the fact that the concept of situational and contextual ethnicity may have some validity in Sri Lanka, the inappropriateness of considering culture as an ethnic boundary is noted by Harrison (2003), who argues that cultural difference is denied resemblance. In general, ethnicity and nation are defined by their dissimilarities, e.g., the cultures, histories, mentalities and bodily appearance imagined or perceived to exist between self and others. While he recognizes Fredrik Barth as one of the first researchers to use this approach, he does not agree with Barth's proposal to use symbols of cultural dissimilarities to create social boundaries and shape connections across said boundaries. He further contends that the suggestion that cultural categories are created negatively to create ethnic boundaries has no "intrinsic content" (Harrison 2003:343). The defining of ethnicity and nation from this traditional perspective creates "marginalized others" evoking them to form oppositional identities and mobilising themselves through resistance. According to Harrison, certain features of ethnic and national identities remain puzzling according to this kind of approach

(2003:344): conceptualising ethnicity and nationalism as relationships will help to explain denied or disguised resemblance rather than emphasising differences or sensed differences as Barth often did (Harrison 2003:345).

While Harrison's approach urges me to discuss cultural cooperation, Neofotistos (2004) affords me the possibility of understanding inter-ethnic connections pragmatically. He shows the possibility of the co-existence of tension and peace in a given society. He also considers the possibility of local actors deeming ethnic boundaries porous and incorporating individuals of different ethnic origin within their communities by employing classificatory principles.

Using the term 'classification' in the following practical sense that helps to explain common ground, Neofotistos (2004) suggests that scholars including Handler (1988) and Herzfeld (1992), among others, proposed "stereotypes" that could be considered a means by which local actors could "sort out" and "justify" their "classification" of the rest of "the world" at a "particular moment", stereotyping that performs a significant function in the negotiation of ethnic identity. Simultaneously, he also argues that the porousness of ethnic boundaries can similarly signal the ways in which actors understand social worlds and their respective positions in it (Neofotistos 2004:63).

Neofotistos sheds light on how inter-ethnic relations may be negotiated in everyday life in a society tagged with negative ethnic stereotypes and vulnerable to ethnic violence. Members of one ethnic group work with ethnic "others" in accordance with their own social classifications to create "inclusive social arenas" in practice. These alternative classifications are based on culture rather than ethnicity, which tends to divide people rather than unite them. Culture underpins the "state of civilization" linked to the ideal of European identity and the "civilization" linked with "urban way of life". Such a civilised state can be reached via the

extension of “good manners towards friends and neighbours, refined social behaviour, respect and consideration, [and] openness and willingness to communicate” (Neofotistos 2004:56).

My argument pertaining to common ground is acknowledged by both Barth’s and Verdery’s situational nature of ethnic identity. But, I draw greatly upon Harrison’s discussion of cultural resemblance to discuss interethnic relations by way of ethnic boundary negotiation. I employ Neofotistos’ notion of local actors creating alternative classifications to illustrate how members of middle class communities develop relationships despite the prevailing ethnic divisive trends in the broader socio-political environment of Sri Lanka.

A phenomenology of boundaries

Barth (1994) suggests that anthropologists must pay attention to the *experience* through which an ethnic identity is formed in order to comprehend complex and subtle ethnic border negotiation. I personally attempt to do this here using a phenomenological methodology to study common ground building in a so called ethnically volatile Sri Lanka. In this research, I have employed person, event and discursive-centred ethnographies assembled during more than fifteen months of fieldwork started in October 2010. This is similar to the approach adopted by Mattingly (2010) for his monograph entitled *Paradox of Hope*. My main access to the community was facilitated by a voluntary community organisation known as the Beach Park Management Society (BPMS), established in 2005. The main field of study in this research comprises ethnographies of networks similarly discussed by Herzfeld (2001). Studying these networks gave me the opportunity to comprehend the shape of interethnic relations in Sri Lanka and the situations in which they occurred. I gradually developed connections with members of the BPMS and looked at their (family) connections along with others of the community.

Processes of common ground building

Crow Island (*kakka duwa* or *Kakkadupatha* in Sinhala: *kakkatheewu* in Tamil) is a small island community bordered by the *Keleani Ganga* (Kelani River) on one side and the two kilometres long Vystwyke canal - that separates the community from the mainland and the Indian Ocean - on the other. This research site is located in the north of Colombo, an ethnically-mixed Mattakkuliya area in which approximately seven hundred housing units accommodate the Sinhala, Tamil and Muslim peoples who populate the Island (Wijeyeweere 2011). This multi-religious neighbourhood has a Hindu temple (*Kovil*), a Mosque, a Buddhist temple, a Catholic Church, and is host to some Christian missionaries. Crow Island was previously home to low-income dwellers who lived in the island's slum area before the 1980s. Later, they were evicted by R. Premadasa, then Minister of Housing and Construction, to create middle class housing schemes through joint ventures with some foreign investors. Today, these houses, which are joint units built either side of the island's by-lanes, are home to a heterogeneous community who live in very close physical proximity. The middle class symbols of Sri Lankan standards are highly evident in this area; houses are surrounded by high walls, the gates have bells, and one sees various notices such as *no parking*, *private road*, *beware of dogs* and security guards at the entrances to the by-lanes or houses. Most of the residents have very busy life schedules and are hard put to find leisure time to discuss local issues, even with their neighbours.

Further evidence of this middle class that shapes the fabric of the social life of the community was provided by Krishnan Sundaralingam, a 57-year-old Tamil with a Sinhala Buddhist wife, who stated: "All the people living here have humble beginnings though they are in higher socio-economic status now. Therefore, they understand each other well. They all have come from faraway places and now live as Colombo citizens". He sees some commonality in the upward mobility of the Crow Island folk, i.e., a shared understanding that

sets the basis for a hassle free, peaceful life. Thus, in a way, it is not ethnicity that unites them but being of common middle class.

The Crow Islanders put into effect their own autochthonous scheme of classification to smooth their interaction with ethnic others and mitigate stigmatising labels. The classification identifies two groups of people: “good” and “bad”. The “good” persons are identified as *Honda* in Sinhala or *ottu porawanga* in Tamil while the “bad” are identified using local terminologies, i.e., *naraka*, *harinahe* or *nogalapena* in Sinhala and *ottu powadawanga* in Tamil. Almost all of the middle class Crow Islanders appeared to be “good” people. Their classificatory system is applied not only to the area’s different ethnic groups but also to intra-ethnic groups. For example, Crow Island is home to different sub-Tamil groups including Indian Tamils, Sri Lankan (or Jaffna) Tamils, Batticaloan Tamils and Colombo Tamils, ethnic groups that are commonly seen as experiencing difficulty getting along. The above categorisation, based on their common middle class backgrounds, has allowed the various ethnic groups to maintain riskless relationships as friends and neighbours and ultimately to unite as Crow Islanders. Together, they symbolise a middle class way of life, worldview and recreational pattern, all of which combine to construct the “culture” of Crow Island facilitated by Roosen’s critique of Barth: “Boundaries may create identities not necessarily ethnic identities” (Vermeulen and Govers 1994:03).

The Crow Islanders, whose occupation backgrounds vary from those of their counterparts in neighbouring communities, enjoy a unique lifestyle shaped by their middle class socio-economic milieu. At the same time, their livelihoods show some similarities in terms of social prestige and level of income. They engage in business (jewellery, hardware, steel, stationery, customs clearance), are currently serving or have served in government departments, as accountants, teachers, consultants, and as various top jobholders in private sector companies. As well, some constitute the middle level self-employed (e.g., electricians,

electronic items repairers, and boutique proprietors). They often use their own vehicles or hired vehicles to commute: most have experienced foreign exposure or have foreign connections. On occasion, I talked to daily joggers about their children studying in Australia, India, Canada and the UK. Some tended to compare Sri Lanka with other countries they had served in or visited. As a community, they are both enlightened and sensitive about changing the socio-political environment, a topic they have discussed with various local and international media. Their trilingual capacity (Sinhala, Tamil and English: they mix the latter with 'swabasha' (Tamil or Sinhala) in the home) has enhanced their worldview and social understanding. In the mornings or evenings, some among them go to the beach to do physical exercise and it is here that they form friendships with others. All other classifications happen within this broader common ground. This is how people become distinguished as Crow Islanders; *we are Crow Islanders. We* represent a united Crow Island. Identification as a Crow Islander –as distinct from a non-Crow Islander – is in itself a way of inclusion of a group of persons not on the basis of ethnicity but through a shared middle class social status.

This situation is clearly evidenced in the everyday attitudes of the Crow Islanders towards a number of war refugees living in a *camp* on the island. The Islanders do not consider the refugees - a group of Muslim Internally Displaced People (IDP) forcibly evicted by the LTTE from their homes in Jaffna, Mannar, Vavuniya as a measure of creating a pure ethnic Tamil regime called Eelam in the 1990s - as part of their community. I want to stress here that there is neither harassment nor any other form of threat directed towards the IDP community by the host community of Crow Island. Some members of the IDP families do casual work at the houses and sales outlets of the Crow Islanders. However, there is a tendency to consider the IDPs, some of whom have been living in the area for more than 20 years, as a disruption in the peaceful lives of the Crow Islanders.

It appeared that the middle class Crow Islanders preferred to gather through formal bodies such as the LKN Housing Scheme Society and/or the Sea Breeze Garden Housing Scheme Society (SBGHSS). In addition, they had access to other formal associations; the Crow Island Housing Scheme Welfare Society (CHSWS), Hindu Society, Catholic Society, Buddhist Dayaka Sabha and the Mothers Union, all of which were very active in addressing the welfare of the dwellers. My main observation took place in the BPMS, which included residents of Crow Island who also held membership of the other associations mentioned above. The main objective of the BPMS from the time of its inception in 2005, has been to create and maintain the beautiful beach. Implicit in their objective has been community participation, the enhancement of inter-personal relationships and cooperation among the daily beach users, and, finally, the development of a community consciousness. In general, everyone with whom I associated equally believed that they had become very close and developed a bond after starting to work at the BPMS. The executive committee and board of members are elected every year at the Annual General Meeting. There were approximately 140 general memberships mainly drawn from Crow Island at the time the research was conducted. Within this organization, the heterogeneous members conduct various activities in line with the above objectives, e.g., the Sinhala-Tamil New Year festival, *poson dansala* (an outlet where foods and drinks are served freely with the expectation of merit. Buddhists organise these outlets around the country during activities such as religious festivals (*wesak* and *poson*, for example), beach beautification projects, Crow Island cleaning, dengue fever-prevention programmes, get-together parties including 31st night dinner parties, and arranging picnics.

They join together to engage in *shramadana* (gift of labour) programmes and to clean the beach on *poya* days (full moon day, a public holiday in Sri Lanka). Everyone makes sure that they attend Shramadana after morning jogging: some members voluntarily provide food for all of the participants. At such gatherings, ethnic differences are forgotten: no-one shows

concern about the ethnic background of the person who provides the food and drinks: all partake of them happily. They are committed to doing shramadana as part of their social responsibility. During the weekends, thousands of people living in the Colombo North area come to the beach to enjoy it with their families. The fact that the BPMS has provided two children's parks – one either side of the beach - attracts even more families. During Shramadana, the members clean up the garbage left behind by those who visit during weekends: in the process, they discuss further development, crack jokes, and share family matters and business-related issues with other members.

The ethos of the BPMS was developed in a manner that ensured that no one was hurt and all members are given due respect. No one's ideas and suggestions were suppressed or looked down upon dismissively. Everyone is equal in the association. I was never aware of any instances when members argued about or quarrelled during debates about association activities. They individually contributed and committed to the welfare of the community. The BPMS has helped the Crow Island society in many ways. They have gradually eased the restricted access to the beach and the security tightening imposed with the establishment of a naval base close to the mouth of the Kelani Ganga (river) during the war. Furthermore, the BPMS has been actively involved in the development of welfare and recreational facilities on Crow Island.

The beach area, a strip of Crow Island land which is managed by the BPMS, is in itself a common space for diverse groups of people; i.e., men-women, young-old, lovers-married-divorced, Buddhists-Hindus-Christians-Islamists, and, finally, Sinhala-Tamil-Muslims. The beach is a strip of land occupying approximately 10 acres; at one end is the Modara Kovil and at the other the Kelani Ganga where the naval unit is stationed. From the beach, one can enjoy a nice view of Colombo city with its two giant world trade centre towers, Colombo harbour and other buildings, ships coming in and going out, the Modara Kovil complex, a Buddhist temple which mainly attracts Sinhala and Tamil devotees, the Modara Catholic church, and,

Pradeepa Hall, one time official resident of Vistwyke, a Dutch governor of Ceylon. Two parks for children, which were covered with barbed wire and provided exclusive access for children, had child-oriented facilities that attracted more families to the beach (as well as the regular facilities for visitors). There were benches provided where people could sit and talk, an open stage used for various functions, lampposts erected, garbage bins albeit rarely used, and a lavatory. Mobile ice-cream sales outlets and short eat sellers from heterogeneous backgrounds had set up their businesses. Some young people provided exciting, fee levying horse and cart and horse rides along the beach.

I moved amongst the thousands of Sinhala, Tamil and Muslim people, who experienced jam-packed lifestyles in the City of Colombo during the week and had come to the beach to relax over the weekend. Families clearly loved to sit on the grass and talk and play with their children in the evenings. Young people were eager to play cricket, “a game everyone likes” in Sri Lanka. Lovers from a wide range of ethnic backgrounds came to visit the beach: some families went swimming. This common space was very lively although it often appeared to be a silent zone. I met a study group comprising a German man, a Buddhist Sinhala man, a Christian Tamil man, and a Muslim. They questioned the existence of a god sitting on the granite blocks that had been erected as a barrier to prevent sea erosion. This beach is commonly used by Hindus to release the ashes of dead family members into the sea, commemorate rituals such as Aadi Amavasai (a day sacred to obsequies for the manes, a Hindu ceremony to celebrate parents who have passed away), for healing rituals and other kovil-related rituals. I noted some Muslims taking sea-sand for various rituals.

I observed a group of people exercising together on the beach from 4.30 a.m. to 9.00 a.m. and in the evenings after 4.00 p.m. Most of the group members I met at the beach claimed a history of exercising for more than ten years while some had been using the beach for more than 20 years. People greet each other and associated heterogeneous neighbours with *good*

morning, how are you? (in English). By becoming a regular member of the morning joggers I gained access to their social worlds. During these sessions, they shared information with colleagues representative of other fields. I saw Tamil and Muslim friends in consultation about their legal issues with a Sinhala lawyer, a Muslim Municipal Councillor often meeting with a retired senior police officer, a Sinhala lady inquiring about the gold market from a Tamil jeweller and others discussing issues common to the city life. As well, I met many groups discussing personal, sporting and socio-political issues.

Bourdieu (1991) observes that associations such as the BPMS, established by professionals and the bourgeoisie in the interests of sport - which is connected to the physical exercise of the beach users - link social functions such as dinners, get-togethers and musical shows, for example, through which they can accumulate social capital. The BPMS itself organises end of year get-togethers to which family members of the association are also invited. I took part twice in such gatherings. Members of the BPMS conducted the 2011 New Year's celebration along with the LKN society, which is headed by a very active member of the BPMS. Not only this person but most of the members of the LKN society hold membership of the BPMS as well. They constitute one group of people represented in various forms. The BPMS members made a significant contribution to hosting this celebration on a grand scale. The music group, formed by a member of the BPMS, provided Sinhala, Tamil, English and Hindi music which the participants enjoyed immensely. A dancing team of Sinhala girls trained by a Buddhist Sinhala dancing teacher from the BPMS performed an upcountry dance. There was an ample supply of soft and hard drinks and food for people to enjoy. I experienced the associates of BPMS's concern over the people they hoped to link with by participating in the 2010 annual picnic. It involved a one-day trip to visit Maduganga estuary in Aluthgama, which is located a 3-4 hour drive from Colombo. On the day of the picnic, the participants enjoyed a boat trip, music, dancing and a variety of local food. So, not only did they have more

time to share various aspects of their lives with their fellows but the event enhanced the understanding each had for the other and strengthened their bonds.

I met some ethnically mixed families among the members of the BPMS. I noted both a Sinhala-Tamil mix and a Muslim-Burgher mix. During our discussions, the respondents recounted stories of members of their extended families marrying ethnic others. Religious mixing is a common phenomenon among these families. During the narratives, what was commonly imparted was that the respective families looked at the broader qualities that can determine “good” and “bad” characteristics. Deepika, a Buddhist Sinhala lady married to Hindu Tamil Krishnan Sundaralingam, first met Sundaralingam when he was boarding with one of her distant relatives. When their love affair came to the attention of the parents of both parties, the former opted to negotiate the ethnic border through other qualities. In Deepika’s parents’ eyes, Sundaralingam was a “good” young person - “a non drinker”, “non-smoking”, “well mannered”, “educated”, and “working hard to get self-improved” characteristics. I met the couple at the beach on Crow Island during jogging sessions every morning. They visit both kovils and Buddhist temples and are a very good family in the eyes of the Crow Islanders.

The friendships and bonds developed through the BPMS spread throughout various other areas of community life: members tend to interact with colleagues outside of the BPMS. Members are invited to homecoming parties, weddings, coming-of-age ceremonies and to other happy occasions as well: they are also included on sad occasions such as funerals. Once when a Burgher-Christian member of the association underwent bypass surgery, all of the members became very concerned: they conducted rituals according to their own religious tenets wishing their friend a quick recovery. One Tamil-Christian member of the association organised an at-home party to which he invited most of the members of the association. Some smaller groups, who have developed friendly relations, arrange special trips to see friends who live elsewhere in the country or to picnics.

The companionships that develop through the BPMS urge members to participate in the religious activities of “friends” from other religious and ethnic backgrounds. They may contribute in the forms of cash and miscellaneous items. I met Gajenthiran, a 45 years old Hindu Tamil man, while he was decorating the chariot for the Buddhist Katina Procession towards the end of 2010. He claimed that he decorated the chariot annually free of charge, a service I witnessed again in 2011. He also performed a *Kolam* dance, masquerading as a devil in the procession. The Buddhist priest who officiated at the temple highlighted this as a fine example of the existing unity in the community. When Gajenthiran was 13 years old, he went to India with his family members as a refugee: he stayed in a camp for approximately eight years, during which time he suffered a lot. His parents had gone to India with no hope of returning after selling their house and all of their properties in Nuwara Eliya. His elder brother, who was working as a sales assistant in a wholesale shop in Colombo, feared for his life when thugs launched an arson attack on the shop, which was owned by a Jaffna Tamil person. However, five years’ experience of India was enough to convince his parents of the value of their home country; so, they returned. He selected Crow Island as a place to settle permanently when he obtained a house as *seethanam* (dowry). Nowadays, Gajenthiran, a Hindu Tamil person of Indian origin, speaks of himself as a “Colombo Tamil” married to “Jaffna Tamil” wife, who both popularly claim to be “Colombo Tamil”. His brother, who was working as a sales assistant when his shop was attacked, has since become the owner of the very shop that was burnt in the riots. He also married a Sinhala-Buddhist lady from Colombo. Similar to Gajenthiran, I met Muslim and Christian members of the community attending ceremonies at the Buddhist temple.

In general, the Crow Islanders support and tolerate diverse religious activities. The annual processions, i.e., the Sri Ambal Hindu Kovil, the Katina Procession of the Buddhist temple, and mother Mary’s procession of the Catholic Church could not be held without the

support of the community. Residents come out of their houses to view the processions, and to receive the blessings of the gods and goddesses. I was able to witness the warm friendships and cooperation that transcend ethnic borders during these festival times. In general, the Sri Lankan milieu comprises a religious mix: Buddhists visit Hindu kovils, Tamils visit Buddhist temples, and Hindus and Buddhists visit Christian churches. Muslims, who contribute to functions organised by other religious institutions, also come to see the processions. The Crow Islanders often become concerned about the rights of others when the various religious activities are performed.

The Crow Islanders also maintain good relationships based on the classifications alluded to above with non-members of the BPMS. My discussions and long-term associations with members of the BPMS, often as a guest in their homes, illustrated details of inter-family relationships based on the above classificatory scheme. One Tamil-Christian person always seeks the support of the Buddhist Sinhala trader who lives in the front house to care for his house and property during his absence; he buys goods from his shop, share plates of food and sweets during festivals, and to visit if either one becomes ill. This Tamil friend, with his Indian origin Tamil background, always looks after a Jaffna Tamil old lady, a teacher who lives alone in a neighbouring house. In general, it is the intra-ethnic identities that have difficulty interacting each other. Similar to a few other teachers, the above old lady provides English tuition for the Sinhala, Tamil and Muslim children of the Island, a situation I observed in other families as well. I have seen some residents, who invite neighbours for dinner or lunch during festivals, and women enjoying *seettu dameema* (casting lots) with a group of neighbours, send their children for tuition from educated neighbours who run tuition classes. Crow Islanders buy their essential foodstuffs from shops run by people from Sinhala, Tamil and Muslim backgrounds. Over time, these regular business relations will also be converted into a bond.

The members from middle class backgrounds also interact with ethnic others who represent different social classes as well. I was told by a Hindu Tamil, Jaffna man that a Christian Sinhala man, who has no-one to look after him, sleeps and eats at his house. When this gentleman is away, maybe goes to India for medical treatment or to Jaffna to check on his property, the Sinhala man looks after his house. Crow Islanders use the “good” and “bad” category when they get the services from heterogeneous members living outside of the community. Members of a friendly Tamil family often hire a Muslim person’s three-wheeler to drop their child at school: another Muslim family may buy fish from a Sinhala fishmonger; a Sinhala family may use masons and carpenters from Tamil backgrounds.

The Crow Islanders may be seen as a select category of people who have achieved relatively good education, social exposure, engaged with respectable jobs which have assured them a decent income, and have contributed to an individualist life with a degree of self dignity. This background has afforded the residents trouble free lives and freedom from possible conflict with neighbours. This does not mean that the Crow Islanders do not experience tension. In the event that confusion arises with neighbours they prefer to negotiate failing which they will seek the help of police and the judicial system. One Muslim and one Jaffna Tamil member of the BPMS found themselves in an uncomfortable situation over the falling of dried coconuts and branches. The problem was sorted out through mediation with the police.

There are situations in which the extant common ground is challenged by some members of the community or outsiders. But, when they occur, it provides an opportunity to reshape the existing common ground. I encountered one occasion where slight ethnic feeling was roused due to a name board of a road, fixed by a Tamil member of the BPMS. The fault, according to the aggrieved Sinhala group, lay in the language order of the printing of the name of the harbour road. The Sinhala group argued that their Tamil friend should have followed

“state language policy” which meant placing the Sinhala sentence first, the Tamil second and the English third. At this juncture, more Sinhala members of Crow Island joined hands with their Tamil friend to resist the “undue demands” of a very few persons who were not permanent residents of the Island. Their resistance self-aborted against the unity of the friends of BPMS. This incident facilitated the emergence of bonds developed through “good” and “bad” classificatory schemes.

My association with members of the above heterogeneous community convinced me that they owe themselves continuation of the extant, stable, social system, which entails cooperative and friendly relations. This may be considered a way of life in the sense of habitus proposed by Bourdieu (2005). Furthermore, I noted that every newcomer to the society gradually absorbed this social system as a way of replacing outer migrants from the society. I observed that the collaboration that obtains between adults is gradually transferred to the sons and daughters as well. I noticed on many occasions parents accompanying their children to participate in sharmadana campaigns, Aluth Avurudu Uthsawaya and many other events.

Conclusion

My long-term period of fieldwork on Crow Island revealed that the residents’ middleclass consciousness has facilitated them to negotiate ethnic boundaries and unity building despite the polarisation trends in the country. The study also proved the less rigid situational ethnicity in the sense explained by Barth (1994) and further elaborated by Verdery (1994). Their unique, middle class lifestyles, educational backgrounds, modern lifestyles shaped by their livelihoods and non-dependability have lessened the possibility of always wearing ethnic lenses. Their classification of the community based on particular unique qualities alluded to by Neofotistos (2004); i.e., *Honda* or *Ottu Porawanga* (good) and *Naraka*, *Harinahe* or *Ottu Powadawanga* (bad) has underpinned the creation of common ground receptive to integration with ethnic

others. This classificatory scheme has stood the test of time from the inception of the island by exposing it to ethnic tension and ethnic politics and also to the civil war situation. Coming together in formal bodies such as the BPMS has facilitated a means of developing inter-subjective understanding and relationship building. The BPMS, a non-ethnic, non-religious entity instituted to improve the facilities for the members of the community, now acts as a hub of social networks. The efforts of this association can also be enjoyed by members of the working class and/or peoples from shanty and low income areas. They too may access this middle class social construction of “relaxation”, “happiness” by way of children parks, benches arranged for visitors, garbage bins kept for proper utilisation by the beachgoers and the installation of a security unit to assure their safety. This formal body, which was initiated by a group of joggers, who met regularly on their morning runs, has both developed and extended to other sectors of the Crow Islanders’ social lives. The friendly interaction among this heterogeneous community can be understood as habitus explained by Bourdieu (2005). There is no uncertainty regarding “professions” and “well established business bourgeoisies” combining “health giving” and “aesthetic functions” with “social functions” where sports joins with social exchanges such as receptions and dinner parties which accumulate social capital (Bourdieu 1991:372).

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References

- Arasaratnam, S. 1998. ‘Nationalism in Sri Lanka and the Tamils’. In *Sri Lanka: Collective identities revisited*. M. Roberts (eds), Vol. II. Colombo: Marga Institute.
- Barth, Fredrik (ed.). 1969. *Ethnic groups and boundaries: the social organization of cultural difference*. Bergen-Oslo: Universitets Forlaget.

- Barth, Fredrik. 1994. 'Enduring and emerging issues in the analysis of ethnicity'. In *The Anthropology of ethnicity: beyond 'ethnic groups and boundaries'*. H. Vermeulen and C. Govers (eds) pp. 11-32. Amsterdam: Het Spinhuis.
- Bourdieu, Pierre. 1991. 'Sport and social class'. In *Rethinking popular culture: Contemporary perspectives in cultural studies*. C. Mukerji and M. Schudson (eds) pp. 357-373. Berkeley: University of California Press.
- Bourdieu, Pierre 2005 'Habitus'. In *Habitus : a sense of place*. J. Hillier and E. Rooksby (eds) pp. 43-52. Aldershot: Ashgate.
- Cohen, P. Anthony. 1994. 'Boundaries of consciousness, consciousness of boundaries: critical question for anthropology'. In *The anthropology of ethnicity: beyond "Ethnic groups and boundaries"*. H. Vermeulen and C. Govers, (eds) pp. 59-79. Amsterdam: Het Spinhuis.
- Daniel, E Valentine. 1996. *Charred lullabies: chapters in an Anthropology*. Princeton New Jersey: Princeton University Press.
- 1992 'Three dispositions towards the past: one Sinhala, two Tamil. Colombo: Studies in society and culture: Sri Lanka past and present in Association with the National Libraries of Sri Lanka.
- De Silva, K M. 1986. *Managing ethnic tensions in multi-ethnic societies: Sri Lanka 1880-1985*. London: University Press of America.
- Delanty, Gerard , and Patrick O'Mahony. 2002. *Nationalism and social theory : modernity and the recalcitrance of the nation* London: Sage.
- DeVotta, Neil. 2004. *Blowback: linguistic nationalism, institutional decay, and ethnic conflict in Sri Lanka*. California: Sage.
- Gurr, Ted Robert. 1993. *Minorities at risk: a global view of ethnopolitical conflicts*. Washington, D.C.: United States Institute of Peace Press.
- Harrison, Simon. 2003. "Cultural Difference as Denied Resemblance: Reconsidering Nationalism and Ethnicity". *Comparative Studies in Society and History*, vol. 45, no.3, pp. 343-361.
- Herzfeld, Michael. 2001. *Anthropology: theoretical practice in culture and society*. Malden, Mass. : Blackwell.
- Imtiyaz, A. R. M. 2009. "The Eastern Muslims of Sri Lanka: special problems and solutions". *Journal of Asian & African Studies*, vol. 44, no. 4, pp.407-427.
- Imtiyaz, A. R. M., and Ben Stavis. 2008. "Ethno-political conflict in Sri Lanka". *Journal of Third World Studies*, vol. 25, no. 2, pp.135-152.
- Jackson, Michael. 2011. *Life within limits: well-being in a world of want*. Durham: Duke University Press Books.
- Makenthiran, Suppiramaniam. 2003. *Tamils in independent Ceylon: a history of Tamil struggle for survival*. Canada: Author's publication.
- Mattingly, Cheryl. 2010. *The paradox of hope: journeys through a clinical borderland*. Berkeley: University of California Press.
- Neofotistos, Vasiliki P. 2004. "Beyond Stereotypes: Violence and the Porousness of Ethnic Boundaries in the Republic of Macedonia". *History & Anthropology* , vol. 15, no. 1, p.p.47-67.
- Nissan, Elizabeth, and R L Stirrat. 1990. 'The generation of communal identities'. In *Sri Lanka : history and the roots of conflict*. J. Spencer (eds) pp. 19-44. London [UK]: Routledge.
- Okamura, Jonathan Y. 1981. "Situational ethnicity". *Ethnic and Racial Studies*, vol. 4, no. 4, pp.452-465.
- Orjuela, Camilla. 2010. "The bullet in the living room: linking security and development in a Colombo neighbourhood". *Security Dialogue*, vol. 41, no. 1, pp.99-120.

- Schrijvers, Joke. 1997. "Internal refugees in Sri Lanka: the interplay of ethnicity and gender". *European Journal of Development Research*, vol. 9, no. 2, pp.62-82.
- 1999. "Fighters, victims and survivors: construction of ethnicity, gender and refugeeeness among Tamils in Sri Lanka". *Journal of Refugee Studies*, vol. 12, no. 3, pp. 307-333.
- Spencer, Jonathan. 2004 'A nation "living in different places": Notes on the impossible work of purification in post-colonial Sri Lanka'. In *Migration, modernity and social transformation in South Asia*. F. Osella and K. Gardner (eds). pp. 380. London: Sage.
- Tambiah, S. J. 1986. *Sri Lanka: ethnic fratricide and the dismantling of democracy*. London: I.B. Tauris.
- 2005." Urban riots and cricket in South Asia: a postscript to 'Leveling Crowds'". *Modern Asian Studies*, vol. 39, no. 4, pp.897-927.
- 1996. *Leveling crowds: ethnonationalist conflicts and collective violence in South Asia*. Berkeley: University of California Press.
- Verdery, Katherine. 1994. 'Ethnicity, nationalism, and state-making-Ethnic groups and boundaries: past future.' In *The anthropology of ethnicity: beyond" Ethnic groups and boundaries"*. H. Vermeulen and C. Govers (eds) pp. 33-58. Amsterdam: Het Spinhuis.
- Vermeulen, Hans , and Cora Govers (eds). 1994. *The Anthropology of ethnicity; beyond ethnic groups and boundaries*. Amsterdam: Het Spinhuis.
- Wijeyeweere, A Christopher. 2011. Quick action in development: pilot project in Crow Island, a cosmopolitan island as a learning process. In *Daily News*. Colombo: Lake House; The Associated Newspapers of Ceylon Ltd.
- Wilson, A. Jeyaratnam. 1994. 'The Colombo Man, the Jaffna Man, and the Batticaloa Man: regional identities and the rise of the Federal Party'. In *The Sri Lankan Tamils: ethnicity and identity*. C. Manogaran and B. Pfaffenberger (eds). pp. 126-143. Colorado: Westview Press.

AFFECTIVE DETERMINANTS OF MATHEMATICS ACHIEVEMENT IN TECHNICAL SECONDARY SCHOOLS OF KEDAH, MALAYSIA

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Abstract: The purpose of this study was to identify the affective determinants of mathematics achievement in technical secondary school. In addition, this study also aimed to identify the best predictor of affective variables towards mathematics achievement. The respondents of the study were 251 students from three public technical secondary schools in Kedah, Malaysia that were selected using random sampling. The Mathematics achievement was measured by 40 multiple-choice items. The affective variables based on attitude, anxiety and habit. The Pearson correlation and multiple regression were used for tests of significance. The findings of the study showed that attitude and habit have positive relationship whereas anxiety in learning Mathematics has negative relationship with mathematics achievement. The findings also showed that attitude was the best predictors of mathematics achievement. The proposed ARoS Model emphasizes the importance of assessing student's affective attributes before assessing their cognitive ability and this indirectly will improve their mathematics achievement. Therefore, this study suggest teachers, counselors and principals to assess students' affective attributes in identifying students' cognitive ability in learning Mathematics.

Key Words: *Learning Attitude, Mathematics Anxiety, Learning Habit, Mathematics Achievement.*

1.Introduction

Generally students think that mathematics is a subject which is difficult to master. Therefore, some students perform very well while some fail to master this subject even when they are facing the easy topics within the subject. This shows that there are differences among the students in paying close attention and learning mathematics because each individual learns and processes mathematical information in his or her own way. Hence, several reasons have been forwarded for this disparity in mathematics achievement. Among them is that individuals possess different, unique and personal orientation in mathematics (Berita Matematik,1993). It is noteworthy that despite its utility and importance, mathematics is perceived by most pupils as difficult, boring, not very practical, abstract, etc., and its learning as requiring a special ability that is not always within everyone's reach (Ignacio, Nieto & Barona, 2006).

1.2 Problem Statement

According to Maree (1997) and Moodaley and Grobler (2006), some students with high attitudes and ability in mathematics show low achievement while some students with low attitude and ability show high achievement. So they raised the question "Why do students dislike mathematics or obtain poor results in this subject?". The 60:40 policy of the Ministry of Education, Malaysia which targets 60 per cent of the students in the Science and Technology streams in upper secondary schools has still not been met. The number of students in the Science and Technology stream is still low. For instance, in 2004, there were only 43.18 per cent students in the Science and Technology streams. This shows that the students failed to master mathematics considering that a good basic knowledge of mathematics was a requirement for selection into the Science and Technology streams (Hashim Yaacob, 2004).

The learning of mathematics is an issue that is often raised in our society. Various factors can influence its mastery and performance among the students. According to Ibrahim Ahmad Bajunid (2002), students who have low mathematics achievement can improve their academic achievement through support from society, their parents' influence and good teachers who have positive classroom experience.

Non-cognitive ability is measured from the affective state of the student through Study Orientation in Mathematics (SOM). The SOM aspects are measured by using the learning attitude, anxiety, learning habits, problem-solving behaviour and mathematics learning environment variables (Maree, 1997; Steyn & Maree, 2002; Arsaythamby & Rosna Awang Hashim, 2009; Arsaythamby, 2010). High affective abilities in students in learning mathematics are important to improve mathematics achievement. Learning attitudes, anxiety, learning habits, problem-solving behaviour and mathematics learning environment serve as affective abilities. According to Hand (1982) and Aleks (2003) affective ability functions as an ignition to a student's memory. The SOM affective ability variables can influence cognitive abilities in mathematics.

2.0 Literature Review

Studies that focused on intellectual development and nature of learning in a variety of approaches have resulted in various theories of learning. One of the learning theories is the Theory of Cognitive Development of Children (Piaget, 1965). This theory differs and varies with changes in age, that is, the sensory motor stage (0-2 years), the pre-operational stage (2-6 years), the concrete operational stage

(7-12 years) and the formal operational stage (after 12 years). In this study emphasis was given to the last stage of cognitive development as the students involved were in the 16-year age group (Form Four) in secondary schools. Learning theories are descriptive in nature, that is, they analyse the mental activities that can be performed by students according to the intellectual development in certain subjects. Teachers who are aware of the child development theory can understand how students learn and solve mathematical problems. Skemp (1971) in his book *The Psychology of Learning Mathematics* conjectures "Problems of learning and teaching are psychological problems, and before we can make much improvement in the teaching of mathematics we need to know more about how it is learned"(pp. 14).

Basically learning is understood as an orientation which brings changes in each individual. After undergoing the learning orientation, a person will know, execute or think about something that he has not known before. Besides this, learning cannot be separated from the activities related to obtaining and using knowledge. When knowledge is obtained and used, then the expected changes will be realized (Wan Zah Wan Ali, 2000).

Polya (1957; 1973) mentions that four phases, namely understanding the problem, planning the problem planner, solving the problem and checking the answers, should be followed by the students to solve mathematical problems. All these four phases are important to understand how to solve mathematical problems. The development of mathematics at the school level involved three main areas, namely numbers, shapes and relationship. The development and foundation of mathematics start with the area of Numbers in the Integrated Curriculum for Primary School, which is locally better known as KBSR, while at the Integrated Curriculum for Secondary School or KBSM level, the areas of Shapes and the Relationship are given more attention besides the area of Number at the upper secondary level. Many students in school experience difficulty in learning because they are seldom taught how to study. The difficulty in learning among students is only slightly connected to natural ability (Lashley & Best, 2001). A student's view regarding learning influences the way the individual studies. However, views, according to Saljo (1982) cannot be considered a stable characteristic built within a student. On the other hand, they are formed according to the learning environment situation and culture which surround the student's life.

Despite the fact that students in a class are of around the same age, nevertheless they have various needs and different interests in mathematics. According to the theory of human psychological

development (Piaget, 1965) environmental effect in an individual's growth is very important and it plays a role in the formation of human behaviour. Environment has a very complex power that can influence an individual's behaviour.

Learning orientation is based on the perception that only the student himself can carry out learning to the optimum. Teachers, parents or peers, however clever they may be, may not be able to do the learning for the student (Arsaythamby, 2010). This is further confirmed through observation that students differ from one another in manner, needs and rate of learning. It is important that students decide on the best learning strategy that suits them. This will produce individuals who can think and be responsible for their learning (Pusat Perkembangan Kurikulum, 2001).

Two theoretical models, namely Interference Model and Deficit Model, have influenced anxiety in mathematics. The Interference Model, introduced by Libert and Morris (1967), Mandler and Sarason (1952) and Wine (1971), explained anxiety in mathematics as recall interference coming before knowledge and mathematical experience. As a result of this an increase in the level of anxiety will produce a low level of achievement in mathematics. In the Deficit Model, Tobias (1985) connects mathematical anxiety to memories of previous low mathematical performance and believes that this performance is caused by high anxiety. According to the Deficit Model, students perform badly because of poor study behaviour and poor examination-taking skills. Mathematical anxiety exists because of less preparation in mathematics.

Mathematical anxiety is also known as mathematical phobia. Studies have shown that that anxiety always begins at the primary schools, although these symptoms were not proved until Burns' (1998) study. According to Burns, the traditional way of teaching mathematics has proven that mathematical phobia is repeated from generation to generation and is difficult to overcome. Kennedy and Tipps (1991) listed five practices that contribute to anxiety in mathematics, namely stressing memorization, emphasising students doing homework by themselves, authoritarian teaching, and lack of variety in the teaching and learning processes.

2.1 Learning attitudes

Learning attitude is an important attribute in student motivation. Students who are motivated and have the ability can do mathematics well. In general, students who are motivated are interested in learning. On the other hand, students who have negative attitudes to performance always end up lacking interest in studying mathematics (Maree, 1997; Steyn & Maree, 2002). Schreiber's (2002) study says that

students who have low attitudes towards mathematics tests are also related to poor results. In mathematics achievement, college students are identified as performance predictors of algebra and calculus (House, 1995). Learning attitude is the basic element of psychological and sociological theories (Aronson, Wilson & Akert, 1999). According to Mueller (1996), attitude is important in oneself and it influences every decision made. In the field of psychology, attitude is defined as a situation that exists as mental or physical. Attitude is one's willingness to act in an appropriate way towards things, people, situations, places, ideas and behaviour. Besides this, attitudes are also noticed through motivational power or pressure from within oneself.

2.2 Mathematics Anxiety

The affective variables play important roles in the teaching and learning of mathematics (McLeod, 1992; 1994). One of the affective variables which is given much attention is mathematics anxiety (McLeod, 1992). According to Aiken (1976), mathematical anxiety is considered as a general attitude towards mathematics. However, most researchers who consider mathematical anxiety should pay more attention when explaining mathematical anxiety. As an example, McLeod (1992) referred to attitude as anxiety, confidence, disappointment and discontentment. Mathematical anxiety is often referred to as lack of comfort which might be experienced by someone asked to perform a mathematical activity (Wood, 1999) or pressure, feeling less able and an unprepared mind to manipulate numbers and shapes (Richardson & Suinn, 1972; Tobias, 1985). Mathematical anxiety is measured in various forms such as dislike (attribute element), anxiety (cognitive element) and fear (emotional element) (Hart, 1989; Wigfield & Meece, 1988).

Several research analyses show anxiety in mathematics achievement. Leder (1987), McLeod (1992; 1994) and Reyes (1984) studied the effective domain related to the cognitive domain in mathematics but their discussions in mathematics anxiety are limited. There are studies that mention the relationship between mathematical anxiety and mathematics achievement. Hembree (1990) in his meta-analysis focused on the relationship between mathematical anxiety and mathematics achievement. The finding of the study revealed a negative relationship. However, he only depended on seven studies based on primary and secondary schools compared with 49 studies conducted among college students. The meta-analysis conducted by Hembree (1990) was about the relationship between mathematical anxiety and mathematics achievement.

2.3 Learning habit

This variable measures the learning habit attribute in mathematics. Behaviour refers to something that can be possessed, is consistent, effective learning methods and habits (preparation, practising past examination questions, practising popular questions in mathematics). The readiness of the students is not only for obtaining certain aspects in mathematics, but also to learn theorems, rules and definitions carefully and concentrate on doing assignments in mathematics (Maree, 1997).

Mathematics assignments and exercises are completed immediately, homework is completed from time to time without any wastage of time.. Besides these are readiness to do mathematics consistently, and doing more interesting activities as replacements. This field determines the limit that the attitude to learn mathematics can be stated specifically for mathematics learning habits.

In conclusion learning mathematics should not be seen from the cognitive aspect like only test results but also from non-cognitive factors like SOM influencing students' success (Anneke, Adelene & Karel, 2001). Anneke et al. (2001) suggested that mathematics achievement is very complex to predict by using one factor, but needs many more factors to measure mathematics achievement. Tocci and Engelhard (1991) stated that affective variables (SOM) are as important as cognitive variables (mathematics achievement) in achieving results in learning. Students' abilities in school should not be based on test results only but students' SOM should also be important and should be given appropriate attention to improve mathematics achievement.

3. Study Objectives

- To identify the relationship between attitude, anxiety and habits toward Mathematics achievement among secondary students
- To identify which is the best predictor of attitude, anxiety and habits toward Mathematics achievement.

4. Research Method

Sampling

The study sample consisted of 251 Form Four students in technical secondary schools in state of Kedah in Malaysia; 160 (63.7%) were male students while 91 (36.3%) were female students.

Instrument

In this study, two types of measuring instruments were used to collect data. The first measuring instrument, the Study Orientation in Mathematics (SOM) questionnaire (Arsaythamby & Rosna Awang Hashim, 2009; Arsaythamby, 2010) was used to measure students' behaviour related to aspects of learning and mathematics achievement. SOM consisted of five variables: attitude in learning mathematics, anxiety in learning mathematics, habit in learning mathematics, behaviour in solving mathematical problems, and environment in learning mathematics. But for this study we only use three major variables as the affective variables (attitude, anxiety and Habit). This questions used the ~~Likert~~ agreement scale with four options: Option 1 (strongly disagree), 2 (disagree), 3 (agree) and 4 (strongly agree). According to Calhoon and Fuchs (2003), in questionnaires that use the four options ~~Likert scale~~, the attitude value of 2.4 and below shows negative attitude, the item score of between 2.4 and 2.6 is considered as neutral and a score that exceeds 2.6 shows positive attitude. A high total score shows a positive attitude towards the learning of mathematics.

The second measuring instrument is the multiple-choice mathematics test which was prepared by the Kedah state Education Department. The drafters of the questions were two teachers who set questions at the national level, and two specialist teachers of mathematics. This test consisted of 40 items and it was the first paper which took one hour 15 minutes. Each item was followed by four options lettered A, B, C and D (Arsaythamby & Rosna Awang Hashim, 2009; Arsaythamby, 2010).

The multiple-choice mathemathematics test consisted of five items (12.50%) for the Numbers area, nine items (22.50%) for the Shapes area and 26 items (65%) for the Relationship area. This test comprised of only 26 items covering 11 topics from the Form Four Mathematics syllabus and the rest were from topics within the Form One to Form Three mathematics topics. This study tested three topics related to the Numbers area. They were Round Numbers (1), Fractions (1), and Standard Form (3). In the Shapes area, Parallel Lines (1), Polygon (1), Circles (1), Tigonometry (4), Angle Of Elevation and Angle Of Depression (1), and Line and Surface in Three Dimensions (1) were tested. The Relationship Area items consisted of 10 topics which were Index (2), Algebraic Expression (2), Algebraic Formula (4), Linear Inequalities (2), Expression and Quadratic Equations (1), Straight Lines (6), Set (4), Mathematical Reasoning (1), Statistics (2 and Probability (2). This Relationship area was tested in 26 (65%) items in the final year examination. The items were tested from the easy level to the difficult

level. The data collected was analysed by using SPSS version 12. The correlation test was used to answer the first research question and multiple regression was used to answer the second question.

5. Research Findings

5.1 Correlation between SOM and Mathematics Achievement

Table 2 shows a significant positive relationship ($p < .01$) between attitudes, habits and anxiety with mathematics achievement. The results of this correlation show that generally r values are low but significant because the sample size is large.

Table 2: Pearson Correlation between SOM Variables and Mathematics Achievement Areas

SOM	1	2	3	KBSM Mathematics
1. Attitude	1	-.41**	.68**	.19**
2. Anxiety		1	-.46**	-.31**
3. Habit			1	.20**

* $p < .01$ (2-tailed)

Attitude in learning mathematics has a positive significant relationship ($p < .01$) with mathematics achievement. This shows that students with high attitude in learning mathematics have high mathematics achievement whereas students with low attitude in learning mathematics have low maths achievement. Attitude in learning mathematics has a low positive relationship with mathematics achievement ($r = .19$, $p < .01$).

Anxiety in learning mathematics has a significant negative correlation ($p < .01$) with mathematics achievement. This shows that the higher the level of anxiety the lower the mathematics achievement and vice versa. Anxiety in learning mathematics has a low negative relationship with achievement in the mathematics achievement ($r = -.31$, $p < .01$).

Mathematics learning habit has a significant positive correlation ($p < .01$) with mathematics achievement. This shows that the stronger the habit of learning mathematics the higher the mathematics achievement. Habit in learning mathematics has a relatively low positive relationship with the mathematics achievement ($r = .20$, $p < .01$).

5.2 Affective Variable which is the best predictor of mathematics achievement

Table 3 shows the results of the multiple regression analysis with mathematics achievement as the dependent variable. The regression model has a coefficient determinant R^2 with an average value of 0.19. This indicates that 19% of variance in mathematics achievement can be explained jointly by the three affective variables; attitude, anxiety and habit. F statistics which test $H_0 : R^2 = 0$ is significant (p ,

.05) for the regression model, that is mathematics achievement score ($R^2 = 0.19$; $p < .05$). This means that at least one regression coefficient in each regression model differs significantly from zero. The t value for the anxiety was significant contributors ($p < .05$) to mathematics achievement but attribute and habit are not a significant contributor ($p > .05$). The findings of this study indicate that Anxiety in Learning Mathematics is the only predictor (19%) for learning mathematics (Table 3).

Table 3: Multiple Regression Analysis between Mathematics and SOM

Affective variables	Dependent variable (KBSM Mathematics)				
	Mathematics students' achievement score				
	Unstandardized coefficients Beta	Standard Error	standardized coefficients Beta	t Statistics	p
Constant	31.87	13.07		2.44	.02
Attitude	0.11	0.21	0.05	0.53	.06
Anxiety	-0.58	0.15	-0.27	-3.94	.00*
Habit	0.11	0.20	0.04	0.56	.07

* $p < .01$

5.3 Discussion

The mathematics learning attitude variable has a significant positive correlation with mathematics achievement. The importance of attitude in learning mathematics is consistent with the studies of Schreiber (2002) and Moodaley, Grobler and Lens (2006) which said that students with low mathematics learning attitude towards mathematics tests also had low achievement. On the whole Form Four students have poor attitude, anxiety and habit in mathematics. Although most students are peers in class or are in the same stream they have different needs and interests in mastering KBSM mathematics. Each student has the ability to master mathematics but the level of mastery depends on the effectiveness of his or her learning process (Pusat Perkembangan Kurikulum, 2001). Gardner and Miller (1996) stated that a student who is autonomous will have the initiative to plan and carry out the SOM programme well. Therefore, students should be proactive in affective variables. This means that affective variables are based on the perception that only the students themselves who can perform optimum learning based on their abilities.

The mathematics learning habit variable has a relatively low positive correlation which is less than 0.18 whereas the lowest for the Shapes area is 0.13. This finding is consistent with the Deficit Model introduced by Tobias (1985) which states that the causes for students obtaining low achievement are poor learning habits and being less skillful in taking tests.

The variable for anxiety in mathematics learning has a negative correlation with mathematics achievement. High anxiety in learning mathematics is also related to low mathematics achievement. This research finding is consistent with the meta-analysis conducted by Hembree (1990) which stated that there is a negative relationship between mathematical anxiety and mathematics achievement. This finding is consistent with the studies of Moodaley, Grobler and Lens (2006), Wood (1999), Richard and Suinn (1972) and Tobias (1985) which state that students with anxiety in mathematics feel less comfortable in performing calculations and problem-solving activities in manipulating the Numbers and Shapes Areas in mathematics.

A high attitude and habit are important for encouraging cognitive ability and thus improve mathematics (Steyn & Maree, 2002; Anneke, et al., 2001). The affective ability model states that strong affective abilities among students can trigger cognitive abilities which can improve mathematics achievement (Arsaythamby, 2010).

Attitude, anxiety and habit are collectively operated in multiple regression analysis and show only anxiety is significant predictors of mathematics achievement. Mathematics learning anxiety has a negative relationship with higher mathematics achievement than with attitude and habit. The findings of this study are similar to previous studies (Schreiber, 2002; Arsaythamby & Rosna Awang Hashim, 2009; Arsaythamby, 2010) in which attitude has positive relationships with mathematics achievement. The variable for anxiety in mathematics learning has a negative relationship with mathematics achievement.

All the three variables accounted for 19% variance towards mathematics achievement and this contribution can be adopted as the main predictor as there are many factors in education that influence students, which are out of control of this study. Anxiety in mathematics learning only the variable contributor, that is 19% and significance and compare to attitude and habit are not significance. The Tobias (1985) Deficit Model states the causes for the low attainers in mathematics are poor studying habits and a lack of skills in taking tests.

According to Piaget (1965), cognitive development of secondary school students should be at the level of formal operations. Although this is the case, cognitive development at the concrete operational level can happen among secondary school students. There are times when cognitive development among secondary school students is not consistent even if the students are in the same form. Secondary school students in Form Four should be at the level of formal operation but not all students are at this cognitive development level. There are students who are still at the concrete operational stage of cognitive development. This study has implications for the affective and cognitive aspects of learning mathematics (Hand, 1982; Aleks, 2003). Based on the discussion and the implications of this study, Arsaythamby (2010) had developed the AroS Model to show its connection with the affective and cognitive abilities of the students.

The application of this model is important in learning mathematics with the hope of improving mathematics achievement. However, teachers rarely test students' affective abilities, but they continue to give priority to testing cognitive abilities. The implications of this study show how important affective ability is in helping students' cognitive ability directly to improve their mathematics learning. Students who have yet to master mathematics need to be given guidance and appropriate remedial classes. Even though the students are studying in Form Four, they should be taught about mathematics which they

have failed to master during their previous years of schooling. This is because in Form Five, the students will be taught new topics which will again depend on their understanding and ability to master the topic taught within Form Four. Therefore, it is hoped that teachers will identify the weaknesses in learning mathematics while the the students are in Form Four. Indeed it is necessary to understand and analyse how these Form Four students learn mathamatics which ultimately could lead tho their success or failure in attaining the mathematics goals ascribed within the mathematics curriculum.

References

- Aiken, L. R., Jr. (1976). Update on attitudes and other affective variables in learning mathematics. *Review of Educational Research*, 46, pp.293 – 311.
- Aleks, M. (2003). Analisis penyelenggaraan proses belajar-mengajar matematik pada pada program akselerasi SMP negeri Padang [An analisis of the management of the learning-teaching process in the acceleration programme of SMP Padang]. *Jurnal Pembelajaran*, 26 (3).pp.189-211.
- Anneke, C.G., Adelene, A. G., & Karel, G. F. (2001). Some predictors of mathematics achievement among black secondary school learners. *South African Journal of Psychology*, 31 (4), pp.48-54.
- Aronson, E., Wilson, T., & Akert, R. M. (1999). *Social Psychology* (3rd ed.), New York:Longman.
- Arsaythamby, V. (2010). Hubungan di antara Orientasi Pembelajaran Matematik (OPM) dengan pencapaian matematik. *Asia Pacific Journal of Educators and Education*, 25, pp.33 – 52.
- Arsaythamby, V., & Rosna Awang Hashim (2009). Kesahan dan Kebolehpercayaan Alat Ukur Orientasi Pembelajaran Matematik (OPM), *International Journal Of Management Studies*, 16 (1), pp.57-73.
- Berita Matematik. (1993). *Sahsiah pembelajaran matematik*, 42 [Maths learning personality, 42]. Curriculum Development Centre, Education Ministry, Malaysia.
- Burns, M. (1998). *Math: Facing an American phobia*. Sausalito, CA: Marilyn Burns Education Associates.
- Calhoon, M. B., & Fuchs, L. S. (2003). The effects of peer-assisted learning strategies and curriculum-based measurement on the mathematics performance of secondary students with disabilities, *Remedial and Special Education*, 24(4), pp.235-245.
- Fitzerald, S., Morrall, A., & Morrison, B. (2000). Catering for individual learning styles: Experiences of orienting students in an Asian Self-Access Centre, http://elc.polyu.edu.hk/CILL/Staff/auto_2000.htm.
- Gardner, D., & Miller, L. (1996). *Task for independent language learning*. Virginia, USA: TESOL.
- Hand, J. D. (1982). "Brain function during learning, implication for text design". *The Technology of Tex* (Ed.). David H. Jonassen. Englewood Cliffs, New Jersey: Educational Technology Publications Inc.
- Hart, L. E. (1989). *Describing the affective domain: Saying what we mean*. In D. B. McLeod & V. M. Adams (Eds.), *Affect and mathematical problem solving: A new perspective* (pp. 37-45). New York: Springer-Verlag.
- Hashim Yaacob (2004). *Malaysia sciences and mathematics education: Reflection and reinvention*.

- Working paper presented at the National Conference on Science and Mathematics Education: Innovations for Excellence, UM, at Hotel Renaissance Kota Bharu, 9-11 October 2004.
- Hembree, R. (1990). The nature, effects, and relief of mathematics anxiety. *Journal for Research in Mathematics Education*, 21, pp.33 – 46.
- House, J. D. (1995). Noncognitive predictors of achievement in introductory college chemistry, *Research in Higher Education*, 36, pp.473-490.
- Ibrahim Ahmad Bajunid (2002, November 10). *Nurture the love for maths*. New Straits Times Learning Curve, pp. 20.
- Ignacio, N. G., Nieto, L. J. B., & Barona, E.G. (2006). The affective domain in mathematics learning. *International Electronic Journal of Mathematics Education*, 1(1), pp.16-32.
- Kennedy, L. M., & Tipps, S. (1991). *Guiding children's learning of mathematics* (6th ed.), Belmont, CA: Wadsworth.
- Lashley, C., & Best, W. (2001). *12 steps to study success*. London: Continuum.
- Leder, G. C. (1987). *Attitudes towards mathematics*. In T. A. Romberg & D. M. Stewart (Eds.), *The monitoring of school mathematics* (pp. 261-277). Madison: Wisconsin Center for Educational Research.
- Leder, G. C. (1990), 'Gender differences in mathematics and overview', in Fennema, E. & Leder, G. (Eds.), *Mathematics and gender : Influences on teachers and students*, Teachers' College Press, New York, pp.10 – 26.
- Liebert, R. M., & Morris, L. W. (1967). Cognitive and emotional components of test anxiety: A distinction and some initial data. *Psychological Reports*, 20, pp.975-978.
- Mandler, G., & Sarason, S. B. (1952). A study of anxiety and learning. *Journal of Abnormal and Social Psychology*, 47, pp.166-173.
- Maree, J. G. (1997). *The Study Orientation Questionnaire in Mathematics (SOM)*. Pretoria: Human Sciences Research Council. Pretoria University, South Africa.
- McLeod, D. B. (1992). *Research on affect in mathematics education: A reconceptualization*. In D. A. Grouws (Ed.), *Handbook of research on mathematics teaching and learning* (pp. 575-596). New York: Macmillan.
- McLeod, D. B. (1994). Research on affect in mathematics learning in the JRME: 1970 to the present. *Journal for Research in Mathematics Education*, 25, pp.637-647.
- Moodaley, R. R., Grobler, A. A., & Lens, W. (2006). Study orientation and causal attribution in mathematics achievement, *South African Journal of Psychology*, 36 (3), pp.634-655.
- Mueller, D. J. (1986). *Measuring social attitudes*, Colombia University, New York, Teachers College.
- Piaget, J. (1965). *The child's conception of number*. New York: Humanities Press.
- Polya, G. (1957). *How to solve it: A new aspect of mathematical method* (2nd ed.), New Jersey: Princeton University Press.
- Polya, G. (1973). *How to solve it: A new aspect of mathematical method*, New Jersey, Princeton University.
- Pusat Perkembangan Kurikulum (2001). *Pembelajaran Masteri* [Mastery learning] Curriculum Development Centre. Education Ministry, Malaysia.
- Reyes, L. H. (1984). Affective variables and mathematics education. *The Elementary School Journal*, 84, pp.558-581.
- Richardson, F. C., & Suinn, R. M. (1972). The mathematics anxiety rating scale: Psychometric data. *Journal of Counseling Psychology*, 19, pp.551-554.
- Saljo, R. (1982). *Learning and understanding*. A Study of Differences in Constructing Means from Text. (Goteborg Studies in Educational Science 41). Goteborg: Acta Universitatis Githoburgensis
- Schreiber, J. B. (2002). Institutional and student factors and their influence on advanced mathematics achievement. *The Journal of Educational Research*, 95(5), pp.274-286.
- Skemp, R. R. (1971). *The psychology of learning mathematics*, Middlesex: Penguin Books Limited.
- Steyn, T., & Maree, J. G. (2002). A profile of first-year students' learning preferences and Study Orientation in Mathematics, *South African Journal of Education*. 22 (4).
- Tobias, S. (1985). Test anxiety: Inference, defective skills, and cognitive capacity. *Educational*

- Psychologist*, 20, pp.135-142.
- Tocci, C. M., & Engelhard, G. Jr. (1991). Achievement, parental support, and gender differences in attitudes towards mathematics. *Journal of Educational Research*, 84, pp.280 – 286.
- Wan Zah Wan Ali (2000). *Memahami Pembelajaran* [Understanding learning]. Kuala Lumpur: Utusan Publication.
- Wigfield, A., & Meece, J. L. (1988). Math anxiety in elementary and secondary schools. *Journal of Educational Psychology*, 80, pp.210-216.
- Wine, J. (1971). Test anxiety and direction of attention. *Psychological Bulletin*, 76, pp.92-104.
- Wood, E. F. (1999). Math anxiety and elementary teachers: What does research tell us? *For the learning of mathematics*, 8 (1), pp.8-13.

PRODUCTIVITY OF INDIAN MONKS

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In terms of its origin and monks manpower India is the capital of Buddhism and largest original as well as organized trainer in mankind in the world. It is the monks who constitute the backbone of Dhamma. The increasing interest of mankind seeking higher ordination makes an understanding of this distinct group with in the society a subject of substantial importance. Those who become monk in last half century in general and particularly after conversion movement of Baba Sahib Dr. B. R. Ambedkar in Buddhism on 14 October 1956 in Nagpur India. Thus the monks who join the Sangha from socially] politically and educationally deprived classes that otherwise constitute about 1/4 i.e. 25% of population in India. These monks with their multiple role obligations are a special group much different in their needs, desires, aspiration and way of working than other in the Bhikkhu Sangha. In order that their potential is fully exploited it is essential to have a clear understanding of this group. Hence the present study was undertaken with the following objectives :

To study the monks productivity in India.

To determine the factors affecting their saffron productivity.

Methodology

The respondent for the present investigation were all the Monks residing in the various monastries spread over the entire country. Printed questionnaires along with stamped , self addressed envelopes were mailed as well as personally contact the respondents. Thus the response were analyzed with appropriate techniques.

Since the documentation in terms of information to the sangha members as well as lay Buddhists is always essential for generations. Although the tripitaka information was pass from one generation to other by way of personnel remember by individuals until the 1st century AD. Since the number of publications have been found to be essential and major component for measurement of monks productivity after initiated in Sri Lanka.

The research productivity score of an individual respondent was calculated based upon the average standard score of the research productivity indicators. The standardized scores so calculated were modified in this study.

In order to ensure the objectivity the publication were adjusted as most essential and significant in therms of monks productivity. The status (Mahathero , Thero, Monks and

Sramner) qualifications (graduate/ Non graduate), number of monks and sramners produced (None, 1-5, 5-10, 1-50 and above 50), total experience (upto 10 years, 10-20 years, 20-40 years, and above 40 years), amount of time involved in monkhood productivity (None, 1/3, 1/2, 2/3, all the time) were considered for the adjustment.

Findings and Discussion

The study showed that the total publication of monks was increasing in the line with the cadre position. The junior sramner or monks had nil/less publication. While the seniors had more number as well as good publications in terms of books, bulletines, reports as well as research papers.

Table 1 present a vivid distribution of the number of publications different categories of monks had to their credit. The majority of all categories of monks had 1-10 publications. Obviously a large majority of monks could not contribute any publication in all the categories of sramner, monks, thero and mahathero. In fact, a comparison with the publications of thero and mahthero reveals that some monks had greater number of publications to their credit than their seniors, meaning there by that the seniority of the monks does not necessarily mean having an upper hand over the juniors in terms of publication counts. One reason why some of the monks had better publication score than their seniors was that they had foregone shifting from one monastery to other or in other terms they could get settled their life for the particular monastery.

Table-1 Monks distribution by number as per their seniority in Monkhood

Number of Publications	Mahathero	Thero	Monks Sramner	Total	
None	2	5	7	5	19
1-10	5	12	15	8	40
10-20	3	2	4	2	11
20-50	1	1	2	2	6
50-100	2	1	-	-	3
>100	1	-	-	-	1
Total	14	21	28	17	70

Table 2 further gives detailed picture as to the type of publication the monk had to their credit. It is notified that presentation of papers in seminar/symposium were the most common among the publications the monks had to their credit. This conforms to the general

expectation because the very nature of programmes and invitation from Govt as well as private organizations in the several programmes and nature of their life/job. In terms of number of publications seminar/symposium papers were followed, in descending order by popular articles, booklets, reports of the programme and books. The percentage of monks having books to their credit was expectedly the lowest. It was however, not a mean achievement that as many as 5% of monks had written books numbering 1 to 10.

In addition to published work, many monks reported having prepared a number of unpublished report like the life history of their teacher/superiors monks. The study showed that 20% monks had 1 to 3 number of unpublished and some 5% had 4 to 7 unpublished reports/documents they could get prepared. But unable to published them due to lack of funds/support of publishers.

The study further reveal that junior monks did not guide any post graduate student and obviously so. It id because of lack of experience on their part that they are usually not assigned the responsibility on one hand or they are not aware about their potential. In general discussion as well as reported in their bio-data thero and mahathero have guided/supervised a significant number of post graduate and Ph. D. students.

It was found that more than 15% of the monks were recipients of one or the other awards, the number of such awards ranging from one to five. It is also note worthy that monks are the most respected community on the earth surface for their living, thinking and crediting to the mankind.

Table-2 Monks distribution by number and type of publications

Number of Publications	Books	papers in seminar /symposium	Monographs Bulletins	Articles
None	65	20	45	15
1-10	3	40	15	35
10-20	2	8	6	7
20-50	-	1	3	2
>50	-	1	1	1

LOCAL RESIDENT PERCEPTION ON GALLE FORT TOURISM DEVELOPMENT

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Abstract

Galle Fort and its fortifications were registered as a UNESCO World Cultural Heritage site in 1988. It was preserved by Dutch as a colonial town. As a result of complicated historical development, present residency has been formed by a mix of three sub-cultures named as Sinhalese, Muslims and Tamils. This study investigates the resident's socio demographic characters and attitudes towards tourism development within the period 23 years between 1988 and 2011.

40 residents were interviewed including appointed family members and they were engaged in tourism and other sectors using open ended questioning.

It is found that in general tourism development was beneficial to the residents and some have made it as a business opportunity. The negative impact was decrease of local population and increase of foreign residency and lack of flowing foreign currency into the hands of locals.

To maintain a sustainable tourism while protecting the world heritage status of the Galle Fort, it has become a challenging task due present circumstances. Therefore it is proposed to revise the existing rules and regulations on purchasing the Galle Fort properties by foreigners. Moreover local community based development plans are important to be established.

Key words: Galle Fort, tourism development, world heritage, local resident

Introduction

Tourism is a global industry which helps developed and developing countries' local communities because of its economic importance. Furthermore it creates jobs and reduces the unemployment, fosters entrepreneurships, stimulates production of food and local handicrafts and facilitates cultural exchanges (Upchurch & Teivane, 2000). While gaining economic importance in the community it is also important to maintain its sustainability in long term success of the tourism industry (Ritchie & Inkari, 2006).

Tourism in Sri Lanka started in 1966 according to the Ceylon Tourist board Act No 10 and it was the turning point of tourism in Sri Lanka. With that publicity, international tourist arrivals had been increased rapidly after 1966. Moreover, Sri Lanka government started collecting data of tourist arrivals and it showed the increase of 5.1% in 1966 to 1979 (Sri Lanka tourism Development Authority, 2010). This period could be mentioned as the genuinely initiated period of tourism in Sri Lanka (Ratnapala, 1984).

Tourism in Sri Lanka has improved its position to 5th (2010) from 6th (2009) as one of the largest earners of foreign exchange in the national economy. The contribution of tourism to the total foreign exchange earnings have increased to 3.8% from 2.8% (Sri Lanka tourism Development Authority, 2010). When considering the Annual report of tourist occupancy rates in the regions of the country; South coast area recorded the second highest tourist occupancy in 2010 (Sri Lanka tourism Development Authority, 2010). Galle Fort is located in Southern Sri Lanka and it has many unique features even uncommon within Sri Lanka. Galle

was highly affected by 2004 Indian Ocean earthquake and tsunami. However according to Yasuda and Harada (2005), Galle Fort was not affected significantly. Only a part was flooded in a very low level. The reason was its strongly built fortress walls had stopped tsunami waves. Sri Lanka was ruled by Portuguese, Dutch and English from 16th century to middle of 20th century. Especially for Arabian merchants Galle was an international harbor in 14th century (Abeyawardana, 2001). The presence of Arabic traders in the past can be proved by their descendents, the Muslim community which is the majority in the Galle Fort. Because of this background there are many mosques, churches, streets with colonial style architectures and consequently it has made the city alive.

In 1969, Galle Fort was declared as an archeological reserve by the UN (Edmunds, 2009) and in 1988 UNESCO declared it as a world cultural heritage (UNESCO World Heritage Center, 2008).

In this study I limited my research area to the Galle Fort since, Galle Fort is a unique place in Sri Lanka due to its history, ethnical distribution, religious variety and localized tourism based economy. Among the community half of the population is Muslims (Klages, 2007).

Since Galle Fort is an important historical area many scholars have conducted researches about this place in different academic streams. Most of their researches were based on historical aspects, old fortress, forts spatial structures and architecture.

When considering the researches on resident perception on tourism development, a significant research has not found. This theme can be divide into three main characteristics: economic (Pizam, 1978; Millman & Pizam, 1988; Kuvan & Akan, 2005; Lankford and Howard, 1994), Social (Pizam, 1978; Kuvan & Akan, 2005) and environmental (Pizam, 1978; Nicholas et al, 2009). According to the Lankford and Howard (1994), tourism development has positive outcomes and negative outcomes in local levels. Furthermore, the residents' attitude towards the tourism development can be categorized according to demographic, personal, social, spatial and economic dependence factors (Harrill, 2004; Jackson & Inbakaran, 2006).

In this study to investigate resident's social background and perception towards the tourism development, socio demographic characters; resident's gender, age, occupational stats, educational level, income and place of residency were analyzed.

Theoretical background on economic impacts

In the recent decades, tourism industry has become a fast growing industry in the world (UNWTO, 2009). According to the tourism 2020 vision plan expects a improve ment of economic within next decade (UNWTO, 2010). In 2011, international tourist arrivals were 989 million in world wide. It has grown of 4.5% comparing to previous year (UNWTO, 2012).

In developing countries tourism is an economic endeavor since it creates jobs. Furthermore, tourism use as a tool to stimulate marginal economies and to promote development through the jobs and incomes (Liu & Wall, 2006). Furthermore, tourism has a high need of human capital and it offers a diversity of jobs (Szivas *et al.*, 2003).

In most of the Asian countries tourism has been identified as a major role in their economies by receiving a large amount of foreign exchange annually. The economic costs and benefits can be measured in different levels: national, regional or local. The key benefits of tourism are income and employment generation. The most of the income are received by accommodation, tourist expenditure and taxes (Vanhove, 2008). The economic impact of tourism is a result from the balance of costs and benefits (Pearce, 1989).

Vanhove, 2008 who researched about the mass tourism's economic aspects from the side of local residents, has found that the tourism is important to create jobs to increase revenue. Further he explains due to mass tourism, the increase of taxation has become a burden to the local residents and the freedom of residents also has become limited due to tourism. These types of social costs are difficult to measure particularly. He analyzes the social costs and social benefits process by dividing into four stages. They are project level (tourists visiting stage), unpaid level (costs which are not taken into account), underpayment level (unemployed people make it as an opportunity) and side effects (the transformation of society through as a tourist). In these stages the economic effects of tourism have an impact to the whole community. The rise of people's living standards makes influence to their culture and society (Vanhove, 2008).

Theoretical background on social impacts

In general most of the researches done on resident perception have focused on social impacts. It can be influence, changed or completely substitute due to the tourism. The researches on resident impact were conducted in 1970's (Butler, 1980).

Henderson (2002) has researched on the British colonial built heritage cities such as Malacca, Penang and Singapore as case study areas. He points out that with the development of tourism number of cafes, shops and restaurants have been increased. He has identified that due to such a development the local residents have lost their native identity and their cultures have transformed.

Korca, 1998 who studied about the changes in touristic areas local residents' consciousness or awareness of tourism, which include the following items as the cause of the change of consciousness; length of stay, the duration that tourists spend on the touristic area, distance between host and guest, distance between residential areas of the tourist and local residents involvement in tourism (Korca, 1998).

Butler, 1974 conducted research on the impact of the tourism development with the model of "The major impacts of tourism". According to this model, changes within the tourism region have divided into three main sections such as social, economic and environmental. He point out that there is a correlation between these three. Also he breaks down the social impacts into three generalized areas, relating to the resources by local residents, their economic wellbeing and their lifestyle. Also he describe the five factors which are number of visitors, length of stay of visitors, ethnic characteristic of visitors, economic characteristic of visitors and activities of visitors influence causes to significant changes in the local area.

Pizam, 1978 too has conducted a research on the impact of regional tourism in North America in the city of Cape Cod area to investigate the negative impacts of tourism. Also he measures their perception of how tourism effects on different domains (Physical and Environmental, Economic and Social). As a positive result, residents were rising with incomes through tourism and it had improved living standards of their life styles. Also it had made them for opportunity for shopping. However, there were negative impacts like traffic problems, litter, noise, vandalism, drug abuse and alcoholism. Since in this area significant number of tourists had been increased, however there could be many disappointments (Pizam, 1978).

As mentioned above, studies have been conducted in each country to find out the resident's perception towards tourism development.

Theoretical background on environmental impacts

Doxy, 1975 has measured and monitored the irritation between local residents and outsiders in different destinations. The areas are Barbados, West Indies, Naigara-on-the lake and Ontario. He applied the same methodology to these areas to find out the wide spectrum of impacts or come to certain conclusion. The 'irridex' monitoring system is based on tolerance thresholds and persistence irritation stimulation and it has been categorized in four levels. ① Stage One: Euphoria (In this stage development of the industry, visitors and investors are welcomed. ② Stage two:(Tourists are taken for granted and starting making contacts between residents and outsiders) ③ Stage Three : Annoyance (residents begin to show their misgiving about tourist industry) ④ Stage four : Antagonism (The local residents irritations are expressed verbally and physically). Doxy, 1975 interviewed local residents, outside visitors and facility operators and employees as his samples. All of them were interviewed personally by research assistance. The interviewers were selected randomly. In the final analysis it is found the local residents in Barbados are physically capable of adjusting to change and irritation levels are continuing. Finally it can be effect to the environment of tourist area (Doxy, 1975).

This model has been applied in Japan by Sudo, 2008 to measure the irritation level in Mojiko area. He considered the change while tourist visits residential area and how their way of thinking has been changed due to tourism. In Mojiko also, local residents have welcomed the development of tourism at the early stages. When the time passed, they started to keep relationships with tourist and it has become normal situation for them. In the next stage though the locals were not interested in tourism when the government was making arrangements for infrastructure. It is found in this area's 'irredex' was between Apathy and Annoyance (Sudo,2008).

Halay et al, 2005 studied about Bath in England, to identify and examine the attitudes of residents towards tourism development from the point of view as the host. They have noticed problems such as noise, waste, traffic problems, as well as adverse effects such as crime. However there were positive impacts such as job growth, increase of living strandeds and increase of recreational facilities. Another negative impact is increase of price of goods and services and inflation of property values (Ap, 1992).

Study Area

Galle is located in the Sothern part of Sri Lanka (Figure 1), just 116 km to the South of the country's commercial capital Colombo. Galle district bounded from Bentara River to Habaraduwa; border of Matara District (Galle District Secretariat, 2008). The Galle city is mainly divided in to two as New Town and Old town. Area of the Galle district is 1635 km² and a population of 1034,818 line in 2256 villages (Abeyawardana, 2001: 10). Galle is the capital of Southern province. It has 18 divisional secretariats, 2311 villages and 896 *Grama Niladhari* divisions. In Galle district, there is 1 municipal council, 2 urban councils and 15 *Pradeshiya Sabhas* (Department of Census and statistics, 2001). Galle Fort (Figure 2) comes under the *Grama Niladhari* Division block 96D (Survey General Department, 1996).

The Galle Fort site comes under the portfolio of Ministry of Cultural Affairs and National Heritage. With the realization its importance, in 1994 preservation has started for the Fort and Galle Heritage Foundation was established in 2004 as a government body to preserve the Fort (Edmunds, 2009).

The old town of Galle is known as Galle Fort. Galle Fort is considered as one of the best examples of living fortified city built by Europeans in South and South East Asia (Edmunds, 2009). Galle Fort has a population of 2318 of which 50% are Muslims, 45% are Sinhalese and

5% are others (Sri Lanka Census, 2001). It covers the area of 0.28 km² (Klages, 2007: 2. The entire old city is completely enclosed by the ramparts and it has a 400 meter buffer zone from ramparts of Fort embracing the new cricket stadium (Siriwardene, 2000). It is surrounded by the new town and Indian Ocean (Edmunds, 2009).



Figure 1 : Map of Sri Lanka
worldatlasoftravel.com



Figure 2: Map of Galle Fort: Google Earth

Objectives

The overall aim of this study is to identify the Galle Fort local resident's perception on tourism development for the last 23 years. Furthermore it is researched about local residents' ideological view points towards the tourism. After evaluating resident's perception and cultural impacts on Galle Fort, recommendations or specifications can be forwarded to the government to make more awareness to conserve the fort as a heritage.

Methodology

This case study will be mainly based on fieldwork of interviewing people who live inside the Galle Fort which is located in the old town of Galle district and people of new town who have either social or economic relationships or who work within the old town and representatives from government offices. To understand the situation in Galle Fort area, participant observation and literature review methods were also used. In the first step of my research I focused on gathering data on the historical background of the Galle Fort in social science point of view.

Sri Lanka's total population is 21.3 million and its ethnical combination is 72.9% Sinhalese, 18% Tamil and 8% of Muslim. Religious classification consists of 70% Buddhist, 10% Hindu, 8.5% Islam, 11.3% Roman Catholic and 0.2% others (MOFA, 2012). It proves that Sri Lanka is a multiethnic and multi religious country. According to the census department statistics Galle has a population of 990.5 thousand and it contains of 94.33% Sinhalese, 1.17% Sri Lankan Tamils, 0.86% Indian Tamils, 3.57% Muslims, 0.03% Burgher, 0.01% Malay, 0.01% Sri Lanka Chetty and 0.02% others. (Department of Census and Statistics, 2001). As a result of the complicated historical development in the Galle Fort, present residency has been formed by a

mix of three cultures of Sinhalese, Muslims and Tamils. Though the Sri Lanka's majority is Sinhalese, half of the population among the Galle Fort community is Muslims (Klages, 2007).

At the beginning of the study, in order to understand the regional characteristics of the Galle Fort, the government officials and the Galle Heritage foundation staff were interviewed. After that I was able to do in depth interviews with locals about their social problems, the attitude towards Galle Fort tourism and their demographic characters. Furthermore, restaurant owners, hotel managers and outside vendors were also interviewed. From the gathered data, it was understood that tourism has contributed positively to change locals' lifestyles.

When interviewing them I have asked questions according to the questionnaire and notes were made on the spot and some were recorded. First, the interviewers were asked to give their personal information such as their name, religion and ethnic group, number of family members, their identity card number or passport number, age, gender, education level, type of work (earnings), home address, whether the land is own by themselves or rented and their length of residency in Galle fort. Also they were asked whether any family member was engaged in tourism or benefited from tourism. First these questions were asked to divide into categories when they were analyzing.

Secondly they were interviewed about the Galle Fort experience to get an idea about local resident's perceptions to check, how their personnel life has been effected or changed or benefited by tourism. Questions were how they like Galle fort becoming a world heritage site, whether they like tourism, how they have been benefited from tourism, problems in tourism and development of their lifestyles due to tourism and needed implications that they expect.

Results of the study

When considering the respondents demographic characteristics 55% were male and 45% female and the majority of them was below 40 years and married. Their educational level was high school level (68%). secondary level (12%), under graduate level (18%) and elementary school level (2%).

Most of the respondent's (71%) average monthly income was Rs. 7000.00. However, during the peak season average income is Rs. 10,000.00 or above. Among them 21% of them were born and grown up in Galle Fort. 51% of them were local residents. 60% of them were living in this area for more than 10 years. The ir tourism related businesses have been started after year 2000.

The tourism related jobs were accounted as hotels, home stay units, restaurants, souvenir shops and who supply products while working at home. It could be seen that some of the Muslim women have started working in the tourism industry. However, they are working at home while managing the housekeeping. It helps them to work while protecting their religious norms. Those who didn't work before were influenced to work due to financial benefits and they have made tourism as an opportunity.

Discussion

When categorizing, as economic perception 78% of them motioned the tourism has increased the employment opportunities. 83% responded as tourism has caused increase of living standards. Another aspect is the increase of recreational facilities in the Galle Fort Rampart area in the evening. Also outdoor vendors find opportunities to meet tourists. 87% of the participants mentioned about leakage of tourism currency. The respondents who belong to this category are self employees. With the price inflation of land, 94% respondents mentioned that local residents were able to sell their houses to higher prices.

In social point of view improvements of lifestyles can be seen (71%) among respondents. Some were (42%) able to spend the money that they get from tourism to their children's education. Furthermore, while getting an opportunity to talk with foreigners and consequently they have improved their level of English (62%). On the other hand, decline in religious practices (12%), changes in lifestyles (52%), changes in family working structure (66%), damaging the local culture (68%) and increase of foreign residents (96%) were answers among respondents. According to the interviews, increase of foreign residency has become a problem since some does not like to hear the public announcements of religious activities.

As negative environmental impacts, garbage problem was mentioned by 92% and sound pollution due the vehicles which are coming inside to the Galle Fort was highlighted by 84% of the respondents. 56% of the respondents motioned they have changed their houses interior due to increase of tourism to make more attractive to tourists. 32% of respondents think those changes in the housing reduce the value of historical atmosphere of the Fort.

According to the Doxy's theory Galle fort was in stage three which is similar to annoyance.

Conclusion

This study shows that resident perception towards tourism development have both negative and positive aspects. However, among these perceptions the most significant problem was the increase of foreign residency and decreasing of local residents within the Fort. Since Galle Fort has a unique Sri Lankan living culture, the decrease of local residents will be a cause for the disappearance of that unique culture. Moreover, residents fear of losing their control within the Fort if the majority is occupied by foreigners.

To maintain a sustainable tourism while protecting the world heritage status of the Galle Fort has become challenging. Therefore it is proposed to revise the existing rules and regulations on purchasing the Galle Fort properties by foreigners. Moreover local community based development plans are important to establish.

References

- Abeyawardana, H.A.P. 2001. *Heritage of Ruhuna: major natural, cultural and historic sites*, Matara: Ruhunu Development Bank, 158p.
- Akis, S., Perstianis, N. and Warner. 1996. Residents' attitudes to tourism development: the case of Cyprus, *Tourism Management*, vol.17, pp 481-494.
- Ap, J. 1992. Residents perception on the social impacts *Annals of Tourism Research*, vol.19, no. 4, pp 665-690.
- Butler, R.W. 1974. The social implications of tourist developments. *Annals of Tourism Research*, vol. 2, no.2, pp100-111.
- Coombe, Juliet and Daisy Perry. 2008. *Around the Fort in 80 Lives*, London: Serendipity Publishing Worldwide, 292p.
- Department of Census and statistics. 2002. Population and housing census report-2001, Colombo: Department of Census and statistics.
- Doxey, George. 1975. A caution theory of visitor-resident irritations, *The Travel research association Conference, California* vol. 6, pp.195-198.
- Edmunds, L.O. 2009. A critical review of the responsible tourism issues in Galle Fort: Sri Lanka using triple bottom line approach, 11p.
- Galle District secretariat. 2008. www.localgov.sp.gov.lk/map.html (2008.07.05)

- Haley, A.J., T. Snaith and G. Miller .2005. The social impacts of tourism: A case study of Bath UK, *Annals of Tourism Research*, vol.32 no. 3, pp 647-668.
- Hendrerson, Joan.J .2002. Built heritage and colonial cities The: *Annals of Tourism Research*, vol. 29 no. 1, pp 254-257.
- Harrill, R. 2004 Resident attitudes towards tourism development: A literature review with implications for tourism planning.*Journal of Planning Leisure vol.18*,pp 251-266.
- Jakson,M.S. and R.J. Inbakaran. 2006. “ Evaluating residents attitudes and intentions to act toward tourism development in regional Victoria, Australia” *International Journal of Tourism Research*, vol. 8, no. 5, pp 355-366.
- Klages, Claudia .2007. *Galle Fort*, Galle: Graphic Eye Publisher, 120p.
- Korca, Perver .1998. Resident perceptions of tourism in a resort town, Turkey. *Leisure Sciences*, vol. 20, pp. 193-212.
- Kuvan, Y. and P. Akan .2005. “Residents attitudes toward general and forest-related impacts of tourism : The case of Belek, Natalia” *Tourism Management*, vol.26, pp 691-706.
- Lankford, S.V. and Howard, D.R. 1994. Developing a tourism impacts attitude scale, *Annals of Tourism Research*, vol. 21,no.1,pp121-139.
- Levy, D.E. and P. B. Lerch.1991. Tourism as a factor in development: Implications for gender and work in Barbados, *Gender and Society*, vol.5,no.1, pp67-85.
- Ministry of Foreign Affairs. 2009. 「Social republic of Sri Lanka basic data」
(<http://www.mofa.go.jp/mofaj/area/srilanka/data.html>, 2012.5.15)
- Millman,A., and A. Pizam .1988. “Social impacts of tourism on Central Florida” *Annals of Tourism Reserch*, vol.15, no.2, pp191-204.
- Pearce,D.1989. *Tourist Development*. New York: Longman Scientific & Technical.
- Pizam,Abraham.1978.Tourism’s Impacts-the social costs to the destination community as perceived by its residents, *Journal of travel Reserch*,vol.16,no.1,pp8-12.
- Rathnapala, Nandasena .1984. *Tourism in Sri Lanka: The Social Impact*, Toronto: UT Back-in-Print Service, 150p.
- Ritchie Brent & Inkari Makko. 2006. Host community attitudes toward tourism and cultural tourism development: the case of the Lewes District, southern England, *International Journal of Tourism Research*, vol.8, no.1, pp 27-44.
- Sri Lanka tourism Development Authority. 2010. *Annual Statistical Report of Sri Lanka Tourism 2007*. Colombo: Marketing research and international affairs division, 66p.
- Siriwardene, E.D. 2000.Buffer Zone: existing uses and its development, International work shop on the development of Galle Fort & its Buffer Zone, 20p.
- Survey General Department.1996. Map of Galle District 1:5000
- Sudo, Hiroshi.2008. Kankoka Suru Shakai-Kanko Shakaigaku no riron to oyo:Nakanishiya, 192p.
- Szivas, E., M. Riley,D. Airey. 2003. Labor mobility into tourism: attraction and satisfaction, *Annals of Tourism Research*, vol.30, no.1, pp 64-76.
- Venhove,Norbert.2008.*Mass Tourism: benefits and costs*, London: Routledge, 455p.
- World Atlas of Travel .2011. “Sri Lanka (large color) Map” (<http://worldatlas.com/webimage/countrys/asia/lgcolor/lkcolor.htm>, 2011.05.02)
- Upchurch, R.S. and Teivane Una .2000. Resident perceptions of tourism development in Riga, Latvia, *Tourism Management*, vol. 21, pp.499-507.

UNESCO World Heritage Center (2008) "World Heritage List" (<http://whc.unesco.org/en/list>, 2008.05.21)

Yasuda Tomohiro • Kenji Harada(2005): Sumatra earthquake tsunami disaster in December 26, 2004. *Disaster Prevention Research Institute, Kyoto University*, vol. 23, no.4, pp 603-615.

COMMUNITY MEDIATION IN MALAYSIA :
A COMPARISON BETWEEN *rukun tetangga* AND
COMMUNITY MEDIATION IN SINGAPORE

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Community Mediation in Malaysia : A Comparison between *Rukun Tetangga* and Community Mediation in Singapore

Abstract

Malaysia is a multicultural, multi-religious and multiethnic country that is located in Southeast Asia. The social background of Malaysia as a multicultural state calls for the adoption of an alternative method to resolve community dispute which would offers solution and simultaneously promote harmonization in the society. Community mediation may be one of such alternative, if not the best method for interethnic relations. The Government of Malaysia has introduced community mediation in Malaysia by providing training for community mediators through a pilot programme, known as *Rukun Tetangga* (“Peaceful Neighbour”). The purpose of this programme is to promote unity among the multi-races and multi-ethnic citizens. This article will refer to the current practise of community mediation in Malaysia as provided by the National Unity and Integrity Department in Peninsular Malaysia and the practise of

community mediation in Singapore. It is hoped that by comparing the practices in both countries, suggestions and recommendations could be made to improve the practise of community mediation in Malaysia.

Introduction

Community mediation has become a popular method of dispute resolution. It is well established in many developed countries such as the United Kingdom, United States of America, Australia and etc. In Asian countries this method of dispute resolution is not new. The concept has been in practice traditionally for a long time. For an example, mediation is considered as an ancient concept and is deep rooted in Indian culture whereby any disputes that arises will be resolved at the community level in a *panchayat*.⁶³⁷ This concept has always been enshrined in the Indian culture.⁶³⁸ Currently, this old system has been adopted in the modern Indian social system administration and served as the backbone of the present society.⁶³⁹

Singapore and Malaysia shared the same history of traditional or informal mediation. Singapore, however has established formal or institutionalized community mediation centre modeling the developed countries community mediation centre in 1998. The centre managed to settle disputes and maintain harmony among the people in the neighbourhood. Community

⁶³⁷ Delhi Mediation Centre, *History*, [Online], Available : <http://delhimediationcentre.gov.in/introduction.htm> [7 June 2012]

⁶³⁸ Delhi Mediation Centre, *History*, [Online], Available : <http://delhimediationcentre.gov.in/introduction.htm> [7 June 2012]
Panchayat means a village council, a former group of five influential older men acknowledged by the community as its governing body and an elective council of about five members organized in the republic of India as an organ of village self-government. The member of *panchayat* will be elected by the people yearly. The *panchayat* will make decision with regard to the social issue of the villagers. The council leader is called as *sarpanch* and the council member is the *panch*.

⁶³⁹ *Panchayat System in India*, [Online], Available : http://www.indianetzone.com/40/panchayat_system_india.htm [7 June 2012]

mediation is a type of mediation that is chosen as a solution to the neighbourhood problems because the process is flexible and informal and it bring the disputing parties together in the presence of a community mediator, a neutral party, who assists them to work out their problems with each other, clarify the issues, discuss their opinions, and eventually reach a consensual settlement to their problems after having explored all options.⁶⁴⁰

The Government of Malaysia through the Department of National Unity and Integrity (“DNUI”) has introduced community mediation programme by providing training to grassroots leader in a pilot programme, Peaceful Neighbour (“*Rukun Tetangga*”) to be a community mediator. However, the government is yet to establish a centre to accommodate the mediators and set of rules or regulation or law to govern community mediation practice. This article will refer to the current practise of community mediation in Malaysia provided by the DNUI in Peninsular Malaysia and the practise of community mediation in Singapore and to suggest any improvement if necessary.

This paper involves library based research and qualitative legal research method which involved fieldwork. The library based research involves both primary and secondary legal sources whereby journals, articles, law reports, legislation, and historical record and the virtual library available online are referred. Some other research resources are the database online such as LexisNexis, Law Net and Current Law Journal online. This method helps to understand the mechanism of community mediation, mediation and the legal framework in Singapore. The fieldwork is done by interviewing officer from the Department of Unity and Integrity, the qualified Community Mediators and undergoing the training of the community mediator by the writer. From these, information was gathered on what are the best method to be adopted by the

⁶⁴⁰ Farheen Baig Sardar Baig. (2010) “Community Mediation” in Mohammad Naqib Ishan Jan & Ashgar Ali Ali Mohamed (eds). *Mediation in Malaysia : The Law and Practice* (pp. 155-170), LexisNexis, pp. 157

community mediation in Malaysia and the structure of the Malaysian Community Mediation Centre.

The Nature of Community Mediation

Community mediation is a mediation process adopted by the disputing parties within a community as a solution to resolve their dispute, mediation itself is one of the ADR or alternative modes of dispute settlement. ADR or alternative dispute resolution is an acronym popularly referred to such alternative methods of dispute settlement such as negotiation, mediation/conciliation, arbitration, mini-trial and private judging etc.⁶⁴¹ ADR is defined as a range of procedures that serve as alternatives to litigation through the courts for the resolution of disputes, generally involving the intercession and assistance of a neutral and impartial third party.⁶⁴²

According to Tania Sourdin (2008), dispute resolution processes that are alternative to traditional court proceedings are often referred to as ADR. She further explains that ADR is also used as an acronym for “assisted”, “additional”, “affirmative” or “appropriate” dispute resolution processes. Thus, she concludes that, it is impossible to construct a concise definition of ADR processes that is accurate in respect of the range of the processes available and the contexts in which they operate.⁶⁴³

Mediation is one of the processes of the Alternative Dispute Resolution (ADR)⁶⁴⁴ and is defined as a process that uses a third party (a neutral party to the conflict) to facilitate communication between the parties on

⁶⁴¹ Syed Khalid Rashid. (2000) “The Importance of Teaching and Implementing ADR in Malaysia”, *Industrial Law Report*, 1 [2000] xviii, pp.1.

⁶⁴² Henry J. Brown and Arthur L. Marriot Q.C (1999). *ADR Principles and Practice*, 2nd edition, London : Sweet & Maxwell, pp.12

⁶⁴³ Tania Sourdin. (2008) *Alternative Dispute Resolution*, 3rd edition, Lawbook Co., pp.3

⁶⁴⁴ Syed Khalid Rashid. (2000) “The Importance of Teaching and Implementing ADR in Malaysia”, *Industrial Law Report*, 1 [2000] xviii, pp.1.

their positions.⁶⁴⁵ It is a private, facilitative and informal forms of third party assistance available to people who cannot manage their own conflicts and disputes.⁶⁴⁶ According to Marian Liebmann (1998), in mediation, the impartial third party (mediator) helps two (or more) disputants work out how to resolve a conflict. If the mediation session succeeds, the disputants will decide the terms of any agreement reached. The focus of mediation is usually on the future rather than past behaviour.⁶⁴⁷

Mediation is intended to resolve dispute and maintain the good relationship between parties. The role of a mediator is to assist the disputants to try to arrive at an agreed resolution of their dispute. The mediator bears no authority to make any decision that is binding, but uses certain procedures, technique and skills to help the disputants to negotiate an agreed resolution of their dispute without adjudication.⁶⁴⁸ In mediation process, the disputants have opportunity to understand and explore their differences in a constructive environment and to 'agree to disagree,' or create their own unique solutions to take into account the well-being and interests of all involved. There are many types of mediation such as civil mediation, family mediation, peer mediation and etc. Despite the variety of mediation, most scholars seem to agree that in mediation there are three defining elements: assistance, a third party and no authority to impose outcome on the disputants.⁶⁴⁹

However, the definition of community mediation is different from one area to another. Furthermore, many authors defined community mediation differently. The reason is that the

⁶⁴⁵ David A. Hardcastle, Patricia R. Powers and Stanley Wenocur. (2011). *Community Practice : Theories and Skills for Social Workers*, 3rd edition, New York : Oxford University Press, pp. 286.

⁶⁴⁶ Dale Bagshaw (2009) "When East Meets West : Developing Culturally Relevant Models for Mediation Education, Training and Practice" in Syed Khalid Rashid, Syed Ahmad Idid (eds). *Mediation and Arbitration in Asia-Pacific* (pp. 7 -16), IIUM Press, pp. 8

⁶⁴⁷ Marian Liebmann (ed) (1998) "Introduction" in *Community and Neighbour Mediation*, Great Britain : Cavendish Publishing Limited, pp.2

⁶⁴⁸ Henry J. Brown and Arthur L. Marriot Q.C (1999). *ADR Principles and Practice*, 2nd edition, London : Sweet & Maxwell, pp.127

⁶⁴⁹ James A. Wall, John B.Stark & Rhetal L. Standier (2001) "Mediation : A Current Review and Theory Development," *Journal of Conflict Resolution*, vol. 45 pp. 375

definition may be extended by including resolving disputes in a wider area instead of the community alone.

Community Mediation in Malaysia

Malaysia is a multi-ethnic, multicultural, multilingual and multi-religious country located in Southeast Asia. Geographically, Malaysia is divided into two regions i.e. the Peninsular Malaysia or West Malaysia that used to be called Malaya, it extends from the Thai border in the north to the Straits of Johor in the south and East Malaysia comprises the State of Sabah and Sarawak located on the island of Borneo. The Republic of Singapore which was part of Malaysia till 1965 is located at the southern tip. The main ethnic groups are Malays, Chinese and Indian.⁶⁵⁰ The population of Malaysia is 27 million and there are more than 60 ethnic or cultural differentiated groups can be enumerated.⁶⁵¹

The ethnic groups have full liberty to retain their identities i.e., their fundamental beliefs, religion, traditions and way of life and at the same time assimilating with. The result has caused the emergence of a unique multicultural, multi-ethnic and multi-religion of Malaysia. The diversity is not a barrier of having a harmony and peaceful life. The differences in terms of religions, languages, codes of dressing, customs, behavioural patterns are tolerated for the sake of maintaining harmony, unity and understanding.⁶⁵²

⁶⁵⁰ See Wu Min Aun (1999) *The Malaysian Legal System*, 2nd edition, Longman, pp1-2; See also Abdul Monir B. Yaacob (1989) *An Introduction to Malaysian Law*, Penerbitan Universiti Kebangsaan Malaysia Bangi, pp. 2

⁶⁵¹ Peter Church (ed.) (2012) *A Short History of South-East Asia*, 5th Edition, John Wiley & Sons, pp.82

⁶⁵² Asma Abdullah and Paul B. Pedersen (2003) *Understanding Multicultural Malaysia Delights, Puzzle & Irritations*, Pearson/Prentice Hall, pp. 16-18

Maintaining harmony and unity in the society was highly emphasized by the Malay community. Prior to the introduction of the English common law, the Malays refer their dispute to a headman (*Penghulu* or *Ketua Kampung*), who acted as a third party to resolve the matter. The Indian and Chinese who have settled down in Malaya that were considered as the immigrant practice their personal law and custom. They resolve their disputes through mediation by elders of the community, clans or guild.⁶⁵³ They tried to avoid chaos in any situation. Thus, Malaysians have been practising traditional mediation long time ago. Therefore, community mediation is not a new method of dispute resolution in Malaysia.

In Malaysia the city residents handle their conflicts as other residents of cities resident in the world do. Either they tolerate the conflict, manage it or call the police for intervention. The situations in villages however, are different since disputes are not usually taken to the police immediately but the matter will be brought by one of the disputants or a third party to the village administrator (“*Ketua Kampung*”) or to the religious leader (the *Imam*). The Imam will normally presides over family disputes since it is considered as a religious issue and the *Ketua Kampung* will presides over to other types of disputes.⁶⁵⁴ This traditional or informal community mediation has later on been absorbed by the *Rukun Tetangga* in the cities in Malaysia.

The harmony enjoyed by Malaysia today is the result of the hard work of the Malaysian government. The Government of Malaysia has played a vital role in promoting and maintaining the unity and harmony in Malaysia. Promoting unity in Malaysia is an untiring effort and ongoing process that was spearheaded by the Malaysian Government since the

⁶⁵³ G. Raman (2005) *Probate and Administration in Singapore and Malaysia : Law and Practice*, Singapore: LexisNexis, pp. 4

⁶⁵⁴ James A Wall and Ronda Roberts Callister (1999) “Malaysian Community Mediation,” *Journal of Conflict Resolution*, vol. 43 pp. 345

1970s. The Malaysian government views the issue of ethnic relations as a real threat to the social stability of the country since the occurrence of an interracial clash on 13 May 1969.⁶⁵⁵ To avoid and prevent further problem in the future, the government has taken preventive steps for example, the Ministry of Education introduced compulsory Ethnic Relation subject in universities to replace the earlier effort, the Islamic and Asian Civilisation subject that is hoped to be a foundation for a harmonious community in Malaysia.⁶⁵⁶ Institute of Ethnic Studies (“KITA”) was established in Malaysia National University (“Universiti Kebangsaan Malaysia”) in 8th October 2007.⁶⁵⁷ One Malaysia, Integration School and National Services Program were designed for the same purpose.

The most important step taken was the establishment of the DNUI in 1969. The incident in 13 May, 1969 led to the declaration of Emergency by the King on 15 May 1969 in pursuant to Article 150 of the Federal Constitution. Such declaration has empowered the establishment of a National Operation Council (*Majlis Gerakan Negara*).⁶⁵⁸ On 1 July 1969 under the command of the National Operation Council, the Department of National Unity was established to address issues related to rebuilding the social cohesion in the country at that time. The Department of National Unity has undergone many changes since 1969. The name of

⁶⁵⁵ See Aida Othman (2002) “Introducing Alternative Dispute Resolution In Malaysia : Prospects and Challenges” *Malayan Law Journal Article* [Online], Available : LexisNexis via : <http://www.lexis-nexis.com/terms/general/>

⁶⁵⁶ See Shamsul Amri Baharuddin (n.d) “Enhancing Inter-Ethnic Relations in Malaysia: Personal Observations on the Inter-ethnic Module in Public Universities”, *Occasional Papers Series 5*, International Institute of Advanced Islamic Studies, pp.7-9

⁶⁵⁷ Institute of Ethnic Studies [Online] Available: <http://www.ukm.my/kita/profilekita.html/2009> (7 June, 2012)

⁶⁵⁸ Majlis Keselamatan Negara [Online] Available: http://www.mkn.gov.my/mkn/default/article_m.php?mod=1&article=9 (7 June, 2012)

the department was changed few times and it has been placed under various departments such as Ministry of Unity, Culture, Arts and Heritage. In 2009, the department's name was changed to Department of National Unity and Integration and is placed under the auspices of the Department of the Prime Minister.⁶⁵⁹ The department focuses on national and societal integration. Their mission is to promote unity and integration by increasing the opportunities for interaction between ethnic groups through activities such as organising social gathering on festive occasion for example the celebration on Chinese New Year, Hari Raya, Christmas, Deepavali and Wesak.

One of the efforts by the Government of Malaysia is the establishment of *Rukun Tetangga* in 1975 to initially ensure the safety of the local residents. An act known as the Peaceful Neighbour Regulation 1975 (PU (A) 279/75) was approved to grant certain powers to the Peaceful Neighbour Association. In 1984, the focus of this organization changed to strengthen the relations between the various races in Malaysia.⁶⁶⁰ In 2001, the focus of this program once again turned to the development of the community. The priority of this Peaceful Neighbour programme is to help the disputants to resolve their dispute in the neighbourhood and to avoid any racial tension and subsequently create a harmony in the society.

This programme initially was introduced in few urban areas where crime rates and ethnic diversity are prominent. In 2012, Rukun Tetangga Act (Peaceful Neighbour Act) was tabled in the Malaysian Parliament and was gazette on 22nd June, 2012. Section 8 of Rukun Tetangga Act 2012 provides function and duties of Rukun Tetangga Area Committee inter alia, to provide community mediation for the purpose of conciliation or otherwise settle any dispute

⁶⁵⁹ Jabatan Perpaduan Negara dan Integrasi Nasional Negeri Selangor [Online] Available: [http://www.jpninselangor.gov.my/v2/ms/latar belakang](http://www.jpninselangor.gov.my/v2/ms/latar_belakang) (7 June, 2012)

⁶⁶⁰ "1Malaysia: Aspirasi Perpaduan Pencapaian JPNIN 2009-2011" Jabatan Perpaduan Negara dan Integrasi Nasional pp.10

or difference amongst the members of community (Section 8(d)). Currently, Peaceful Neighbour is placed under the auspices of Community Development Unit under the DNUI.

The DNUI in promoting integration and harmony residential area has developed the Rukun Tetangga programme in certain area to a pilot project of “Community Mediation” programme. The main purpose is to train the Rukun Tetangga Area Committee to be Community Mediators in their residential who plays the roles as third party in helping the disputants/residents to resolve their dispute. The idea of having this pilot project emerged from the finding of DNUI that the social tensions at the community level arises from the inter-ethnic and intra-ethnic fight. The project was developed in 2007 and implemented in 2008.⁶⁶¹ Presently, Community Mediator is placed under the auspices of the Unity Management Unit under the DNUI. As the result, the Rukun Tetangga Area Committee is wearing two hats. They are the Community Mediators under Unity Management Unit and at the same time the Rukun Tetangga Area Committee under the Community Development Unit. Please refer to Diagram 1 of Appendix 1 attached herein illustrating the position of community mediator and Rukun Tetangga in the Department of National Unity and Integrity organization.

The mediators are trained by Dato Dr Wan Halim Othman, who has been appointed by the DNUI. He is the only trainer since the programme was launch until today. The training began with the introduction of community mediation in general. This is because many of Malaysians do not have any information on ADR, mediation or community mediation. Thus, the leaders of Rukun Tetangga or the participants need to understand the general idea of community mediation. The second part of the training focuses on the role of the participants as community mediators. There are 20 steps that need to be understood by the participants. Thus, the programme is well-known or frequently referred to as “*Kursus Kemahiran Proses Mediasi*

⁶⁶¹ Ho Khek Hua. (2009). “Talk On : Community Mediation” Workshop on Empowering Communities Through Mediation in Malaysia. Vistana Hotel, Kuala Lumpur pp. 2-3

Komuniti 20 Langkah” or “Skill of Community Mediation Process 20 Steps” in Malaysia. This programme consisted of 4 phases and each phase is a four days course. Each session has a large number of participants for example 80 to 100 persons. The training methodologies adopted is workshop, attendee active participation and role-playing sessions.⁶⁶²

The term “Community Mediator” in Malaysia under the Community Mediation Programme by the DNUI is different from the term Community Mediator in Singapore. According to Wan Halim Othman (2009) Rukun Tetangga committee leaders are trained as a second sense of the term “Community Mediator” rather than as professional community mediator. He explained that the first sense of community mediator refer to a person who has undergone a specific technique in conflict resolution, trained and recognized as official mediator or professional mediators. The second sense of mediator is a third party who involve in dealing with any social situation.⁶⁶³ He distinguishes the two terms of community mediator. It is understood that the terms are differentiated to show the training received by the mediators to enable them to be community mediators. They may be professional community mediators if they have undergone a professional training. Nevertheless, they act as a third party and called “Community Mediator” in assisting people in their neighbourhood in resolving disputes. Hence, Malaysian Community Mediators fall under the second sense of community mediator.

⁶⁶² The writer has attended 3 training sessions for community mediation i.e, Phase 1, Phase 2 and Phase 3 under the Department of National Unity and Integrity. The first training was conducted at Regency International Hotel, Kuala Lumpur on 30th March, 2012 – 2nd April, 2012, the second training session was conducted at Country Heights Resorts & Laisure Sports Living Club, Kajang on 11th May 2012 – 14th May, 2012 and the third training session was conducted at Hotel Excelsior, Ipoh Perak on 29th June, 2012 – 2nd July, 2012.

⁶⁶³ Wan Halim Othman. (2009). “Community Based Mediation in Malaysia : Rukun Tetangga” Workshop on Empowering Communities Through Mediation in Malaysia. Vistana Hotel, Kuala Lumpur pp.216-217

The programme has been proven successful in defusing social and racial tension with over 200 cases resolved in 2010.⁶⁶⁴ The Government of Malaysia was very much interested in promoting unity and integration. Therefore, the government has given full support to the effort of the DNUI and increase the budget over this matter. This has given the DNUI more room in enhancing this programme. The DNUI has sent more Rukun Tetangga leaders to the training. As a result, in March 2012 a number of 519 individuals were as trained community mediators. The efforts of DNUI paid off. The cases involving racial issue have decreased from 1315 cases in 2007 to 912 in 2011. The DNUI has planned to train more mediators in the future to ensure that each area of Rukun Tetangga will has at least one mediator.⁶⁶⁵ The effort of the DNUI has been further appreciated.

Malaysia has been ranked the most peaceful country in South East Asia, the fourth safest in the Asia Pacific behind New Zealand, Japan and Australia, and the 19th safest and peaceful out of 153 countries in the world. This ranking by the Global Peace Index (GPI) 2011 is the first time that Malaysia has been placed that high since 2007, being one of the six non-European nations making the top 20 list.⁶⁶⁶

Previously, the community mediators are not governs by any rules, direction or regulation. They refer to the training manual given by the trainer to conduct a mediation session and to govern their rules of conduct. However, in 5 September 2011, a Community

⁶⁶⁴ “Jumlah Mediator Komuniti di Seluruh Negara Ditambah” , Utusan Online Archives (8 October, 2011) [Online] Available : http://www.utusan.com.my/utusan/info.asp?y=2011&dt=1008&pub=utusan_malaysia&sec=Terkini&pg=bt_23.htm&arc=hive (7 June, 2012)

⁶⁶⁵ Koh Tsu Koon (2012). “Dialog Y.B Tan Sri Dr Koh Tsu Koon, Menteri di Jabatan Perdana Menteri Bersama Mediator Komuniti” unreported in *Case Conferencing of Community Mediator*. Seri Cempaka Service Suites, Menara PGRM, (24 March 2012)

⁶⁶⁶ Bernama (2011) “M’sia 19th safest country : Global Peace Index”, (The Star, 22 July, 2011) [Online] Available: http://thestar.com.my/news/story.asp?sec=nation&file=/2011/7/22/nation/20110722204309#1338107249035102&if_height=340

Mediator Association had been incorporated to gather and unite all the mediators under one umbrella. The Association has outlined some code of conduct that has to be observed by the mediators. This is the only rule that bind the conduct of mediators at this moment in addition to the rules of conduct and ethic that has been thought in the training sessions. The mediation session handle by the mediator is free of charge. There are no charges imposed on each mediation session and the mediators are not paid. They work on voluntary basis.⁶⁶⁷ It is hoped that this programme will continuously benefit Malaysian society in promoting unity and integrity between the different ethnic groups and to avoid social and racial tension in future.

Community Mediation in Singapore

The Republic of Singapore comprises the main island of Singapore and some 54 small islets within its territorial waters and jurisdiction. The country has a total land area of only 699.4 square kilometres, 500 of which is taken up by the diamond-shaped main island, which is 41.8 kilometres in length and 22.5 kilometres in breath.⁶⁶⁸ Mediation has been institutionalized much earlier in Singapore than Malaysia. Formal Mediation in Singapore may be divided into 3 categories, first, court-annexed mediation; second, mediation in tribunals, government departments and agencies and third, private mediation that have began in the mid 1990s and now is gaining more popularity.⁶⁶⁹ Mediation in this paper refers to formal

⁶⁶⁷ Koh Tsu Koon (2012). "Speech of Y.B Tan Sri Dr Koh Tsu Koon, Menteri di Jabatan Perdana Menteri" unreported *Presentation of Community Mediator's Letter of Appointment*. Seri Cempaka Service Suites, Menara PGRM, (25 March 2012)

⁶⁶⁸ Saw Swee Hock (2007) *The Population of Singapore* 2nd edition, Institute of Southeast Asian Studies, pp. 1

⁶⁶⁹ Loong Seng Onn (2009) "Non-Court Annexed Mediation in Singapore" in Syed Khalid Rashid and Syed Ahmad Idid (eds). *Mediation & Arbitration in Asia Pacific*, (pp 133 -142), IIUM Press pp. 133

mediation or institutionalised mediation, unless otherwise mentioned clearly that the word mediation refers to traditional, uninstitutionalised or informal mediation.

Community mediation is also not a new method of dispute resolution in Singapore. Malaysia and Singapore shared the same history until the separation in 1965. Prior to the introduction of English legal system that lead to the embracement of litigation in courts by the people, the concept of solving problem by a third party as has been practised by the Malays through the headman, the Indian through *panchayat* and Chinese who refer a dispute to the community leaders such as leaders of Chinese clan association.⁶⁷⁰ The current formal mediation or the institutionalised mediation centre has adopted the same method.

“We often compare this process with the traditional ‘kampong style’ approach of resolving problems through informal channels with the aid of respected third parties. The kampong ketua, the elder in village communities of old, performed a mediatorial role between squabbling neighbours. Such activities promoted community cohesion.”⁶⁷¹

“The CMCs have also embarked on a pilot project which involves the conduct of visits by paired teams of trained CMC mediators and grassroots leaders to the residences of unwilling disputants embroiled in neighbourly conflicts to persuade them to try mediation. In many ways, this replicate the concept of a “kampong ketua” or Malay village elder, who historically played the role of “mediator” in village disputes.”⁶⁷²

Community Mediation in Singapore was established from the idea of Prof. S. Jayakumar, the Minister for Law and Minister for Foreign Affairs of Singapore in further promoting Alternative Dispute Resolution process in Singapore. In 1996, the inter-agency Committee was tasked to explore on how to further promote mediation in Singapore. In 1997, mediation was

⁶⁷⁰ Yong Pung How (2002) Speech at the Launch of “Disputemanager.com” City Hall Chamber, City Hall Building, Singapore (31 July 2002) pp.4

⁶⁷¹ Community Mediation Centre Annual Report 2002-2003 pp. 5

⁶⁷² Community Mediation Centre Annual Report 2003-2004 pp. 5

recommended by the Committee⁶⁷³ to be promoted to resolve social and community disputes. Particularly, mediation is an Asian tradition and culture that are worth to be preserved. Prof. S Jayakumar supported the recommendation and the Ministry of Laws was tasked to look into introducing community mediation as part of Singapore's dispute resolution infrastructure.⁶⁷⁴

The Committee in their report dated 4th July, 1997, recommended that in order to prevent Singaporeans becoming too litigious, less expensive and non-adversarial methods or dispute resolution should be introduced, covering a wide range of social, community and family dispute.⁶⁷⁵

The Government of Singapore was very serious in their effort in establishing the Community Mediation Centre. They have upon acceptance of the recommendation, set up an Alternative Dispute Resolution ("ADR") Division within the Ministry of Law to oversee and co-ordinate the operation of the Community Mediation Centres (CMCs).⁶⁷⁶ The Community Mediation Centres Act (CAP. 49A) ("CMC Act") came into force in January, 1998 providing for the establishment of the first Community Mediation Centre in November, 1998.⁶⁷⁷

⁶⁷³The Committee on the Alternative Dispute Resolution (ADR) was chaired by Assoc Professor Ho Peng Kee, then Senior Parliamentary Secretary to the Ministry of Law. See also Community Mediation Centre Annual Report 2002-2003 pp.9

⁶⁷⁴ Ibid pp.3

⁶⁷⁵ See Ibid pp.9

⁶⁷⁶ Ibid.

⁶⁷⁷ Goh Joon Seng (2003) "Mediation in Singapore : the Law & Practice", *Workshop 4 : Arbitration and Mediation in ASEAN : the Law & Practice*, ASEAN Law Association 8th General Assembly, Singapore, pp. 159

The first Centre was established in Marine Parade District Hall, known as Community Mediation Centre (Regional East) and commenced operations in January, 1998. Over the years satellite mediation venues have also been set up. Currently, there are 3 main centres and 7 satellite mediation venues in Singapore to provide disputing parties with the additional convenience of having their cases mediated at an alternative location close to their residence.⁶⁷⁸

The first structure of the CMC is illustrated by Diagram 2 of Appendix 2. The CMCs are managed by a team of Centre Managers and Executives under the purview of the Community Mediation Unit (CMU) of the Alternative Dispute Resolution Division of the Ministry of Law.⁶⁷⁹ The centre activities and daily case management function are run by full-time staffs who are civil servant employed by the Ministry of Law.⁶⁸⁰

The latest structure is illustrated by Diagram 3 of Appendix 2. The structure has changed where the CMU is set up within the Ministry of Law to oversee and coordinate the CMC'S work. The Consultant has replaced the Deputy Manager (Operation and Training). CMC (Regional East) has moved its operation to CMC (Subordinate Court) effective from 16 February 2007.⁶⁸¹ The CMC has improved its administration tremendously in ensuring the effectiveness of its services since 1998. The CMC Act provides that the Minister may arrange

⁶⁷⁸ Community Mediation Centre Annual Report 2009-2010 pp. 4

⁶⁷⁹ Community Mediation Centre Annual Report 2002-2003 pp. 11

⁶⁸⁰ Gloria Lim, Cheryl Lim & Elaine Tan (2009). "Promoting Mediation as an Alternative Dispute Resolution Process to Resolve Community and Social Dispute -A Singapore Perspective" *First Asian Mediation Association Conference "Mediation Diversity – Asia & Beyond"*. Marina Mandarin Singapore, pp.2

⁶⁸¹ Community Mediation Centre, Ministry of Law, Singapore Government [Online] Available : <http://app2.mlaw.gov.sg/ContactInfo/tabid/312/Default.aspx>

for evaluation of the CMC at any time he thinks fit.⁶⁸² Subsequently, the Ministry may make improvement and changes of the CMC in its operation and activities.

The CMC Act is the governing law for the CMC. It covers the community mediation centres, mediation inclusive mediators and some miscellaneous issue such as the mandatory submission of the CMC annual report by the Director to the Minister to be laid before the Parliament.⁶⁸³ The Act provides that any person is allowed to refer a dispute to the Centre and also the Magistrate may refer any appropriate case from the Magistrate Court to the Centre.⁶⁸⁴ The Act also provides that the mediation process is voluntary⁶⁸⁵ in line with the tenet of mediation. Nobody will be forced to opt for mediation in resolving their dispute. In the event, the parties decided to withdraw from mediation session at any time, they may do so.⁶⁸⁶

The fundamental character of CMC is to cater community dispute and relational issues consistent with its mission. The Centre resolve dispute within family, relatives, disputes between stall holders, provision shop owners, neighbours, sometimes even land lord and tenant

⁶⁸² See Section 16 Community Mediation Centre Act (Cap. 49A) (1998)

⁶⁸³ See Section 21 Community Mediation Centre Act (Cap. 49A) (1998)

⁶⁸⁴ Community Mediation Centre Annual Report 2002-2003 pp. 9 See also Section 15 Community Mediation Centre Act (Cap. 49A) (1998)

⁶⁸⁵ See Section 12(1) Community Mediation Centre Act (Cap. 49A) (1998)

⁶⁸⁶ See Section 12(2) Community Mediation Centre Act (Cap. 49A) (1998)

issues. It does not handle commercial disputes, family violence⁶⁸⁷ and any dispute that involves seizable offence under any written law.⁶⁸⁸

The mediation session is to be conducted with a little formality and technicality and with as much expedition as possible.⁶⁸⁹ This requirement is maintaining the original tenet of mediation, informality. The rules of evidence do not apply to mediation sessions.⁶⁹⁰ The mediation services are rendered free of charge, with only a nominal administrative fee of SGD 5.00 charged to the complainant at the point of registration, to deter frivolous case registration.⁶⁹¹

The CMC's mediators are volunteers who have undergone basic mediation training before they are appointed for a 2 years term. The content of the training includes understanding the objective and philosophy of mediation, the mediation process, techniques of communication and counseling skills.

During the early stages of the Centre, the training of mediators was provided by the Centre.⁶⁹² However, in 2004 – 2005 the training of mediators has been shifted to the

⁶⁸⁷ Community Mediation Centre Annual Report 2003 -2004 pp. 13

⁶⁸⁸ Community Mediation Centre Annual Report 2008-2009 pp. 5 *See also* Section 15 Community Mediation Centre Act (Cap. 49A) (1998)

⁶⁸⁹ *See* Section 10 (1) Community Mediation Centre Act (Cap. 49A) (1998)

⁶⁹⁰ *See* Section 10 (2) Community Mediation Centre Act (Cap. 49A)

⁶⁹¹ Community Mediation Centre, Ministry of Law, Singapore Government [Online] Available <http://app2.mlaw.gov.sg/MediationServices/MediationProcedure/FeesCharges/tabid/307/Default.aspx>

⁶⁹² Community Mediation Centre Annual Report pp. 18

Community Mediation Unit and they have focused on this task to sustain a high level of professionalism of the Centre's volunteer mediators.⁶⁹³ In 2002 and onwards, mediators who had conducted a requisite number of mediations were conferred with the title of "Master Mediator". The highest title accorded is one of "Senior Master Mediator", where the mediator assumes the role of mentoring, training, leading and developing fellow mediators.⁶⁹⁴

The basic training comprises an intensive two days Basic Mediation Workshop conducted by CMU Consultant, Senior Master Mediator Dr Lim Lan Yuan. Volunteers who are deemed suitable will then be shortlisted and nominated for appointment as mediators⁶⁹⁵ by the Minister for Law.⁶⁹⁶ They are required to upgrade their skills continually. The ongoing advance training in mediation, thematic workshops and roundtable session enables them to share experiences and learn from one another.⁶⁹⁷

Community Mediation Report 2003-2004 provides training structure diagram as illustrated by Diagram 4 of Appendix 3 attached herein showing the stages that need to be undergone by the mediator to be appointed as mediator and thereafter to upgrade their skills. Later, in 2005 on top of undergoing the two days course, the volunteer selected had to undergo 2 co-mediation sessions with experienced CMC mediators. The appointment of the volunteer is

⁶⁹³ Community Mediation Centre Annual Report 2004-2005 pp. 6-7

⁶⁹⁴ Community Mediation Centre Annual Report 2010-2011 pp. 17

⁶⁹⁵ Community Mediation Centre Annual Report 2009-2010 pp. 11

⁶⁹⁶ See Section 8 Community Mediation Centre Act (Cap. 49A) (1998)

⁶⁹⁷ Community Mediation Centre Annual Report 2004-2005 pp. 17

by evaluations and recommendation of the co-mediator and the CMC Director and subsequently by an official appointment by the Minister of Law.⁶⁹⁸

The latest structure of training is provided by the Community Mediation Report 2010-2011 as illustrated by Diagram 5 of Appendix 3 attached herein. In 2010, the requirement of upgrading the mediators' skill was made mandatory. The mediators are required to attend courses organized by CMC as part of their continuing professional development. Thus, Advance Mediation Course (Refer to Diagram 4 of Appendix 3) previously provided by CMU was changed to Continuing Professional Development. The mediator training under Continuing Professional Development comprises Internal Training and External Training. In 2011, CMC introduced a series of Master Classes comprises of three modules: "Situational Management Mediation", "Sharpening Mediation Skills" and "Moving towards Settlement" led by CMU Consultant under Internal Training course. CMC also invites external trainer such as the Singapore Mediation Centre to provide courses under the External Training to improve the mediators' skills.

The mediators are respected members of the society from all walks of life, different age groups,¹ ethnic groups and professions. They comprise mainly of grassroots and other community leaders, chosen for their commitment and dedication to community service work. This made them easily recognised and respected by the resident. The reason to appoint such person by the CMC is to enforce the CMC philosophy of empowering communities to work out their own problem.⁶⁹⁹

The efforts of the CMC have resulted encouraging increase in number of the cases referred to the CMC and the percentage of settlement. The Community Mediation Centre

⁶⁹⁸ Community Mediation Centre Annual Report 2005-2006 pp. 32

⁶⁹⁹ Community Mediation Centre Annual Report 2005-2006 pp. 17

Annual Report 2005-2006 reported that in 1998, there were 120 cases referred to the Community Mediation Centre (CMC) Regional East, the one and only centre at that time. In April 1999, the second centre, CMC Central was set up. Subsequently, the number of cases has increased to 211. In 2001, the third centre, CMC Regional North was set up and the cases referred to the Centre were 273. Total cases referred to the Centre from 1998 to 2002 were 1063 cases and the settlement rate was 75%.⁷⁰⁰ The cases that have reached settlement for the 5 years period was 797.

The Community Mediation Centre Annual Report 2010-2011 reported that from 1998 to 2010, there were 5349 cases mediated and 72% have reached settlement.⁷⁰¹ That means almost 3851 cases has been solved by the Centre within the duration of 13 years. It may be concluded that from 2005 to 2010 the cases solved by the Centre through mediation increased by 79%. The Singapore CMCs shows that an efficient centre will provide good services to the people. Subsequently, it will encourage the citizens to resolve their dispute by community mediation in their neighbourhood.

Result, Discussion and Recommendation

Singapore has developed community mediation as the method of resolving neighbourhood dispute upon the set up of the Community Mediation Centre Act i.e, the law and thereafter developed the CMCs. The law and the centre provide a good foundation for CMC. Malaysia on the other hand has started a pilot programme to see the effectiveness of community mediation in Malaysian urban society. The programmed is started without a centre

⁷⁰⁰ Community Mediation Centre Annual Report 2002-2003 pp. 21

⁷⁰¹ Community Mediation Centre Annual Report 2010-2011 pp. 8

and regulatory laws. This is the different between the Malaysian and the Singaporean community mediation in establishing this method of dispute resolution in both countries.

In Malaysia, there are two units under DNUI involved in the pilot project of Community Mediation i.e., the Unity Management Unit that deals with community mediator and the Community Development Unit that deals with the Rukun Tetangga Area Committee. Both are dealing with the same persons who involved in the project. It is afraid that the instructions received from the two units might be redundant or contrary. However, the instruction in most of the times, complement each others. If the instructions are contrary and redundant, the mediator cum Rukun Tetangga Area Committee may face confusions or problems. The only reason the Rukun Tetangga Area Committees are chosen to be the community mediator in the community mediation pilot project is because they are the grassroots leaders. This situation may also create conflicts since the Rukun Tetangga Area Committees is holding two positions.

It is suggested that to avoid conflict between the two positions in future, the community leader should be given choice either to be a community mediator or Rukun Tetangga Area Committee. The community mediators then may concentrate on mediation and Rukun Tetangga Area Committee may concentrate on their duties. Nonetheless, Rukun Tetangga Area Committee must be trained for community mediation as they suppose to mediate under Section 8 of the Rukun Tetangga Act 2012.

The writer proposes that Malaysian CMC should be the institution to provide the training to the Rukun Tetangga Area Committee, despite that they have separate centre. Thus, the DNUI may utilize all the resources in CMC to provide the training. It is suggested that despite the fact the Rukun Tetangga Area Committee is also a community mediator, they should not mediate unless in an urgent cases. They are advised to refer the cases to CMC to be handled by the community mediators. It is also suggested that with regards to the issue who

may request for mediation, the CMC should adopt a method where the request may be made by the disputants or the third party. Hence, the Rukun Tetangga Area Committee will be the third party to request for a mediation to be conducted to the CMC. This situation will give confidence to the resident in the mediation tenet of impartiality of mediator.

Currently, the offer of training for community mediators is limited to the Rukun Tetangga Area Committee. In other words only the Rukun Tetangga Area Committee has the chance to be a community mediator. Many professions do not have the opportunity to join this programme due to no information on how to join this programme or the DNUI is yet to open application for others except the Department's staff. It is suggested that DNUI to open the application to all professions to be community mediators with conditions that they need to be active in community service. If this take place, the writer believes that many citizens interested to get involved in this project.

It is recommended that the training provided by DNUI may also be focused on professional mediators. Thus, there will be two types of training; the first sense and the second sense as mentioned earlier in this paper. The advantages to have two types of Community Mediators are mediators will have a proper training that will suit their practice with the level of thinking of the residents in their neighbourhood. Singapore has been providing the professional mediators training the community mediator and it works well. Singapore Community Mediation Centre under the Minister of Law managed to resolve 72% out of 5349 cases mediated in the centre. Even though Singapore has shown an excellent progress, Malaysia may not follow blindly. A suitable system need to be created to suit the people since Malaysia is a bigger country with more population.

The second reason to have two types of training is in recent situation, many Malaysians have information about ADR and mediation especially the professional persons. Every field now is promoting mediation for example mediation in business, mediation in architecture,

court annexed mediation, mediation in company etc. Thus, the second sense mediation is not suitable for the professional people as they may have advance information on mediation.

The writer proposes an organization structure of Malaysian CMC as illustrated by Diagram 6 of Appendix 4 attached herein in the urban areas. It is proposed the CMC to be under the DNUI under the Unity Management Unit. There will be a Manager who is answerable to the Unity Management Unit. The Manager will be assisted by a Deputy Manager (Development) who will handle further training for the mediator and liase with Institute of Research and National Integration Training (IKLIN) that has been incorporated to handle all trainings for DNUI. The Manager will also be assisted by a Deputy Manager (Operational) who will be assisted by the Centre Manager in handling CMC activities and operations. The Centre Manager will be assisted by two officers: 1. the officer who manage the affairs of community mediators, the operation of mediation sessions and any cases that been report directly to the centre and 2. the officer who manage the cases reported by the Rukun Tetangga and to handle community mediators who are also Rukun Tetangga Area Committee.

Malaysia needs to have a separate community mediation centre from the Rukun Tetangga. It is important to have a different identity. The Rukun Tetangga is a developed program with a set of laws, whereas community mediation is developing and at its initial stage. The residents who might not have time to participate in Rukun Tetangga programme will have the opportunity to participate in Community Mediation programme. It is hope that the DNUI will open application for others to join this Community Mediation Programme. If this pilot project is prolonged with this nature, not many residents will have the chance to participate and contribute.

Conclusion

Malaysia has taken an excellent step in introducing formal community mediation in resolving dispute between her multi-ethnic, multicultural and multi-religion citizens. However, Malaysia is still new in implementing the formal community mediation. There are many rooms for improvements. The most important action to be taken is to have a community mediation centre that is separated from Rukun Tetangga together with a regulatory law. The separate entity, a centre and a set of rule will develop the community mediation better under DNUI.

Bibliography

Books and Chapter in Books

- Abdullah, Asma and Pedersen, Paul B. (2003) *Understanding Multicultural Malaysia Delights, Puzzle & Irritations*, Pearson/Prentice Hall
- Aun, Wu Min (1999) *The Malaysian Legal System*, 2nd edition, Longman
- Baig, Farheen Baig Sardar (2010) "Community Mediation" in Mohammad Naqib Ishan Jan & Ashgar Ali Ali Mohamed (eds). *Mediation in Malaysia : The Law and Practice* (pp. 155-170), LexisNexis
- Brown, Henry J. and Q.C, Arthur L. Marriot (1999). *ADR Principles and Practice*, 2nd edition, London : Sweet & Maxwell
- Church, Peter (ed.) (2012) *A Short History of South-East Asia* , 5th Edition, John Wiley & Sons
- Hardcastle, David A., Powers, Patricia R. and Wenocur, Stanley. (2011). *Community Practice : Theories and Skills for Social Workers*, 3rd edition, New York : Oxford University Press
- Hock, Saw Swee (2007) *The Population of Singapore* 2nd edition, Institute of Southeast Asian Studies
- Liebmann, Marian (ed) (1998) "Introduction" in *Community and Neighbour Mediation*, Great Britain : Cavendish Publishing Limited
- Raman, G. (2005) *Probate and Administration in Singapore and Malaysia : Law and Practice*, Singapore: LexisNexis

Sourdin, Tania (2008) *Alternative Dispute Resolution*, 3rd edition, Lawbook Co.

Yaacob, Abdul Monir (1989) *An Introduction to Malaysian Law*, Penerbitan Universiti Kebangsaan Malaysia Bangi

Articles, Workshops and Conference

Baghshaw, Dale (2009) "When East Meets West : Developing Culturally Relevant Models for Mediation Education, Training and Practice" in Syed Khalid Rashid, Syed Ahmad Idid (eds). *Mediation and Arbitration in Asia-Pacific* (pp. 7 -16), IIUM Press

Baharuddin, Shamsul Amri (n.d) "Enhancing Inter-Ethnic Relations in Malaysia: Personal Observations on the Inter-ethnic Module in Public Universities", *Occasional Papers Series* 5, International Institute of Advanced Islamic Studies

How, Yong Pung (2002) Speech at the Launch of "Disputemanager.com" City Hall Chamber, City Hall Building, Singapore

Hua, Ho Khek (2009). "Talk On : Community Mediation" Workshop on Empowering Communities Through Mediation in Malaysia. Vistana Hotel, Kuala Lumpur

Lim, Gloria, Lim, Cheryl, and Tan, Elaine, (2009). "Promoting Mediation as an Alternative Dispute Resolution Process to Resolve Community and Social Dispute -A Singapore Perspective" *First Asian Mediation Association Conference "Mediation Diversity – Asia & Beyond"*. Marina Mandarin Singapore

Onn, Loong Seng (2009) "Non-Court Annexed Mediation in Singapore" in Syed Khalid Rashid and Syed Ahmad Idid (eds). *Mediation & Arbitration in Asia Pacific*, (pp 133 -142), IIUM Press

Othman, Aida (2002) "Introducing Alternative Dispute Resolution In Malaysia : Prospects and Challenges" *Malayan Law Journal Article* [Online], Available : LexisNexis via : <http://www.lexis-nexis.com/terms/general/>

Othman, Halim Othman (2009). "Community Based Mediation in Malaysia : Rukun Tetangga" Workshop on Empowering Communities Through Mediation in Malaysia. Vistana Hotel, Kuala Lumpur

Rashid, Syed Khalid (2000) "The Importance of Teaching and Implementing ADR in Malaysia", *Industrial Law Report*, 1 [2000] xviii

Seng, Goh Joon (2003) "Mediation in Singapore : the Law & Practice", *Workshop 4 : Arbitration and Mediation in ASEAN : the Law & Practice*, ASEAN Law Association 8th General Assembly, Singapore

Wall, James A. and Callister, Ronda Roberts (1999) "Malaysian Community Mediation," *Journal of Conflict Resolution*, vol. 43

Wall, James A., Stark, John B. & Standier, Rhetal L. (2001) "Mediation : A Current Review and Theory Development," *Journal of Conflict Resolution*, vol. 45

Unreported Speech and Notes

"1Malaysia: Aspirasi Perpaduan Pencapaian JPNIN 2009-2011", Jabatan Perpaduan Negara dan Integrasi Nasional

Koh Tsu Koon (2012). "Speech of Y.B Tan Sri Dr Koh Tsu Koon, Menteri di Jabatan Perdana Menteri" *Presentation of Community Mediator's Letter of Appointment*. Seri Cempaka Service Suites, Menara PGRM, (unreported speech)

Koh Tsu Koon (2012). "Dialog Y.B Tan Sri Dr Koh Tsu Koon, Menteri di Jabatan Perdana Menteri Bersama Mediator Komuniti" in *Case Conferencing of Community Mediator*. Seri Cempaka Service Suites, Menara PGRM, (unreported speech)

Newspapers and Annual Reports

Bernama (2011) "M'sia 19th safest country : Global Peace Index", (The Star, 22 July, 2011) [Online] Available: http://thestar.com.my/news/story.asp?sec=nation&file=/2011/7/22/nation/20110722204309#1338107249035102&if_height=340 (7 June, 2012)

Jumlah Mediator Komuniti di Seluruh Negara Ditambah" , Utusan Online Archives (8 October, 2011) [Online] Available : http://www.utusan.com.my/utusan/info.asp?y=2011&dt=1008&pub=utusan_malaysia&sec=Terkini&pg=bt_23.htm&arc=hive (7 June, 2012)

Community Mediation Centre Annual Report 2002-2003

Community Mediation Centre Annual Report 2003 -2004

Community Mediation Centre Annual Report 2004-2005

Community Mediation Centre Annual Report 2005-2006

Community Mediation Centre Annual Report 2008-2009

Community Mediation Centre Annual Report 2009-2010

Community Mediation Centre Annual Report 2010-2011

Website

Community Mediation Centre, Ministry of Law, Singapore Government [Online] Available
<http://app2.mlaw.gov.sg/MediationServices/MediationProcedure/FeesCharges/tabid/307/Default.aspx>

Community Mediation Centre, Ministry of Law, Singapore Government [Online] Available :
<http://app2.mlaw.gov.sg/ContactInfo/tabid/312/Default.aspx>

Delhi Mediation Centre, *History*, [Online], Available :
<http://delhimediationcentre.gov.in/introduction.htm> [7 June 2012]

Institute of Ethnic Studies [Online] Available:
<http://www.ukm.my/kita/profilekita.html/2009> (7 June, 2012)

Jabatan Perpaduan Negara dan Integrasi Nasional Negeri Selangor [Online] Available:
http://www.jpninselangor.gov.my/v2/ms/latar_belakang (7 June, 2012)

Majlis Keselamatan Negara [Online] Available:
http://www.mkn.gov.my/mkn/default/article_m.php?mod=1&article=9 (7 June, 2012)

Panchayat System in India, [Online], Available :
http://www.indianetzone.com/40/panchayat_system_india.htm [7 June 2012]

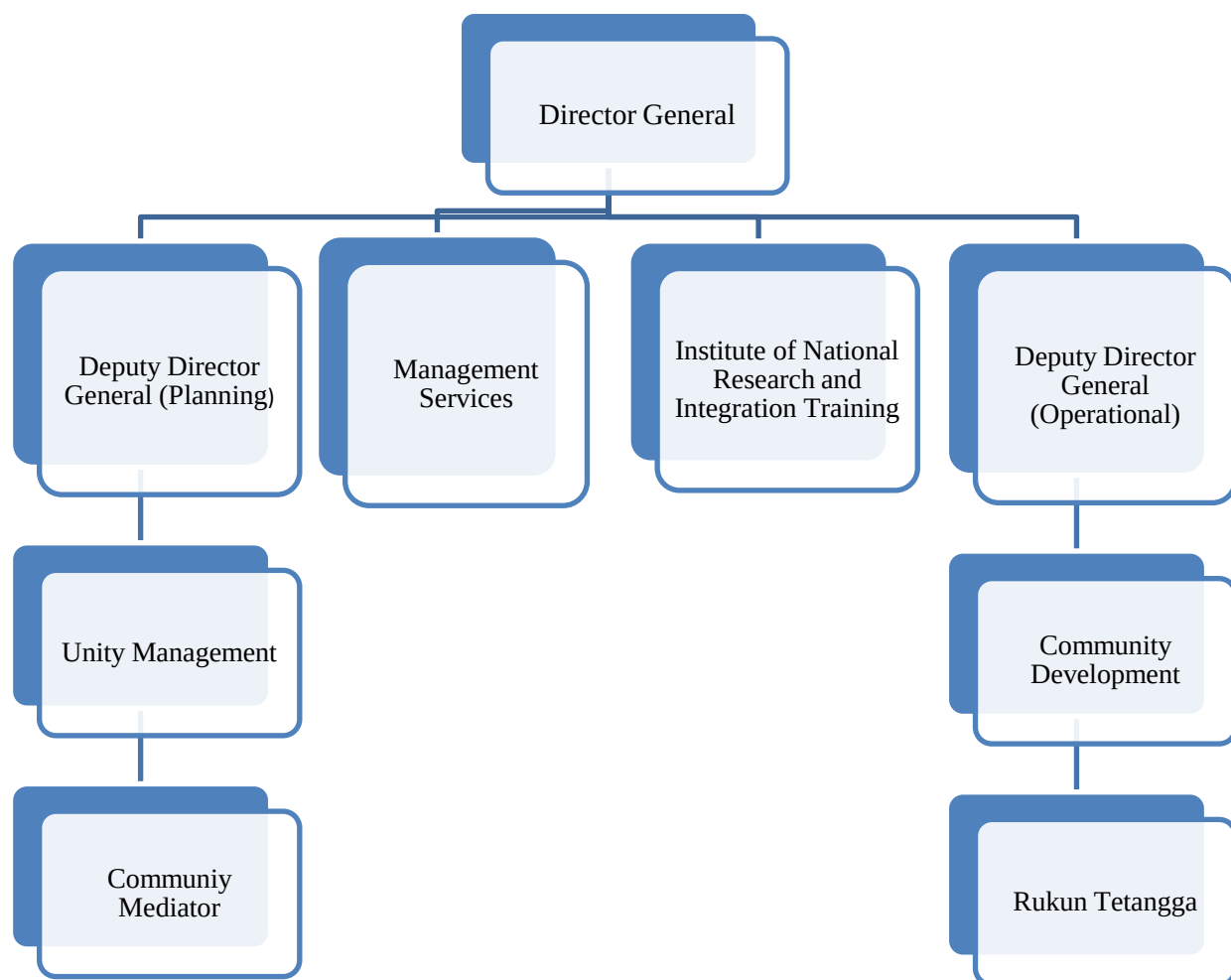
Act

Community Mediation Centre Act (Cap. 49A) (1998)
Rukun Tetangga Act 2012 (Act 750)

Appendices

Appendix 1

Diagram 1: The Position of Community Mediator and Rukun Tetangga in the Department of National Unity and Integrity Organisation Chart



Appendix 2

Diagram 2 : Organisation Structure of Community Mediation in 2002-2003⁷⁰²

⁷⁰² Community Mediation Centre Annual Report 2002-2003, at 11

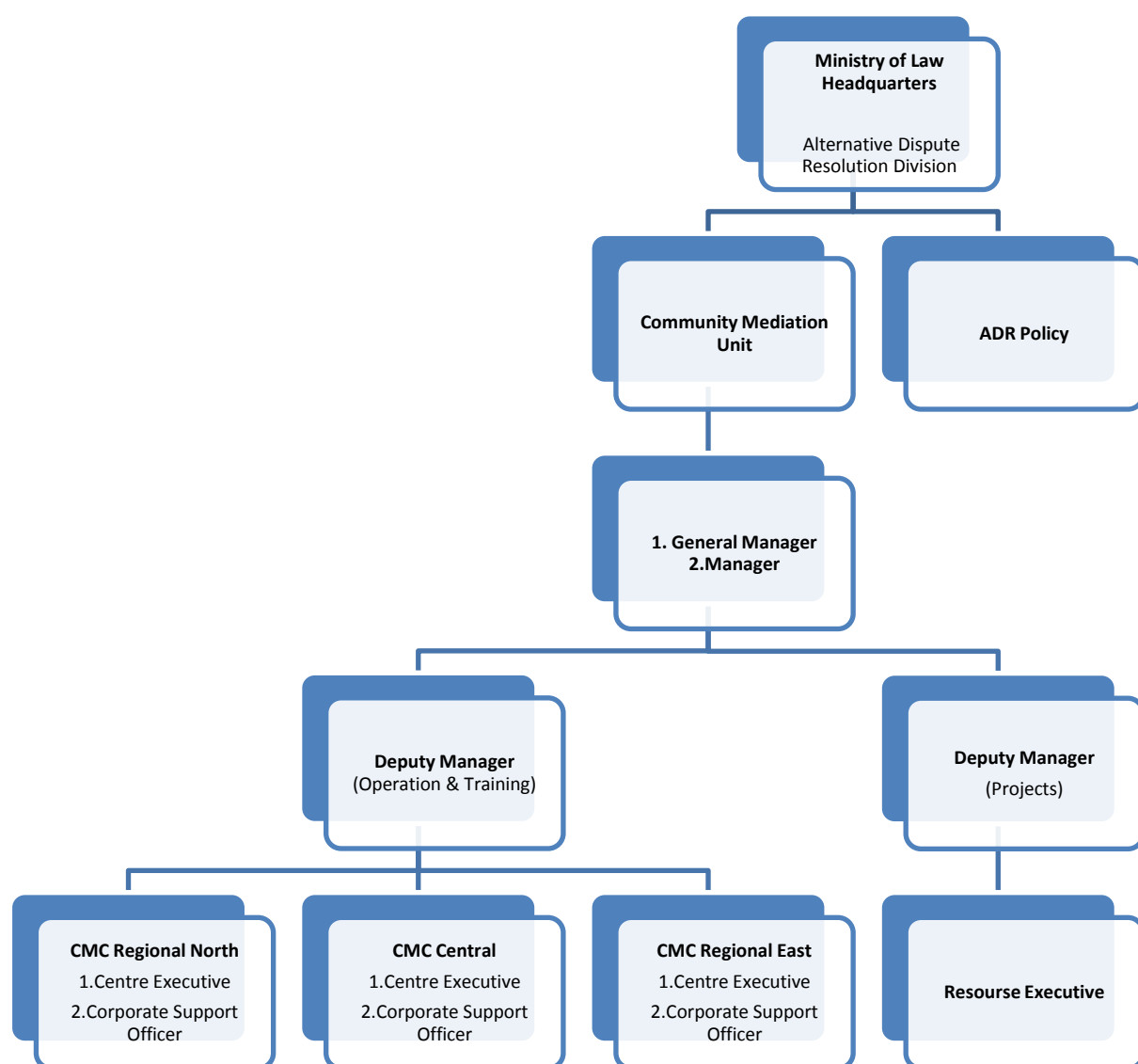
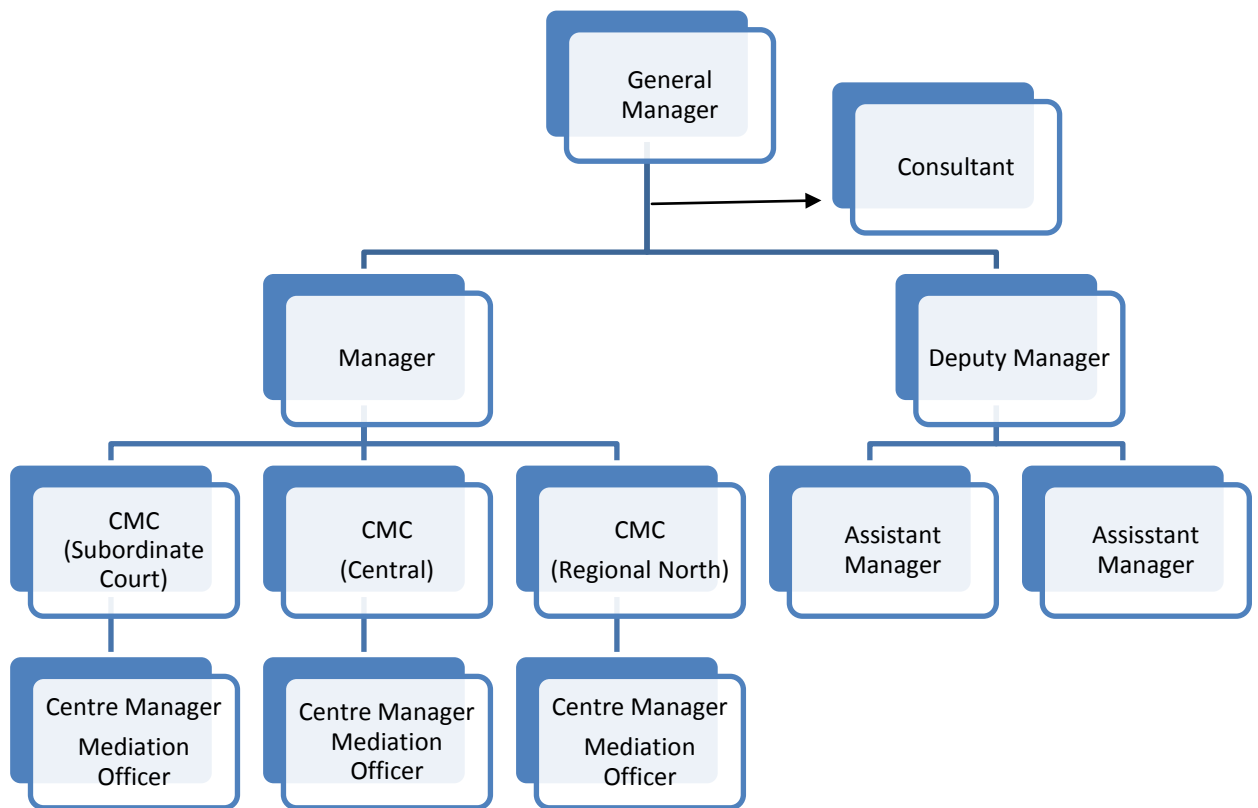


Diagram 3 : Organisation Structure of Community Mediation Centre as at July 2011⁷⁰³

⁷⁰³ Community Mediation Centre Annual Report 2010-2011, at 7



Appendix 3

Diagram 4 : Training Structure Diagram of Singapore Community Mediation Centre⁷⁰⁴

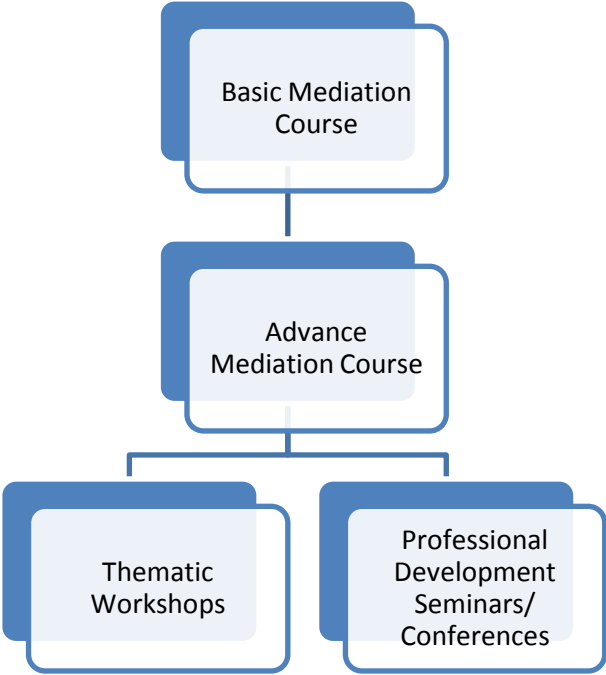


Diagram 5 : Training Structure Diagram of Singapore Community Mediation Centre⁷⁰⁵

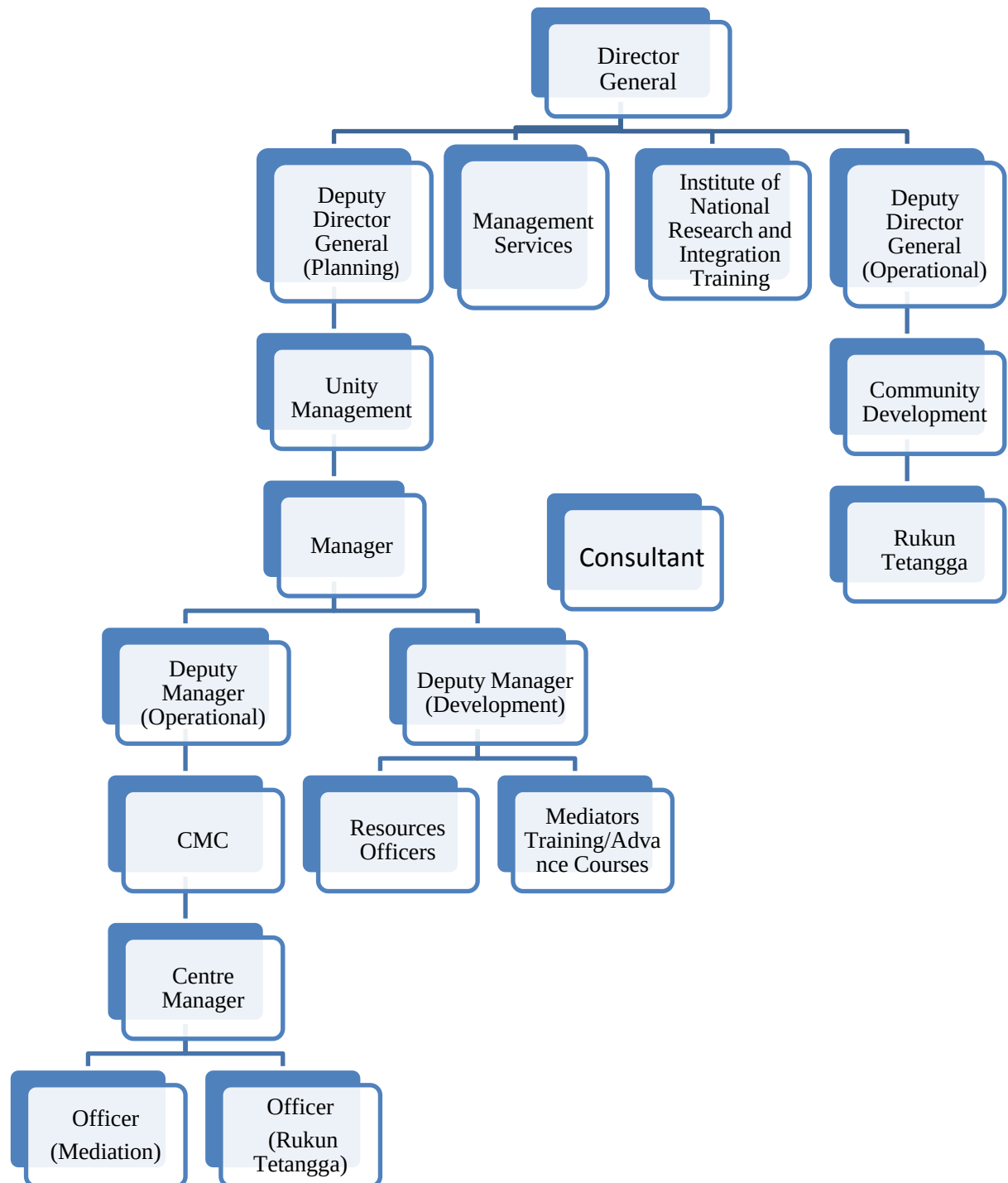


Appendix 4

⁷⁰⁴ Community Mediation Centre Annual Report 2003-2004, at 22

⁷⁰⁵ Community Mediation Centre Annual Report 2010-201, at 22

Diagram 6 : Proposed Organisation Structure of Malaysian Community Mediation Centre



AFTER SANCTIONS: CONTEXT AND PROCESS OF CHANGE IN CANADA-BURMA RELATIONS

Jeffrey R. Parkey

Recent political reforms in Burma have given cause for the repeal of economic sanctions against that country. Many Canadian sanctions against Burma, purported to be the world's stiffest, have indeed been repealed. How has the change in Canadian policy occurred? What will be the basis of Canada-Burma relations in this new era? The paper begins by reviewing the history of Canada's sanctions policy against Burma, as reactions to unfavorable events in that country. It then notes the encouraging developments of political reform in Burma, which provides an important context for Canadian changes to its sanctions policy. It next considers the technical process that the selective repeal of Burma sanctions has followed in Canada. Finally, the article discusses the significance of these findings in terms of economic statecraft theory, and also future Canada-Burma relations.

Introduction

Burma has suffered under direct military or military-backed rule for the past five decades, which has proven disastrous. The quality of life for the Burmese people remains poor. Almost one-third of its 50 million people live in poverty.⁷⁰⁶ The country is underdeveloped and isolated. Civil liberties, human rights, and political freedoms have been violated flagrantly by the ruling military regime. An estimated 500,000 to 1 million people have been internally displaced due to ethnic conflicts with government forces.⁷⁰⁷ Many more have fled to neighboring Thailand where they live in refugee camps along the international border. The military government's budget for education and healthcare is almost nonexistent.⁷⁰⁸

⁷⁰⁶ <http://www.usaid.gov/country/country.cfm?CountryId=8493641>

⁷⁰⁷ <http://www.usaid.gov/country/country.cfm?CountryId=8493641>

⁷⁰⁸ There are many excellent accounts of the dire circumstances of the Burmese people. See in particular the work of Human Rights Watch, and also Professor D.I. Steinberg of Georgetown University.

International opprobrium of the Burmese regime has come in the form of economic sanctions – trade and arms embargoes, asset freezes, travel and transportation restrictions. Canada has been a key participant, along with other western countries, in this sanctioning effort.

Now however, things are changing. The new reform agenda initiated by the civilian government in Burma has instigated the repeal of many of Canada's economic sanctions against that country. How this process of change has unfolded and where it may lead in terms of future relations between these two countries are the topics of this paper. The context for Canada's change in Burma sanctions policy, and also the technical process involved in this policy change, are discussed.

The paper is organized as follows. This introductory section is followed by one that notes the materials and methods used in the research. An extensive results section appears next, which describes the imposition and repeal of Canada's Burma sanctions, the political reforms in Burma that have encouraged sanctions repeal, and the mechanics of redesigning sanctions regulations undertaken by Canada's government. A discussion section then explains the significance of the results in terms theory development and also the practice of future relations between Canada and Burma. A brief conclusions section closes the paper.

Material and Methods

While the final section of the paper makes some conjectures about the basis of future relations between Burma and Canada, which could be considered predictions (and cautious ones at that), this research is primarily descriptive. Data was obtained from primary and secondary sources including interviews with Canadian government sources and Burma experts, seminar presentations, and bibliographic information.

A critical issue with respect to Burma research is the lack of dependable information on all aspects of society. As the country continues its opening, hopefully this situation will

improve. At the present time however, any research, whether it is predictive, descriptive, or of some other type, is constrained by this limitation.

Results

Canada's government implemented sanctions against Burma in response to four key events that occurred in that country between 1988 and 2007. These events were perceived by Canadian policymakers as violations of the human rights and political freedoms of the Burmese people, as well as being disruptive to international security and order. Canada responded to these events by taking prohibitive actions against the regime in Burma, which ranged in severity from basic export bans, to the withdrawal of assistance, to asset freezes on targeted individuals, to full-blown elimination of all bilateral trade and transport. The repeal of nearly all of Canada's economic sanctions against Burma in April 2012 has also come in response to particular actions taken by the Burmese government.

Sanctions Implemented

Beginning in 1988, Canada banned the export of arms to Burma. All other exports to Burma were limited to humanitarian goods only. Also in that year, Canada suspended Official Development Assistance (ODA) to Burma, which provides international assistance to support sustainable development and reduce poverty in developing countries, including Burma. In 1997 Canada removed its Generalized System of Preferences (GSP) benefits for Burma. Under the GSP, tariffs on many products exported by developing countries are removed or reduced so that these countries can expand their exports and increase foreign exchange earnings.⁷⁰⁹ With respect to Burma, the benefits withdrawn by Canada included tariff preferences on agricultural and industrial products. In 1997, Canada also placed Burma on its so-called Area Control List (ACL). The Area Control List comprises a group of countries to which the Canadian

⁷⁰⁹ UNCTAD (2001).

government has deemed it necessary to control the export of any goods. Goods and technology intended for ACL-listed countries must first obtain an export permit.⁷¹⁰

Responding to the events that occurred in Depayin, in 2003 Canada excluded Burma from its Least Developed Countries (LDC) market access initiative. The LDC initiative removes duties and quotas on imports from 48 such countries. Canada also denied visas to senior members of the regime including military and government officials in 2003, and placed restrictions on Burmese diplomats' travel outside of Ottawa.

In December 2007 Canada took its harshest action against the regime by implementing an extensive set of trade sanctions and other restrictions under the authority granted by the Special Economic Measures Act (1992). The Special Economic Measures (Burma) Regulations were intended to exert maximum pressure against the military regime, and were claimed to be the toughest anti-regime sanctions in the world.^{711, 712} The sanctions included: 1) a ban on all goods exported from Canada to Burma, with the exception of humanitarian goods; 2) a ban on all goods imported from Burma into Canada; 3) a freeze on assets in Canada of any designated Burmese nationals connected with the Burmese state; 4) a ban on new investment in Burma by Canadian persons and companies; 5) prohibition of the provision of Canadian financial services to and from Burma; 6) prohibition of the export of any technical data to Burma; 7) prohibition of Canadian-registered ships or aircraft from docking or landing in Burma; and 8) prohibition of Burmese-registered ships or aircraft from docking or landing in Canada or passing through Canada.^{713, 714} Announcing the sanctions, the Canadian Foreign Minister, Maxime Bernier, said

Tougher sanctions against Burma are the right thing to do. They are right on moral grounds. The regime in Burma is abhorrent to Canadian values . . . the strongest

⁷¹⁰ Besides Burma, the ACL includes Belarus and the Democratic People's Republic of Korea.

⁷¹¹ Department of Justice (2012).

⁷¹² Government of Canada (2012).

⁷¹³ Burma Independence Advocates (2011).

⁷¹⁴ Foreign Affairs and International Trade Canada (2012a).

message has to be sent. Sanctions are the means by which we, not just Canada, but the international community, can best exert pressure against the junta.⁷¹⁵

Sanctions Repealed

In April 2012 most of Canada's sanctions under the Special Economic Measures (Burma) Regulations were repealed through an amendment to those regulations. The repeal included Canada's sanctions on imports, exports, investment, financial services, and ship and aircraft landing. Sanctions remain in place however on trade of arms, technical and financial assistance to the military, and the assets/transactions of selected individuals and entities. Burma is off Canada's Area Control List, but goods and services would still be subject to the Export Control List. Table 1 below reflects the current status of Canada's Burma sanctions.

The change in Canadian policy followed recent reform measures taken by the Burmese government. These measures began in 2010 with popular elections that produced a (nominally) civilian government, and also included the release of political prisoners and increased political freedoms for the Burmese public and other institutions in society. Implementation of reform measures continues into the present.

Announcement of the selective repeal of Canada's sanctions against Burma followed the March 2012 visit to the country by Foreign Minister John Baird, the first such visit by any Canadian foreign minister. Baird met President Thein Sein and also presented Aung San Suu Kyi with her honorary Canadian citizenship. 716,717 Canada also sent a two-person contingent to witness and report on Burma's parliamentary by-elections of April 1.⁷¹⁸

Context for Repeal

There are both contextual and mechanical aspects to the lifting of Canada's economic sanctions against Burma. Political reforms in Burma have created conditions which are conducive to the repeal of Canadian sanctions; without these changes in Burma, it is unlikely that Canada's government would have entertained its own policy change. Also important is the

⁷¹⁵ Jha (2007).

⁷¹⁶ National Post (2012a).

⁷¹⁷ National Post (2012b).

⁷¹⁸ Foreign Affairs and International Trade Canada (2012b).

Table 1. Status of Canadian Sanctions against Burma

Canadian Sanctions	Year Implemented	Status
Export ban on arms	1988	In place
Ban on other export goods (excluding humanitarian goods)		Repealed, April 2012
Suspension of Official Development Assistance		In place
Burma removed from Generalized System of Preferences	1997	In place
Burma placed on Area Control List		Removed, April 2012
Burma excluded from Least Developed Countries market access initiative	2003	In place
Visas denied to senior regime members, military, and government officials		In place
Travel restrictions on Burmese diplomats outside Ottawa		In place
Special Economic Measures (Burma) Regulations:	2007	
1. Ban on goods exported from Canada to Burma (exc. humanitarian goods)		Repealed, April 2012
2. Ban on goods imported from Burma into Canada		Repealed, April 2012
3. Freeze on assets in Canada of any designated Burmese nationals connected with the state		In place
4. Ban on new investment in Burma by Canadian persons/companies		Repealed, April 2012
5. Prohibition of provision of Canadian financial services to and from Burma		Repealed, April 2012
6. Prohibition of export of technical data to Burma		Repealed, April 2012
7. Prohibition of Canadian-registered ships/aircraft from docking/landing in Burma		Repealed, April 2012
8. Prohibition of Burmese-registered ships/aircraft from docking/landing in Canada or passing through Canada ^{719, 720}		Repealed, April 2012

⁷¹⁹ Burma Independence Advocates (2011).

⁷²⁰ Foreign Affairs and International Trade Canada (2012a).

process in Canada of administering sanctions regulations itself. Sanctions regulations have been designed in such a way that the implementation and alteration of sanctions can be done with relative ease, when conditions warrant. Both of these aspects are discussed below.

Political change began in Burma in 2010 and continues to the present. For Canadian and other western policymakers these changes represent a nascent democratization process which reduces threats to the populace and the region and increases confidence in the new Burmese government.

In November 2010, popular elections were held in Burma for the first time in 20 years. The elections were easily won by the Union Solidarity and Development Party (USDP), the political wing of the military. The National League for Democracy (NLD), the party led by Aung San Suu Kyi, did not participate.⁷²¹ The elections were condemned inside and outside Burma as being neither free nor fair, yet they did lead to the installation of a nominally civilian government. The regime claimed that the elections signified the transition from military to civilian rule. Shortly after the election, on November 13, Aung San Suu Kyi, who had been under house arrest since 2003, was released.^{722,723}

In March 2011, Thein Sein, a former general and member of the ruling junta, was sworn in as the new president of the civilian government. **In May**, thousands of prisoners were released under an amnesty, though few of these were political prisoners. **In August**, Aung San Suu Kyi was allowed to travel outside Rangoon for a political visit and later met with President Thein Sein. **In September 2011**, Thein Sein halted construction on the unpopular Myitsone dam project. **In October**, the government released more than 200 political

⁷²¹ Burma's constitution bars parties with imprisoned members from standing in elections; Aung San Suu Kyi was under house arrest at the time of the elections.

⁷²² BBC (2012a).

prisoners. New laws were passed allowing labor unions to form. **In November**, the Association of Southeast Asian Nations (ASEAN) invited Burma to serve as its chair for 2014. The NLD re-registered as a political party and Aung San Suu Kyi indicated her intention to run for a seat in Parliament.⁷²⁴ **In December 2011**, a law allowing for peaceful demonstrations was passed, the first of its kind in Burma. The government agreed a truce with the Shan ethnic rebel group, and also ordered the military to cease its operations against the Kachin ethnic rebels. At the end of December, the Election Commission announced that parliamentary elections would be held on April 1, 2012 to fill vacancies created by the appointment of ministers.^{725,726}

In January 2012, the government enters into a ceasefire agreement with the Karen ethnic rebel group.⁷²⁷ After “listening to the people’s voice,” the government suspended a large power plant development project led by a Thai firm at Dawei.⁷²⁸ On January 13, 651 prisoners are released, including many political prisoners. Among them are some of Burma’s most prominent political prisoners, including members of the 1988 student uprising, monks involved in the 2007 Saffron Revolution, and ethnic minority activists. In April, by-elections were successfully conducted and Aung San Suu Kyi won a seat Parliament.^{729,730}

Other notable steps have been taken in connection with the government’s reform agenda, including the abolition of the Trade Policy Council, increasing the salaries of civil servants, reforming the foreign exchange regime, improving media freedoms, the creation of a new labor law, the formation of a human rights commission, and others.⁷³¹ Table 2 below presents several of these reforms.

Mechanics of Repeal

The main legal instrument dealing with economic sanctions on Burma is the Special Economic Measures (Burma) Regulations, mentioned above. The enabling statute for the regulations is the Special Economic Measures Act, referred to as the SEMA. The SEMA is an

⁷²³ Human Rights Watch (2010).

⁷²⁴ BBC (2012b).

⁷²⁵ BBC (2012b).

⁷²⁶ BBC (2012b).

⁷²⁷ Beginning in the 1950s, the Karen conflict is claimed to be the longest running ethnic rebellion in the world.

⁷²⁸ BBC (2012c).

⁷²⁹ BBC (2012c).

⁷³⁰ Human Rights Watch (2010).

Table 2. Recent Reforms in Burma

Government Reform Initiatives	Remarks
Recognition of poverty alleviation as an issue requiring government intervention	Military governments of the past rarely acknowledged poverty directly.
Increased salaries for civil servants	From 5 USD per month to 200 USD per month.
Abolition of the Trade Policy Council (TPC)	The TPC was in charge of overseeing external trade and was responsible for issuing import and export licenses. The body was seen as corrupt and rent-seeking.
Cancellation of the Myitsone Dam project	Built at the headwaters of the Irrawaddy River the project would supply 6000 MW of hydropower. The joint project between China's state-owned China Power Investment (CPI), the Burma Ministry of Electric Power No.1, and Asia World, a Burmese-owned conglomerate was valued at 3.6 billion USD. Ninety percent of the electricity generated by the dam was to be exported to China. The dam was opposed by local communities and environmental groups because of its potential negative impacts to the environment.
Cancellation of the Dawei power plant project	The 4000 MW coal-fired power plant was to be constructed by Italian-Thai Development (ITD). The plant was part of a larger planned industrial complex covering a 250 km ² littoral area at Dawei (Tavoy). The project includes a deep-sea port, a shipbuilding yard, an oil refinery, and petrochemical, steel, and fertilizer plants. Rail, road, and pipeline links to Thailand and China are also included. Expected investment in the project has been estimated at 58 billion USD, including Japanese funding for road building and the port and The project has been opposed by local communities and environmental groups because of its potential negative impacts to the environment.
Relaxation of foreign exchange restrictions	Foreigners and Burmese citizens can bring up to 10,000 USD worth of currency into the country. Exchange counters reportedly accept US and Singaporean dollars, Japanese Yen, and Euros.
Unification of foreign exchange rates	The official exchange rate had been 6 kyat to 1 USD. On the parallel market, the exchange rate has been reported at 800 kyat to 1 USD. In preparing the policy, the Burmese government worked with the central banks of Malaysia and Thailand.
Partial deregulation of the motor vehicle market	
President Sein Thein meets with opposition leader Aung San Suu Kyi	To discuss reforms and national reconciliation.
Negotiation of cease-fires and related engagement with insurgent groups	Notably, with the Karen in January 2012. Violence and atrocities are reported to continue in some ethnic areas, however.
Formation of a National Human Rights Commission	The commission is reported to be forthright in its recommendations for prisoner release and the assessment of victims in conflict areas.
Increased freedom to media outlets for reporting events more openly and critically	
Parliamentary proceedings opened to state, private, and foreign media coverage	
Official calls to Burmese expatriates to return to the country without fear of persecution	After a slow initial uptake, it is reported that expatriate returns may be increasing.
Creation of a new labor law	Allows for unions and strikes.
Release of political prisoners; legislation to provide amnesty to political prisoners	Estimates of the numbers of prisoners released range between 477 and 651. The number of political prisoners and prisoners of conscience that remain in Burma's jails is uncertain but has been

⁷³¹ Thuzar and Tun (2012).

	estimated at 1000 or more.
Revised election commission laws	Enabled the registration of new political parties; allowed the NLD to stand in the April 2012 by-elections.
Parliamentary debate over bills concerning private education, further media freedoms, and foreign investment	
Credible conduct of 2012 parliamentary by-elections	Considered acceptable by international observers. By-elections were held to fill seats vacated by cabinet appointments. The NLD won 43 of the 44 seats it contested and will compose 6% of the parliament.

Source: Thuzar, M and Tun, T (2012), Bangkok Post, BBC, Human Rights Watch, International Rivers, Mizzima

Act of Parliament passed in 1992 that authorizes Canada's Governor in Council⁷³² to enact a number of listed measures against a country when either of two circumstances obtain: 1) an international organization of which Canada is a member recommends sanctioning, or 2) the Governor in Council determines that a breach of international peace and security has occurred that has resulted in, or is likely to result in, a serious international crisis.^{733,734,735}

Under the SEMA, the implementation of sanctions by Canada against another country follows the same basic process in all cases. The process involves the development of some form of SEMA regulation, depending on three possible objectives of the Cabinet: 1) a new SEMA regulation is proclaimed when implementing sanctions against a previously unsanctioned country, 2) an amendment to an existing SEMA regulation is made when expanding or scaling back sanctions against a previously sanctioned country, or 3) the repeal of an existing SEMA regulation is made when terminating a sanctions regime. In this way, sanctions and their alteration are authorized through a standardized regulatory process; changes to sanctions regimes require no new legislative action.⁷³⁶ Figure 1 below presents a basic outline of the SEMA as discussed here.

⁷³² The Governor in Council refers to Canada's Governor General when acting on the advice of the Cabinet.

⁷³³ Department of Justice (2012).

⁷³⁴ Besides those against Burma, Canada has other regulations in force under the SEMA, including ones against North Korea, Iran, Syria, and Zimbabwe.

⁷³⁵ Mr. David Kyffin, in personal communication with the author, 23 May 2012.

⁷³⁶ Mr. David Kyffin, in personal communication with the author, 23 May 2012.

The recent changes made to Canada's Burma sanctions are, technically, an amendment to an existing SEMA regulation as described just above. The amendment has the effect of repealing many existing sanctions, but the regulation itself was not repealed in its entirety. What is now in place is a regulation that contains an arms embargo and an asset freeze, which includes a prohibition on dealings. Aside from these, the other prohibitions contained in the Special Economic Measures (Burma) Regulations have been ended.⁷³⁷ Refer again to Table 1 above for these details.

In Canada, sanctions are a type of regulation issued by the Governor in Council. Several steps are involved in developing these types of regulations, including planning and analysis, drafting, a review by the Department of Justice legislative counsel, ministerial approval, a period of public scrutiny, and others.⁷³⁸ Typically, developing regulations under this process requires some months, however when circumstances demand procedures can be used to abbreviate the process and gain fast-tracked consideration from the relevant authorities. The upshot of this for sanctions regulations is that changes to Canada's sanctions regime can be made very quickly when necessary.^{739,740}

As the lead agency for Burma policy, it was Canada's Department of Foreign Affairs and International Trade (DFAIT), which determined the appropriateness of amending the sanctions regulation. In initiating the amendment, DFAIT policymakers consult with other government departments, gain approval from either the Minister of Foreign Affairs or the Cabinet, and then produce drafting instructions. These instructions are then reviewed by Justice Canada in producing a draft regulation that is Justice-approved. The draft regulation is

⁷³⁷ Mr. David Kyffin, in personal communication with the author, 28 June 2012.

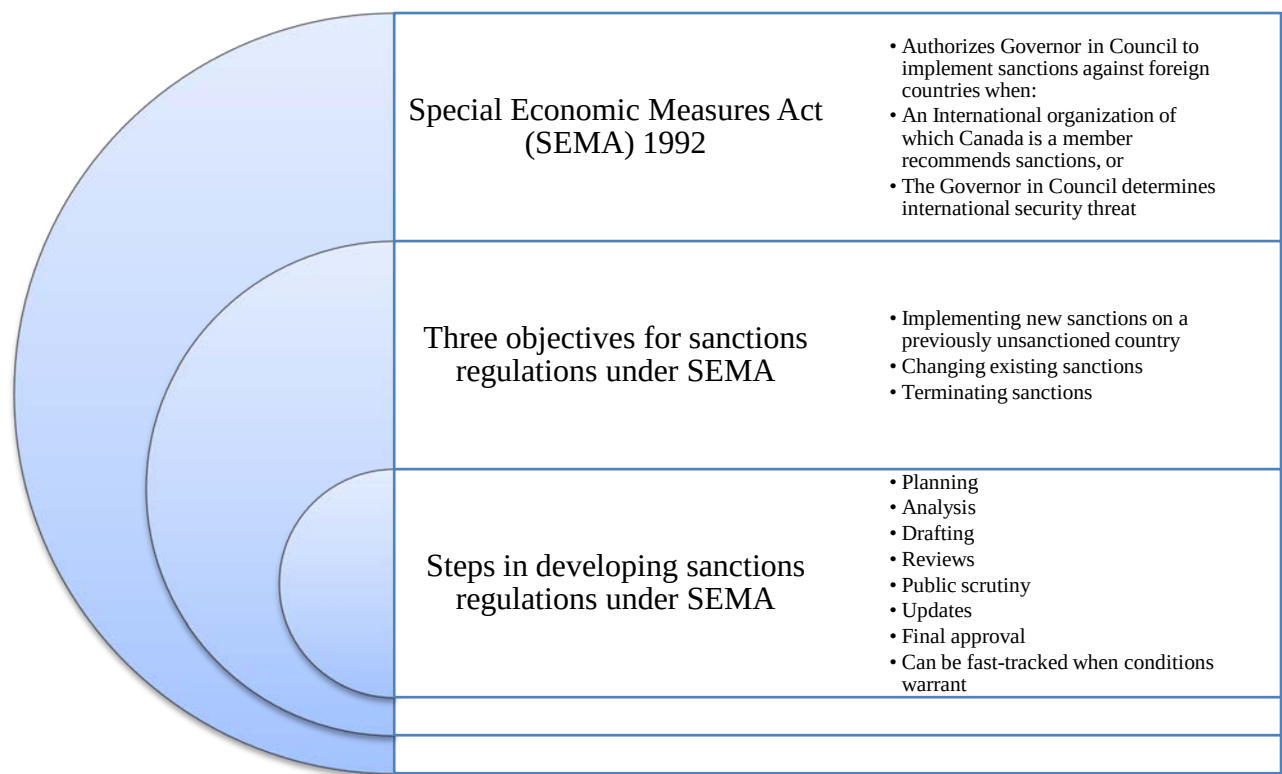
⁷³⁸ Treasury Board of Canada Secretariat (2009).

⁷³⁹ As a recent example, after the United Nations Security Council imposed sanctions on Libya on 26 February 2011, Canada had implemented those sanctions and imposed additional sanctions of its own by the following day, 27 February 2012.

⁷⁴⁰ Mr. David Kyffin, in personal communication with the author, 23 May 2012 .

included in a package that is sent to the Treasury Board of Canada, a Cabinet Committee that advises the Governor General on regulatory matters, for review and approval.⁷⁴¹

Figure 1. Special Economic Measures Act 1992



Source: Kyffin, D (2012), Department of Justice, Treasury Board of Canada Secretariat

Discussion

The results of the research presented above have significance for both the theory and practice of relations between countries. These are discussed here.

It is sometimes heard that “Sanctions are easy to put in place, but hard to take away,”⁷⁴²

⁷⁴¹ Mr. David Kyffin, in personal communication with the author, 23 May 2012.

⁷⁴² Prof. David Steinberg, in personal communication with the author, 19 August 2011, as an example.

However the Canadian example presented in this paper indicates that “Sanctions are no harder to remove than they are to put in place.”⁷⁴³ The ability of countries to be relatively flexible and fast-acting in the implementation and also repeal of sanctions, as in the case of Canada, adds to our understanding of the way countries use economic means to pursue the goals of statecraft.⁷⁴⁴

Drezner (2003) has provided a model of economic coercion in which sanctioning or maintaining the status quo are the choice options. However, with the ability to sanction, un-sanction, and re-sanction with relative ease, sender countries can offer sanctions *or rewards* simultaneously. The choice is left to the target country: continue with the unapproved of behavior and continue to be sanctioned, or change to approved of behavior and rewards are available, including the withdrawal of sanctions that may be in place. Building on Drezner’s (2003) model, Figure 2 below represents both of these decision paths.

By modeling the choice of “carrots and sticks” together, an accurate representation of the choice being presented to the Burmese government by Canada and other western countries is gained. Table 1 above could be seen as a “menu,” so to speak, of the carrots and sticks Canada holds. Further, the Department of Foreign Affairs and International Trade has indicated that Canada’s lifting of selected sanctions on Burma is meant to support recent reforms, and encourage more. At the same time however, Canada does stand ready to re-sanction Burma if the recent positive progress is reversed.⁷⁴⁵ The process of developing sanctions regulations in Canada described above, in which sanctions can be initiated, extended, or repealed in relatively short order when needed, lends credibility to this statement.

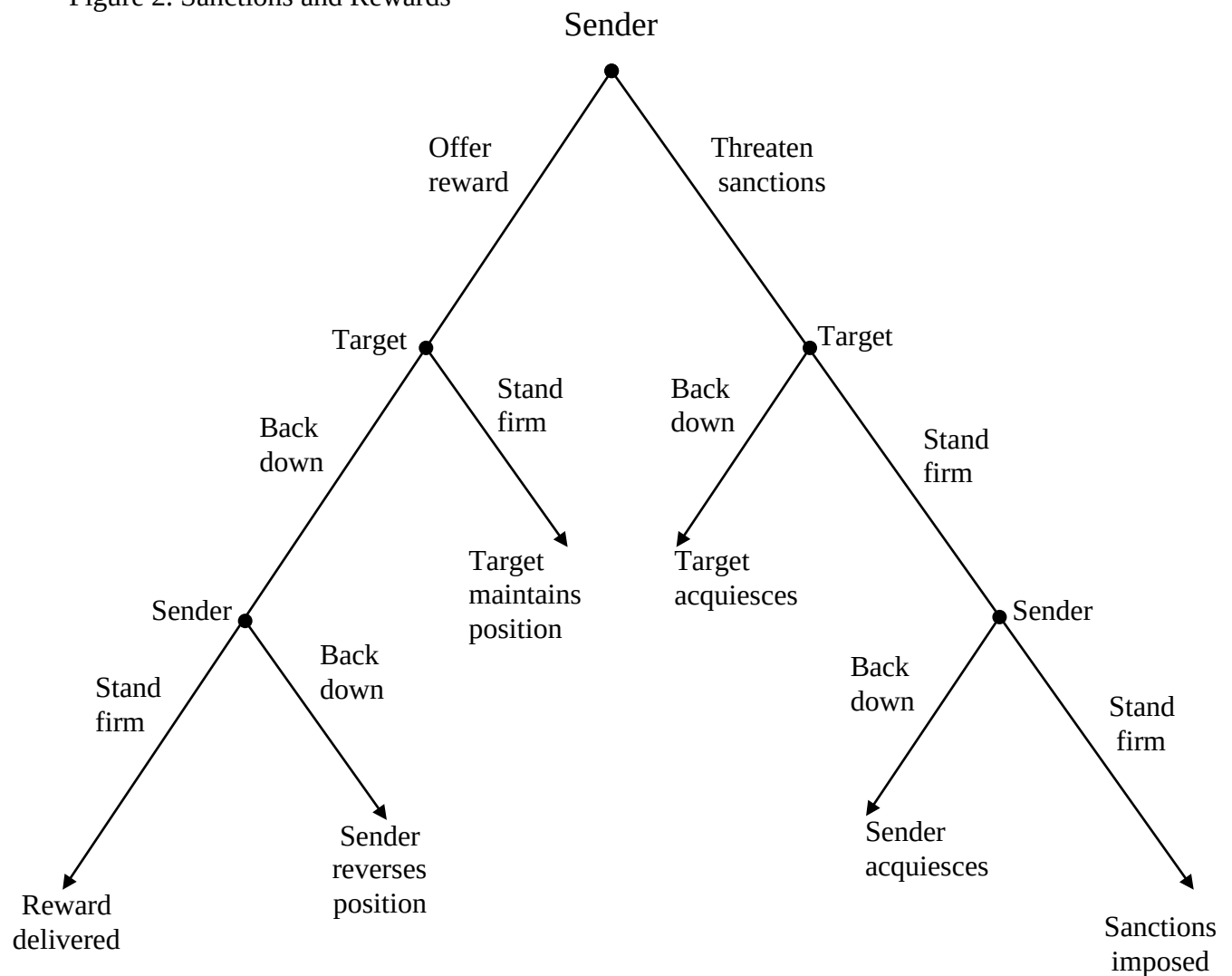
Another significant aspect of the research results concerns the practical side of the relationship between Canada and Burma, specifically. The recent reforms in Burma described above open the door for improved, normalized relations based on mutual benefits between

⁷⁴³ Mr. David Kyffin, in personal communication with the author, 23 May 2012.

⁷⁴⁴ Important examples of the economic statecraft scholarship include Baldwin (1971) and Mastanduno (2001).

Canada and Burma. Some bases on which a mutually beneficial relationship can be built include trade and investment, but perhaps most importantly in the near term, technical assistance.

Figure 2. Sanctions and Rewards



Source: Adapted from Drezner (2003)

⁷⁴⁵ Foreign Affairs and International Trade Canada (2012c).

With respect to Burma, Foreign Minister Baird recently stated “We would love to be able to play a bigger role in development and trade and commerce.”⁷⁴⁶ In this, Canada is not alone. Many countries see Burma as a new emerging market, with a large, cheap labor force and an abundance of natural resources. In this vein, it has been reported that Rangoon may be rapidly transforming into a boomtown.^{747,748} Canada would likely be interested in trade and investment opportunities in Burma, particularly ones related to large, extractive industries, such as oil, gas, or minerals, the garment industry.⁷⁴⁹

However, business development in Burma will likely be difficult for western firms in the near term, and Canadian enterprises may do well to take heed. Modern infrastructure and human resources necessary for conducting business are deficient in Burma. It is reported that there are also power outages, limited cell phone and internet capabilities, and a lack of skills among the workforce.^{750, 751} These conditions mitigate the effective conduct of business, so firms or individuals must be that much more risk-tolerant. They will also be competing with regional players who have developed networks and know the Asian way of doing business. Unlike many western firms, regional ones never pulled out of Burma during the period in which western economic sanctions were imposed.

Despite these obstacles, the political reforms in Burma do contribute, in a more fundamental way, to a friendlier environment for investing and transacting exchanges. Elections, opposition parties, the development of civil society, a freer press, and institutions such as the Human Rights Commission all provide means for monitoring the activities of the government and creating a more transparent society in Burma. Improved labor laws and a modernized foreign exchange regime improve the general business climate in the country. For

⁷⁴⁶ National Post (2012b).

⁷⁴⁷ Bissinger (2012).

⁷⁴⁸ Kurlantzick (2012).

⁷⁴⁹ In personal conversation with the author, 22 December 2012.

⁷⁵⁰ Thuzar and Tun (2012).

foreign investors and governments alike, all of these reform initiatives serve as confidence-building measures, providing greater assurance that the Burmese government will deal with the international system in good faith.

It has been noted that Burma is lacking in technical and human capacity in many sectors. Capacity-building is now crucial as the country opens its markets and its political processes. The Canadian International Council has recently asked whether Canada's international contributions to governance and capacity-building are sufficiently robust, and also whether Canadian expertise in resource extraction can take the form of foreign aid.⁷⁵² The opening of Burma may enable a perfect match between Burmese needs and Canadian know-how in the areas of both business and governance.

Some programs are in fact ongoing. There are an estimated 150,000 displaced Burmese in refugee camps on the Thai border, and the Canadian International Development Agency (CIDA) has operated a refugee assistance program funded at \$16 million CD over five years, which was recently renewed through 2013 (Amy 2012). In neighboring Thailand, Canada's diplomatic mission has worked to assist governance and the democratic process in that country (Amy 2010). Indeed, Burma's government has already made requests, if as yet in a small way. In January, the office of the Speaker in Burma asked the Canadian Embassy for a donation of books to help establish a parliamentary library. Minister Baird brought several volumes with him on his March 2012 visit to Burma, including ones on House of Commons procedure and practice, *Parliamentary Privilege in Canada*, and *How Canadians Govern Themselves*. The Minister also provided digital files from government websites concerning the rules of the Senate, a guide to estimates, a compendium of House of Commons procedures, a guide to

⁷⁵¹ Kurlantzick (2012).

⁷⁵² Canadian International Council (2012).

making federal acts, the justice and electoral system, and a copy of the Canadian Charter of Rights and Freedoms.⁷⁵³

⁷⁵³ National Post (2012b).

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References

- Agence-Free Press (2012, Jan. 11). "Burma cancels coal plant after opposition: official." Bangkok Post. <http://www.bangkokpost.com/news/asia/274481/>
- Baldwin, D. (1971). The power of positive sanctions. *World Politics*, 24 (1), 19-38.
- Bangkok Post (2012). "Thais in the dark on Dawei Plant." January 11. <http://www.bangkokpost.com/print/274597/>
- BBC (2012a). "More milestones in Burma." January 24. <http://www.bbc.co.uk/news/world-asia-16695353>
- BBC (2012b). "Timeline: Reforms in Burma." April 30. <http://www.bbc.co.uk/news/world-asia-16546688>
- BBC (2012c). "Burma halts construction of Thai-backed power plant." January 10. <http://www.bbc.co.uk/news/world-asia-16481290?print=true>
- Burma Independence Advocates. (2011). Burma Sanctions Regime: The half-full glass and a humanitarian myth: A preliminary assessment of political and humanitarian conditions under sanctions. <http://www.burmaadvocates.org/Burma%20Sanctions%20Assessment.pdf>
- Canadian International Council. The Natural Resources and Foreign Policy Project. <http://www.opencanada.org/projects/current-projects/natural-resources/>
- Department of Justice. (2012). Special Economic measures act. S.C. 1992, c. 17 <http://laws-lois.justice.gc.ca/eng/acts/S-14.5/FullText.html>
- Foreign Affairs and International Trade Canada. (2012a). Burma (also Known as Myanmar). http://www.international.gc.ca/sanctions/burma-birmanie.aspx?lang=eng&menu_id=55&view=d

-
- Foreign Affairs and International Trade Canada. (2012b). Canada sends witnesses to Burmese By-elections. <http://www.international.gc.ca/media/aff/news-communiques/2012/03/28a.aspx?lang=eng&view=d>
- Foreign Affairs and International Trade Canada (2012c). Canada suspends sanctions against Burma, helps the country build a brighter future. <http://www.international.gc.ca/media/aff/news-communiques/2012/04/24a.aspx?lang=eng&view=d>
- Government of Canada. (2012). Canada-Burma relations. http://www.canadainternational.gc.ca/thailand-thailande/bilateral_relations_bilaterales/canada-burma-birmanie.aspx?lang=eng&view=d
- Government of Canada. (2010). Canada's Policy on Burma. Date modified: 2010-10-26. http://www.canadainternational.gc.ca/thailand-thailande/bilateral_relations_bilaterales/canada-burma-birmanie.aspx?lang=eng&view=d
- Human Rights Watch (2010). Burma: Chronology of Aung San Suu Kyi's detention. <http://www.hrw.org/news/2010/11/12/burma-chronology-aung-san-suu-kyi-s-detention>
- Human Rights Watch (2012). Burma: Political Prisoners Released. January 13. <http://www.hrw.org/news/2012/01/13/burma-political-prisoners-released>
- International Rivers. 2011. The Myitsone Dam on the Irrawaddy River: A Briefing. <http://www.internationalrivers.org/resources/the-myitsone-dam-on-the-irrawaddy-river-a-briefing-3931#project>
- Jha, L (2007). "Canada Announces Tougher Sanctions against Burma." November 7. The Irrawaddy. http://www.irrawaddy.org/article.php?art_id=9315
- Kurlantzick, J (2012). "Burma Gold Rush." *Prospect*. April 24. <http://www.prospectmagazine.co.uk/world/burma-growth-investment-government-election-reform/>
- Mastanduno, M (2011). Economic engagement strategies: theory and practice. In *Interdependence and Conflict*. Mansfield and Pollins, (Eds.). <http://www.press.umich.edu/pdf/0472098276-fm.pdf>
- Mizzima (2012). "4000 – MW power plant project cancelled in Dawei." January 9. <http://www.mizzima.com/news/inside-burma/6379-coal-power-plant-in-dawei-cancelled.html>
- National Post (2012a). John Baird to meet Aung San Suu Kyi on landmark Burma visit. March 6. <http://news.nationalpost.com/2012/03/06/john-baird-to-meet-aung-san-suu-kyi-on-landmark-burma-visit/>
- National Post (2012b). "John Baird offers Burma democracy leader Suu Kyi honorary Canadian citizenship." March 8. <http://news.nationalpost.com/2012/03/08/suu-kyi-burma-myanmar/>

Canadian expertise in resource development and management, particularly in extractive industries such as oil and gas, mining, forestry, and fishing, is well-known and might also be sought out by the Burmese. These are important sectors for Burma's growth and development, in which local management capacity stands to improve. Opportunities for capacity-building collaborations between Canada and Burma may emerge in these areas, as well.

Conclusions

The research presented here describes both the context and technical processes surrounding Canada's selective repeal of economic sanctions against Burma in April 2012. When sanctions regimes are scalable – that is when they can be imposed, altered, repealed, and re-imposed – like in the Canada case, they can be seen as a more dynamic instrument of economic statecraft because they offer both punishments and rewards simultaneously. Besides representing an important step forward for the Burmese people, the political reforms underway in Burma that have encouraged the amendments to Canada's sanctions regulations serve as confidence-building measures for the outside world. These reforms can give rise to a Burma that is conducive to investment, collaboration, and capacity-building initiatives.

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Thuzar, M and Thun, T (2012). By-Elections and Sanctions: Matching Action with Action. Institute of Southeast Asian Studies. April 27.

Treasury Board of Canada Secretariat (2009). A guide to the regulatory process.
<http://www.tbs-sct.gc.ca/ri-qr/processguideprocessus-eng.asp>

UNCTAD. (2001). Generalized System of Preferences Handbook on the Scheme of Canada.
http://www.unctad.org/en/docs/itcdtsbmisc66_en.pdf

U.S. Department of the Treasury. (2012). Specially Designated Nationals List (SDN).
<http://www.treasury.gov/resource-center/sanctions/SDN-List/Pages/default.aspx>

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CONFERENCE TOPIC: SOUTH ASIAN STUDY

SUB TOPIC: PHILOSOPHY, HISTORY, RELIGION

Religion: Being and Becoming a Brahmin

“What is the mission with which every Hindu child is born? Have you not read the proud declaration of Manu regarding the Brahmana where he says, that the birth of a Brahmana is for the protection of the treasury of religion. I should say that, that is the mission not only of the Brahmana, but of every child, whether boy or girl, who is born in this blessed land – for the protection of the treasury of religion.” – (Swamy Vivekananda To the youth of India 22)

The Sanatana Dharma is a set of principles, which are to be known to the individual. Hinduism as such has no scriptures but the status of scriptures is granted to Vedas. A good knowledge of the Vedas is insisted for being a good Brahmin. Hence, Hindu religion is called *Sanatana* Religion. Scholars on Hinduism state that ‘*Sruthi*’ [eternal truth revealed to humanity by inspired *Rishis*] consisting of four Vedas is the final authority. Annie Besant adds to this list the knowledge of Itihasas and the familiarity with the exploits of penance committed by the ancient saints. “The Vedas together with the Itihasas were withdrawn at the end of the *Yugas*. The *Maharsis* permitted by Brahma were acquired them by *Tapas*”.
(Annie Besant 2)

Hindu *Sastras*, in the process of prescribing *Sanatana Dharma* for any Hindu individual, have established the authority of Vedas, celebrating the Itihasas, the greatness of Upanisads and belief in *Sruthi* and *Smrties*. According to Rig Veda, the Hindu society is divided into four class or sects. Brahmins are supposed to have born from the face of Lord Brahma, the creator of human race. The *Kshetreyas* from his shoulders, *Vaishiyas* from his thighs and the *Sudras* from his foot. Manu sees castes divinely granted,

“Hindus generally account for the four great castes – *Brahmins*, *Ksatriyas*, *Vaisyas*, and *Sudras* by saying that the first, the priest or the teacher was created from the head. The second the king or the ruler from the breast or arms, the third the agriculturalist and the tradesman from the thigh and the fourth the servant of the other three from the feet of Brahma the creator”.(Encyclopedia of Hinduism 954).

Castes were accordingly classified based on the nature and the karma or work. The Bhagavad Gita Chapter 4, text 13 states:

“Catur varnyam Maya Srstam

guna-karma vibhagasah tasya

Kartaram api mom viddhy

akartaram avyayam ”

(Translation given below)

“According to three modes of material nature and the work associated with them, I created the four divisions of human society. And although I am the creator of this system, you should know that, I am yet the Non-doer, being unchangeable.

The Lord is the creator of everything. Everything is born of Him, every thing is sustained by Him, every thing after annihilation, rests in Him. He is, therefore, the creator of the four divisions of the social order, beginning with the intelligent class of men, technically called Brahmins due to their being situated in the mode of goodness. Next is the administrative class, technically called the *Ksheteryas* due to their being situated in the mode of passion. The mercantile men called the *Vaishiyas*, situated on the mixed modes of passions and ignorance, and the *Sudras* or the Labour class situated in the ignorant mode of material nature". (Prabhupada Swami 238).

Hindu way of life includes recitation of holy texts and also involvement in philosophical and metaphysical understanding about essential truth about life. The *Vedanta* philosophy is an attempt to know the meaning of human life in the context of world and God. In all the incarnations of the Lord, therefore, the same principles of religion begin with the acceptance of the four orders and the four status of social life. In all four stages of life [*Brahmachariam*, *Girhastham*, *Vanaprastham* and *Sannyasam*],

"The life was divided into four stages, or *asrams* : that of the *brahmacarin*, the student, bound to celibacy; that of the *grahastha*, the house holder; that of the *Vanaprastha*, the forest – dweller; that of the *Sannyasin*, the ascetic, called also the *yati*, the controlled, or the endeavourer" (137).

The importance is given according to the Shankara's *Advaita*, the divine consciousness of Brahma. *Advaita* literally means the non-dual. It is the philosophy of absolute non-dualism because; besides Brahman or pure consciousness, it recognizes nothing

as real. *Advaita* – meaning non – dual or undifferentiated *Vedantha* of Adi Shankara. Adi Shankara taught within the philosophic tradition of *Vedanta*, a philosophy of non-dualism (*Advaita*) that the self (*atman*) and the Absolute reality are the same and are identical. Liberation is the overcoming of spiritual ignorance or illusion (*Maya*) caused by the super imposition of what is not the self (a distinct entity) on to the self. Shankara asserted that, truth is taught in the Veda and can be realized through renunciation. Twentieth century scholars, like Dr. Sarvapalli Radhakrishnan, have stressed the importance of distinguishing Adi Shankara from his followers, especially with regard to the latter’s emphasis on an unconditional renunciation characterized by an attitude denying any value to actions and the world. Text 1 – 12 of 18th Chapter in The Bhagavad Gita states:

“Life is duality and the perfection one dreams about can never be achieved on the material or mental plane. If the perfection is to be achieved or attached, duality is to be resolved not into oneness but into non-duality. Life then becomes nothing but meaning”.
(Prabhupadaswami 795 – 805)

If being is equal to living with and at amidst illusions, the stage of becoming is the attainment of divine consciousness: which is seeing the *Brahman* in inside one’s Self. This is the state of perfect knowledge. Any one who attains this state of knowledge becomes a Brahmin and attains the illumination of the *Brahman* in his self as well as in others. So this stage is known, as “I am thou” *tathuvamasi* – The reality of this and that, the identity of this with that, the recognition of that identity is attainment of *Moksha*. *Advaita Vedanta* makes a philosophic understanding of life for a Hindu from a philosophical plane. It takes up the question of the

real and unreal, the illusion and the reality, and the self and the other. The *Advaita Vedanta* concludes that the understanding of the non-dual is the essence of the knowledge. This is explained by the theory of *Atman* and *Brahman*. The former is the soul and the latter the god. The basic premise of non-dualistic *Vedanta* is that the *Brahman* is in every soul and the final bliss lies in understanding this fact. From the non-dual theoretical position the theory of being and becoming could be understood as reaching the stages of bliss by the supreme knowledge of the Absolut. There are strong opinions regarding emphasis given to faith and practice rather than birth in the question of one being considered a Hindu. Swamy Sivanandha also observes that,

“a Hindu believes in the facts of *karma* birth, death, reincarnation; he observes *Varnasarma Dharma*; he worships his ancestors; and above all he subscribes to the spirit of Vedas, performs evening and morning prayers, rituals for the dead, and one who performs the five *pujas* is a Hindu”. (10)

In real terms, these practices are mostly followed by one section of Hindu society known as ‘Brahmins’ and therefore, others also follow these ideas. According to Chinmayanandha, a twentieth century religious philosopher, scholar and interpreter of The Bagavad Gita says, “There is space and scope for modifications and reformations in the practices, which have reached us as conventions”. Hence, he remarks,

“If the existing religion is too old, outmoded and obsolete and if the fundamental values of life preached by it cannot solve our day’s problems, we shall without regret discard the whole lot and strive to discover new principles and laws of right living. If religion is but a dictatorial declaration of a scheme of living, which has no reference at all to our day-to-day existence and cannot

solve our pressing problems we shall banish the old religion and take a new culture and a more desirable unit for man is and should be primarily concerned with life here rather than in the hereafter.”(Chinmayanda 65).

Hence, it is claimed that Hinduism is not a closed system or a static religion and could be adapted even to the modern times of living. Therefore, this larger framework of the possibility of adaptation or flexibility provides the stations of ‘being’ and ‘becoming’. This study equates ‘being’ with a stage of *Atman* unconscious of the *Brahman*, and the stage of ‘becoming’ with the stage of identifying with the Absolute. Since Brahmin is equated with *Brahman* in ideal terms, these stages are termed as “Being Brahmin and Becoming Brahmin”. This is to say no one can become a Brahmin by birth and any one can become a Brahmin by attaining the divine consciousness.

Jayakanthan takes up the question of being and becoming a ‘Brahmin’. A Brahmin is one who does not die. This means being a Brahmin is having this consciousness of *Brahman* and deathless *Brahman* in one’s self. At the same time living as a Brahmin involves practicing sacred rituals, which may help the Brahmin consciousness. However, this Brahmin consciousness is not assured to a Brahmin for one has to negotiate and dispense with the illusions and lack of knowledge. Hence the dilemma is caused by the duality of reality and appearance, good and the evil, truth and the *maya*. Such a state of consciousness is available to one who becomes a Brahmin. Strangely this may sound paradoxical for a Hindu, who believes that one has to live the life of birth granted as Brahmin, a *Kshetreyia*, a *Vaishyia* or a *Sudra*, following the *dharma* of each caste in which one is born. If one has to accept and lead the granted god ordained life, where is the chance of becoming a new being? Jayakanthan addresses this in his novel Jaya Jaya Shankara. In other words, he takes up a strand—

interpretation in understanding the Hindu *dharma* or '*Sanatana Dharma*'. As the world changes, new values and ideas emerge. In this progressive world, will *Sanatana Dharma* be a regressive practice? Will the transition from being to becoming is only an attainment of a consciousness. Is this consciousness available to all human beings who make an effort to remove the clouds of illusion and receive the illumination of the *Brahman* within? This philosophical thought seems to run through the minds of every Hindu.

The question of being and becoming inevitably occupies a central place in Jayakanthan's negotiation with Hinduism especially when he figures out the meaning of knowledge, the role of guru, and the practice of the *Sanatana Dharma*. Hinduism offers a specific practice module for life, which involves the levels of negotiating with the tradition and changing living conditions. The saints or the gurus provide counseling and guidance in choosing the right ways and means offered by Hinduism. At the same time, Jayakanthan speaks a lot through his characters on the knowledge of Hindu wisdom. It is not merely acquisition or appropriation of holy texts but negotiating with the reality, which includes involving oneself in a kind of spiritual experience in identification of the illusion and facing the reality. These stages could be termed by a single word known as "consciousness" or "experience". The protagonist and the major characters of Jayakanthan are like any other modern Hindu immersed in contemporary life consisting innumerable problems thrown by modern times.

Jayakanthan believes in liberating Hindu religion from Manu's stigma of birth. Jayakanthan states that birth is not a hindrance in following a religion. Jayakanthan believes in the freedom of space given in Hindu religion, asserts the need and understands the

tradition of *Sanatana Dharma* in right perspective. At the same time, he accepts in the dialectics of life. His choice of characters is drawn from the high caste Brahmin families and the supposedly low caste Harijans. Their lives of interaction and absorption reveal Jayakanthan's interpretation of Hindu *Dharma* as at once in subservience and transcendence to *Sanatana Dharma*. For him, the essential point is to understand the religious rituals at one level and accepting new perceptions at another level. Very subtly, Jayakanthan tries to zero down the conflict between the Brahmins and non-Brahmins by arguing that the clash is imaginary and a delusion. True enlightenment lies in wading through the illusions and understanding the other. A true believer in Adi Shankara's philosophy may have no difficulty in accepting both the Brahmin and the untouchable as the same for in both lies the '*Brahman*'. If a Brahmin can become or can attain *Brahman* so can be a Harijan. Attainment of such a consciousness is becoming a Brahmin.

Young Shankaran is the key character in Jayakanthan's Jaya Jaya Shankara. He is born in a middle class Brahmin family and later elevated to the status of a guru; He is inducted into the *ashram* - *Shree Madam* as an ascetic boy. His boyhood friend however happens to be Adi who hails from a Harijan family. According to the predominating caste equations, the two are supposed to be at the extremes in their social order and by strange pervading modes of practice the contact between the two is prohibited, including the body touch. This theme of two friends one being an untouchable, another being an Acharya [a holy saint] comes handy to Jayakanthan to announce his standpoints on the issues of Absolute Truth and true experience. Both Shankaran and Adi become Brahmins, one readily accepting the *Brahman* in the other. Adi worships Shankaran and Shankaran worships Adi, both in their own way.

“Eventually Adi would stand up and his voice would announce his

departure: “ I beg your leave Samy, ...” in his mind’s eye, Shankara would prostrate at Adi’s feet. For Shankaran God presents Himself in Adi’s form, long staff in hand!” (JJS 40)

Both these characters Adi and Shankaran become fine illustration of Adi Shankara’s theory of *Brahman*, the Absolute Truth being available to one who dispels the illusion. Jayakanthan details the meetings of Adi and Shankaran as boys and as adults. Both derive an experience of *Brahman* during their meetings.

“Whenever he saw him, [Adi] Shankaran was reminded of the immortal Tamil classic Thirukkural [verses written in couplets by saint Thiruvalluvar] because, his name Adi occurs with reference to God Almighty in the very first couplet of the classic. Shankaran completed his virtual sunset prayers. Adi collected the few goats which strayed away and was guiding them to the other side of the river”. (JJS 35)

The boyhood meetings give energy to them to seek a path of life ordained for them. The relationship between Adi and young Shankaran is significant because it is unique and meaningful in several aspects. Jayakanthan transcends the Manu’s code of untouchability. According to ‘*Smrti*’ low cast men are barred from touching others. Jayakanthan brings ‘the holy’ boy and the ‘outcaste’ boy close to each other, and he goes one-step forward in cementing the union of two socially kept apart minds into spiritually fused beings. Jayakanthan insists on the fact that the friendship of young Shankaran, a Brahmin boy, with Adi, a Harijan boy can break caste barriers. The two characters represent two generations of practicing and preaching Hindu religion. Jayakanthan portrays their childhood friendship thus:

“Adi and Shankaran were genuine friends who would believe that such a bond could flourish between the *agraharam* [living place of high caste Brahmins] and Moongil Kudi on either side of the Shankarabaranam River?”

Adi was born in a lower caste. Learning of Vedas, Sastras and Sanskrit are beyond his dreams. When the lower caste people or the so called Harijans were not given the right to learn Sanskrit, the Vedas and the Sastras, Jayakanthan presents an ideal friendship of a Brahmin boy and a Harijan boy, both brought up in different places. While *Agraharam* teaches young Shankaran the Vedas, Mantras, Sastras, and Sanskrit, Adi dwells in the Harijan Slum--Moongil Kudi and is brought up by his uncle, who treats him like one among the goats he rears up. He learns Vedas, Mantras, Sastras and Sanskrit from Young Shankaran during their meetings. Jayakanthan brings it out thus:

“ Adi would drift towards Shankaran, stop at a respectful distance, lean on his long staff and stand reverentially with eager anticipation. Shankaran would share with him in detail the many stories he had learnt. Sometimes, the sessions would run for long. Adi would lean the staff on his shoulder, squat on the ground and keep listening intently. Late evening darkness would fall like a curtain between them. And the conversation would continue. Eventually Adi would stand up and his voice would announce his departure: “ I beg your leave Samy.....” In his mind’s eye, Shankaran would prostrate at Adi’s feet. For Shankaran God presents Himself in Adi’s form, long staff in hand!” (JJS 39–40)

Adi once saves Young Shankaran from the whirlpool. From that day onwards, Shankaran sees Adi, not just like a friend but he sees Lord Shiva in him and he starts worshipping Adi. Shankaran regards Adi not only as his friend but he sees him a step above, equal to god. Jayakanthan brings out, through the two myths, how Shankaran accepts a Harijan boy as God, and how Lord comes in the disguise of a chandala boy, to save Adi Shankara. Myth is

constructed as a reality Shankaran undergoes a mythological experience and he suffers the same experience of Adi Shankara. Adi Shankara is saved from the crocodile where the prime God comes in rescue of Him. In the same way, Adi rescues young Shankaran. Jayakanthan stresses the fact that it is difficult to escape from tradition. Jayakanthan's narrative mixes the myth of Markandeya and Adi Shankara, as he presents the incident in the novel.

“When Shankaran was speeding towards the center of the river, Adi shouted, “Samy, do not go in that direction. A bad vortex, turn to your right... No, no, not in that direction.” Shankaran turned to look at Adi. He lost his bearings and was proceeding headlong in the path of peril. For a while he could faintly hear Adi's pathetic shouts. Then hell broke loose. He was overwhelmed by the vortex. Waves closed in on him like a hundred pythons in a synchronized onslaught... He was sinking into a bottomless nowhere...

Shankaran remembered the Markandeya story! “Yama dare not come near you if you embrace God tightly”.

Where is God? Is there a spot where he is not present? And, is the omnipresent God Absent in this very vortex?

The seasoned Adi plunged into the very center of the vortex. Desperate attempts to reach Shankaran; got a good grip on Shankaran's luxuriant tuft of hair!

In the womb of the vortex, a drama was unfolding in Shankaran's mind's eye: Markandeya hugging the Sivalinga, Yama perched on his buffalo,

eager to use his rope of death... a granite black Shivalinga suddenly materialized in the dark deep. Shankaran hugged it passionately.

The two lives were saved by a miracle. One was carrying the other....“Samy you have won”! Complimented Adi. Shankaran was chanting many *Slokas* in soft whispers. He found in Adi Lord Shiva Himself resuming him from the jaws of death”. (JJS 45–46)

Shankaran feels happy that he has been saved Adi but at the same time, he is unable to accept his wet clothes from Adi’s hands. The Brahmin consciousness in him does not allow him to touch them, which were ‘polluted’ by Adi. Shankaran tells Adi, “Adi could you please throw these garments into the water? I shall then get them dried”. (JJS 47). Though Shankaran feels ashamed of this he cannot avoid saying this to Adi as his tradition –*Aachaara* – insists the fact of such act as a mark of purification. At the same time fear, grips Shankaran at the very thought of his father as to how he would react to this incident. Their friendship is kept secret. However, when Shankaran reveals the fact to his mother, she is shocked to know that her son was saved from the grip of death by a low caste boy. And Jayakanthan brings out her reaction thus: She says, “ It was God Almighty who had come in the form of that untouchable child and saved you”. (JJS 48). This comment is followed by a story, which she tells her son Shankaran,

“Adi Shankara had camped in a forest with his disciples. The disciples were busy cooking food. A chandala boy was watching the proceedings from behind a tree. Shankara observed this, but kept quiet. The disciples brought a morsel of food to the teacher as initial *nivedana*, the ritual offering. He advised the disciples to go ahead with their lunch. Without their knowledge, the Saint went

up to the Chandala, gave him the morsel and asked him to eat it, 'without anyone watching'... After a few minutes, he came back to the Saint with the morsel still in his hand and confessed to a problem: 'Samy, there is no place with no one... Lord Shiva is everywhere, observing everything'.

"The great Adi Shankara prostrated at his feet saying, 'You are my guru'. Everyone realized later that. God himself had made his appearance as an untouchable". (JJS 48)

When his mother completed the story, Shankaran invoked Adi's figure in his mind and paid obeisance. Since then, Adi always occupied the center of his prayers. (JJS 48). Jayakanthan illustrates the story of Aryambal and Adi Shankara where Adi Shankara undergoes the same experience of young Shankaran. Shankaran narrates the story to Adi thus:

"As usual, Aryambal and her son had gone to the river for bath. The mother finished her bath and stepped ashore. After finishing his dip in the river, it seems that child Shankara placed one leg on the shore step, but could not take out the other leg from the river. He shouted 'Amma!'. The mother sensed the terror in the voice and rushed to her child. 'I am caught in the vice like grip of a crocodile'—so saying Shankara was sinking deeper and yet deeper into the river. The mother shouted, 'Oh god! Is there no one to save my darling?' Sinking up to his neck, Shankaran said, 'Amma, God will certainly save me. If I resolve to take to *sannyasin* this very minute, and if you endorse my resolve, God will come to my rescue'. What would the poor mother do? 'Anything is okay for me. I want you alive'. She endorsed his *sannyasin* resolution.... When the mother

and child were joyously returning home, Shankara refused to step into the house..... ‘Child, you must be hungry. Come in and have your food.’ Standing at the doorstep in his wet clothes, Shankara told his mother, ‘Amma, please excuse me. I am now a *sannyasin*; I am not in a position to come in and partake of food. Please give me some alms’. So saying, he held out his hands: *Bhikshamm Dehi*”. (JJS 42–43)

Thus Jayakanthan brings out through myths how Shankaran accepts Adi Shankara as a divine person. Lord comes in the disguise of a Chandala boy who is accepted as a guru by Adi Shankara, who is considered as a guru by many. Young Shankaran revisits the village Shankarapuram as Acharya Swamigal, and sends Krishnaswamy, one of his assistants, to invite Adi to have his *darshan*. Krishnaswamy comes back to Swamigal and says about Adi thus: “It seems he was a Harijan in his *poorvaashrama*”. (JJS 78). Swamigal laughs at this remark of Krishnaswamy and clears his doubt as he adds,

“If he alone is a Harijan, are all the others Sivajans?” he said dismissively.

“Okay, what else did he tell? Old story?, His name? Is he not Adi?” (78)

This shows his concern and his mood of ignoring the birth status of his friend Adi. Swamigal further gives his opinion about Adi,

“If a person takes to the study and instance of the Vedas as his life’s mission, should it matter as to which caste he belongs? The man whom I identified, he is one such Guru. That he is born a Harijan should only remind us of Lord himself appearing as an untouchable in Adi Shankara’s Life . . .” (JJS

One of the key aspects of this relationship is the revelation of the fact that one can become a Brahmin only by the consciousness of a *Brahman* and not a Brahmin, just because he or she is born a Brahmin cannot be considered a Brahmin in a meta physical sense. Jayakanthan believes in the reality that every person can become a divine person provided he or she is illuminated with the knowledge of reality. Thus Adi, a Harijan is elevated to a status of a guru and the future Acharya, Young Shankaran considers Adi as god and guru. Young Shankaran practices the *Aachaara* and only Adi initiates his Braminization process. Jayakanthan aptly uses the Markendaya myth and the Adi Shankara myth as revelatory to Young Shankaran. Markendaya survived by his faith in Lord Shiva young Adi Shankara did not ostracized the Chandalas. Thus Jayakanthan calls for a kind of social equality by way of portraying the emotional unity of both Adi and Shankaran. If life is a current of waters the vortex is identified as a place of danger by Adi, and for Shankaran Adi becomes Lord Shiva, the Saviour. Thus Jayakanthan as the culmination of equality visualizes the name 'Adi Shankara', and hence he shows Adi and Shankaran as two different characters of two different classes and status. But for a person who is conscious of the Absolute, the apparent divisions like status, class and caste are just illusions.

Jayakanthan brings out in the novel Jaya Jaya Shankara the different mind setup of Brahmin brothers Mahalinga Iyer and Sadashiva Iyer. While Mahalinga Iyer strictly follows the Brahminical traditions and rituals, Sadashiva Iyer though strictly adheres to the Brahmin customs, he believes in the concept of 'becoming a Brahmin' rather than being satisfied with his Brahmin birth. Jayakanthan portrays the two brothers Mahalinga Iyer and Sadashiva Iyer as oppositional forces then prevalent in the Indian society. Mahalinga Iyer represents the

tradition, the Hindu Dharma of the Brahmin way of life. Sadashiva Iyer represents the new generation neo-literate benefited by English education and entertains a vision of new values like equality, freedom and progress. Jayakanthan thus portrays Sadashiva Iyer:

“He was waiting for an appropriate time. The time did arrive for the younger brother of Mahalinga Iyer, the sentinel of *Sanatana Dharma* in the village. With Gandhi cap perched on his head, and a drum made of cowhide slung across his chest, Sadashivam arrived. As if striking at the very heart of an ancient civilization, he was beating the drum as an accompaniment to his call for action. The children of the village had assembled at the temple ground to watch the fun”. (Emphasis added by the researcher).

“At nine o’clock on the Maha Shivaratri morning, the Harijans of the Moongil Kudi will enter the Shankaralingeshwarar temple. The evil infecting our nation and our Hindu religion will be exorcised on that holy morning. All Hindu patriots should assemble in strength to give the Harijans a hearty welcome.”
(JJS 32–33)

Mahalinga Iyer however is angered at this and could not control his grief. Young Shankaran sees *Brahman* in everything, while Mahalinga Iyer who was himself considered as people’s leader – the village leader -- is not able to experience the *Brahman*. Jayakanthan while devoting his space to the problem of embarrassments of the traditionalist also is all appreciation for the ‘brave deeds’ of Sadashiva Iyer. This is subtly suggested by the reference to Sadashiva Iyer’s reading of secretly circulated versus of Subramaina Bharathi, well known Tamil poet of nationalist school. While Mahalinga Iyer is not ready to put his son in the English school, Sadashiva Iyer bravely names his female child as Swatantra Devi – Goddess of

freedom. The two different attitudes point and counter point are very well portrayed in the parallel characterization of the Brahmin brothers. Mahalinga Iyer is worried by his brother's deviant ways of Brahmin and he is equally concerned that this new fervor should not engulf his son Young Shankaran.

“Mahalinga Iyer found the whole thing somewhat strange. He had a vague misgiving that something unwanted was just waiting to happen. He was overtaken by a nameless dread that his brother had lost his bearings. But Sadashivam's exhortation was punctuated by Vedic authority and marked by unassailable logic. The more he heard, the more Mahalinga Iyer feared that he was himself on the verge of a nervous breakdown, something terrible was going to land on them like a ton of bricks. In an attempt to protect little Shankaran from the onslaught of these new forces, he hugged him close to his chest” (JJS 25-26).

Here Sadashiva Iyer transcends the limitations imposed by Manu's caste code and subjects himself to any flexible interpretation of socialization. In fact his faith and quest lies in changing the tradition. He is making a new reading of *dharma* based on equality while the traditional *dharma* had been conditioned by graded discriminations. In such discriminations, the fact is that every living human being is made of god and has godhead inside him. Sadhasiva Iyer, born in a traditional Brahmin family is ready to accept the Harijans as his brothers and even fights for their temple entry. He tries to convince his family that all are equal before God. He tells his plans to Mahalinga Iyer:

“Yesterday in the farmer’s house I was treated like an untouchable and they gave me bananas and a glass of milk.. My ritual purity must be preserved it seems! We are going to run an Ashram in the Moongil Kudi untouchables Slum. We will be enrolling Harijan children and giving them Sanskrit, English and Tami education. I have been chosen as a president of the *Ashram*. Sadashivam was narrating proudly”. (JJS 30)

Mahalinga Iyer is shocked to hear this. He is unable to accept his brother Sadashiva Iyer’s ideas. Sanskrit and Vedic knowledge cannot be made available to all and sundry. It is the privilege of the Brahmins to have access to the divine knowledge. This illusion makes him angry.

“What dangerous ideas ensnared you? evil days have landed... same terrible is going to overwhelm our Jati . . . Look Sadashivam! As long as I am alive this violations of *aachaara* will not be permitted. I shall lie across the temple wall that fill you and your Gandhi with immense satisfaction?” (JJS 31)

Mahalinga Iyer, represents a kind of Hinduism which disagrees to accept the change in Hinduism and which adopts the rituals mechanically carried out. Mahalinga Iyer is not able to accept any change or reform in the Hindu religion, which his brother Sadashiva Iyer dreams for. In spite of ‘Being a Brahmin’, he is not able to reach the state of illumination. However his son Shankaran sees Adi in form of Lord Shiva and worships him; though he very well knows that it is against his father’s wishes. Sadashiva Iyer, much against the wishes of his brother and family, fights for the upliftment of the Harijans along with the Gandhian people. From the *agraharam*, he goes to the Moongil Kudi *ashram* and teaches the Harijan children Vedas, Mantras, Sanskrit and English. This act represents Sadashiva Iyer’s quest for enlightenment.

While Shankaran reads the magazine titled 'Harijan', brought by his uncle Sadhasivam, Mahalingam is worried thinking his son Shankaran would follow the path of his brother Sadashivam, He speaks about Nandanars and paanalzvaars. (Mythical and literary characters, who have been seen with illumination by the grace of god, in spite of their being born in low cast family). For this Sadashiva Iyer answers thus,

“Are these slum dwellers Nandanaars and Pannazhvaars? This question is being raised. A humble worker like me cannot answer the respected elders. Gandhi whom I worship has answered this question. My brothers whom you curse as pariahs, fallen ones and Chandalas, I worship them as my gods. So says our Gandhi.” (JJS 34)

But for Mahalinga Iyer, the temple entry for the Harijans was beyond his tradition. He is not able to accept it. He says,

“Unlike the great Nandanar and Pannazhvaar, there is no one in the Moongil Kudi Slum hungering for a darshan of Lord Shiva. If there is any such real demand anywhere, let the temple entry be organized there”. (JJS 34)

His faith lies in practicing the tradition that is followed traditionally by him, accepting the faith as it is without any change. As a result, there is total confusion in the family. Mahalinga Iyer is not able to tolerate this, is upset. He decides to leave the village. He leaves his son Shankaran in the *Shree Madam* and goes to Varanasi with his wife so as to purify himself from the sins, for he thinks that, as an elder brother, he had failed to stop his brother from going against the tradition of Hindu *Dharma*. The *agraharam* people treat Sadashiva Iyer as an out caste and keep him away from the *agraharam*. He moves to the Gandhi *Ashram* with his sick wife and daughter once for all. Sadashiva Iyer is also shown not only as English educated individual. But he is also well grown in Hindu Philosophy. He is brother felt that he is circumventing Hindu philosophy to prove the equality of all beings so that his pro-harijan arguments could carry weight. In his confused state of mind Mahalinga Iyer seeks the

guidance of the Archarya Swamigal. Hence Jayakanthan stresses that it is difficult to escape from tradition, being born in a Brahmin family.

Jayakanthan's novel seems to be a spiritual quest and the odyssey involves special migration of places accompanied by transformation of minds. The odyssey in the new lands involves the migration of major characters from one domain to another domain. This experiential process elaborated by Jayakanthan may be taken as the process of becoming a Brahmin. In other words this involves dispensation of illusions and encountering the reality. The carry over value of *Sanatana Dharma* and the injunctions imposed by Manu codes are in one way or other illusions and they have to be removed to face the *Brahman* in one. In such illuminations, divisions disappear and all are equal.

Spiritual, political and social in the process, the characters emerge as new beings, enlightened individuals, and liberated souls. Shankaran from Shankarapuram *agraharam* Shankaran goes to the *Shree Madam*. Adi, who follows Sadashiva Iyer, joins the Gandhi *Ashram* and gets sanskritised, who later runs the same *Ashram* founded by Sadashiva Iyer and marries his daughter, the Brahmin girl Swatantra Devi. Now Adi is transformed from a Harijan to a learned wise man who, lives with his wife two sons and a daughter. Adi's elder son Mahalingam is a sort of rebellious youth who represents the modern generation. While Adi spends his time on his spinning wheel recreating his age-old days, his son Mahalingam does not wish to subscribe to his parent's faith and practice and seeks a new meaning for life in the company of progressives who are critical of Gandhi and his passive resistance philosophy.

The concept of reality is very often clouded in illusions known as transitions and transformations. But for one who sees the reality these changes are meaningless. While many human made ideas and concepts become obsolete with time. The *Brahman* alone

remains the same. Anyone who attains this consciousness becomes a Brahmin. Jayakanthan illustrates this with analogy of the toddler's cart. Mahalingam is not willing to follow the same old principles of his parents. Mahalingam says,

“This cart is indeed useful for a toddler to learn walking. But the parents should also be prepared to put it away in the attic when it has outlived its utility. It is rational to expect the children to grow old with the toddler's cart?” Vedavalli lifted her eyes from the spinning wheel, could not figure out the allegory and said, “No parent, would of course, do such a thing” The mother who was collecting and arranging the stock of freshly spun yarn , clearly understood the significance of the analogy. “Appa and Amma learnt to tread life's path with the Ashram toddler's cart. Life is not frozen but is relentlessly on the move. Like the pushcart disappearing into the attic. So has the Ashram” (JJS 121)

Adi who is not able to tolerate his son's behavior gets heated up in fury and orders Mahalingam to walk out of house. Here Jayakanthan makes the vibrant and young youth come out of his house in search of his values, ideas and principles -- in search of a new identity. Jayakanthan feels that modern life suffers from the pressures of time and one should not attempt to stop anything that disappears. The question of creation and destruction, the attempts dear to the scientists and the atheists, are not there for a divinely conscious *Sannyasin*. Sathyamoorthy, son of Singarayar, guides Mahalingam later. Sathyamoorthy is a young professor who agitates against the socio-political milieu, for which he is put in jail. But the jail again reflects the cruel harassments of the Jailer; who tortures the inmates. Sathyamoorthy changes the cruel mind of the Jailer through his arguments with him.

Jayakanthan, is rated as progressive writer who keeps his allegiance to a socialistic idealism of Indian Congress Party. While the party suffered a drubbing in general elections during late sixties he emerged as an unofficial spokes person of the Congress Party in Tamilnadu to counter the victorious Dravidian parties, founded by C.N.Annadurai. In TamilNadu the anti - EV.Ramaswamy Naicker popularly known as 'Periyar', who was a strong atheist and severe critic of Hindu ideology, spearheaded Congress wave. His party Dravida kazhlagam was devoted to the social cause of equality and justice for all sections of society including women. Periyar felt that this has been made impossible because of the Hindu religion which enforced a kind of caste division among the Hindu communities which he felt was the handy work of high caste Brahmins to keep in subordinated position all other sections of the society for which it enthroned Manu. Slowly the Dravidian parties marginalized the Brahmins and discredited the Hindu tenets of life as evil designs of despotic Brahmins who controlled the Hindu faith. Hence Jayakanthan takes upon himself the task of defending the best in Hinduism and justifying the *Sanatana Dharma* in his own subtle argumentative fashion. Jayakanthan emphasizes that it is difficult to escape from tradition. He approves the change in social life and yet is not against Gandhi's views.

Jayakanthan elevates the character of Adi throughout the novel. Adi is born in a low caste and yet he enjoys the commendations of high caste Brahmins. Shankaran knows that Adi is in every one, the Brahman is in every *Atman*. Jayakanthan stresses that birth of an individual does not determine the factor of being a Brahmin. What is significant in Adi's character is that he is Brahminized. Hence becoming a Brahmin is the higher state of illumination than being born a Brahmin. Jayakanthan describes the visit of his holiness Acharya Swamigal to Shankarapuram after a long time, he recount his early days of leaving the village and its people including Adi.

“The picture framed in his mind came back in a flash: Shankaran leaving Shankarapuram for *Shree Madam* in the bullock cart that morning; Adi’s figure disappearing in the horizon. The Acharya Swamigal’s lotus eyes softly closed: “whatever my station in life you would be the object of my prayers”. (JJS 65)

However now the times have changed, Adi is no more the young shepherd boy with his staff in his hand. He is seen describing by the Acharya thus:

“He was standing near a fence abutting a cowshed. What a difference between the figure frozen in his mind and the one in flesh and blood before him! Pure khadi dhoti, a short-sleeved shirt, the towel respectfully tied around this waist. And palms joined in homage – this was his Adi. (JJS 66)

Swatantra Devi’s description of her husband’s character is also meaningful and significant:

“My comrade whom I have adopted as my dear husband as in a *Swayamwara* is the noblest Brahmin I have known in my life. I stand witness to this, as the only child of a great Brahmin who embodied the best in the great tradition rooted in spiritual involvement and committed to national welfare. As enjoined in the Sastras he has no interest in material goods. He has internalized the Vedas through the time - honoured process of ‘learning by hearing’. What he learnt he shared. Still he called himself a Harijan. He has invested that term with profound meaning. He takes food only to the extent he considers it necessary to support his spiritual growth. The noble norms of life and conduct that he learnt, imbibed and adopted from my father have been given up by

everyone else, by the Asharam itself but he is a great social being who adheres to those norms with steady commitment. Except the silk saree I am presently wearing, each strand of our garments is spun by us . . .” (JJS 89).

Later Krishnaswamy comes back to Adi and says how Archarya Swamikal had high esteem and honour for Adi.

“Why this shower of gold Sovereigns for me? Why all this paraphernalia of elephant ride? What is important for the head of the madam is his character, his integrity, and his austerity. And, he embodies all these high qualities – Swamy was full praise for you”. On hearing this, Adi joined his palms in prayer and said to himself Sat Guru. (JJS 83).

These events reveal to the aspects of Adi’s growth during his life, the first being his acceptance in real terms as a Brahmin by not only his wife Swatantra Devi but also by the Acharya. Even after a long time, the Acharya is able to figure out the divine, the Brahmin and the *Brahman* in Adi’s person. Adi’s wife declares that he is the novelist. Brahmin, true to the meaning of Gandhiji’s declaration of Harijans, son of Hari, son of God. Even Krishnaswamy who entertains the mundane views about caste divisions has to declare that Adi has grown so much that he is not an untouchable. When Adi states, “You call me Harijan or by any other name – I am seen only as an untouchable.” (P.84) Krishnaswamy: “ Shiva Shiva, you are by no means untouchable. We cannot touch you, we cannot reach you – you have risen so much.”(JJS 84). In Krishnaswamy’s terminology and reading the very term ‘untouchable’ gains its most positive meaning that Adi is a grown up person, a true *Brahman*, in an untouchable place to the caste Brahmin Krishnaswamy. Thus Adi succeeds in himself being acknowledged or rather Brahminised by people who are born Brahmin. And when people queue up to get

the *darshan* of the Acharya Swamigal, and get his blessings, Swamigal wishes to have *darshan* of his own Lord Parameswara, who comes in the form of Adi – The saviour or the Almighty who saved his life from the jaws of death.

The faith that the Vedas and Sastras are meant only for the Brahmins is seen in Jaya Jaya Shankara. Jayakanthan in Jaya Jaya Shankara explains how people are moving towards social changes from the religious order. Further he highlights the socio-religious theme, without diverting Hindu religious ideas and tradition. He glorifies the ideal state of Hinduism in the first two chapters of the novel. The concluding chapters of the novel underline the point or the view of the present day's society in the name of caste, which Jayakanthan does not accept. He strongly believes that all are equal before God. But the Indian caste system does not allow the dalits to enter the temple and perform rituals and poojas. Jayakanthan opts for the Hindu religion, which is against the evils of caste system.

Works Cited

Besant, Annie and Das Bhagavan. Sanatana Dharma The Theosophical publishing House. Chennai 2000. P.88

Jayakanthan. Jaya Jaya Shankara. Trans K.C.Subramanian Kavitha Publication, Chennai 2002 P.40

Prabhupada Swami Bhaktivendanta A.C. Bhagavad – Gita As It Is: Published The Bhaktivedanta Book Trust International, Inc. Mumbai 1986. P.238

Sivananda, Swami. All about Hinduism. The Divine Life Trust Society, Himalayas (U.P) India 1989 P.9

Vivekananda, Swami. To the youth of India. Published by Swami Budhananda President, Advaita Ashram Himalaya Printed at Eastern printers Calcutta, 1972. P.22

The Encyclopedia of Hinduism P.954

Web Site

<http://www.dadayama.com> (2003)

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CONFERENCE TOPIC: SOUTH ASIAN STUDY

SUB TOPIC: WOMEN, GENDER

GENDER DISCRIMINATION - A SEARCH FOR IDENTITY

This paper highlights on Women's Resistance: The struggle from the margin towards the centre based on the critical Reading of K.Chinnappa Bharathi's "Thirst". Even in the present scenario somewhere in a corner, in some remote village in India, caste has its evil eye upon a particular community. People are marginalised in the name of caste. This critical Reading of K.Chinnappa Bharathi's novel "Thirst" highlights on two major issues.

1. The role of women, especially the down trodden
2. The lower caste people especially women of that society and their struggle from the margin towards the centre fighting for their identity.

K.Chinnappa Bharathi belongs to the school of committed writers of the dalit literature. His personal experience has helped him to write in an authentic manner the struggles of the untouchables and the life of the toiling masses who work as bonded labourers or almost like slaves in the fields of the landlords and the zamindars who exploited them. Born in a backward village, Ponneripatti in North Tamil Nadu, Chinnappa Bharathi has succeeded in picturing the life of the hill tribes living far and away from the modern world. Chinnappa was highly influenced by the poems of Subramania Bharathi. As a token of respect he has added the suffix "Bharathi" to his original name Chinnappan.

Prominent Indian writers have taken the issues and problems of Harijans and the down – trodden people. The social bounds are so rigid that any attempt by these people to raise their voice of protest is silenced with the heavy hands of the upper caste people. Bharathi in his novel “Thirst” brings to light the sufferings of these people. Indian womanhood has been conceived as a new changing stereotype in terms of the mythical and religious codifications of women as divine and mother archetype. But women have not taken easily to reconcile themselves with their marginalised situations and they attempt to transgress the codes of conventions laid down by patriarchal male- dominated society.

“Women in India are still caught between feudal values and style of life and the fast approaching ‘new life’, caught between the burden of the home and the workplace, child bearing, mothering, struggling with conventions, women have to first survive”. (Dr.Yashodara Bhut; Changing Images of Women – An Introduction 13)

Forced into a male-dominated society and its heartless customs and partial and loaded world of values, for the women, life has been a great struggle for survival. Her freedom to be born, to eat and to live on this earth has been constantly curtailed. Practices like female infanticide have denied birth to many female babies. Deliberate malnourishment has killed many girl children the institution called marriage considered her a less equal partner to man. Sometimes in the name of dead husband they have been forced to burn on funeral pyres. The persecution on gender basis has been a continuous and total process. Women have been marginalised in family, community and society. Their entry points to power centres have been barred. And yet the struggle continues, thanks to the preserving women and some sympathetic men like the writers and thinkers who consider them as God, only when there is equality for men and women. In Chinnappa Bharathi we find a sympathetic writer.

Dalit writers write about the plight of down trodden women. Their works are authentic document, of their search for identity. Women organisations are least bothered about the rights of the working class women in rural villages. Indian women are alienated from society like the Blacks of Africa and are denied of even basic needs and privileges in society. As Prema Nanda Kumar says,

"For several centuries, women have been tortured by religious observation and social marginalism." (Image of woman in Tamil Literature P.129)

Woman struggles to claim her individual status in a rigid patriarchal society, where she is sexually exploited and ruined. The case of untouchable women is still worse and they are the one exploited to the worst. The pitiable condition of women of India has been presented with sympathy by many writers like K. Chinnappa Bharathi. Their works give vivid picture of

humiliations women are subjected to. Even among the women the worst affected are the women from the lower strata in society, especially the so called "untouchables". The novel Thirst under investigations clearly shows how women are exploited on the name of caste. Chinnappa Bharathi's Thirst brings out the wretched condition of the poverty-stricken women who work on the fields of the landlord. They are physically and mentally tortured. Their social and economical conditions are pathetic and depressing. Chinnappa Bharathi's Thirst presents how women struggle to live in a male-dominated world. Bharathi's women are made of the ideal stuff. They look after the family, husband and children with dignity, love and compassion. Machi Sarat Babu's description of 'idle women' fits very well with Bharathi's women.

"Feminine ego enables a woman to do feminine duties. She knows the need of other people instinctively. She looks after them. She brings up children and takes care of people, especially her man. She is soft, weak, kind and caring. She is patient and tolerate. She is submissive, adaptable and obedient. She does the free labour of house work. She need not think rationally and logically She need not understand complex things, But she needs to be beautiful and graceful.—" (Manchi Sarat Babu 13)

Among women characters in Thirst, the character of Marakkal is notable and significant. She is the wife of Marappan. A poor farmhand both of them have to work for their living. She is sensitive to the moment each took out the frustration of toil and weariness in her husband. She knew how to tackle hard situations and this capacity has enabled her to maintain good relationship with her husband despite all sorts of pressures and tensions in the family. A farm worker's wife has to be strong, brave, and resilient and should cheer up her husband from topper. Bharathi has given the following portrait of Marakkal:

"She was the embodiment of hard toil, however much she bathed and kept her body clean, every day the smell of the seasonal crops and earth did issue forth from her body. Her thoughts and talk would always be about the fields and the crops. One could never see her sitting relaxed enjoying a meal in leisure. She would mix up the food in and eat it in a hurry standing all the while, eating leisurely she thought, would be wasting time" (Thirst 4-5).

Marakkal always wanted to work fast and efficiently. She would often say, "Even the crop would be against those who shy away from work" (Thirst 9). This shows her sincerity in work. Marakkal does all the household duties herself She gets up early in the morning, feeds the buffalo with cotton seed solution and clears the floor and the threshold also with Cow dung after sweeping. She then cleans the vessel and prepares cholam sauce. Then she wakes up her husband and children. She would often say, "A little delay will mean great disaster" (Thirst 6).

Marakkal is presented as a typical village women, hard working at home and fields and God-fearing and devoted to woman her husband and children. She dedicates her life for the sake of the family.

"Marakkal has lost her charm apparently due to too much drudgery and looked older than her age. Long ears with holes for wearing gold studs, the upper part of the ear folded to wear another ornament, slightly wrinkled face. With her 16 orbit saris raised and touched at the waist with the loose end tied around the waist to enable her work truly, she appeared semi nude" (Thirst 3).

Bharathi's Marakkal is an embodiment of all virtues and duties of a loving wife and a caring mother. "One peculiarity of the Images of women" says, Mary Ann Fergusson,

"Throughout history, social stereotypes have been reinforced by archetypes, another way of putting this would be to say that in every age women has been seen primarily as mother, wife, mistress, sex object their roles in relationship to men." (4-5)

In India both men and women writers have seen women in these relationships. Sociologists regard India as a traditionally male -dominated society where individual rights are subordinated to group or social role expectations. In these roles, personality must not dominate the roles assigned in the societal frame work. Consequently in such a set up, purely social, platonic or intellectual relationship between man and woman becomes nearly impossible. A women's individual self has very little recognition and suffers self-effacement in her normal way of life. Indian woman to, so as a part of that set up, has accepted it and lived with it for ages, which still continues in rural villages.

K. Chinnappa Bharathi in Thirst exposes this pitiable condition of woman, through the character of Palaniammal, the eldest daughter of Marakkal. In spite of heavy debts, her marriage takes place without any problem. Her mother-in-law Karuppayi is of dominating character and as soon as Palaniammal had entered the house on the first day, she assigned her a lot of work. Palaniammal did the best of her ability to satisfy her mother-in-law. The exact feeling of a mother-in-law is well brought out by Bharathi thus:

"The mother-in-law was overjoyed. The daughter-in-law has submitted to her even at the first instance. She had deliberately pointed out a fault. But the daughter-in-law has not argued" (Thirst 66).

This clearly shows that Karuppayi had the right to pull up her daughter-in-law even on trivial matters. Karuppayi's true nature comes out when she starts to harass Palaniammal, for she had expected Palaniammal would bring twice the dowry she had given to her daughter. The only thing that made her happy was the arrival of the grandson. Once the fight between

Karuppayi and Palaniammal rose to heights and Karuppayi took a broom stick in her hand and beat her. Palaniammal did not expect this and she was extremely patient. People who were around said, "Whatever be the exchange of words, should you beat her with the broomstick?" They grabbed the broomstick from her hand and threw it away" (Thirst 130).

Palaniammal attempts to hang herself. People nearby rush and saves her. She decides to live for her child. Karuppayi felt that one son was enough for her daughter-in-law. Palaniammal's husband also feels so and as she is conceived again, and she is sent to her mother's house to abort the child.

In the portrayal of Palaniammal, we find a range of persecution is that have to be faced by women in the course of her life. Most of them spring from the institution of marriage. Indian system of joint family living engenders a situation in which mother-in-law, persecuted sole of yesterdays and tries to pass on her pangs to the daughter-in-law. Palaniammal is abused beaten and her right to motherhood infringed upon. She is even driven commit suicide. If Marakkal is an embodiment of all virtues of stoic sufferings, in Palaniammal Bharathi portrays the archetypal suffering.

As the people in the village are illiterates, they believe in superstitions and other things. They are not taken to the doctors even if they are seriously ill. All they do is they strongly believe in native doctor like Komali who alone can treat man and cattle alike for their ailments and prescribe medicine. A woman who was considered to be expert in abortion in the village is summoned to abort the child of Palaniammal. Soon after the treatment Palaniammal is in the grip of pain and she could not bear the suffering, and as a result she dies.

The pangs and pains are common to all rural women in Tamil Nadu. But the Harijan woman has to face much pains, tortures and humiliations. Bharathi highlights one incident, which details the cruelty handed out to the outcast woman of Tamil Nadu Villages. The humiliation done to valli is the worst of any fortunes. After her marriage with Kathaan, they go the landlord to seek his blessings as it was the usual procedure, for a newly wedded couple. The landlord is attracted by her beauty and says: "Send her here to gather cow dung" (Thirst 191). When Kathaan expresses his unwillingness to send his newly married wife Valli to the landlord, his mother consoles him: "We are condemned to such a life. A pip's fortune is the filthy mire; to the low class man it is the second hand stuff. That is his lot" (Thirst 191).

Kathaan, for the fault of being in service of the landlord, cannot deny the rottenness of the landlord. Valli the poor woman has to undergo a wretched life. Marriage and institutional rights do not hold well when it comes to 'low caste woman'. Valli is much more exploited than Palaniammal.

Bharathi's women characters are drawn from the poor peasants. His Palaniammal, Marakkal, Valli and Papal are drawn from the poor peasant community. Their life of toil and sufferings are pictured well by Bharathi. But in the case of dalit women like Valli, the suffering is to the core. They are denied of their individuality and discriminated not only in terms of gender but also in caste. The most important point to be observed in the characterisation of Chinnappa Bharathi is that his woman characters suffer but they don't resist. They meekly yield to the circumstances in which they live and suffer insult or death without any resistance. Bharathi's portrayal of women deals with two worlds of destitution and poverty, where women are accepted in her elemental rules; and of upper class avarice and debauchery where her beauty and image are exploited.

WORKS CITED

1. Bharathi, K.Chinnappa: Thirst.
Trans. S.Visvesaran, Sivagangai: Selma Books, 1993.
2. Fergusson, Ann, Mary. Images of Women in Literature,
Houghton: Mifflin co. Boston.1962.
3. Namboodari Pad, E.M .S. On Chinnappa Bharathi's Novels –
A Critical Study. Sivagangai: Selma Books, 1996.
4. Narasimhaiah, C.D Foreword, The Images of Women in Indian Literature.
Ed. Yashodha Bhat, Associate Ed. New Delhi: D.K. Publishers and
Distributors (P) Ltd.,1993.

EDUCATIONAL SITUATION OF TRIBAL WOMEN IN INDIA (Specially Aandh Community In Yotmal District.)

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Most of the tribal communities in India are geographically isolated, economically, socially backward and politically weak, but culturally rich and behaviorally simple and trustworthy, leading their life in the lap of nature. They are facing a multiplicity of problems and difficulties forcing them to lead a life at subsistence level and in a few cases full of poverty, deprivation, disadvantages and even varied kinds of miseries and Sorrows, Very difficult to be effectively tackled by their own effort. Due to lack of education, the tribal lagged behind in acquiring new skill required for their sustainable up liftment. Recognizing that literacy is the instant solution for bringing out immediate change in the life style of the tribal's, high priority was accorded to literacy programmes.

When one looks at the literacy rates among the tribes in India, except in a few cases the rate of literacy is below the general population. it is much more among the tribal women. There are many factors which hinder progress of education among the tribal communities in general and among tribal women in particular. One needs to go deep into the tribal life to understand the factors which inhibit educational progress among the tribes as well as to find out the factors which promote progress of literacy.

Education system should make an individual better suited to the needs of the ever changing dynamic world. The changes in the educational system should also reduce the social gaps by enabling proper recognition to whatever extent one is able to pursue or acquire a skill. The tribal community all over India have been subjected to various forms of deprivation such as alienation from land and other resources. Especially the tribal women though they are away from the main stream of national life, but they are not kept away from the impact of socio – economic changes effecting the society in general. In this process of change, the tribal woman is forced to adhere to certain norms which may even take away her freedom, her control over the traditional productive system, her house, family and children and even her own life. The fact remains that a large number of tribal women have missed education at different stages and in order to empower them there is a great need of providing opportunities so as to enable them to assume leadership qualities for economic self-reliance and even social transformation. It is often alleged that the level of aspiration of these women as a group is low and they are quite satisfied with what they are and with what they have. It is most often not true only to womenfolk but to everyone who feels helpless and frustrated. However in order to develop and raise their level of aspiration, adequate educational opportunities are to be provided so that they get motivated to participate, support and also ultimately learn to initiate their own programmes of development. Therefore, in this paper an attempt has been made to analyse the present status of educational facilities availed by tribal girls and women. It is also suggested to provide skill and vocational training programmes to tribal women living in rural areas.

LITERACY RATES OF TRIBES

Year		M	F	
1961	Rural	13.37	2.90	8.16
	Urban	30.43	13.45	22.41
	Total	13.83	3.16	8.53
1971	Rural	16.92	4.36	10.68
	Urban	37.09	19.64	28.84
	Total	17.63	4.85	11.30
1981	Rural	22.94	6.81	14.92
	Urban	47.60	27.32	37.93
	Total	24.52	8.04	16.35
1991	Rural	38.45	16.02	27.38
	Urban	66.56	45.66	56.60
	Total	40.65	18.19	29.60
2001	Rural	57.39	32.44	45.02
	Urban	77.77	59.87	69.09
	Total	59.17	34.76	47.10

The tribal's are much found of stories, songs and arts. it is necessary to give impetus to them in their own tradition and culture. They find a new light in folk lore which is very essential part of their daily life. The tribal's possess the literary treasure from generation to generation. Their folk lore covers all subjects' science, art and literature. Now the modern education has created much difficulty to go back into their cultural field. the educational reformers will face some difficulty if they do not take much care about their folk lore. It is only vehicle by which the social workers, educationists and village social reformers could enter into the mind of the tribal people. The tribes take a deep interest in the artistic pursuits.

It is their inborn habit to become an artist. The popular arts have given them a new phase in their educational system. Day to day they gather a new experience from nature which is being employed in art and culture. The folk tales are the most important factor of the tribal education. Their education will be more easy if they are educated in folk lore.

The arts, crafts and historical relics will be exhibited for political social and educational interests. The curator or exhibitor would explain the exhibits with full details. these will give them impetus and help them to understand the geography, history and all sorts of culture. The museum would guide them to develop their cultural progress . The comparative industrial study and exhibitions will be arranged from time to time. The rural people should study the different types of industrial, agricultural and commercial developments.

Education has not yet entered in the inner apartments of the village homes. The women folk are generally responsible for their home affairs. Their superstitions, ignorance and illiteracy have covered them from ages to ages. Also the woman who have come in the big towns and cities could not come over from age old traditions. The mass illiteracy throughout the whole country has impeded the progress of men folk . They do not like to take interest in learning because social environments do not permit them to go further. the legislation would be failure unless the importance of learning would be ensured to them properly. The women's mind is very self centered. They do not like to know much about the outside world. Their whole atmosphere is based on age old tradition. They would fear to go out from the family bondage. the Women should be taught about the development of social status, house keeping, children nourishment. the home crafts are most important for the women education. Even improved house, keeping is economically of the greatest value a fact that needs to be stressed and it can be developed, by means of literacy to the keeping of simple accounts and budgets.

The school should be established for young's girls who will be responsible for their homes. Their education will be more social if first aid, nursing and midwifery education are made compulsory in their training . Singing and dancing may be introduced for the development of culture. Education system should make an individual better suited to the needs of the ever changing dynamic world. The changes in the educational system should also reduce the social gaps by enabling proper recognition to whatever extent one is able to pursue or acquire a skill. The tribal community all over India have been subjected to various forms of deprivation such as alienation from land and other resources. Especially the tribal women

though they are away from the main stream of national life, but they are not kept away from the impact of socio – economic changes effecting the society in general. In this process of change, the tribal woman is forced to adhere to certain norms which may even take away her freedom, her control over the traditional productive system, her house, family and children and even her own life. The fact remains that a large number of tribal women have missed education at different stages and in order to empower them there is a great need of providing opportunities so as to enable them to assume leadership qualities for economic self-reliance and even social transformation. It is often alleged that the level of aspiration of these women as a group is low and they are quite satisfied with what they are and with what they have. It is most often not true only to womenfolk but to everyone who feels helpless and frustrated. However in order to develop and raise their level of aspiration, adequate educational opportunities are to be provided so that they get motivated to participate, support and also ultimately learn to initiate their own programmes of development. Therefore, in this paper an attempt has been made to analyse the present status of educational facilities availed by tribal girls and women. It is also suggested to provide skill and vocational training programmes to tribal women living in rural areas.

Basically, there are 29 states in India. Among them, Maharashtra is recognized as progressive state. According to 2001 census, the Geographical area is 3.08 Lakhs Sq. Ft. and the population is 968.79 Lakhs. Among of all the states in India Maharashtra ranks second. The index of human development of Maharashtra is 0.523 and it ranks 4th in comparison to other states in India. According to 2001 census, Maharashtra consists of 34 districts. Yavatmal is one of them. The geographical area of Yavatmal district is 13.58 thousand Sq. Ft. The density of population to per K.M. is 181. The percentage of S.C. and S.T. is 29.5. Predominantly, Yavatmal is Adivasi district. The Adivasi community like Aandh, Kolam, Gond and Pardhan dwells in Yavatmal district. Particularly Aandh community is in plenty. We can find more than 75 villages having Aandh community. Some people of this tribe, are highly qualified and possess higher ranks. Whatever it may be, the educational ratio of women is a matter of real concern.

In this present research paper, the educational conditions of women their problems, limitations and remedies have been focused. According to one research project in 1997-98,

only 5711 women among 19440 of 8029 Aandh families were literate. Today also, the scene is not so far changed.

In the society, Generally, the doctors, Engineers, Lecturers and Lawyers are considered dignified and economically strong. But higher education is mandatory to achieve these posts. To be lecturer is smoother and economically affordable in comparison to be doctors and engineers. But NET and SET exams are to be qualified. Why do Aandh women remain behind ? of course, the educational tradition and good resolves that they did not receive have been reviewed in this research paper. Due to scarcity of proper education and guidance they can't qualify exams like I.A.S., M.P.S.C. and U.P.S.C.

The reasons for less literacy of Aandh Women :

- 1) Spend more times to fulfill basic needs like Food, Clothes and Shelter.
- 2) Negligence of education in conventional rural area.
- 3) Govt. Schemes for educational schemes are not properly implemented.
- 4) When Aandh girls enter in the educational environment, they are shy and hesitant. It is necessary to know them. But unfortunately, they are neglected.
- 5) In the remote places, schools are not opened where Aandhs are in majority.
- 6) Expensive education.
- 7) They lead gypsy life after the season is over.
- 8) Govt. has started some schools through Ashram Schools and they are run under "Valmiki Adivasi Development Project". There is commissioner office also but they have no control over it. Therefore, there is no status.
- 9) Mainly, Ashram schools are in inaccessible area. There is not independent Education office. Hence, there can't be proper evaluation.
- 10) Increasing corruption in schools.
- 11) Privatization of Ashram schools.
- 12) Language is main barrier in their schools.
- 13) Former generation is illiterate. So they don't pay much attention towards their daughters' Education so they oppose every now and then.

- 14) The Aandh people think that their daughters can be seduced if they are sent out of station for education.
- 15) The visionary leader like Dr. Ambedkar in Dalit Community did not come on the scene in the Aandh Society.
- 16) If above things are fulfilled, the nation can really prosper. Considering these things the efforts are not done.

There are certain institutions working for the Adivasis in Yavatmal District. They are Adivasi Yuvak Seva Sangh, Adivasi Mukti Dal, Yavatmal Vikas Manch, Akhil Bhartiya Adivasi Vikas parishad, All India Tribal Employees Federation, Kolam Unnati Mandal, Shyamdada Kilam Seva Mandal, Rani Durgawati Mahila Mandal, Adivasi Ekta Parishad, Adivasi Swayatta Parishad, Gondwana Mukti Manch, and Birsa Kranti Dal.

Above Govt. and social Adivasi institutions are working in Adivasi crowded area. The details regarding their educational development is really possible due to the contribution of these above institutions. In view of the findings presented, the following strategies are suggested for improving the rate of literacy among tribal women.

The existing formal school system should be strengthened by opening additional residential schools exclusively for girls education. primary schools should be started in all the tribal habitations irrespective of the size of the habitations.

The school/ classroom environment should be improved and girls should feel homely, they should be provided with all facilities like school uniforms, free reading writing materials, etc school/ classroom and surrounding should be kept neat and clean.

Work unrelated to education should not be entrusted to the students. If other work is assigned to the students, their self esteem is undermined and it in turn may cause dropping out from the school Along with formal schooling, they should also be provided with the need based vocational training facility.

The teachers recruited in tribal schools should be bilingual, they should know the regional languages as well as the dialect of the tribes among whom the school is located.

The dropout rate among children especially girls are more due to poverty apathy, early marriage etc. Hence, programmes should be organized to create awareness among the parents, stressing the immediate need for educating their daughters.

Adult Literacy Centers should be opened in all the tribal hamlets without adhering to the norm of minimum size of the centers and by providing all minimum facilities required such teaching learning materials, lighting equipment etc.

All the developmental programmes that are undertaken in the tribal areas should will have proper awareness of these development programmes. Further , this may act as one of the motivating factors to attend the Adult Education Centers

The services of the teachers, functionaries of Adult Literacy and Development Programmes of the tribal areas should be recognized and special amenities and incentives may be provided so as to motivate and attract good teachers to the tribal areas.

Tribal parents should be persuaded not to perform their daughters marriages at an early age. Further, they should be discouraged not to be take bride price. To leave sufficient free time to their children to pursue their education , the tribal parents should be convinced and persuaded not to entrust work in the house as well as outside the house. The tribal parents should be persuaded not to discriminate between their sons and daughters not only with regard to their education but also in all the to the respects of their lives.

Education to women is as essential as to men. It makes women to find the right way to development. Even today in most parts of the country, the tribal women remains steeped in superstitions and ignorance with men presiding over their destiny. The main aim of education is to change the cultural norms and patterns of life of tribal women to make them economically independent, to organise themselves to form strong groups so as to analyse their situations and conditions of living, understand their rights and responsibilities and to enable them to participate and contribute to the development of women and the entire society. The population of STs is very high in some states and in some states there are no STs. With regard to the literacy rates, female literacy has raised considerably in the past four decades both in urban as well as rural areas. Moreover the percentage of Schedule Tribe girls in higher education has been gradually increasing. The fact remains that a large number of tribal women in rural areas might have missed educational opportunities at different stages and in order to empower them varieties of skill training programmes have to be designed and

organised. The skill could be for assuming political leadership or for economic self-reliance or even social transformation.

References :

1. Annual reports of University grants commission, New Delhi -2002
2. Education of Tribal Women A Adinarayan Reddy
3. Tribal Education - D. N. Thakur
4. Tribal Women D. N. Thakur
5. Websites Consulted
6. [www.n/m. nic. in](http://www.n/m.nic.in)
7. [ww.plainndi.org. in](http://ww.plainndi.org.in)
8. Educational Situation of Tribal community Women in India.

SCHEME OF ARRANGEMENT (SOA) IN THE REHABILITATION OF ABANDONED HOUSING PROJECTS: A CASE STUDY OF MALAYSIA

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INTRODUCTION

If a company is insolvent and is unable to pay its debts, it may be subject to a scheme of arrangement (SOA) on the application of the creditors or members or the liquidator or the company itself. The usual purpose of SOA is for the SOA manager to take over the affairs and business of a debtor insolvent company in order to settle off the debts of the creditors and once all the debts are fully paid, the control of the debtor insolvent company will be handed over back to the previous management. The SOA manager is armed with certain powers and duties in the SOA administration. The benefit of obtaining SOA is to give some time to the SOA manager to run the debtor insolvent company in order to settle its debts. Moratorium power will be given to SOA Manager against any actions and proceedings by the creditors in the course of the SOA administration. This moratorium power is to allow the SOA manager to exercise the SOA effectively without any interference by the creditors and the members of the debtor insolvent company.

In respect of insolvent housing developer company which becomes subject to SOA, similar duties are carried out by the appointed SOA manager, viz to take over the affairs of the company, to settle off all the debts of the creditors, to carry on any project and business left by the company if this is expedient in accordance with the law and the wish of the creditors or the members. Once all these have been dispensed with, the affairs and management of the company will be handed back to the previous management.

PROBLEM STATEMENT

It is an undisputed fact that abandoned housing projects are a negative phenomenon plaguing the housing industry in Malaysia (Md. Dahlan, 2009). The issue of abandoned housing projects began with the adoption of a housing democracy by the Malaysian government in the 1960s (Md. Dahlan, 2009). Prior to the 1960s, public housing was provided by the government itself (Agus, 1997). However, due to insufficiency of government funds and the upsurges in demand for housing ownership and needs, the government opened the door for private housing developers to participate in providing public housing to the citizens. This policy was supported by aggressive government assistances, incentives and legal means to ensure its success. Despite such efforts, the occurrences of abandoned housing projects have marred the role of private housing developers in respect of national development and safeguarding the interests of its citizen purchasers. As a result, many purchasers have become victims in abandoned housing projects (Md. Dahlan, 2009).

There are various reasons causing abandoned housing projects and the consequential problems they have caused are grave. One of the reasons is that there are insufficient housing policy and legal provisions to avoid and prevent abandonment and to protect the interests of purchasers.

In the event that rehabilitation can be carried out, the ensuing problems caused--pecuniary and non-pecuniary losses, are still left hanging and unsettled for most of the purchasers and stakeholders without any sufficient remedies and measures to address them (Md. Dahlan, 2009).

Some quarters say that the current housing policy and industry in Malaysia is still healthy, notwithstanding the plight of purchasers of abandoned housing projects, poor workmanship of the houses and other housing problems. The problem of abandoned housing projects only represents 1-3% of the total housing projects. The remaining 97%-99% of housing projects succeeds. Thus, the current system of housing delivery and policies should be continued regardless of the plaguing occurrences of abandoned housing projects' and their negative consequences befalling the purchasers (Hassan, A.B & Tala, Z., 2010).

Unfortunately, these are some of the statements made by persons in authority in Malaysia's housing industry. Nonetheless, despite these statements, there are still inadequate measures taken by the government to alleviate the problems of abandoned housing projects, not even the current newly established Division of Rehabilitation of Abandoned Projects under the Department of National Housing, Ministry of Housing and Local Government ('MHLG') can. The measures taken are still 'too little too late' in the face of the catastrophe caused by abandoned housing projects. The fallen preys are the aggrieved purchasers themselves. The law governing the housing industry in Malaysia – the Housing Development (Control and Licensing) Act 1966 and its regulations (Act 118) is evidently unable to fully address the problems of abandoned housing projects. The court also seems indecisive in protecting the interests of the aggrieved purchasers in abandoned housing projects. This is partly due to 'too many conflicting considerations and equities' that the court needs to deal with in cases involving abandoned housing projects. Thus in certain circumstances, the rights and interests of the purchasers may not be fully appreciated and taken into consideration by the court. The problem becomes more severe where housing developer company is subject to the insolvency administration. In the insolvency administration, the insolvent ailing company becomes bankrupt and all the assets and moneys will be used to settle off the debts of the creditors and there may not be any sufficient monetary balance which can be used to rehabilitate the abandoned housing projects and to compensate the aggrieved purchasers (Md. Dahlan, 2009).

In the opinion of the author, there are three major reasons leading to the abandonment of housing projects, in Malaysia, viz (Md. Dahlan, 2011a):

- 4) Absence of a better housing delivery system such as the 'full build then sell' system;
- 5) No mandatory legal requirement for obtaining housing development insurance; and,
- 6) No specific legal provision governing the rehabilitation schemes.

Grievances and Troubles Faced by Purchasers

The obvious problem faced by purchasers when housing development projects are abandoned in Malaysia is that they are unable to get vacant possession of the housing units on time as promised by the vendor-developers (Md. Dahlan, 2006). The statutory standard sale and purchase agreements of housing accommodation (Schedules G, H, I and J) provide that the developer shall complete the construction and deliver vacant possession within two

years (for landed property) or three years (for flats), as the case may be, from the date of the sale and purchase agreement. If the development of the project is abandoned, the units may be completed later than two or three years, after the date of the sale and purchase agreement. However, in the worst circumstances, the developer may be unable to complete the project at all, and this may mean it remains abandoned for a long time unless it can be rehabilitated and completed (Md. Dahlan, 2007b).

Further, despite the fact of the project being abandoned, the purchasers will still have to bear all the monthly installments to their respective lenders (for repayment of the housing loan granted). Otherwise the purchased lots together with the building to be erected thereon, which provides security for the housing loan to the lenders, will be sold off and if there are shortfalls in the amount owing, in the worst case scenario, the purchasers may be made bankrupt. As a consequence of having been unable to occupy the planned housing units, the purchasers also have to rent other dwellings, thus adding to their monthly expenses (Md. Dahlan & Md. Desa, 2010).

Even when there is a plan for rehabilitation of abandoned housing projects, the plan may not be easy to carry out as various problems associated with the rehabilitation have to be settled. These problems are, by and large, associated with the fact that the project has been too long overdue without any prospect of revival. To rehabilitate it may require additional hefty costs and expenditure, which the balance of funds in the Housing Development Account (HDA) or the balance of purchasers' loan funds in the hands of the financier may not be enough (Md. Dahlan, 2011a).

The rehabilitation problems may also emanate from difficulties in reaching consensus and getting cooperation from purchasers, defaulting abandoned developers, financiers, bridging loan lenders, contractors, consultants, technical agencies, the local authority, the land authority, the state authority and the planning authority. The trouble may be due to technical and legal problems faces in the attempt to rehabilitate a project. It follows that due to the abandonment and the ensuing complications, the ordinary machinery and enforcement of the housing, planning, building and development laws become defunct, frustrated and jammed, at the expense of the public purchasers. This also includes the inability of the public purchasers to take legal action against the defaulting developer because such actions may not be beneficial or possible (Md. Dahlan, 2006).

RESEARCH QUESTIONS

The research questions are these:

- 3) Whether the rights and interests of aggrieved purchasers in the abandoned housing projects of the insolvent housing developer companies which are subject to SOA administration are fully protected? And,
- 4) If not protected, how could the SOA law be improved and improvised for the benefits and protections of the purchasers' interests?

OBJECTIVES OF THE PAPER

The objectives of this paper are these:

- 4) To study the existing SOA legal provisions under the Companies Act 1965 (CA) and the case law insofar as these provisions deal with the problems of abandoned housing projects and its rehabilitation;
- 5) To study the rights and interests of the purchasers in abandoned housing projects whose housing developer companies are subject to SOA; and,
- 6) To suggest certain legal provisions to improve the current law governing SOA administration so that the law can sufficiently able to deal with the problems of abandoned housing projects and its rehabilitation.

LITERATURE REVIEW

Currently, a housing project in Malaysia can be deemed to have been abandoned when (Official Portal of the Ministry of Housing and Local Government, 2011):

- e) The construction activities on site of the housing project have consecutively stopped for six months or more, after the expiry of the Sale and Purchase Agreement (S&P) executed by the developer and the purchaser; or,
- f) The developer has been put under the control of the Official Receiver; or,
- g) The developers admit in writing to the Housing Controller that they are unable to complete their projects; and,
- h) The problematic project is endorsed as an abandoned housing project by the Minister of Housing and Local Government pursuant to section 11(1)(c) of the Housing Development (Control and Licensing) Act 1966 (Act 118)

Scheme of Arrangement ('SOA')

The interests of the purchasers in abandoned housing projects of the insolvent housing developer companies may also be protected with the provisions of scheme of arrangement ('SOA') pursuant to section 176 of the Malaysian Companies Act 1965 ('CA'). According to section 176(1) of the CA, the Court may, on application of the insolvent company or creditors or members or liquidator, as the case may be, order a meeting of compromise or arrangement of the creditors or members of the company with the company to settle their debts towards the creditors. This compromise and arrangement must first be supported by three fourth majority of the creditors or members of the insolvent company (section 176(3) CA). It is submitted that the 'compromise and arrangement' may include the plan for rehabilitating the abandoned housing projects and paying damages to purchasers.

Recent Development on Measures in Dealing with Abandoned Housing Projects

Recently the Malaysian government has announced certain measures to deal with the problems of abandoned housing projects. This includes the proposed amendments to Act 118. The proposed amendment is this--any housing developers who have abandoned their abandoned housing projects will be subject to a criminal penalty. This will come into effect with the enforcement of the new amendment to Act 118 that all licensed housing developers who failed to complete a housing project or have caused the abandonment of the project shall be deemed to have committed a criminal offence. Upon conviction, such a developer is

liable to a fine of not less than RM (Ringgit Malaysia) 250,000.00 and not more than RM500,000.00 or to be jailed up to three years, or both. This is provided under a new section in Clause 9 of the Housing Development (Control and Licensing) (Amendment) Bill 2011. Apart from that, Clause 5 of the bill, which is aimed at replacing Section 8A of Act 118, will also give the buyer the rights to terminate the sale and purchase agreement if the developer refused to continue implementing the project after six months from the date of the agreement. Furthermore Clause 3 of the Bill, which is aimed at amending Section 6 of Act 118, states that the deposit to obtain housing development licence to be increased from RM200,000 to three per cent of the estimated cost of the project. This is to ensure that only developers who have sufficient financial ability will be allowed to implement housing projects. Clause 8 of the Bill, which is aimed at amending section 16AD of Act 118 to increase the minimum penalty of RM10,000.00 for non-compliance of tribunal award to a maximum of RM50,000.00. On the other hand, clause 6 is aimed at amending sub-section 16N (1) of Act 118 to give more power for the tribunal to hear claims on a sale and purchase agreement involving unlicensed housing developer. The proposed clause 10, however, aimed at amending section 24 of Act 118 to increase the maximum fines for any violations of the law to RM50,000.00 from RM20,000 previously (The Edge Property.com Every Thing Property, 2012).

The author commends the above move by the government. However, the above approach in making the abandoned housing developers criminals only serve as a penal measures and not preventive. The best method to arrest the occurrences of abandoned housing projects in Malaysia, it is submitted, is by way of introducing the “full build then sell” concept of housing delivery. The above penal provisions may not be effectual if the enforcement and implementation of the law is weak due to insufficient professional staff, inadequate administrative logistics, insufficient legal and technical knowledge of the staff and inefficient administration of the housing regulatory bodies (MHLG). Thus, the problems of abandoned housing projects still cannot be totally eliminated.

In another new development involving abandoned housing projects are the initiatives adopted by PEMUDAH. PEMUDAH is short name for “the Special Task Force to Facilitate Business”. PEMUDAH was formed by former Prime Minister, Abdullah Ahmad Badawi on 7 February 2007, out of an obvious need for closer collaboration between the public and private sector to enhance the public service delivery and improve Malaysia’s business environment. The teams forming PEMUDAH consists of the relevant government agencies, private agencies and employee representatives. According to PEMUDAH, in order to deal with the problems of abandoned housing project, government should adopt Build-Then-Sell Concept (BTS) in the Malaysian housing industry (PEMUDAH Annual Report 2011, 2012).

Nonetheless BTS has not been defined by PEMUDAH. However, the question is whether this BTS is a “full build then sell” or a “*quasi* build then sell” concept? If it is a “full build then sell” i.e the developer is required to duly complete the construction of the houses and only upon the receipt of CF or CCC, will the developer sell the houses, then this proposed BTS is the most appropriate measures to deal with the problems of abandoned housing projects. This method will totally eliminate the problems of abandoned housing projects.

On the other hand, if BTS means a “*quasi* build then sell”, or a “10-90 concept” i.e the purchaser only needs to pay 10% of the purchase price on the signing of the sale and purchase agreement and the 90% purchase price will only be paid to the developer on the duly completion of the houses, the author is still doubtful and skeptical as to whether this concept can eliminate the occurrences of abandoned housing projects altogether? This is because there is no guarantee that during the course of development using this concept (*quasi* build then sell or 10-90 concept), the developer will not abandon the project.

PEMUDAH also proposed Home Completion Insurance or Guarantee Scheme to face the problems of abandoned housing projects. In the opinion of the author this proposal (Home Completion Insurance) is a very good suggestion as this means can settle the problem of insufficiency of fund on part of the defaulting developer and facilitate the rehabilitation by white knights. Nonetheless the details of this proposal are yet to be worked out. It is hopeful that this proposal and its details can be workable and sufficient to deal with the problems of abandoned housing projects satisfactorily (PEMUDAH Annual Report 2011, 2012).

PEMUDAH in their final proposal also proposed that the schedule of payment for the respective agreements (Schedules G, H, I and J) should be amended. The proposal also aims to ensure that the title and the vacant possession can be made simultaneously (PEMUDAH Annual Report 2011, 2012).

Other initiatives as proposed by PEMUDAH in order to curb the occurrences of abandoned housing projects are as follows (PEMUDAH Annual Report 2011, 2012):

- 3) Proposed the government to apply Build-Then-Sell (BTS) Concept by licensed developers which to be fully implemented by 2015 with the house buyer *shariah* compliance financing scheme; and
- 4) Proposed to the government that certain amendment to the of Housing Development (Control and Licensing) Act 1966 (Act 118) be made which included:
 - Increase in deposit from RM200,000 to three per cent of total estimated physical development cost which also includes professional fees for the Housing Development Account (HDA);
 - House buyers having the option to cancel their Sale and Purchase Agreement (SPA) in the event that the project does not take place within six months of the agreement being signed;
 - Extending the House Buyers’ Claims Tribunal (TTPR) scope to enable house buyers to claim damages from unlicensed housing projects;
 - Imposing a maximum penalty of RM50,000 from RM20,000 for any offence made by developers to any provision under the Act 118;
 - Prosecute developers responsible for abandoned housing projects; and
 - Definition of “Housing Developer” has been expanded to include liquidators where their role is to revive abandoned projects should the developer companies go for liquidation.

The government is also planning to conduct a study to unravel the problems faced by the aggrieved purchasers who are victims in abandoned housing projects. According to the

Housing and Local Government Minister, Datuk Seri Chor Chee Heung “A special committee will be formed to look into this issue and to find ways to assist them.” At present, he said, buyers who took housing loans from the government would have their loans cancelled if they became victims of abandoned projects. “They will be considered for another housing loan, or have their four per cent interest rate deferred,” he added (New Straits Times, 2012).

Further the Minister said, MHLG has taken several initiatives to assist victims of abandoned housing projects. He said the initiatives included providing a verification letter to funding institutions that the projects have been abandoned and assist buyers to discuss how their loans could be resumed after rehabilitation works started. “Such loans would be subjected to the funding institution's valuation and based on the merits of each case but if the buyer is not assisted, a complaint can be lodged with the ministry which would be referred to Bank Negara Malaysia (BNM)”, the Minister explained. Chor said MHLG has also proposed for a working paper to be presented to the National Economic Council in order for BNM to recommend ways to assist the victims of such projects if the funding institutions fail to give them due consideration. He added that the government and related parties in the industry were discussing holistic ways to best implement the build and sell system (The Star, 2012).

FINDINGS

The findings of this research paper are as follows:

- 5) The interests of the purchasers in abandoned housing project may be protected with the provisions of scheme of arrangement (‘SOA’) pursuant to section 176 of the CA. Accordingly, the Court may on application of the insolvent company or creditors or members or liquidator, as the case may be, order a meeting of compromise or arrangement of the creditors or members of the company with the company to settle their debts towards the creditors. This compromise and arrangement must first be supported by three fourth majority of the creditors or members of the insolvent company;
- 6) Nonetheless in the opinion of the author to obtain the approval of the creditors or members may not be that easy in the SOA. The applicant must prove that the proposed compromise and arrangement would be beneficial specifically to the creditors and the members of the insolvent company. Otherwise, the proposed compromise and arrangement may not be actualized. In the rehabilitation of abandoned housing projects, the paramount consideration is the funds to finance the rehabilitation and the guarantee that all the authorities (such as the lender banks, local authority, planning authority, technical agencies, housing authority and land authority) are agreeable to support the purported rehabilitation and the completion of the rehabilitation itself. If these matters cannot be ascertained or the rights of the creditors and the members would be detrimental as consequence of carrying out the rehabilitation, the creditors and the members may not approve the proposed compromise and arrangement;
- 7) Be that as it may, the aggrieved purchasers also may become the creditors to the insolvent housing developer company, provided they are the judgment creditors. They may apply for an SOA against the insolvent housing developer company either to carry out rehabilitation and/or to pay them damages and

compensations. Nonetheless they must get three fourth majority of the creditors or member of the insolvent housing developer company in order to support their application for an SOA. This can be illustrated in *Capital Dynasty Sdn Bhd (in liquidation) v Chiang Bing & Ors* [2009] 8 MLJ 841; and,

- 8) The initiatives and proposals by the government and PEMUDAH are good move to face the problems of abandonment of housing projects, particularly in respect of the BTS, Home Completion Insurance or Guarantee Scheme and that the definition of “Housing Developer” has been expanded to include liquidators where their role is to revive abandoned projects should the developer companies go for liquidation. Following this proposal, the CA and Act 118 needs some amendments to give effect to this proposal.

ANALYSES OF THE FINDINGS

It is evident that in the SOA administration to obtain the approval of the creditors or members for the SOA manager to carry out rehabilitation of the abandoned housing project left by the insolvent company may not be easy. In fact, the applicant must prove that the proposed compromise and arrangement would be beneficial specifically to the majority of the creditors and the members of the insolvent company. Otherwise, the proposed compromise and arrangement may not be actualized. In the rehabilitation of abandoned housing projects, the paramount consideration is the funds to finance the rehabilitation and the guarantee that all the authorities (such as the lender banks, end-financiers, local authorities, planning authorities, technical agencies and land authorities) are agreeable to support the purported rehabilitation and the completion of the rehabilitation itself. If these matters cannot be ascertained or the rights of the creditors and the members would be detrimental in consequence of carrying out the rehabilitation, the creditors and the members may not approve the proposed compromise and arrangement i.e to rehabilitate the abandoned housing projects or any compromise and arrangement to secure the purchasers’ rights and interests.

In *Capital Dynasty Sdn Bhd (in liquidation) v Chiang Bing & Ors* [2009] 8 MLJ 841 (High Court at Kuala Lumpur, presided by Ramly Ali J), the court allowed the application of the liquidator on behalf of the wound up company (petitioner being an abandoned project developer) to have a scheme of arrangement (SOA) be conducted for the benefits of the scheme creditors (consisted of the aggrieved purchasers, unsecured and the secured creditors), pursuant to section 176(1), (3) and (4) of the CA. The SOA was proposed by the liquidator after a proposal was made by a company by name of Blackstone Eight Sdn Bhd (‘Blackstone’) to purchase the completed building, the uncompleted buildings, the sold units and unsold units together with the land from the wound up company and the purchasers. Blackstone’s offer was subject to the agreement that a SOA should be held and approved by the court. However the respondents (Majority of the respondents above fall into the category of purchasers whose units have not been disclaimed by the secured creditor (‘unredeemed purchasers’)) objected the application for SOA. The objections premised on the following matters:

- c) that some of the interveners have fully paid or have paid up 90% of the purchase price of their respective units and the fact that some of the respondents have been provided vacant possession of their units with the issuance of the certificate of fitness by the local authorities, the respondents cannot be deemed as creditors

of the petitioner and as such cannot be considered as scheme creditors under the SOA; and,

- d) the respondent are also taking issue on the involvement of the secured creditor being classified together as a scheme creditor and allowed to vote during the CCM (Court Convened Meeting).

Nonetheless the court dismissed the objection of the respondents on the ground that the majority of the creditors (including the aggrieved purchasers) would obtain benefits from the SOA as Blackstone was agreeable to purchase the project and the units, thus settling all the problems of the liquidators and the debts of the scheme creditors, secured creditors and the unsecured creditors.

The application for SOA can be made either by the company or the creditors or the members of the company (section 176(1) CA). The court may grant the application and a period of not more than ninety days (90) or such longer period as the court may for good reason allow for the SOA to be carried out (section 176(11) CA). The court may also grant a restraining order against any proceedings to the creditors or members in order for the SOA be implemented smoothly (section 176(10) CA).

It is opined, the existence of SOA even with the recent proposed recommendations by the Corporate Law Reform Committee (CLRC) to improve the SOA may not fully favour the aggrieved purchasers' interests in abandoned housing projects for example to enable rehabilitation be carried out. This is premised on the ground that the majority of the creditors or members of the company may not agree to such a proposal or that many complications and problems may occur affecting the rights and interests of the creditors or the members if rehabilitation or the compromise and arrangement be carried out in the SOA.

It is trite fact that, most of the rehabilitation of abandoned housing projects were left to the discretion of the rehabilitating parties with the cooperation and assistance of the chargee lender banks, purchasers, local planning authorities, local authorities, technical agencies, the states and federal authorities, the end-financiers, the land offices and MHLG. The stringent laws governing housing development, land, banking, planning and building, were mostly made relaxed and flexible to accommodate the needs and to facilitate the due execution of the rehabilitation scheme. For example in *Hongkong and Shanghai Banking Corporation Ltd v. Kemajuan Bersatu Enterprise Sdn. Bhd* [1992] 1 LNS 26 (High Court), the court allowed the application of the creditor to appoint a provisional liquidator pending the disposal of a winding up petition for the purpose of rehabilitating the abandoned housing project carried out by the respondent company. Similarly in *Bank Bumiputra Malaysia Berhad v Sintisis Sdn Bhd & 2 Ors* [1995] 1 LNS 268 (High Court of Malaya at Kuala Lumpur), the court allowed the receiver and manager to carry out rehabilitation of the abandoned housing project left by the defaulting housing developer company. In this case, the first defendant (Sintisis Sdn. Bhd--a housing developer) was the registered proprietor of the land held under Lot 155, Mukim Grant 1995 and Lot 2758 Grant 26584, Mukim of Tebrau, Johore Bahru. The first defendant developed this land into a housing development project. To finance this project, the first defendant obtained, bridging finance facilities subject to a first legal charge on the said land and guarantees of the second and third defendants. However later, the first defendant was subject to a receivership. The business and affair of the first defendant were controlled by

the appointed receiver and manager. This receiver and manager was appointed by the court and was required to undertake rehabilitation of the abandoned project left by the first defendant.

Nevertheless, there are situations where there are no required help and facility to smooth out the rehabilitation scheme, to the detriment of the purchasers desiring the project so abandoned to be revived. For example in *Mohammad bin Baee v. Pembangunan Farlim Sdn. Bhd.* [1988] 3 MLJ 211, the court refused the application of the purchasers to have the abandoned housing project revived by the newly appointed receiver and manager because of the difficulty to supervise the rehabilitation process. However, the court granted damages to the purchasers. In other situations, the court allowed the application of the creditor bank to order the foreclosure of the project land charged on the default of the borrower developer in the repayment of the bridging loans, to the detriment of the purchasers' right to have the project revived. This problem also occurred in *Wong Fook Tooi & Anor v Perwira Indra Sakti Sdn Bhd* [Suit No. D-28-51-2006] (High Court of Malaya at Kuala Lumpur), whereby in this case the housing developer company was wound up by the court on the application of the aggrieved purchaser. The aggrieved purchaser applied to the court to compel the developer to complete the abandoned housing project left. The court disallowed the application of the aggrieved purchaser on the ground that this will prejudice the interests of the creditors. Instead, the aggrieved purchaser is only allowed to file proof of debts ('POD') to the liquidator.

Thus, there is no guarantee that when the insolvent housing developer companies abandon the housing projects, the projects can be duly rehabilitated, and thus detrimental to the interests of the purchasers. As a result of the lack of clear provisions in the CA and the insolvency law and that there is no clear policy of the court in dealing with the insolvent housing developer companies whose housing projects are abandoned, the purchasers suffer grievances and losses consequences to the default of the housing developer to complete the housing project.

In the author's observation the details of the proposals made by the government and PEMUDAH recently have as yet been worked out and actualized. If the proposals can be actualized and be made as parts of the law governing housing development, the problems of abandoned housing projects and its consequences, to a certain substantial degree, can be eliminated. Further, the proposal of PEMUDAH that the definition of "Housing Developer" should be expanded to include liquidators where their role is to revive abandoned projects should the developer companies go for liquidation, it is opined, is not sufficient. The definition should also include as well, it is submitted, the receiver and manager, SOA manager and the other insolvency managers such as the judicial manager and the Corporate Voluntary Arrangement manager.

RECOMMENDATIONS AND CONCLUSION

It is the view of the author that the insolvency approach via SOA administration as applicable in Malaysia tend to be a creditors-centric approach. The result is that if insolvent housing developer companies subject to SOA abandon their housing projects, the aggrieved purchasers may not get any or full protection under the said insolvency approach detrimental to their rights and interests. It is submitted that, a special rehabilitation legal regime and the requirement that the applicant developer to possess housing development insurance/Home Completion Insurance/Guarantee Scheme, be introduced in the Housing Development (Control and Licensing) 1966 (Act 118) and the corresponding housing legislations in Sabah and Sarawak (East Malaysia), to protect the rights and interests of the aggrieved purchasers in abandoned

housing projects, particularly when the insolvent housing developer companies enter SOA administration. The purpose of imposing this insurance is to protect the interests of the purchasers when the housing projects carried out by the insolvent housing developer companies are abandoned. This protection may serve as a 'backup' monetary means to fund the rehabilitation of the abandoned housing projects. The following provisions are proposed to be inserted in Act 118.

HOUSING DEVELOPMENT (REHABILITATION OF ABANDONED HOUSING PROJECT) REGULATIONS

In the exercise of the powers conferred by section 24 of the HOUSING DEVELOPMENT (CONTROL AND LICENCING) ACT 1966, the Minister makes the following regulations:

Citation and Commencement

These regulations may be cited as the Housing Development (Rehabilitation of Abandoned Housing Project) Regulations.

Interpretation

'Completion of the rehabilitation' means when the rehabilitated project has been duly commenced in accordance with the specifications, plans and laws, Certificate of Completion and Compliance has been obtained from the principal submitting person, the rehabilitated unit and the title to the unit are ready for delivery of vacant possession and transfer to purchaser on the required settlement of the purchase price'.

'Development period' means the period within which a developer shall have to complete the development of the purported housing project, either in 24 or 36 months, as the case may be, in accordance with the terms of the statutory standard sale and purchase agreement(s) entered into with the purchaser(s).

'Incapable Developer' means the incapable developer which is defined under section 3 of the Act.

'Insurance' means scheme of housing development insurance approved by the Controller for the purpose of the grant of a housing developer's licence, pursuant to section 6(1)(h) of the Act, viz to cover all losses and damages for non-compliance, defective and sub-standard works, abandonment and to cover the costs for carrying out any rehabilitation of the purported housing development project due to disappearance, insolvency, death and inability of the developer'

'Parties to the rehabilitation' means the purchasers, the previous defaulting developer and its directors, the rehabilitating party, the technical agencies, the appropriate authority, the Financiers, the lender bank, the consultants, the contractors and other persons incidentally involved directly or indirectly in the opinion of the Controller'.

'Regulation 1989' means the HOUSING DEVELOPMENT (CONTROL AND LICENSING) Regulations 1989.

'Regulation 1991' means the HOUSING DEVELOPMENT (HOUSING DEVELOPMENT ACCOUNT) Regulations 1991.

'Rehabilitation Manager' means any person deemed fit by the Controller to carry out the rehabilitation of the abandoned housing project.

'Statutory Standard Sale and Purchase Agreement' means the sale and purchase of housing unit agreement either in Schedule G or Schedule H or Schedule I or Schedule J of the Regulations 1989.

'The Act' means the HOUSING DEVELOPMENT (CONTROL AND LICENSING) ACT 1966 (Act 118).

Regulation 1:

'On the expiry of the development period, yet the purported housing project is still not completed, or in respect of the incapable developer, during the development period, in the opinion of the Controller that the developer is not able to duly complete or carry out the development of the project, the Controller may issue a request notice to the said developer to complete the same and notify him that in the event the purported development still cannot be completed within another one year from the date of the notice, or in respect of the incapable developer, on the expiry of the development period, the project shall be deemed an abandoned housing project and forthwith, shall be vested in the hands of the Controller for rehabilitation purpose'.

Regulation 2:

'For the purpose of carrying out any rehabilitation of the abandoned housing project, on the expiry of the extended one year period, or in respect of the incapable developer, on the expiry of the development period, as mentioned in Regulation 1 of these Regulations, and after notification for the taking over of the project from the developer and published it in the Gazette, the Housing Controller may appoint any rehabilitating party to undertake the rehabilitation of the said project'.

Regulation 3:

'The rehabilitation manager shall first use the purchasers' available funds still available in the hands of the Financiers or in the Housing Development Account for meeting the costs of rehabilitation.'

Regulation 4:

'The withdrawal of the moneys from the Housing Development Account by the rehabilitating party, shall be subject to the provisions in Regulation 1991'.

Regulation 5:

'Only if the available funds in the hands of the Financiers and that the moneys in the Housing Development Account are not enough to meet the rehabilitation costs, shall then the rehabilitating party invoke the insurance coverage in respect of the housing development project, to cover the shortfall until completion'

Regulations 6:

'The insurance moneys shall also be deposited into the Housing Development Account and the withdrawal shall be subject to the provisions in Regulation 1991.'

Regulation 7:

'The rehabilitation carried out by the rehabilitation manager shall be subject to terms and conditions of the Controller, the Act and its regulations and the statutory standard sale and purchase agreement between the purchasers and the previous defaulting developer executed earlier insofar as the Controller deems expedient and necessary'.

Regulation 8:

'No person shall take any action whatsoever against the rehabilitation manager and the project under rehabilitation, pending completion thereof'.

Regulation 9:

'The rehabilitation shall be completed as soon as practicable and the rehabilitation manager shall observe and comply with the provisions in the Act and its regulations unless exempted in writing by the Controller insofar as the Controller deems necessary and expedient in the interest of the public'.

Regulation 10:

'Parties to the rehabilitation shall render necessary cooperation warranting the completion of the purported rehabilitation'.

Regulation 11:

'Any person who contravenes any provision under these Regulations shall be guilty of an offence and shall, on conviction, be liable to punishments pursuant to section 21 of the Act'.

Regulation 12:

"Nothing in this regulation shall prejudice and bar the rights of the purchasers to invoke the provisions in the Act and its regulations against the incapable developer"

In respect of the definition of 'Abandoned Housing Project', the following definition should be adopted in Act 118.

Addition to section 3, of Act 118:

‘Abandoned Housing Project’ means any housing development project where the developer fails to complete it within one year after the request notice to complete has been served by the Controller to the said developer or in respect of the incapable developer, after the expiry of the period within which a developer shall have to complete the construction of the project either in 24 or 36 months, as the case may be, in accordance with regulations made controlling the rehabilitation of abandoned housing projects.’

‘Incapable Developer’ means any developer who is in the opinion of the Controller, on whatever reasons, is not able to duly complete or carry out the construction of the purported housing development project during the period within which a developer shall have to complete the construction of the project either in 24 or 36 months, as the case may be.’

For the purpose of rehabilitating abandoned housing projects, it is proposed, once a problematic housing project falls under the definition of “abandoned housing project”, the Minister of Housing and Local Government shall order that such a project be rehabilitated pursuant to the regulations of abandoned housing project (Md. Dahlan, 2006). It is proposed this power be provided in section 11(1)(cb), as follows:

Additional section 11(1)(cb) of Act 118:

‘direct that, once any housing project has become an abandoned housing project, the project so abandoned shall be subject to rehabilitation in accordance with the regulations made under this Act’

It is also proposed that, one of the conditions for the applicant developer to obtain a housing developer’s licence is to possess a housing development insurance (or home warranty insurance or PEMUDAH calls it Home Completion Insurance or Guarantee Scheme). With this requirement, the purchasers’ interests are protected against any abandonment and its ensuing consequences, losses and other kinds of housing problems. The insurance could also

cover any shortfall in the costs for carrying out any rehabilitation and thus ensuring the project could be duly completed and finally could protect the purchasers' rights. The proposed provision is as follows:

Additional section 6(1)(j) of Act 118

6. Conditions or restrictions for the grant of a licence.

(1) Subject to the exercise of power of waiver by the Minister under subsection (2), the licence applied for under section 5 shall not be granted-

b) ...

j) 'If the applicant developer is not in possession of a valid housing development insurance, approved by the Controller, to cover all losses and damages for non-compliance, defective and sub-standard works, abandonment and to cover the costs for carrying out any rehabilitation of the purported housing development project due to disappearance, insolvency, death and inability of the developer'

In addition, certain amendments need to be made to the provisions relating to SOA and the proposed Corporate Law Reform Committee's (CLRC) SOA to accommodate and facilitate the duties, powers and functions of the rehabilitation manager under a specialized rehabilitation legal regime under Act 118. The following amendments to the CA relating to the SOA are proposed:

4) section 176(1) CA:

"Subject to any other written laws, where a compromise or arrangement is proposed between a company and its creditor...the Court may on the application in a summary way of the company or of any creditor....order a meeting of the creditors..."

5) section 176(3) CA:

"Subject to any other written laws, if a majority in number representing three-fourths in value of the creditors...agrees to any compromise or arrangement the compromise or arrangement shall if approved by the order of the Court be binding on all the creditors..."

6) section 176(4) CA:

"The Court may grant its approval to a compromise or arrangement subject to such alterations or conditions as it thinks fit and to other written laws"

The effect of the above proposed provision with the added word 'subject to any other written laws' and 'and to other written laws' will be this: the order of the Court relating to any agreement in the SOA of the abandoned housing developer companies shall not, at any rate, affect the powers of the rehabilitation manager to carry out rehabilitation in accordance with provisions of the proposed regulations governing rehabilitation of abandoned housing

projects under Act 118. This proposed provision will smoothen the rehabilitation administration.

These proposed legal provisions can protect the interests of the purchasers and other stakeholders in abandoned housing projects, whose housing developer companies are subject to SOA administration, for example by allowing rehabilitation to be duly carried out and getting appropriate damages.

REFERENCES

Reported Cases

- Aw Yong Wai Choo & Ors v. Arief Trading Sdn Bhd & Anor* [1992] 1 MLJ 166.
Bank Bumiputra Malaysia Berhad v Sintisis Sdn Bhd & 2 Ors [1995] 1 LNS 268.
Bank Bumiputra Malaysia Bhd. V. Mahmud Hj. Mohamed Din & Anor [1989] 1 CLJ 326 (Rep); [1989] 1 CLJ 1048.
Buxton & Anor v. Supreme Finance (M) Bhd [1992] 2 MLJ 481.
Capital Dynasty Sdn Bhd (in liquidation) v Chiang Bing & Ors [2009] 8 MLJ 841
Cempaka Finance Bhd v. Willow Construction Sdn Bhd & Ors [2000] 4 MLJ 557.
Hongkong and Shanghai Banking Corporation Ltd v. Kemajuan Bersatu Enterprise Sdn. Bhd [1992] 1 LNS 26.
Keng Soon Finance Berhad v MK Retnam Holdings Sdn Bhd & Anor [1989] 1 MLJ 457.
Kim Wah Theatre Sdn. Bhd v Fahlum Development Sdn. Bhd [1990] 1 LNS 42; [1990] 2 MLJ 511.
Lim Chee Holdings Sdn Bhd v. RHB Bank Berhad (Formerly Known As Kwong Yik Bank Bhd) [2005] 6 MLJ 497.
Mohammad bin Baee v. Pembangunan Farlim Sdn. Bhd. [1988] 3 MLJ 211.
Perwira Habib Bank (M) Bhd v. Bank Bumiputra (M) Bhd [1988] 3 MLJ 54.
Perwira Habib Bank v Oon Seng Development Sdn. Bhd (1990) 1 MLJ 447.
Pilecon Engineering Bhd v Remaja Jaya Sdn Bhd. [1997] 1 MLJ 808; [1996] 1 LNS 105.
Public Finance Bhd v. Narayanasamy [1971] 2 MLJ 32.
Sri Binaraya Sdn. Bhd v. Golden Approach Sdn Bhd. (Poly Glass Fibre (M) Bhd, Applicant) [2002] 6 MLJ 632.
Tai Lee Finance Co Sdn Bhd v Official Assignee & Ors [1983] 1 MLJ 81.
Tan Ah Tong v Perwira Affin Bank Bhd & Ors [2002] 5 MLJ 49.
Wong Fook Tooi & Anor v Perwira Indra Sakti Sdn Bhd [Suit No. D-28-51-2006]
Wong Thai Kuai & Anor v Kansas Corporation Bhd [2007] 3 CLJ 263; [2007] 4 MLJ 33.
Yew Chye Heng and Other v. Venice Hill Resort Living Sdn. Bhd [2007] MLJU 0444.

Statutes

- Companies Act 1965 (Act 125) (Malaysia). Kuala Lumpur: International Law Book Services Sdn. Bhd.
Housing Development (Control and Licensing) Act 1966 and its regulations (Act 118) (Malaysia). Kuala Lumpur: International Law Book Services Sdn. Bhd.
Kedah Uniform Building By-Laws 1984 (Kedah, Malaysia).
Selangor Uniform Building By-Laws (Amendment) 2007 [Sel.P.U.9] (Selangor, Malaysia).
Selangor Uniform Building By-Laws 1986 [Sel.P.U.26/1985] (Selangor, Malaysia).
Uniform Building By-Laws 1984 (Malaysia). Kuala Lumpur: International Law Book Services Sdn. Bhd.

Books

- Agus, M.R. 1997. Historical Perspective on Housing Development in *Housing The Nation: A Definitive Study*. Kuala Lumpur: Cagamas Berhad.
McConville, M & Chui, W. H. (Eds). 2007. *Research methods for law*. Edinburgh: Edinburgh University Press.

- Md. Dahlan, N.H. 2011. *Comparative Housing Sale and Purchase Agreements Under the Malaysia, Singapore and New South Wales, Australia*. Sintok: UUM Press.
- Md. Dahlan, N.H. 2011. *Legal Issues in the Rehabilitation of Abandoned Housing Projects*. Sintok: UUM Press.

Journal Articles

- Md. Dahlan, N.H & Aljunid, S.Z.S.A.K., 2010. Shariah and Legal Issues in the Bay' Bithaman al-Ajil (BBA): A Viewpoint. *Shariah Law Reports*, 3, July to September, pp. 90—123.
- Md. Dahlan, N.H & Aljunid, S.Z.S.A.K., 2011. Shariah and Legal Issues in House Buying in Malaysia: The Legality of Bay' Bithaman al-Ajil ('BBA') with Special Reference to Abandoned Housing Projects. *Pertanika Journal of Social Sciences and Humanities*, 19(2), September 2011, pp. 349—368.
- Md. Dahlan, N.H & Md. Desa, M. R., 2010. Rehabilitation of Abandoned Housing Projects: A Comparative Analysis On Laws and Practices in Peninsular Malaysia and New South Wales, Australia. *US-China Law Review*, 7, No. 8, August 2010, pp. 1—26.
- Md. Dahlan, N.H., 2006. Abandoned Housing Projects in Malaysia: A Legal Perspective. *Malayan Law Journal*, 6, pp. xxviii—xxxiii.
- Md. Dahlan, N.H., 2007a. Rehabilitation of Abandoned Housing Project: Experience of An Abandoned Housing Developer Through the Help of A Government Agency. *Malayan Law Journal*, 1, pp. lxxxiv—cxxvi.
- Md. Dahlan, N.H., 2007b. Rehabilitation of Abandoned Housing Project in Peninsular Malaysia by A Purchasers' Voluntary Scheme: A Case Study. *Malayan Law Journal*, 4, pp. clvii—cxcvi.
- Md. Dahlan, N.H., 2009. Are the Statutory Standard Sale and Purchase of House Contracts in Peninsular Malaysia Compatible with Islamic Law? *Malayan Law Journal*, 5, pp. i—xxxiii.
- Md. Dahlan, N.H., 2011a. Legal Issues in the Rehabilitation of Abandoned Housing Projects of the Liquidated Housing-Developer-Companies in Peninsular Malaysia. *European Journal of Social Sciences*, 23, No. 3, September 2011, pp. 392—409.
- Md. Dahlan, N.H., 2011b. Rehabilitation of abandoned housing projects: A Comparative Analysis Between the Law and Practice in Peninsular Malaysia and the Republic of Singapore. *Commonwealth Law Bulletin*, 37, No. 1, March 2011, pp. 145—174.

Thesis

- Md. Dahlan, N. H., 2009. *Abandoned Housing Projects in Peninsular Malaysia: Legal and Regulatory Framework*. Ph.D. in Law. International Islamic University Malaysia.

Internet

- The Star Online, 2011. 290 face bankruptcy over abandoned housing projects. [online] <<http://thestar.com.my/news/story.asp?file=/2011/11/24/nation/9968150&sec=nation>>[Accessed 1 December, 2011]
- The Star, 2012. Initiatives to assist victims of abandoned housing projects. [online]

- <<http://thestar.com.my/news/story.asp?file=/2012/4/24/nation/20120424191151&sec=nati on>> (accessed on 3 May, 2012).
- Companies Commission of Malaysia. n.d. *Review of the CA – Final Report* . [online]<<http://www.ssm.com.my/en/docs/CLRCFinalReport.pdf>> [Accessed 30 March, 2011]
- My Sinchew.com. n.d. *Abandonment of housing projects to be criminal offence*. [online] <<http://www.mysinchew.com/node/66542>> (accessed 30 November, 2011);
- New Straits Times, 2012. *Panel to help abandoned projects' victims*. [online] <<http://www.nst.com.my/nation/general/panel-to-help-abandoned-projects-victims-1.67610>> (accessed 3 May, 2012).
- New Straits Times, Letters to Editor. 2011. *Abandoned Houses: Bravo to the Housing Ministry*. [online] <<http://www.nst.com.my/opinion/letters-to-the-editor/abandoned-houses-bravo-to-the-housing-ministry-1.7463>>(accessed 30 November, 2011).
- PEMUDAH Annual Report 2011. 2012. *About PEMUDAH*. [online] <http://www.pemudah.gov.my/c/document_library/get_file?uuid=f3a4588b-3300-46d9-8ec8-1e58221129b4&groupId=10124> (accessed on 3 May, 2012)
- Penang/Property-Penang Property, House for Sale and Rent Blogspot. 2012. *Initiatives to assist victims of abandoned housing projects*. [online] <<http://penangproperty.blogspot.com/2012/04/initiatives-to-assist-victims-of.html>>(accessed 3 May, 2012).
- Portal Rasmi Kementerian Perumahan dan Kerajaan Tempatan, 2011. *Definisi Projek Perumahan Terbengkalai*. Retrieved. [online] <<http://www.kpkt.gov.my/kpkt/index.php/pages/view/181>>[Accessed 12 August, 2011]
- The Edge Property.com Every Thing Property. n.d. *Abandonment of housing projects to be deemed as criminal offence*. [online] <<http://www.theedgeproperty.com/news-views/8844-abandonment-of-housing-projects-to-be-deemed-as-criminal-offence.html>> [accessed 30 November, 2011)
- Yahoo News Malaysia, 2012. *Initiatives to assist victims of abandoned housing projects*. [online] <<http://my.news.yahoo.com/initiatives-assist-victims-abandoned-housing-projects-103233028.html>>(accessed on 3 May, 2012).

Interview

Dato' Abu Bakar Bin Hassan & Dato' Zainudin bin Tala. 2010. *Abandoned Housing Projects in Malaysia*. Interviewed by Nuarrual Hilal Md. Dahlan. Department of National Housing, Ministry of Housing and Local Government, Pusat Bandar Damansara, Kuala Lumpur. Note taking. 13 August, 2010.

Fascistic Foundation of Anti-Communism Perception of Park Chung Hee

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Abstract

This paper attempts to explore anti-Communism in South Korea by analyzing the influence of Japanese fascism on the formation of anti-Communism perception of Park Chung Hee. As anti-Communism was nationally considered as natural and obligate in South Korea after the Korean War, this research focuses on the era before then. Through his school days in Teacher's College and clerical life in common school, Park assimilated Japanese fascism. Park's fascist tendency and militarism became heightened through the military service in Kwantung Army, let alone his educational background in Japanese Manchurian Military Academy and in Imperial Japanese Army Academy. Those experiences connected fascism with anti-Communism, for both academies and Kwantung army saw Soviet as their main enemy. After, he was involved in a purge in the army, for he temporarily joined the South Korea Labor Party. This event intensified his hatred toward communism. Fascism, coupled with his rigid 'anti-Communist' perspective, has guided him to extremely militaristic decisions like 5.16 coup, and to fascist resolution like the Revitalizing Reform. On the basis of this analysis, in conclusion, this paper aims to point out that anticommunism in South Korea is not just formed by North Korea but has its foundation in Japanese fascism.

Introduction

On grounds of intolerant view toward 'the left wing', Korean society tends to categorize all progressive idea from Stalinism to European Social democracy as 'impure left-leaning ideology'. With the strong sense of anti-Communism, progressive movement didn't have firm foundation to grow and mature in Korean society.⁷⁵⁴ Prejudice that regards progressive as pro-North Korea without due consideration can be one of "Park Chung Hee's legacy". That's because he indoctrinated anti-Communism in Korean Society for 20 years.

However, there has been insufficient discussion on why he left that kind of legacy. Park built up his legitimacy on anti-Communism. Also, economic development, the top priority

⁷⁵⁴ Kwon, Hyuk-Bom. 2000. "Anti-Communism circuit in my body and authority" in *Fascism inside Us*, Seoul: Samin

task stated in his regime, was pushed ahead under the guise of anti-Communism. Therefore, modernization under Park's regime was not only a process of "transformation of agricultural society into industrial society" but also of "formation of anti-Communist modern state".⁷⁵⁵ Accordingly, it is necessary to analyze Park's anti-Communist aspect before analyzing his regime. This study tries to show Anti-Communism was in the middle of Park's political decisions and Japanese fascism was at the base of that anti-Communism.

Researches on Park's anti-Communism perception were mainly about impacts of anti-Communism on Korean politics or policies toward North Korea in Park's regime. Usually, Park's anti-Communism was treated as one of the examples anti-Communism suppressed progressive movements and created coercive political culture that postponed democratization.⁷⁵⁶ One of the rare studies that analyzed Park's anti-Communism showed that Park perceived Communism not as an ideology or a system but "a pathological phenomena which is deviated from normal development pattern". Fujii said that park thought 'nation' as "subject in fight against Communism".⁷⁵⁷ As pointed out above, researches on Park's anti-Communism were restrictively done and the focuses of those researches were not on his perception but on his policies and political situation. However, the time of Park was a process

⁷⁵⁵ Shin, Byung-Sik. 2006. "The Military Conscription System and the Myth of 'Sacred Obligation of National Defence' during the Park Regime", *Economy and Society* vol. 72, pp. 148-172

⁷⁵⁶ Kim, Dong-Choon. 2011. "War-Politics in Korea under the Cold War and Anticommunist Order: State Violence and limit of the Rule of Law", *Economy and Society* vol. 89, pp. 333-366; Shon, Bong-Scuk. 1983. "Korean Political Culture and Anti-Communism", *Korean Political Science Review* vol. 17, pp.81-94; Kim, Hyunchul. 2004. "President Junh-hee Park's Diplomacy and Initiatives for the Peace-Building on the Korean Peninsula and the South-North Korea Relations in the early 1970s", *Journal of Korean Unification Policy Studies* vol. 13 (1), pp. 81-99 et cetera

⁷⁵⁷ Fujii Takeshi. 2011. "Reorganization of anti-Communism system in 4. 19 and 5.16 and the logic", *Journal of Korean Historical Studies* vol. 25, pp. 9-34

that his personality, ideology, and behavior reflected in Korean politics. Thus, it is worth studying how he became anti-Communist.

Material and methods

i. Documentary analysis

This study explores how Park formed anti-Communism perception and changed it before the outbreak of Korean War. One's perception is influenced by the time and space he faces. Thus, the analysis is based on the passage of time and Park's movement. This study analyzes the process of formation and change of Park's anti-Communism based on three periods; from Daegu Teacher's College to Mungyeong Common School (1932-1940), from Japanese Manchurian Military Academy to Kwantung Army (1940-1945), from South Joseon Defense Academy until the start of Korean War (1946-1950).

As Park was under Japanese colonial rule for 28years, it is important to analyze the influence of the Japanese Empire on his perception. In that sense, "Teacher's College" is an appropriate organization to look, as it was established to foster teachers who can reproduce the ideologies of the Japanese Empire. In addition, adolescence has a critical role in building up one's value system. For these reasons, this study traces Park's anti-Communism perception formation process from Daegu Teacher's College.

From 1940 to 1945, Park received professional military education and started his career in the Army, while moving around Manchu and Japan. Thus, regarding changes he went through both physically and psychologically, this period is worth analyzing separately. Park returned to Korea after independence. Soon, he was commissioned second lieutenant after several months of education in South Joseon Defense Academy. However, he was involved in

mass military purge, for he joined South Korea Labor Party. He suffered greatly from this purge event as military took a front position in his life. Those two factors are worthy of attention in the third period.

The period this study targeted is before the Korean War. Anti-Communism originally meant animosity toward Communism, but in South Korea it became including hostility toward North Korea after the Korean War. Since the Korean War broke out, for South Koreans, it has been so natural to have antipathy toward both Communism and North Korea. Moreover, as one of the soldier at that time, Park was obliged to be anti-Communist unless he goes to the North. Also, after taking office, he had to be anti-Communist as a president. Therefore, this study focuses on the period before everybody became anti-Communist, which means the pre-Korean War era.

ii. Japanese Fascism

This study analyzes Park's anti-Communist aspect focusing on fascism. That's because fascistic factors are found in the way Park's anti-Communism perception realized in his rule. We can find his various aspects related to militarism, nationalism, totalitarianism, and elitism in his political life especially in his anti-Communism policies.

Fascism was formed as a reaction toward rational enlightenment. It says individual identity can only manifest itself through the whole. Moreover, it says individual identity must be entirely absorbed into the community or social group.⁷⁵⁸ Therefore, fascism has a strong "anti-character" like anti-rational, anti-liberal, anti-conservative, anti-capitalist, anti-bourgeois, anti-communist. Among those aspects, anti-communism is more dominant than anti-capitalism. Fascism criticizes financial capital but shows more permissive attitude toward industrial capital

⁷⁵⁸ Andrew Heywood. 2007. *Political Ideologies*, 4th edition, Palgrave macmillan, , p. 203

and private ownership. As economic development contributes to prosperity of nation, economic activities are encouraged. Since national restoration is the top priority, both proletariats and capitalists should function as producers rather than two different classes conflict each other with their own class interest. The point that fascism contradicts against communism is 'class'. In fascism, nation and state are far more important than class. Giovanni Gentile asserted that "Fascism... while being a party, a political doctrine, is above all a total conception of life. Like Catholic, if he is Catholic, invests with his religious feelings the whole of his life...so the Fascist... must always remember he is a Fascist!"⁷⁵⁹ In addition, forming hierarchy among races, fascism throws complains that could have made trouble inside toward outside the country by categorizing laborers in upper level of hierarchy with racism. As "classes are included in races", "the feasibility" of Communism and of class struggle were eliminated.⁷⁶⁰ Fascism also opposes to internationalism of Marxism, for it is impossible to unite with proletariats in other countries within fascism.

Since the type of fascism he faced in person was Japanese fascism, this study examines how Park's fascistic ideology was formed and how it is related to his anti-Communism by illuminating his experience under Japanese fascistic system.

According to Maruyama Masao, Japanese political thinker, the fascist movement in Japan had begun with, resistance to the left-wing movement or alleged "bolshevization" even from the preparatory period. At the same time, movements close to true fascism were also came into existence, such as Society of Those Who Yet Remain, inaugurated by Kita Ikki in 1919. Initiated as a fanciful small group in preparatory period, this right-wing movement begun to link itself with militarism, absorbing "right-wing elements over a wide field", and promptly

⁷⁵⁹ Gentile, Giovanni. 1925. "Che cosa è il fascismo? (What is fascism?)", lecture delivered in Florence on 8 Mar, repr. in *Che cosa è il fascismo* (Vallecchi: Florence, 1925) in *Fascism*, Roger Griffin ed., 1995, New York: Oxford University Press

⁷⁶⁰ Neocleous, Mark. 1997. *Fascism*, University of Minnesota Press

"came to wield actual political power" in the second stage, from the Manchurian Incident to the February Incident. After the February Incident, fascism in Japan finally formed the political structure which addressed to "the strengthening of State control from above[Italics added]". Maruyama points out that the Japanese fascist movement also shared typical elements of common fascist ideology. In other words, it shared not only the rejection of individualistic liberalism, parliamentary politics, but also reverence for foreign expansion, military build-up, and war. Above all, it involved struggle against Marxism to the greatest extent, because fascism, as stated by Maruyama, can occur only as a "perpetuum mobile towards the goal of total organization of the counter-revolution"⁷⁶¹

Analysis on Park's Anti-Communism perception according to time line

i. From Daegu Teacher's College to Mungyeong Common School (1932-1940)

According to Park's acquaintances, he was small but cool-headed and smart. In his elementary school, he was the first student who entered Daegu Teacher's College. At that time, 1930s, Japanization policy was actively imposed. Teacher's College was established as "an institution that fosters instructors who can educate students to be loyal subject of Japanese Empire so that contributes to maintenance of colony system". Also, another purpose of this academy was to cultivate "instructors who have appropriate qualities in militaristic system".

⁷⁶¹ Masao Maruyama, 1963. *Thought and Behaviour in Modern Japanese Politics*, ed. Ivan Morris, London: Oxford University Press, pp.26-35, 176.

⁷⁶²As all students lived in dormitory under surveillance and got education in a military way, Teacher's College was similar to military academy.⁷⁶³ Here, Park received an education based on Japanese fascism. Having 5 years of his adolescence, which is especially sensitive period, under continuous supervision and militaristic discipline must have influence on his way of thinking and acting.⁷⁶⁴

Totalitarian values were highly featured in education of Teacher's College. The priority rule which decides the purpose and direction of teacher training, Ordinance on Chosun Education, stipulates that students must "cultivate moral virtue". At that point, "virtue" can be pursued on the premise allegiance to the current state system. In addition, students could hardly take a defiant attitude against the institution, for personal aspect such as ideology, behavior or hobby was also evaluated as well as scholastic performance. Militarism was another characteristic of Teacher's College education. Military drill and gymnastics were emphasized among many courses. The college took military drill inspect so important that put students in extra military training. Daegu Teacher's College, Park's school, even made 4th grade students get trained in the army during vacation.⁷⁶⁵

From 5years of group life, discipline and military training, students "unconsciously assimilated fascistic and totalitarian tendency." Immediately after Park graduated, between 1939 and 1940, several students in Daegu Teacher's College formed a secret organization. Fascistic factors such as elitism or militarism manifested itself in their movement. Since they

⁷⁶² Lee, Ki-Hoon. 2002. "Teacher training in colony under the Japanese Empire System", *Journal of Korean Historical Studies* vol. 9, pp. 41-76; Jo, Gab-je. 1998. *Spit on my grave* vol. 2, Seoul: Chosun libo Co., Ltd., p.18

⁷⁶³ Lee, Ki-Hoon. 2002; Chung, Jae-kyoung. 1992. *Great man Park Chung Hee*, Seoul: Jipmoondang p. 45; Jo, Gab-je. 1998, p. 18

⁷⁶⁴ Lee, Ki-Hoon. 2002

⁷⁶⁵ Lee, Ki-Hoon. 2002

did not have any sponsors outside, we can regard their way of thinking reflects “level of consciousness of normal students in Teacher’s College”. As the curriculum was not revised after Park’s graduation in 1937, it is very likely that he was also tinged with fascism. Moreover, Park was poor at most of the courses, but outstanding in military drill and history. Park’s history teacher belonged to the Imperial Way faction, which makes it possible to imagine his lecture was “highly affected by totalitarianism and heroism”.⁷⁶⁶ Judging from those circumstances, it is highly possible that Park sympathized with Japanese fascism, even though he hated Japan.

Look into other factors that might have influence on Park’s ideology, socialism was quite widespread among students at that time. The college sought out students in “socialism reading club” and expelled them. Park might have encountered socialism, but he neither was implicated in expelling event nor mentioned anything about socialism related issues or people. Also, at that time in Korea, socialism was more affiliated with nationalism than communism. One of those expelled said that he never heard about “class struggle” in the reading club.⁷⁶⁷ As class struggle and dictatorship of the proletariat was the core of communism,⁷⁶⁸ it is hard to conclude that Communism pervaded Teacher’s College at that time. Thus, no one can assert that teacher school had certain influence on Park’s anti-Communism in this period.

Meanwhile, the institution was build up to cultivate personnel the Japan Empire can easily manipulate, but nationalism was widespread among Korean students a reaction against it. It is told that Korean teachers in Daegu Teacher’s College aroused national consciousness in the class by lecture or speech. Also, students subscribed Korean newspapers and didn’t wear

⁷⁶⁶ Lee, Ki-Hoon. 2002

⁷⁶⁷ Chung, Jae-kyoung. 1992. pp. 51

⁷⁶⁸ Schwarz, Fred. 1970. *What is Communism Lecture Series*, Chantico

Geta in dormitory.⁷⁶⁹ However, nationalism of students of Daegu Teacher's College was not close to anti-Japanese Empire or anti-imperialism but to fascism.

Graduates of Teacher's College were obliged to serve as instructor (Hundo) in common school for a while.⁷⁷⁰ Park worked at Mungyeong common school. In those days when he worked in Mungyeong common school, it seemed like he educated nationalism in the class just like his old teachers in the past. Students of Park remembered he tried to arouse nationalism among students and scolded rude Japanese contractor⁷⁷¹

Ironically, however, despite of his hatred toward Japan, Park got in to the another institution of Japan, the Japanese Manchurian Military Academy. Teacher training made one "integrated into strength and stability of the Empire" and think problem of nation as "problem in the system". In Park's case, "dissatisfaction as an instructor of colony turned into ambition to achieve a rise in Empire system".⁷⁷²

All things taken together, through the process of getting education from Teacher's College and reproducing it by himself, he assimilated Japanese fascism. It is not clear he formed sort of anti-Communism perception in this period. Only we can assume that he also accepted anti-Communism in the logic of fascism. Fascism that inhered in his philosophy, later reinforced by another education and career experience and also formed foundation for strong anti-Communism.

ii. From Japanese Manchurian Military Academy to Kwantung Army

⁷⁶⁹ Chung, Jae-kyoung. 1992. pp. 48-52; Jo, Gab-je. 1998, p. 30

⁷⁷⁰ Lee, Ki-Hoon. 2007. "The Social Status of the Teachers assigned at Common Schools and their Perception of themselves", *History and Reality* vol. 63, pp. 99-135

⁷⁷¹ Chung, Jae-kyoung. 1992. pp. 59-61

⁷⁷² Lee, Ki-Hoon. 2002

(1940-1945)

As serving as military official takes an important role in Park's life, taken both duration and psychological impact into account, military related experience is worth consideration. Park found his way into professional soldier by going to Manchurian Military Academy. Park resigned from instructor in Mungyeong common school. Then, he sent a letter wrote in blood to Arikawa Suiti who was his instructor in military drill course in Teacher's College. Arikawa wrote him letter of reference. With the help of Arikawa and Jaeho Kang, Park's acquaintance back home, Park entered Manchurian Military Academy located in Hsinking.⁷⁷³

Manchurian Military Academy was established mainly for two reasons. For internal reason, it aimed to stabilize Manchuria and to suppress anti-Japanese armed groups. For external reason, Japanese Army attempted to build up stable front against the Soviet Union. Manchurian Military Academy was not regular 4 years course but 2 years preparatory course. Every year, 10,000 students applied for this academy. This fact shows that youths who want to elevate their social position within the Empire system increased.⁷⁷⁴

Students woke up at 5 in the morning, after then went through roll-call and recite Imperial Rescript to Soldiers and Sailors to start the day. Their life was full of tension without rest. Also, they had to bow to a shrine. Regarding curriculum, the class contents were similar to preparatory course of Imperial Japanese Army Academy. Taking a closer look, students learned internal alchemy for 67 hours, Japanese history and world history for 114 hours, and instructions for 115 hours. Even in the history class, students received spiritual education

⁷⁷³ Chung, Jae-kyoung. 1992. pp. 70

⁷⁷⁴ Shin, Ju-Beak. 2002. "Korean commissioned officers and Korean Army in Manchukuo Army", *Journal of Korean Historical Studies* vol. 9, pp. 77-132

emphasizing “martialism”, Japanese “Way of the warrior”, and “Japanese spirit”.⁷⁷⁵ Judging from information above, we can say education in Manchurian Military Academy was based on fascism.

In addition, Kanno Hiroshi served as one of the instructors in Manchurian Military Academy.⁷⁷⁶ He took part in the February Incident. He was expelled from Japan but worked in Manchurian Military Academy with the help of his acquaintances. There is no record regarding how the relationship between Park and Kanno Hiroshi was. Still, with the fact that Park expressed interest in the February Incident⁷⁷⁷ and he chose military coup d’état as a solution for social problems in mind, it is likely that Kanno’s ideology had influence on Park. In this line of thinking, it is possible that Park already thought about seizing power by military coup d’état or remodeling the state in Manchuria.⁷⁷⁸

In the same vein, Kita Ikki who was the leader of the February Incident and a spiritual mentor of the young blood in Imperial Way faction could have affected Park’s ideology. Kita asserted that Japan should exclude “evil impact” by reorganizing current system and the diet with the help of military coup d’état and start powerful the Emperor system. Kita saw that one’s self is individual and one’s larger self is state. Accordingly, he pictured the relationship between individual and state as one’s self is becoming or spreading to one’s larger self. He thought, in the end, individuals have no option but to converge into the state.⁷⁷⁹ After

⁷⁷⁵ Shin, Ju-Beak. 2002.

⁷⁷⁶ Chun, Inkwon. 2006. *A Critical Biography of Park Chung Hee*, Seoul: Ehaksa; Chung, Jae-kyoung. 1992. pp. 70-76

⁷⁷⁷ Chun, Inkwon. 2006. p. 89; Lee, Ki-Hoon. 2002

⁷⁷⁸ Hwang, Byoung Joo. 2009. “Park Chung Hee and the Desire for Success in Modern Korea”, *History Review* vol. 89, pp. 257-283

⁷⁷⁹ Matsumoto, Kenichi. 2010. *Kita Ikki: Charisma that confronted the Emperor*, trans. Suntae Jung and Seockchul Oh, Seoul: Gyoyangin

Park took power, he also asserted that “we should abandon the self and be committed to the larger self.” when mobilizing people.⁷⁸⁰ Kita and Park have common in trying to solve problem in society with military coup d’état or strong government and in emphasizing commitment to state rather than individual autonomy.

Meanwhile, Koreans were categorized in Manchurian and discriminated in daily life.⁷⁸¹ This discrimination strengthened Park’s nationalistic sentiment. Kikun Lee, who studied in Manchuria Military Academy with Park and changed his parent service from the North Korean People’s Army to the Korean Army, remembered Park said he came to Manchuria hated seeing “Small Japanese Creature”. According to another schoolmate Jaeik Lee’s reminiscence, when lieutenant general Sa-ik Hong visited the academy and gave an address of instructions saying “Koreans display our superiority by overcoming discrimination”, Park delivered an impassioned speech as a reply.⁷⁸²

Nevertheless, Park’s nationalism was not the kind that confronts with the ruling class or current system. Experience of discrimination in Manchurian Military Academy strengthened the Park’s sense of rivalry against Manchurian or Japanese. It was common among Korean students in Manchurian Military Academy. Their nationalistic sentiment was being second to none in school life so that “this kind of nationalism came down to be second to none in being a ‘loyal subject’ at last”.⁷⁸³ Sa-ik Hong served as lieutenant general in Imperial Japanese Army and then was sentenced to death as war criminal. If the anecdote above was real, Park seemed to feel close identity between Hong and him or admiration for Hong. Even though he is a nationalist from colony, he pursued to success within the system rather than break the system.

⁷⁸⁰ Hwang, Byoung Joo. 2009.

⁷⁸¹ Chun, Inkwon. 2006. p. 87; Jo, Gab-je. 1998. p. 118

⁷⁸² Chung, Jae-kyoung. 1992. pp. 73-74

⁷⁸³ Lee, Ki-Hoon. 2002

Thus, “nationalism that is compatible with the fascistic Empire system” involved the possibility to “be fascistic without introspection” after the Empire collapsed.⁷⁸⁴

As if attesting this view, Park changed his name to Japanese (Changssi-gaemyeong) twice; at first to Tagaki Masao and then to Okamoto Minoru. Hwang took these two Changssi-gaemyeong behaviors as “attempts to be thoroughly Japanized”. Whereas, Chung saw Park still as a nationalist after the Changssi-gaemyeong, based on various schoolmates’ testimonies. At that time in Hsinking, there wasn’t a concrete boundary between Korean nationalists and pro-Japanese Koreans.⁷⁸⁵

Park not only showed outstanding performance in two years of preparatory courses but graduated at the top among Manchurians.⁷⁸⁶ Accordingly, he got privileged admission to Imperial Japanese Army Academy. Hanlim Lee, Seobjun Lee, Jaepung Kim also obtained qualification to study at Imperial Japanese Army Academy. The reason why the authority sent Korean students to Imperial Japanese Army Academy was to strengthen homogeneity and ties between Korean and Japanese soldiers.⁷⁸⁷ However, Seobjun Lee, one of the classmates, recollected that Park was not fully Japanized. Basically, the curriculums of Imperial Japanese Army Academy and Manchurian Military Academy were similar, for originally curriculum of Manchurian Military Academy was created based on that of Imperial Japanese Academy.⁷⁸⁸ Park also got excellent results in Japan. Park graduated Imperial Japanese Army near the top, the third.

⁷⁸⁴ Lee, Ki-Hoon. 2002

⁷⁸⁵ Lee, Dong-jin. 2008. “Koreans in Hsinking” in *Manchu, Space for fusion of East Asia*, ed. Suk-Jung Han and Kishik Noh, Somyong Publishing

⁷⁸⁶ Chun, Inkwon. 2006. p. 89

⁷⁸⁷ Park, Minyoung. 2004. “A Study of the Repatriation of Koreans in the Manchuria Army”, *Journal of Korean Independence Movement* vol. 22, pp. 137-163

⁷⁸⁸ Shin, Ju-Beak. 2002.

After graduation, he was assigned to 636 unit of Kwantung Army located in border area between the Soviet Union and Manchuria as a probational officer. Completed the probation period, he was educated in Manchurian Military Academy for 2 weeks. Subsequently he was assigned to the 8th infantry division located in Rehe, Northern China in 1944, one year before independence. The main mission of the 8th infantry division was to suppress 17th division of Eight Route Army under Mao Zedong.⁷⁸⁹ The 8th infantry division had to subdue red guerrillas while maintaining regiment size formation. Winning the hearts of Chinese soldiers and peasants, however, were more important than battles. Thus, all soldiers of the 8th infantry division were Chinese except 20 Japanese and 4 Koreans. Those four were Park, Jooil Lee, Hyunjun Shin, Wonchul Bang.⁷⁹⁰ In the mean time, it is not clear that Park actually participated in the battle with Eighth Route Army.

Even if he never actually fought against communist guerrillas, main enemy of Kwantung army was the Soviet Union.⁷⁹¹ Manchurian Military Academy itself was build up to provide human resources to form a strong battle line against the Soviet forces.⁷⁹² At that time, there was no end of border dispute between the Soviet Union and Japan regarding Manchuria and Mongolia. At last, those disputes brought about Nomonhan Incident. Nomonhan Incident broke out just 1 year before Park entered Manchuria Military Army. Thus, it is natural to imagine that antipathy toward the Soviet Union was very strong by the time Park came to Manchuria. Thus, it is very likely that Park learned malice toward the Soviet Union, and that malice formed a foundation of his anti-Communism perception. In fact, he showed strong

⁷⁸⁹ Chun, Inkwon. 2006. p. 90

⁷⁹⁰ Chung, Jae-kyoung. 1992. p. 85

⁷⁹¹ Dobe, Ryoichi, 2003. *Modern Japanese Army*, trans. Hunsoo Lee and Taehwan kwon, Seoul: Korean Military Academy Hwarang-dae Research Institute

⁷⁹² Shin, Ju-Beak. 2002.

aggressiveness toward the Soviet Union when criticizing Communism. Also, he perceived the Soviet Union threaten Korean nation in his writings later.⁷⁹³

In July 1945, Park was promoted to a first lieutenant. Accordingly, he faced independence at that position. On 9th August 1945, the Soviet Union attacked Manchuria and Korea, and Kwantung Army and Manchurian Army lost the battle. Among 4 Koreans in the 8th infantry division, 3 of them including Park did not come back to Korea directly, but went to Beijin. They joined Korean Liberation Army there. Korean Liberation Army was practically a group of people waiting for returning home rather than an army. In those days of September 1945, directly after the collapse of the Japanese Empire, Beijing was crowded with the ranks and military officers who had served in Manchurian Army or Imperial Japanese Army and young men from various parts of China.⁷⁹⁴ Park took the position of company commander of the 2nd company of a battalion of the 3rd detachment of Korean Liberation Army and also trained some soldiers of Korean Liberation Army.

Antagonistic relationship between the left wing and the right wing, one of the most severe problems in post-colonial Korea, already started in Korean Liberation Army. Someone who had been in the Korean Liberation Army remembered that “Communists sometimes had ideology disputes all night and disobeyed to commander Park’s order.”⁷⁹⁵ Once, communists raised a cry against Park, for he prevented communists from going to Communist party meeting in training session.⁷⁹⁶ Also, Hyunjun Shin, Park’s supervisor at that time, heard that Park replied to someone who called Park “a comrade” that “Why do you call me a comrade?

⁷⁹³ Park, Chung Hee. 1962. “Ordeal and Journey of Nation” in *The objective of Korean Nation in Addresses to Korean Nation*, 2006, Seoul: Donsuhbook. All Park’s writings are included in this book.

⁷⁹⁴ Park, Minyoung. 2004.

⁷⁹⁵ Chun, Inkwon. 2006. p. 96

⁷⁹⁶ Jo, Gab-je. 1998. P. 163

Am I your friend? ”.⁷⁹⁷ Taken those anecdotes together, we can assume that Park didn't assimilate with Communism even though many Communists were serving in the Korean Liberation Army.

Through his experiences in Manchurian Military Academy, Imperial Japanese Army Academy, and Kwantung Army, fascism in Park's mind was strengthened. Especially, the influence of the February Incident and of thorough military training could have intensified his militaristic aspect. Also, his nationalism was fortified as a reaction to discrimination against Koreans. On the other hand, his wrath toward the Soviet Union would have been consolidated while serving in the Kwantung Army, as its main enemy was the Soviet. Those fascistic factors and antipathy toward the Soviet Union were combined and build up foundation for Park's anti-Communism. At that time, he had mild conflicts with Korean Communists. All things taken together, Park formed anti-Communism perception, especially against the Soviet Union, in this period.

iii. From South Joseon Defense Academy until the start of Korean War (1946-1950)

Not long after the independence, Park enrolled Joseon Defense Academy. Ironically, Jaegyu Kim who assassinated Park later also went to Academy and they had time together. After taking 3 months of courses, Park graduated in December and was commissioned second lieutenant of South Joseon National Defense Force. South Joseon Defense Academy was formerly Military Language School. U.S. military administration originally planned to constitute Military Language School with 20 executives each of Korean Liberation Army, Imperial Japanese Army, and Manchurian Army. However, Korean Liberation Army rejected

⁷⁹⁷ Chung, Jae-kyoung. 1992. p. 88

this plan, for they want to “act with pro-Japanese betrayers”. Thus, South Joseon Defense Academy consist of mainly former Imperial Japanese Army, and Manchurian Army members.⁷⁹⁸ In other words, majority of the students had been educated in the frame of Japanese fascism. Within that kind of environment, we can assume that students could easily maintain their values and ideology rather question and discard it.

Military authorities didn’t make an issue of it. For example, among 110 military officers who were Military Language School graduates, around 87 had experiences in Imperial Japanese Army, and 20 in Manchurian Army.⁷⁹⁹ Therefore, Park’s fascistic ideology which had been formed and reinforced through Daegu Teacher’s College, Manchurian Military Academy and in Imperial Japanese Army Academy was not changed significantly after entering South Joseon Defense Academy.

In 1948, Yeosu-Suncheon Rebellion sparked a sweeping purge in military. At that moment, Park was also purged from the army because he had joined the South Korea Labor Party. Many servicepersons were branded Communists and sentenced to death during that purge. Yet, Park proved that he is not Communist by confessing core information regarding organogram of the South Korea Labor Party. Thanks to joint guarantee of Sunyeop Baek, Ahnil Kim, Changryoung Kim, servicemen who were safe from the purge, he was cleared of charge. Even, James H. Hausman, a U.S. advisory councilor, suggested to the then president Syngman Rhee that amnesty be given to Park.⁸⁰⁰ He was dismissed, but worked in intelligence office not as serviceperson but as a civil servant, with the help of Sunyeop Baek. Fortunately,

⁷⁹⁸ There were soldiers from Japanese and Manchurian Army in Korean Liberation Army. Yet, it seems like Jo only included Koreans who never had experiences in one of those Armies; Jo, Hyunwoo. 1989. “Park Chung Hee, from commissioned officer in the Japanese Army to President”, *The Word monthly* vol. 42, pp. 136-139.

⁷⁹⁹ For those from Manchurian Army, Hyunwoo Jo recorded it as 27 and Ju-Baek Shin as 21.

⁸⁰⁰ Chung, Jae-kyoung. 1992. p. 108

he could spare his life but he was tortured severely in the prison. Even after the purge is completely over, still the suspicion surrounding him seemed unlikely to be easily dispelled. This memory could have amplified his antipathy toward Communism.

The Korean War gave Park an opportunity to resolve others' doubts on him. On the day of outbreak of the War, 25th June, he was back home for his mother's memorial ceremony. However, he immediately came back to Seoul on 27th June and proved his ideological "soundness". Following the Korean War, anti-Communism became so natural in South Korea. Of course, Park's anti-Communism perception must be strengthened.

As mentioned above, Japanese Fascism continued to be influential in Joseon Defense Academy or in Korea Military. Accordingly, it is reasonable to infer that Park's fascistic aspects were retained or reinforced. On the ground of this fascism, Yeosu-Suncheon Rebellion worked as stimuli in constructing anti-Communism. Considering various situations, it is hard to say that Park's choice to join the South Korea Labor Party was ideological. Still, Park was tainted with that scandal as ideological purity is important for servicemen. Thus, it must be an inflammatory incident to him. Still, Park didn't express his anger toward Korean Military or Korean government. Instead, he worked hard in the intelligence bureau to prove his ideological purity. Those facts empower the surmise that Park's anger aimed not for the system he belongs to but for Communism.

Results and Discussion

All things taken together, we can assert Park's Anti-Communism Perception has its root in Japanese Fascism. His Anti-Communism combined with Japanese Fascism inspired him to choose an excessively militaristic way such as 5.16 coup d'état and a fascistic way such as Revitalizing Reform (Yushin). This Fascistic tendency was gradually formed in various

institutions he had been in under the Japanese Empire system; Daegu Teacher's College, Mungyeong Common School, Japanese Manchurian Military Academy, Kwantung Army, South Joseon Defense Academy and Korean Military. As a result, this study observed that Park's anti-Communism perception has developed over time and showed different characters in each period as follows. First of all, in Daegu Teacher's College and Mungyeong Common School, Japanese fascism firmly established itself in Park's mind. After that, through Japanese Manchurian Military Academy, Imperial Japanese Army Academy, and Kwantung Army, his militaristic and fascistic aspects were strengthened and anti-Communism was combined with it. Especially, antipathy toward the Soviet Union was formed in this period, for he took it as main enemy. Even after independence, "Japanese" fascism was not criticized in South Joseon Defense Academy and Korean Military, which means Park was likely to keep fascistic attitude. More over, the purge in military made him find Communism repellent.

With the process mentioned above, Park built up strong Anti-Communism and reflected it in his policy. Anti-Communism Perception restricted ways of thinking and patterns of behavior of Korean people in various aspects. In Korean Society, being "critical" or "away from the mainstream" has been regarded as "leftist-leaning", "impure", "pro-Communist", or "pro-North Korea".⁸⁰¹ Vladimir Tikhonov pointed out Korean military culture underlies authoritarian culture widespread in Korean society. He criticized that if the military who had contributed to maintenance of fascistic regime, such as Park's and Chun's, keep to old customs, one cannot say Korean civil society reformed fascist country.⁸⁰² The fact that those who mainly participated in creating military culture have experiences in Kwantung Army or

⁸⁰¹ Kwon, Hyuk-Bom. 2000. "Anti-Communism circuit in my body and authority" in *Fascism inside Us*, Seoul: Samin

⁸⁰² Tikhonov, Vladimir. 2000. "Korean Militarism that destroys humanity" in *Fascism inside Us*, Seoul: Samin

Japanese Army reinforces the view that fascistic aspects of current Korean society has its origin in Japanese fascism.

Conclusions

After all, the coercive Anti-Communism system during the Park era was formed not as a reactive policy against North Korea but on the basis of Japanese fascism. Accordingly, when we talk about “Park’s legacy” in Korean Politics, we have to consider Japanese fascism underlies that system with the dispute over Park’s pro-Japanese versus anti-Japanese tendency aside.

Therefore, to discuss the reasons why progressive and the left movements had been suppressed and pluralism had been undervalued in South Korea or to devise possible solutions to this problem, we have to analyze the impact of Japanese Fascism as well as that of North Korea. Without due consideration on Japanese Fascism, no one can see the essence of the problem.

References

- Chung, Jae-kyoung. 1992. *Great man Park Chung Hee*, Seoul: Jipmoondang
- Chun, Inkwon. 2006. *A Critical Biography of Park Chung Hee*, Seoul: Ehaksa
- Dobe, Ryoichi, 2003. *Modern Japanese Army*, trans. Hunsoo Lee and Taehwan kwon, Seoul: Korean Military Academy Hwarang-dae Research Institute
- Griffin, Roger edit. 1995. *Fascism*, New York: Oxford University Press
- Heywood, Andrew. 2007. *Political Ideologies*, 4th edition, Palgrave macmillan
- Jo, Gab-je. 1998. *Spit on my grave* vol. 2, Seoul: Chosun Iibo Co., Ltd.
- Lim, Jihyun edit. 2000. *Fascism inside Us*, ed. Seoul: Samin

- Han, Suk-Jung and Kishik Noh edit. 2008. *Manchu, Space for fusion of East Asia*, Somyong Publishing
- Maruyama, Masao. 1963. *Thought and Behaviour in Modern Japanese Politics*, Ivan Morris, London: Oxford University Press
- Matsumoto, Kenichi. 2010. *Kita Ikki: Charisma that confronted the Emperor*, trans. Suntae Jung and Seockchul Oh, Seoul: Gyoyangin
- Neocleous, Mark. 1997. *Fascism*, University of Minnesota Press
- Schwarz, Fred. 1970. *What is Communism Lecture Series*, Chantico
- Park, Chung Hee. 1962. "Ordeal and Journey of Nation" in *The objective of Korean Nation in Addresses to Korean Nation*, 2006, Seoul: Donsuhbook.
- Fujii Takeshi. 2011. "Reorganization of anti-Communism system in 4. 19 and 5.16 and the logic ", *Journal of Korean Historical Studies* vol. 25, pp. 9-34
- Hwang, Byoung Joo. 2009. "Park Chung Hee and the Desire for Success in Modern Korea", *History Review* vol. 89, pp. 257-283
- Jo, Hyunwoo. 1989. "Park Chung Hee, from commissioned officer in the Japanese Army to President", *The Word monthly* vol. 42, pp. 136-139
- Kim, Dong-Choon. 2011. "War-Politics in Korea under the Cold War and Anticommunist Order: State Violence and limit of the Rule of Law", *Economy and Society* vol. 89, pp. 333-366
- Kim, Hyunchul. 2004. "President Junh-hee Park's Diplomacy and Initiatives for the Peace-Building on the Korean Peninsula and the South-North Korea Relations in the early 1970s", *Journal of Korean Unification Policy Studies* vol. 13 (1), pp. 81-99
- Lee, Kihoon, 2002. "Teacher training in colony under the Japanese Empire System", *Journal of Korean Historical Studies* vol. 9, pp. 41-76
- , 2007. "The Social Status of the Teachers assigned at Common Schools and their Perception of themselves", *History and Reality* vol. 63, pp. 99-135
- Park, Minyoung. 2004. "A Study of the Repatriation of Koreans in the Manchuria Army", *Journal of Korean Independence Movement* vol. 22, pp. 137-163
- Shin, Byung-Sik. 2006. "The Military Conscription System and the Myth of 'Sacred Obligation of National Defence' during the Park Regime", *Economy and Society* vol. 72, pp. 148-172
- Shin, Ju-Beak. 2002. "Korean commissioned officers and Korean Army in Manchukuo Army", *Journal of Korean Historical Studies* vol. 9, pp. 77-132

Shon, Bong-Scuk. 1983. "Korean Political Culture and Anti-Communism", *Korean Political Science Review* vol. 17, pp.81-94

THE IMPORTANCE OF FAITH-BASED ORGANIZATION IN SHAPING NATURAL DISASTER: CASE STUDY OF CLIMATE CHANGE IMPACT IN INDONESIA⁸⁰³

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Abstract

Recent natural disaster does not only attract the attention of government but also religious organization in Indonesia. Furthermore, some faith-based organizations have seriously dealt with the disaster. One of the oldest and largest faith-based organization in Indonesia, *Muhammadiyah*, attempts to tackle the risk of climate change and natural disaster. This paper attempts to look at how faith-based organization plays significant role in mitigating, adapting, and providing disaster preparedness programs. By considering local people around the area of disaster as religious adherents, it is important to consider religious values as appropriate strategy for addressing social risk and environmental damage. In order to achieve the aims of study, this paper utilizes qualitative method through ethnographic approach which concerns on how faith-based organization programs engage in local people's volcanic perception and activities. It is carried out through in-depth interviews, observation, and literature reviews. The study reveals that *Muhammadiyah* organization have been actively engaging in a climate change and disaster risk reduction programs by formulating new theology of environment and acting to shape extreme event practically. This organization uses its resources involving hospital and educational institution to assist disaster victims and supporting sustainability of disaster risk reduction programs.

Keywords: natural disaster, climate change, *Muhammadiyah*, theology of environment.

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Introduction

Climate change has become the most important issue in the world today. The issue has already greatly affected many aspects of people's lives: social, political, economic and cultural. Climate change is responsible for more frequent natural disasters, in turn changing the demographic composition of the affected region. Many places impacted by a disaster face significant economic loss while culturally people are further challenged by the need to rapidly adjust. Scarcity of natural resources then leads to conflict and turmoil. As a global issue, many countries then collaborate to design strategies as well as to form new global institutions to tackle unintended problems that may emerge.

Several global institutions have been enlisted or established to develop such strategies. These include the United Nations Environment Program (UNEP), Intergovernmental Panel on Climate Change (IPCC), United Nations Framework on Climate Change (UNFCCC) and the United Nations Collaborative Program on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries (UN REDD).

At the national level, institutions have been established by every country. In Indonesia, the government has established the National Council on Climate Change (Dewan Nasional Perubahan Iklim-DNPI). Although each such organization has a different name, all have the same concern, to tackle climate change.

Surprisingly, this issue has not only attracted the attention of formal institutions such as governments, but also a wide spectrum of civil society groups including faith-based organizations. In Indonesia, for example, the two largest and oldest faith-based organizations, Muhammadiyah, have become involved, and it is pertinent to look at their role as part of the country's effort to tackle climate change by means of adaptation and mitigation strategies. According to Harper (2001), adaptation strategy suggests that people change their thoughts, perceptions and behavior to adjust to rapid environmental change. People are believed to be capable of changing their way of life to face future uncertainty. However, the rapid environmental change that now

faces the world represents a big challenge for adaptation strategy. Therefore there is a need for a rapid creative adaptation strategy.

Meanwhile, mitigation consists of strategies to alleviate the impacts of climate change by stopping environmental degradation and minimizing global emissions. Both goals can be achieved by slowing rapid deforestation and conducting reforestation, and by companies and households reducing energy consumption.

The Significant Action of Faith-Based Organization: Muhammadiyah

There are at least three important phases of note regarding the climate change issue. First is the academic phase, also known as the initial phase of climate change discourse formation, indicated by the scientific debate over rising temperatures. According to Ingram et al (1990), the discourse was started by Svante Arrhenius, who studied the effect of carbon dioxide on the earth's temperature in 1896. His findings revealed that the earth's temperature appeared to have increased by 9 degrees Fahrenheit due to the doubling of carbon dioxide in air since the onset of the Industrial Revolution.

This finding gained support from other scientists like Lotka, Revelle and Suess. Lotka found that it was an empirical fact that the increasing amount of carbon dioxide in the atmosphere was caused by the increase in fossil fuel use, while Revelle and Suess found that carbon dioxide could not be absorbed by sea water and instead led to increased temperatures. These debates gained wide attention, especially from politicians.

The second phase is policy, in which many scientists worked closely with policy makers. The scientists urged the politicians to adopt scientific recommendations on climate change within their political agenda. As a result, two major industrial countries, the United States and Canada, began to adopt such recommendations. Gradually, other countries took similar steps, leading to an international conference, the Noordwijk Meeting of 1989. This was the first world conference on climate issues, followed by a second meeting in 1990. Many national leaders agreed to use climate

change perspectives in their developmental agenda. The next phase is implementation.

Many countries have accepted climate change as a serious issue that has to be tackled jointly. In 1997, a meeting in Kyoto produced a famous agreement known as the Kyoto Protocol, which bound 37 countries to reductions in their carbon dioxide emission. Since then, the countries have conducted follow-up meetings every two years to discuss practical and technical schemes to implement the agreement.

The last major meeting took place in Cancun, Mexico in December 2010, with delegates from nearly 190 country attending. The countries had already moved forward in setting up a green climate fund to help poor countries deal with climate change. By this stage, non-government or civil society organizations (CSOs), including faith-based organizations, had become involved.

The involvement of CSOs can be seen from two sides: policy making and action. On the policy side, CSOs play a significant role in designing and making policy on environmental change issues. A study by Correll and Betsill in 2001 showed the three arenas where CSOs play a role: activity, access and resource.

First, CSOs have become active participants in designing policy at several international environmental forums. For example, during the Kyoto and United Nations Convention to Combat Desertification (UNCCD) meetings, CSOs created their own forum to raise important issues to be taken to the final plenary. What's more, they successfully persuaded government leaders to adopt such issues. Second, CSOs have substantial access at such international forums and have become successfully involved in the negotiation process. Third, CSOs have valuable technical skills that provide value from their presence in the forums.

On the action side, CSOs have conducted some practical activities on facing climate change. In her 2006 article *Local Initiatives and Adaptation to Climate Change*, author Ana Rojas Blanco noted that CSOs in several countries have worked on adaptation strategies in order to minimize climate impacts. For example, they have designed projects aimed at improving local community livelihoods on the one hand and

promoting sustainable environmental resource practices on the other. Indeed, there are many cases of practical engagement of CSOs in tackling climate change.

Indonesia is the world's largest Muslimmajority nation, with more than 200 million Muslims among its 237 million people. One organization, Muhammadiyah, has by far the largest number of followers. Muhammadiyah is known as a modern-puritan Islamic CSO. It was established by Ahmad Dahlan in 1912 in Yogyakarta. In its early years, Muhammadiyah focused on the purification of Islamic teaching in a region which had been influenced by local mysticism, superstition and culture, and to revive the Islamic way of life at a time of Westernization because of Dutch colonialism. To achieve its mission, Muhammadiyah built Islamic educational institutions. The organization was fully supported by the Sultanate of Yogyakarta. Then, after Indonesian independence in 1945, Muhammadiyah widened its mission to not only provide education, but also economic empowerment, health services, and morelately, protection of the environment.

Today, Muhammadiyah has at least 25 million members with 5,000 schools, ranging from playgroup to senior high school, 119 universities and 457 hospitals spread across the country. It has a modern management system, collecting fees from its schools, universities and hospitals, although it remains a non-profit organization. Revenue generated by the organization does not go to any particular person such as the president or the members of the executive board. Rather it goes directly to Muhammadiyah, and is then spent on fnancing Muhammadiyah programs.

In some cases, the organization encourages its members to self-fund their programs. Muhammadiyah also receives funds from many sources including the government and domestic and foreign private institutions. Muhammadiyah is supported by the government and international donors in its efforts to tackle climate change. Up to now, Muhammadiyah has always been supportive of government efforts to achieve the country's ideals: humanity, unity, democracy and justice.

By providing education, economic empowerment and health services, for example, Muhammadiyah has adopted a humanitarian role in serving the country. The

organization also cooperates with the government to combat terrorism by propagating the peaceful teaching of Islam.

Lately, after the country experienced many environmental problems and natural disasters, Muhammadiyah has shown its commitment to work with the government to tackle such problems. The government, for its part, has been impressed by the assistance provided by the organization.

At Muhammadiyah, the need to protect the environment was discussed at its five-yearly national congress (Muktamar) in 2005. A year later, the organization began to investigate what God said about the environment in the Qur'an and crystallized these sayings as theology. In 2007, ecotheology was officially formalized. This theology mainly refers to Qur'anic verses, the highest source of reference in Islam.

Many verses are found in the Qur'an mentioning the importance of protecting the environment. For instance Surah Thaha 53-54 depicts the position of Almighty God both as the creator and the protector of the universe including earth. Surah Al-An'am 141-142 forbids humankind from over-exploitation of natural resources (Lembaga Lingkungan Hidup 2008).

Muhammadiyah acknowledges the relationship between God, humanity and the environment. This relationship consists of God-environment, God-humanity, and humanity-environment relations. The God environment relationship means that the environment is a sophisticated entity created by God, so that glorifying God can also be meant as glorifying the environment, His creature.

Then there is the God-humanity relationship. As with the environment, humanity also has an essential position. In Surah Al-An'am 165, for example, it is stated that humankind is not only God's creature, but also His representative in the world. As a creature, humankind is obliged to worship the creator, obey His commandments, and avoid His prohibitions. Besides, as His representative, humankind is responsible for managing, protecting as well as keeping the world in perpetual balance. According to the Islamic viewpoint as understood by Muhammadiyah, humanity must accept these roles as an obligation and will be judged in the hereafter if they fail to do so.

In the humanity-environment relationship, Muhammadiyah believes the position of these two entities is equal. This means that humanity has to take care of the environment and vice versa. Unfortunately, such equality has been destroyed by humankind's arbitrary attitude of greedy exploitation of the environment. Humans have arbitrarily used their authority as God's representatives. They have not acted as protectors, as God wants, but have become traitors. The environment then responds with many great catastrophes.

Muhammadiyah calls for wide attention to rethink this problem. Its eco-theology is aimed at creating awareness of environmental degradation on the one hand and the need to protect the environment from further destruction on the other.

Several of the most common references from the Hadiths are from Imam Muslim, who mentions that it is prohibited to use a conservation reserve set up by the Prophet Muhammad. This prohibition is based on humankind's collective need. Muslim also mentions that the Prophet once commanded his followers to avoid utilizing natural resources if they do not know whether it is halal (rightful) or haram (forbidden).

On another occasion, the Prophet urged his followers to work in plantations, gardens and farms. These fields are regarded as the noblest activities on earth. Regarding deforestation, the Prophet prohibited the cutting of trees, the exception being if they endangered humanity.

Between Government and Civil Society Organization (CSO)

Praxis derives from Greek, meaning the practical application of a theory. The globalization of climate change issues has not only stimulated governments to take action, but also CSOs. In Indonesia's case, Muhammadiyah has shown they do not want to be left behind in tackling these issues.

At Muhammadiyah, environmental and climate issues are worked out by the Environmental Institute (Lembaga Lingkungan Hidup – LLH) and the Muhammadiyah Disaster Management Center (MDMC). Muhammadiyah's LLH was established in 2005 during the 45th Muktamar in Malang, East Java. Its establishment was closely related

to climate change issues, already widely discussed at that time. Muhammadiyah called for the creation of a new body specifically focused on tackling environmental issues, including climate change.

LLH was given authority to construct a theology and conduct the praxis of conserving the environment. LLH is fully assisted by other existing sub-organizational bodies under Muhammadiyah such as the women's organization Aisyiyah, youth organization Pemuda Muhammadiyah and the student group Ikatan Pelajar Muhammadiyah, representing students from schools and universities across the country. LLH itself is directly under the central board of Muhammadiyah.

In 2008, Muhammadiyah, through LLH and in cooperation with the Indonesian Ministry of Foreign Affairs, conducted a national dialogue of religious and traditional leaders. This forum, attended by 40 such leaders, agreed on a major program to inform the public about the importance of conserving the environment through discussion and teaching. The forum also committed to implement the agreement in the community of each of the leaders present.

In order to attract public attention, the leaders agreed to make themselves role models first, so that the public could refer to their actions. The forum also called for government attention on serious punishment for those destroying the environment and believed to be responsible for extreme climate change.

On World Water Day in 2008, LLH released a seven-point declaration on water resource conservation. It stated first that water is a very important natural resource for humankind that needs to be conserved. Second, destroying water resources means destroying all humankind. Third, Indonesia has an abundance of water resources but they are improperly managed. Fourth, all Indonesians must participate in conserving water resources. Fifth, good water management needs to be linked to sustainable development. Sixth, water resource legislation is biased in favor of the capitalist ideology, which is believed to be responsible for environmental damage. Seventh, water is a gift of God that must be conserved.

In the same year, LLH launched a waste management program in Bantul, Yogyakarta. This provided technical supervision for several hospitals in effective management of waste, involving students from Muhammadiyah schools. Surprisingly, LLH moved to establish a department of bio-energy at all Muhammadiyah vocational schools to provide skilled waste management technicians but, due to technical reasons, the program could only be applied in Bantul. In the years ahead, LLH promised to develop such programs in other regions as well. LLH also announced its successful innovation in producing solid bio-phosphate and compost, and recycled household liquid waste.

In response to deforestation, LLH urges Muhammadiyah schools and universities to alter their behavior patterns. It especially asks for them to reduce the amount of paper they use by half, a move believed to have a positive conservation effect for both trees and the environment, since each 15 reams of paper requires a 10-year-old tree. Moreover, in another step to combat deforestation, LLH together with Muhammadiyah University of Yogyakarta arranged an event called the National Tree-Planting Movement in Bantul.

In international forums, Muhammadiyah through LLH has actively engaged with the Muslim Seven-Year Action Plan for Climate Change (M7YAP), which was first declared at Istanbul in 2007, aiming to encourage Islamic countries to tackle climate change. In April 2010, M7YAP conducted a meeting in Bogor, Indonesia to discuss future action. The meeting involved 14 Muslim-majority countries from Asia and Africa as well as participants from the United Kingdom, France and the United States. LLH and other institutions used the occasion to declare Bogor a “Green City”.

The Muhammadiyah Disaster Management Center (MDMC) was established in 2007 on the recommendation of the 45th Muktamar in Malang two years earlier. Initially, MDMC was tasked with helping people affected by natural disasters and enhancing their capacity to face disaster.

Along with Muhammadiyah’s engagement in tackling the climate change issue, MDMC was also tasked with focusing on environmental conservation, including how to mitigate climate change. MDMC realized that many natural disasters originate from

the extreme climate change now affecting many people around the world. At first, MDMC conducted a major Islamic teaching event in Yogyakarta, entitled Muhammadiyah and Climate Change. At the event, MDMC urged all Muhammadiyah members to be constantly aware of climate change and its impacts on human life.

All organizational bodies under Muhammadiyah attended this event. MDMC also launched Child Disaster Awareness for Schools and Communities (CDASC), aimed at creating an alert mechanism for communities, and especially children, to face unexpected disaster. The program is based on the assumption that once a disaster occurs, no one can quickly provide assistance except for the individual affected.

Therefore, an alert mechanism is a must. CDASC aimed to empower communities with all technical procedures that have to be taken once disaster occurs. To date, MDMC has collaborated with foreign institutions such as the Australian Agency for International Development (AusAID) in programs in West Sumatra, Bengkulu, West Java and Yogyakarta provinces, all of which are prone to natural disasters. MDMC has empowered approximately 5,098 students and 83 teachers in these provinces.

Rahmat Witoelar, the chairman of the government's National Council on Climate Change (DNPI), has commented on the efforts of Muhammadiyah, stating that the government needs support from such religious CSOs to reduce the effect of climate change because both have significant human resources.

Muhammadiyah is strong in urban areas. This organization has demonstrated their commitment as partners of the government by supporting DNPI's programs. While the government, on the one hand, uses its political and bureaucratic approach to the people from the center to the periphery, from the capital city to the village level, Muhammadiyah uses their cultural and religious (theological) approach to achieve the same goal. This government-religious CSO synergy is believed to represent a key element in the success of Indonesia's future climate change adaptation and mitigation actions.

According to the Ministry of National Development Planning, achieving reductions of the effects of climate change is a national goal, as set out in Law No. 32/2009

concerning environmental protection and management. DNPI is mandated as the government representative body in the task of reducing the effects of climate change. The DNPI has five main tasks: first, to formulate national policy, strategy, programs and activities to combat climate change; second, to coordinate strategy implementation in tackling climate change including adaptation, mitigation, technology transfer and climate finance strategy; third, to set carbon trade mechanisms and regulations; fourth, to monitor and evaluate climate change policy; and fifth, to strengthen Indonesia's bargaining position over industrial countries so that they will be more responsible in tackling climate change.

However, Muhammadiyah has limitations. So far, it seems capable of only running programs on adaptation. Adaptation, as mentioned in the section on praxis, consists of climate change socialization, capacity building for communities, waste management, tackling deforestation and reforestation projects, urban greening and disaster risk management. Nevertheless, their contribution cannot be underestimated. Their role has colored the country's efforts to tackle climate change and will likely continue to do so in the future. Both the Indonesian government and people have benefited greatly from their contribution.

On the government side, the role of Muhammadiyah is seen as substantial. The government believes its resources are limited and hence it cooperates with the two organizations. Thus far, Muhammadiyah has been able to assist the government in tackling climate change by working day by day with people at the most basic level in both urban and rural areas: cities, mountains, forests and coasts. In addition, the government has learned much from past success stories in achieving national development goals such as family planning and direct political elections. The involvement of the CSOs contributed to these successes.

Further, its CSO also engaged at climate summits. While they did not attend the Cancun conference in Mexico, Indonesian faith-based organization and played an important role in the Bali and Copenhagen conferences in 2007 and 2009 respectively.

It is support the government's commitment to reduce carbon dioxide emissions by 26 percent by 2020.

In addition, the Muhammadiyah CSO attended the Religion and Climate Change Conference first held in Turkey. During the subsequent meeting in Indonesia, they agreed to establish Bogor in West Java as a Green City, protecting it from the threat of rapid industrialization given its close proximity to Jakarta, the Indonesian capital. Jakarta itself has been impacted by polluted industrialization for decades.

On the side of the public, Muhammadiyah has at the least shared knowledge about climate change and helped guide people to create and find alternative livelihoods that are environmentally friendly. Besides the government's efforts to socialize climate change through the media, the organizations have significantly spread awareness of climate change as a real challenge to human civilization. Muhammadiyah, for example, utilizes its subsidiary groupings like schools and universities in each province.

Nowadays, many people in rural areas have a reasonable awareness of climate change and what efforts should be taken to reduce its impacts. The role of Muhammadiyah also benefits many people, especially in creating and finding alternative sources of income that are environmentally friendly. For example, Muhammadiyah has begun educating young technicians skilled in waste management at vocational high schools. The goal of this program is to create jobs for students after completing their studies, placing them in Muhammadiyah schools, universities, and hospitals to manage the waste of each institution.

Climate change has grabbed global public attention. Governments as well as civil society organizations are working to tackle the issue. Faith-based organizations have also been actively participating to develop adaptation and mitigation activities. As the case of Indonesia shows, Muhammadiyah began their involvement by establishing the theological basis of environmental conservation, followed by some actual praxis to tackle climate change. All of their praxis have taken place across the country and engaged all of their sub-organizations.

Muhammadiyah's eco-theology contains several Qur'anic verses mentioning the urgency of protecting the environment from destruction. It sees God and humankind as interrelated with the environment. God, as creator, always protects His creations, both humankind and the natural environment.

In doing praxis, Muhammadiyah acts through LLH and MDMC. LLH is mainly aimed at tackling environmental problems in relation to extreme climate change while MDMC is focused on disasters caused by climate change.

LLH has already conducted several programs across the country including the reduction of deforestation and increases in reforestation. It has collaborated with all of Muhammadiyah's sub-organizational bodies like Aisyiyah and Muhammadiyah Youth. Meanwhile MDMC helps people affected by natural disasters and, more recently, enhances the capacity of children in facing disasters.

Concluding Remark

It is reasonable to say that Muhammadiyah has already made a significant contribution to the country's efforts in tackling climate change. Nevertheless, it should be underlined that this contribution is mainly in the field of adaptation activities. Both have provided benefit not only to government but also to large groups of people in both urban and rural areas by making them aware of climate change, and assisting them to create and find solutions.

The government agrees that the involvement of religious CSOs like Muhammadiyah is needed to combat the climate problem because both have influence in public life. Muhammadiyah has resources including schools, universities, hospitals, pesantrens, clergy and students. The task ahead for both organizations is to maintain their commitment to tackle climate change, and in the future to widen their involvement to include mitigation.

Bibliography

- Ahimsa-Putra, Heddy Shri. 2000. "Peringatan, Cobaan dan Takdir: Politik Tafsir Bencana Merapi", *Masyarakat Indonesia*, Jilid XXVI, No. 1, h. 27-54.
- Ahimsa-Putra, Heddy Shri. 1993. "The Politics of Agrarian Change and Clientelism in Indonesia: Bantaeng, South Sulawesi, 1883 to 1990." *Disertasi Doktor*. New York: Columbia University.
- Ahmat, S. 1970. "The Political Structure of the State of Kedah 1879-1905", *Journal of Southeast Asian Studies*, 1 (2), h. 115-128.
- Anonim. 2009. *Data Dasar Profil Desa/Kelurahan Turi Tahun*. Lamongan: Pemerintah Kabupaten Lamongan.
- Aung-Thwin, M. 1985. *Pagan. The Origins of Modern Burma*. Honolulu: University of Hawaii Press.
- Bakioglu, A., Gammage, P. 2001. "What did we learn after the Earthquake? *National Hazards Society Newsletter* 13 (2), h. 3-4.
- Basri, Mohammad Hasan. 2007. *Contesting the Meanings of Disaster: a Study on Wonokromo People's Responses to the 27th May 2006 Earthquake*, Thesis di Pusat Studi Agama dan Lintas Budaya (CRCS), Sekolah Pascasarjana Universitas Gadjah Mada.
- Beatty, Andrew. 1999. *Varieties of Javanese Religion: An Anthropological Account*. UK: Cambridge University Press.
- Benthall, Jonathan. 2008. "Have Islamic Aid Agencies a Privileged Relationship in Majority Muslim Areas? The Case of Post-Tsunami Reconstruction in Aceh", *Journal of Humanitarian Assistance*, June 26. (diakses dari <http://sites.tufts.edu/jha/archives/153> pada 25 Desember 2010)
- Bowen, John R. 1993. *Muslims Through Discourse*. Princeton: Princeton University Press.
- Budiwanti, Erni. 2000. *Islam Sasak: Wetu Telu versus Wetu Lima*. Yogyakarta: LKiS.
- Campo, Juan E. 2009. *Encyclopedia of Islam*. New York: Facts on File.
- Castles, L. 1979. "Statelessness and State Forming Tendencies Among the Batak Before Colonial Rule" dalam *Pre-Colonial State Systems in Southeast Asia*, A. Reid and L. Castles (eds). Kuala Lumpur: Monograph of MBRAS no. 6.
- Chapbell-Nelson, John. C. 2008. "Religion and Disaster: Critical Reflection Post Alor Earthquake 2004", *Working Papers*, # 8. IITTS Publications.
- Chester, David K. 2005. "Theology and Disaster Studies: The Need for Dialogue", *Journal of Volcanology and Geothermal Research* No. 146, h. 319-328.
- _____. 1993. *Volcanoes and Society*. London: Edward Arnold.
- Dhofier, Zamakhsyari, 1994. *Tradisi Pesantren: Studi tentang Pandangan Hidup Kyai*. Jakarta: LP3ES.
- Donovan, Katherine. 2010. "Doing Social Volcanology: Exploring Volcanic Culture in Indonesia," *Area* Vol. 42, no. 1, h. 117-126.
- Douglas, M. 1966. *Purity and Danger: An Analysis of Concepts of Pollution and Taboo*. London: Routledge.

- Dove, M. R. 2008. "Perception of volcanic eruption as agent of change on Merapi volcano, Central Java." *Journal of Volcanology and Geothermal Research* 172, h. 329–37.
- Drabek, Thomas. 1986. *Human System Response to Disaster: An Inventory of Sociological Findings*. London: Springer-Verlag.
- Esposito, John L. 2002. *Ensiklopedi Oxford Dunia Islam Modern*. Penerjemah Eva Y.N dkk. Jilid 4. Bandung: Mizan.
- Esposito, John L. 2010. *Masa Depan Islam: antara Tantangan Kemajemukan dan Benturan dengan Barat*. Penerj. Eva Y. Nukman dan Edi Wahyu S.M. Bandung: Mizan.
- E. Stake, Robert. 2005. "Qualitative Case Study", Norman K. Denzin dan Yvonnas S. Lincoln (ed.) *The Sage Handbook of Qualitative Research*, edisi ketiga. London dan New Delhi: Sage Publications.
- Fritz, Charles E. 1989. "Disasters" in David L. Sills (Ed), *International Eyclopedia of Social Sciences*, Vol. 4. New York: Macmillan Free Press.
- Geertz, Clifford. 1992. *Tafsir Kebudayaan*. Yogyakarta: Kanisius.
- Geertz, Clifford. 1974. *The Interpretative of Cultures: Selected Essays*. London: Basic Books Inc.
- Geertz, Clifford. 1960. *The Religion of Java*. New York: Free Preys.
- _____. 1980. *Abangan, Santri dan Priyayi dalam Masyarakat Jawa*, terj. Aswab Machasin. Jakarta: Pustaka Jaya.
- Ghazali, Hatim. 2010. "Interpretasi Komunitas Pesantren atas Banjir: Studi atas PP. Darun Najah Situbondo Jawa Timur". *Tesis MA*. Yogyakarta: CRCS Universitas Gadjah Mada.
- Harmesen, Egbert. 2008. *Islam, Civil Society and Social Work: Muslim Voluntary Welfare Associations in Jordan Between Patronage and Empowerment*. Amsterdam: Amsterdam University Press.
- Hewit, Kenneth. 1993. "The Idea of Calamity in a Technocratic Age", *Interpretation of Calamity-From viewpoint of human ecology*. Kenneth Hewitt (ed). Boston: Allen dan Unwin;
- Homan, Jacqueline. 2002. "The Social Construction of Natural Disaster: Eygipt and the UK." Mark Pelling (ed), *Natural disasters and development in a globalizing world*. London: Routledge.
- _____. 2001. "A Culturally sensitive approach to risk? 'Natural' hazard perception in Egypt and the UK., *Australian Journal of Emergency Management* 16 (2), h. 14-18.
- Hoffman, Susanna M. and Anthony Oliver-Smith. 1999. *The Angry Earth: Disaster in Anthropological Perspective*. New York: Routledge.
- Kim, Hyung-Jun. 1996. *Reformist Muslim in a Yogyakarta Village: The Islamic Transformation of Contemporary Socio-Religious Life*. Canberra: ANU E Press.
- Koening, Harold G. 2006. *In the Wake of Disaster: Religious Responses to Terrorism & Catastrophe*. Philadelphia and London: Templeton Foundation Press.

- Laksono, P.M. 1985. "Persepsi Setempat dan Nasional Mengenai Bencana Alam: Sebuah Desa di Gunung Merapi", Michael R. Dove (ed.) *Peranan Kebudayaan Tradisional Indonesia dalam Modernisasi*. Jakarta: Yayasan Obor Indonesia.
- Laksono, P. M. 2010. "Visualitas Gempa Yogya 27 Mei 2006" dalam *Workshop Metodologi Penelitian II, Agama & Bencana Alam: Kajian Integratif Ilmu, Agama dan Budaya*, Center for Religious & Cross-Cultural Studies, Gadjah Mada University Yogyakarta, 8-10 Maret 2010.
- Lavigne, F., De Coster B., Juvin N., Flohic F., Gaillard J-C., Texier P., Morin J., and Sartohadi J. 2008. "People's behavior in the face of volcanic hazards: perspectives from Javanese communities, Indonesia, *Journal of Volcanology and Geothermal Research* 172, h. 273–87.
- Malik, Abdul. 2009. "Perayaan Maulid Hijau di Lereng Gunung Lamongan: Pergulatan Masyarakat Lokal dalam Merespons Kerentanan Bencana di Desa Tegalandu Kecamatan Klakah Kabupaten Lumajang". *Tesis MA*. Yogyakarta: CRCS Universitas Gadjah Mada.
- Manzoor, Pervez. 2004. "Lingkungan dan Nilai-nilai dalam Perspektif Islam" terj. Putut Wijanarko, *Ulumul Qur'an: Jurnal Islam dan Kebudayaan*, no. 9 vol. II.
- McGuire, Meredith B. 1981. *Religion: The Social Context*. California: Wadsworth Publishing Company.
- Mitchel, Jerry T. 2003. "Payer in Disaster: Case Study of Christian Clergy", *Natural Hazards Review*, Vol. 4, No.1, February1, h. 20-26.
- Mulkhan, Abdul Munir. 2000. *Islam Murni dalam Masyarakat Petani*. Yogyakarta: Bentang.
- Nakamura, M. 1983. *The Crescent Arises over the Banyan Tree: A Study of the Muhammadiyah Movement in a Central Javanese Town*. Yogyakarta: Gadjah Mada University Press.
- Ngelow, Zakaria, J., (eds). 2006. *Teologi Bencana, Pergumulan Iman dalam Konteks Bencana Alam dan Bencana Sosial*. Makasar: OASE INTIM.
- Oliver-Smith, Anthony. 1999. *The Angry Earth: Disaster in Anthropological Perspective*. Anthony Oliver-Smith dan Susanna M. Hoffman (ed). New York and London: Routledge.
- _____. 1996. "Anthropological Research on Hazards and Disaster", *Annual Review of Anthropology*, vol 25, h. 303-328.
- _____. 1986. "Disaster Context and Causation: An Overview of Changing Perspective in Disaster" dalam Vinson H. Sutlive *et al* (ed) *Natural Disaster and Cultural Responses*. Williamsburg: Department of Anthropology, College of William and Mary.
- _____. 2002. "Theorizing Disasters: Nature, Power, and Culture" in Susanna M. Hoffman and Anthony Oliver-Smith, *Catastrophe & Culture: Anthropology of Disaster*. Santa Fe: School of American Research Press.
- Ortner, Sherry B. 1984. Theory in Anthropology Since the Sixties, *Comparative Studies in Society and History*, Vol. 26, No. 1 (Jan., 1984), h. 126-166.

- Ortner, Sherry B. 1973. "On Key Symbols", *American Anthropologist, New Series*, Vol. 75, No. 5 (Oct., 1973), h. 1338-1346
- Peacock, J. 1978. *Purifying the Faith: The Muhammadiyah Movement in Indonesian Islam*. California: The Benjamin/Cummings Publishing Company.
- Poerwadarminta, W.J.S. 1986. *Kamus Umum Bahasa Indonesia*. Jakarta: Balai Pustaka.
- Quarantelli, Enrico L., dkk. 2007. "A Heuristic Approach to Future Disasters and Crises: New, Old, and In-Between Types", Havidan Rodriguez dkk. *Handbook of Disaster Research*. New York: Springer.
- Raharjo, Albertus Kristiadji. 2007. "Theology of Solidarity in Times of Disaster and Suffering: Theological Reflections Based on the Experiences of a Post-Disaster Christian Community in Kintelan, Bantul, Yogyakarta," *Tesis MA*. Yogyakarta: Pusat Studi Agama dan Lintas Budaya (CRCS), Universitas Gadjah Mada.
- Rayner, S. 1992. "Cultural theory and risk analysis", Krinsky, S., Golding, D. (Ed.), *Social Theories of Risk*. Connecticut: Praeger, h. 83–116.
- Sangermano, F. 1984. *The Burmanese Empire A Hundred Years Ago*. B.R. Publishing.
- Sedov, L.A. 1978. "Angkor: Society and State", *The Early State*, H.J.M. Claessen and P. Skalnik (eds.). The Hague: Mouton.
- Schlehe, Judith. 2007. "Cultural Politics of Natural Disasters: Discourses on Volcanic Eruptions in Indonesia," dalam Michel J. Casimir and Ute Stahl (ed), *Culture and the Changing Environment: Uncertainty, Cognition, and Risk Management in Cross-cultural Perspective*. Oxford/New York: Berghahn.
- Schmuck, Hanna. 2000. "An Act of Allah: Religious explanation for flood in Bangladesh as Survival Strategy", *International Journal of Mass Emergencies and Disasters*, 18 (1), h. 85-96.
- Shook, Gary. 1997. "An Assessment of Disaster Risk and Its Management in Thailand," *Disasters* 22/1, h. 76-90.
- Spradley, James P. 1979. *The Ethnographic Interview*. New York: Holt, Rinehart and Winston.
- Steenbrink, Karel. 1994. *Tarekat Naqshabandiyah di Indonesia. Survei Historis, Geografis dan Sosiologis*. Bandung: Mizan.
- Stern, Gary. 2007. *Can God Intervene?: How Religion Explains Natural Disaster*. London: Preager.
- Tambiah, S.J. 1977. "The Galactic Polity: The Structure of Traditional Kingdoms in Southeast Asia", *Annual New Academy of Sciences*, 293: 60-97.
- Thouret, J-Cand., Lavigne F. 2005. Hazards and risks at Gunung Merapi, Central Java: a case study in Gupta A., (ed.) *The physical geography of Southeast Asia*. Oxford: Oxford University Press.
- Triyoga, Lucas Sasongko. 1991. *Manusia Jawa dan Gunung Merapi. Persepsi dan Sistem Kepercayaan*. Yogyakarta: Gadjah Mada University Press.
- Turmudzi, Endang. 2006. *Struggling for the Umma: Changing Leadership Roles of Kiai in Jombang, East Java*. Canberra: ANU E Press.

- Turner, Victor W. 1967. *The Forest of Symbols: Aspects of Ndembu Ritual*. Itacha and London: University of Chicago Press.
- Undang-undang Indonesia no. 24 tahun 2007 tentang Penanggulangan Bencana.
- Martin van Bruinessen, Niels Mulder. 1996. *Inside Indonesian society; Cultural change in Java*. Amsterdam: Pepin Press
- Wehr, Hans. 1980. *A Dictionary of Modern Written Arabic*. Beirut dan London: Libraire Du Liban dan Macdonald & Evans Ltd.
- Wisner, B (et. al.). 1994. *At Risk: Natural Hazards, People's Vulnerability and Disaster*. New York: Routledge.
- Woodward, Mark R. 1999. *Islam Jawa Kesalehan Normatif versus Kebatinan*. Yogyakarta: LKIS.
- Ziemek, Manfred. 1986. *Pesantren dalam Perubahan Sosial*. Jakarta: P3M.

AN ANALYSIS ON SYNTHETIC MODEL OF CONSCIOUSNESS IN KRAMA SCHOOL OF SAIVISM

Different systems of Indian Philosophy generally analyse the enjoyment of absolute freedom through different methods and principles. Even though Saivism deserves a prominent place among the doctrines of Indian Philosophy, it has not been considered as a philosophical system. This paper tries to analyse the synthetic model of consciousness in Krama school of monistic Saivism originated in Kashmir.

Consciousness is a phenomenon or a kind of stream in which various mental states such as feeling, desire, hope etc. exist¹. Modern theories describe consciousness in different ways. It is a quantitative aspect of life, which cannot be defined in precise terms and cannot be treated as a mechanical form of process generated by the interactions within the human mind. Studies on consciousness possess importance in Indian Philosophical Systems. It is particularly categorised into two viz., synthetic model and transcendental model.

The synthetic approach-both as philosophy and discipline-of Tantra has great significance. The highest end according to Tantra way of practical realisation is purnatakhyati (In Saivism nothing is distinct from consciousness. It is considered as the basic stuff of the universe, cause of universe, energy, god, inner most nature, light, material world, object of meditation, subject, perfect and unexplored)². This pure consciousness is Siva who only exists in all activities of creation, preservation, absorption, and revelation. Everything in the universe is his own manifestation.

The experience of distinct existence of various manifestations of Siva is believed to be originated from the impurities³ (malas)-the cause of bondage. Tantric yoga is a path to liberation. Yoga is the theological practice which helps in attaining the absolute reality. Upaya is the term used to indicate the means for the entering of individual consciousness in to the

universal consciousness. There are three Upayas viz., Sambhava (the Supreme means), Sakta (the medium means), and Anava (the inferior means) ⁴

Among the four Schools of Kashmir Savism, here the discussion is concentrated on Krama (gradation) school because of its triple significance. First it is a Tantric system, second it is a monistic system and third it marks the emergence of Sakta tendency in Saiva philosophy.

Sakta has been defined as a practice in “refining ideation” (vikalpa sanskara) ie. a process of bringing about gradual perfection in the correct conceptual knowledge of the person.

AnNtrai!nkaeKte=iSmn! Sv-ave prmeZvre,

p+iviv]uivRkLpSy kuyaRTs<Skarm sa.

ivkLp> s<Sk&t< sUte ivkLp< SvaTms<Sk&tm!,

SvtuLy< sae=ip sae=PyNy< sae=PyNy< sd&zaTmkm!.⁵

There are various metaphorical names associated with Saktayoga. Several types of deep and constant imaginative contemplation known symbolically as sacrifice (yaga), oblation (homa), repitition (japa), vow (vrata), union (yoga) etc. (Another symbolic name is Sattarka- the yoga of correct reasoning. It also known as Bhavana that brings into existence the correct understanding of the truth.

AiStnaiStiv-agen in;exivixyaegt>,

}anaTmna }eyin:Qa -avana< -avnablat!.

Ywa SvPnanu-UtawaRn! P+budxae nEv pZyit,

twa --avnya yaegl s<sar< nEv pZyit.⁶

Since Saktayoga is a practice in correct conceptual knowing, in which the practice of mental ideation dominates, it is also called jnanayoga.

tTtdptya }an< bihrNt> p+kazte,

}anad&te nawRsTta }anrUp< ttae jgt!.

n ih }anad&te -a-v> kenicd;yIk&t> ,

}an< tdaTmta yatmetSmadvsllyte. ⁷

Saktopaya requires a very deep and complicated form of contemplation, which absorbs simultaneously all phenomenal existence into practitioners' I-consciousness. This practice is so difficult that only the most accomplished yogins like Abinavagupta can use it successfully.

Al< vai tp+s gen -Uysaitp+pi te,

yae yae=i-nvguPtae=iSmn! kae=ip yagivxaE bux>.⁸

Sakta is a practice in pure ideation (Suddha vikalpa), the yoga of self-contemplation, imagination, meditation etc. In this practice, one uses the mind and imagination to constantly contemplate the real nature of self. One is supposed to think repeatedly that one is everything, and all creation is the manifestation of one's own independent will, not aided by anything else. One is to imagine oneself as omniscient and omnipotent pure consciousness. The developed firm belief in divinity, infiniteness and purity of one's real nature, the past impressions of limitation would be removed away.

The Krama system asserts that the purification of determinate idea takes place through certain stages, to attain the perfect purity and clarity. These successive stages, from obscurity to perfect clarity are also known as Kalinaya⁹, because this system admits that the ultimate reality is Kali, performer of five functions ksepa, jnana, prasankhyana, gati and nada. It is also believed that Kalinaya is an easier type of Saktopaya developed by Sivanandanatha.¹⁰

Practitioners of kalinaya have to imagine themselves to be the masters of the wheel of divine powers (sakti cakras). They visualise the trinity of subject, object and the means of knowing (pramatr, prameya and pramana) in twelve varieties appearing in creation, dissolution, and absolute position. These twelve divine powers are known as twelve kalis.

Abinavagupta says Kalasankarsini as parasamvit who manifests all subject, object and means of knowledge. The twelve kalis are Srstikali, Raktakali, Sthitinasakali, Yamakali, Samharakali, Mrtyukali, Mahakalakali and Mahabhairavacandograghorakali. Practitioners imagine themselves as having assimilated all these phenomenal varieties one by one into their own selves through their 12 divine powers visualised as the 12 kalis absorbing them.

Saktayoga-as being a practice in self-hypnotism, is criticized by certain logicians. The method of practice here is very much similar to hypnotism. But all beings are already hypnotised by the effects of impurities, and Saktayoga helps to vanish that limitation by means of deepening the impression of vidya-the correct knowledge.

Krama doctrine of twelve kalis is an important element of three upayas and integral part of Trika system. The main principle of twelve kalis has been applied not only to Saktopaya but also to Sambhava as well. It also has been discussed as an important element of the Dhyana type of Anavopaya. The absolute supreme consciousness is attained by the yogin through successive stages of Krama. He has to pierce through the great illusion of duality, to attain the fruit of yoga.

Suodu>oaidiv}anivkLpanLpkiLptm!,

i-Tva dEtmhamaeh< yaegl yaeg)|< l-et!.¹¹

Monistic Saivite philosophy concentrates on the ultimate reality or supreme truth (pati) who manifests himself as the limited beings (pasu) through the breaking of the bondage (pasa). Modern physicist also holds an opinion that consciousness is the only tool to learn consciousness, which in some respects resembles with the Saivite idea that Siva is the consciousness and consciousness is everything.

The Kalinaya or the theories like Pranakundalini etc. in this specific system (as any monistic saivite school) leads to a conclusion that the separate identity of two categories of consciousness is not to be considered. As consciousness is knower, knowledge, knowable and

known, there is no need of categorisation. Yoga model of consciousness is commonly treated as the synthetic model. Savism follow the belief that the people whose personal consciousness does not become merged into blissful pure consciousness, is said to be heartless, So it is observed that no modulation of consciousness is to be considered in case of Saivite philosophical systems.

NOTES

1. See Pandey K C, *abhinavagupta*, p.354.
2. Dyckzkowski Mark S G, *the Doctrine of Vibration*, p. 24
3. Anava, Karma and Mayiya are the three Malas or impurities.
4. Laxmanjee swami, *Kashmir Saivism*, p.54.
5. *Tantraloka*.4.2,3.
6. *Ibid.*, 1.126.
7. *Ibid.*,1.174.
8. *Ibid.*, 4.278.
9. See Pandit B N, *Specific Principles of Kashmir Saivism*, p. 87.
10. *Idem*
11. *Tantraloka*,3.265.

REFERENCES

1. Dvivedi Vrajavallabh (ed.), *Netrat Tantra*, Parimal Publications, Delhi, 1997.
2. Krishnanand Sagar (ed.), *Sri Tantraloka*, Sri Sivoham Sagar, Varanasi, 1984.
3. Laxmanjee Swami, *Kashmir Saivism: The Secret Supreme*, Sri Sadguru Publications, Delhi, 1991.
4. Murphey Paul E, *Triadic Mysticism*, Motilala Banarsidass, Delhi, 1986.
5. Muller Paul Eduardo, *Triadic Hearts of Siva*, Sri Sadguru, Delhi, 1991.
6. Pandey K C, *Abhinavagupta: An Historical and Philosophical Study*, Chowkhamba Amarabharati, Varanasi, 2006.
7. Pandit B N, *Specific Principles of Kashmir Saivism*, Munshiram Manoharlal, Delhi, 1991.
8. Singh Jayadeva (ed.), *Sivasutras*, Motilal Banarsidass, Delhi, 2002.
9. Torella Rafaela, *Isvarapratyabhijnakarika* of Utpaladeve, Motilal Banarsidass, Delhi, 2002.
10. Vidyaratna Taranatha (ed), *Kularnavatantra*, Motilal Banarsidass, Delhi, 1999.

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LEADERSHIP STYLE AND PRACTICES OF SUCCESSFUL ENTREPRENEURS

Abstract

Entrepreneurs are facing pressures related to sustainability, quality assurance and the ability to meet client expectations. Such pressures require effective leadership to lead, change and improve enterprise performance in order to meet the demand for current and future business. Many of the new changes that are occurring in business today are transformational. They are driven by the environment and client need. The entrepreneur may not know the exact outcome at first, because it emerges throughout the process. It requires a fundamental change in their mindset and organizational culture, and requires continual course corrections to the change process.

This research was conducted to help the aspiring entrepreneurs to develop and improve their leadership style. 150 successful Bicolano entrepreneurs was survey and interviewed about their actual leadership style and practices and this was the bases for developing a leadership program for aspiring or future entrepreneurs. Transformational leadership was the leadership style fairly often use of the successful entrepreneurs and this is characterized as being optimist about future of their business, enthusiastic about what needs to be accomplished, articulate a compelling vision of the future and expresses confidence that goals will be achieved.

Keywords: *Leadership style, successful entrepreneurs and leadership practices.*

INTRODUCTION

Leadership is the major force behind successful enterprise. The entrepreneurial leader takes responsibility in assisting the enterprise in creating such conditions so that, instead of

being controlled, the enterprise generates its own order and responds creatively to the environment. They empower employees to act on the vision and execute through inspiration and develop implementation capacity networks through a complex web of aligned relationships.

Indeed the entrepreneur is an essential resource to our economy. As Drucker (1985) pointed out, small entrepreneurial companies have become the main driving force in revitalizing the economy. Hence, there is a need to promote and create small and medium enterprise (SME's) and to provide the what and how of successful entrepreneurship.

Gasse (1990) states: "Majority of the authors have the same opinion that one of the principal causes of small business bankruptcy is the lack of management skills. In effect, management skills are significant to the survival of the new firm." It therefore necessitates cautious analysis of definite leadership factors that contribute to entrepreneurial success. Needed is a research that identifies the explicit leadership style of successful entrepreneurs.

According to Fernald et al. (2005), "Entrepreneurs are confronted with the issue of developing leadership qualities in order to grow their businesses and to transform them to a level of professionalism". (p.1) Quantitative research is used to explore the dominant leadership styles and characteristics of entrepreneurs seeking those qualities referred to by Fernald et al.

The present study is conceived to determine the different leadership styles of successful Bicolano entrepreneurs and describe its characteristics. It recognizes which, from the nine leadership characteristics, they frequently use and which one is seldom used. Then, from the different leadership styles the entrepreneur use it will establish which is the dominant. Next, the dominant leadership style of successful Bicolano entrepreneurs should be the leadership skill that must be developed to the aspiring or future entrepreneurs. Finally, this is the basis for

developing leadership program/module for aspiring or future entrepreneurs to help them survive in their entrepreneurial endeavors that lead to entrepreneurial success.

MATERIAL AND METHODS

Research Instruments

The Multifactor Leadership Questionnaire 5X (MLQ 5X) was the survey instrument used to collect data regarding leadership styles of Bicolano entrepreneurs. An interview guide questions was likewise utilized for validating the result of the research and it was taken from the Multifactor Leadership Questionnaire 5X. This interview guide questions helped illustrate the leadership characteristic of Bicolano entrepreneurs based on their concrete practices.

The Multifactor Leadership Questionnaire (MLQ) Form 5X – (Revised), developed by Bass and Avolio (2004) is designed to assess transactional and transformational leadership styles and was used to classify participants. The questionnaire determines how directly the respondents align with transactional, transformational and laissez faire leadership styles. Since entrepreneurs fit well into the description of manager, the researcher posited that the MLQ 5X was a valid research instrument to use with the target respondent. The MLQ 5X has been investigated and revealed to have excellent internal consistency, reliability, and construct validity (Bass & Avolio, 1993). The MLQ 5X is a self-administered questionnaire that consists of twelve sub-scales (Avolio and Bass, 1995). Nine sub-scales are used to measure components of leadership style, while the other three sub-scales are outcome measures for leadership style evaluation (outcomes). The self-scoring MLQ (Form 5X) uses 45 items to measure twelve sub-scales. These items are rated using a 5-point Likert scale with anchors labeled as 0 = not at all, 1 = once in a while, 2 = sometimes, 3 = fairly often, 4 = frequently, if not always. The researcher uses all items on the 45-item survey.

The sub-scales are divided into the three factors: Transformational leadership, Transactional leadership, and Outcomes. The factors idealized influence (attributed and

behavioral), inspirational, intellectual stimulation and individualized consideration characterized transformational leadership. Contingent reward, management-by-exception (active and passive), and passive avoidant are associated with transactional leadership (Bass & Avolio, 2004). In addition, the MLQ 5X also measures organizational outcomes to the leadership sub-scales: extra effort, effective and satisfaction.

The item numbers corresponding to each particular sub-scale are as follows: Idealized influence (attributed) is behind items 10, 18, 21, 25; Idealized influence (behavior) is behind items 6, 14, 23, 34; Inspirational Motivation is behind items 9, 13, 26, and 36; Intellectual stimulation is behind items 2, 8, 30, 32; Individualized consideration is behind items 15, 19, 29, 31; Contingent reward is behind items 1, 11, 16, 35; Management-by-Exception (Active) is behind items 4, 22, 24, 27; Management-by-Exception (Passive) is behind items 3, 12, 17, 20; Laissez-faire is behind items 5, 7, 28, 33; Extra effort items 39, 42, 44; Effectiveness items 37, 40, 43, 45; and Satisfaction items 38, 41.

Bass and Avolio (2004) report reliability for the total items and each leadership factor scale ranges from .74 to .94. Reliability scores are high and exceed the published standards for internal consistency. An alpha coefficient above .60 is generally considered internally consistent (Mitchell & Jolley, 2000). The reliabilities within each data set generally indicated that the MLQ 5X was reliable in measuring each of the leadership factors across the initial nine latent constructs (Bass & Avolio, 2004). Furthermore, the instrument produces similar results when administered to various individuals.

Research Design

The study adopted qualitative-descriptive research to explore the leadership style of successful entrepreneurs. The qualitative research involved synthesizing the information obtained from various sources like interviews and documents into a logical explanation of what was discovered. And the descriptive design focused on existing situations or conditions of the

setting of the study and provided an identification of the different leadership style of Bicolano entrepreneurs. The study investigated the dominant leadership style among successful Bicolano Entrepreneurs.

The research process in this study started from identifying the general population and getting the sample size which is the top 25 active micro small medium enterprise from six provinces of Bicol region, or a total of one hundred fifty (150) successful Bicolano entrepreneurs. This is based on the sales performance taken from the records of the provincial offices of the Department of Trade and Industry (2009). The respondents consist of businesses with more than three (3) years of operation and directly managed by a Bicolano entrepreneur. The proportionate sampling was used to arrive at a sample that was contextually similar and to minimize attribution error. Purposeful sampling was used in the survey administration (Creswell, 2005, p.204). Then, it assessed the leadership style and each characteristic using Multifactor Leadership Questionnaire 5X. Next, the dominant leadership style among successful Bicolano entrepreneurs was measured. Finally, a leadership program for aspiring Bicolano entrepreneurs was developed to help them shift from transactional leader to transformation leader.

As a whole, the research process in this study was divided into two (2) phases. The first phase includes the preliminary procedures: identifying the research area, identifying the respondents, and developing the research instruments. The second phase covered the research proper procedures that involved: data analysis and the procedure for arriving in interpretation of the data gathered which became the bases for conclusion and recommendation.

Statistical Treatment of Data

To examine their leadership style, the researcher used descriptive statistics. A description of the frequency and weighted mean for each leadership behavior was provided.

Descriptive statistics helped to describe the leadership style of the respondent. Data were analyzed using the Statistical Package for Social Sciences (SPSS) 11.0 and Microsoft excel.

Weighted mean was used in this study to classify a participant as either transformational or transactional in leadership style. The weights assigned for each category were as follows: frequently, if not always– 4, fairly Often– 3, sometimes– 2, once in a while – 1, not at all – 0. And to interpret the weighted mean, the following interpretations were used: 3.2 - 4.0 frequently if not always, 2.4 - 3.1 fairly often, 1.6 - 2.3 sometimes, 0.8 - 1.5 once in a while, 0.0 - 0.7 not at all.

RESULTS AND DISCUSSION

Leadership Style among Successful Bicolano Entrepreneurs

The MLQ 5X does not rigidly classify the respondents as either transformational or transactional leaders (Hughes, 2005). It indicates which participants exhibit behaviors that are consistent with transformational leadership or behaviors that are consistent with transactional leadership. The leadership factors of idealized influence (attributed and behavioral), inspirational motivation, intellectual stimulation and individualized consideration characterized transformational leadership. Contingent reward, management-by-exception (active and passive), and laissez-faire are associated with transactional leadership. To classify, a participant's scores from each individual factor (e.g. idealized influence or inspiration motivation) were totaled. Next, the weighted mean scores of all transformational factors and of all transactional factors were calculated, thus enabling the researcher to classify a respondent as either transformational or transactional in leadership style. Respondents were classified as having transformation leadership style if their overall transformation score was greater than the

sample weighted mean of transactional score. All other participants were classified as having transactional leadership style.

Table 1 exhibits the leadership style of Bicolano Entrepreneurs. It identifies which leadership style frequently applies to them and which one does not.

Table 1 – Leadership Style of Successful Bicolano Entrepreneurs

Leadership Style	Frequency					Weighted Mean
	0 not at all	1 once in a while	2 Sometimes	3 Fairly Often	4 Frequently if not always	
Transformational Leadership	9	8	23.2	57.4	52.4	2.92
Transactional Leadership	38	19	27	37	29	2.01

2.92 while for transactional leadership style the weighted mean is 2.01. It indicates that both transformational and transactional leadership styles are utilized by Bicolano entrepreneurs.

Leadership Characteristics of a Successful Bicolano Entrepreneurs

As to the characteristic of transformational leadership style, 60 of the respondents frequently, if not always, are inspirational motivator, and only 2 respondents are not at all; 57 of the respondents frequently if not always are idealized influencer of behavior and only 3 respondents are not at all; 52 of the respondents are frequently, if not always, are both intellectual stimulator and individual considerer, only 3 and 6 respondents are not at all respectively; 41 of the respondents are idealized influencer of attribute and 30 are not at all. This was showed in table 2.

Table 2 - Transformational Leadership Characteristic of Successful Bicolano Entrepreneurs

Transformational Leadership Characteristics	Frequency					Weighted Mean
	0 not at all	1 once in a while	2 Sometimes	3 Fairly Often	4 Frequently if not always	
Idealized Influence (Behavior)	3	6	22	62	57	3.10
Idealized Influence (Attributed)	30	12	23	44	41	2.36
Inspirational Motivation	2	5	17	66	60	3.20
Intellectual Stimulation	3	9	27	59	52	3.01
Individual Consideration	6	9	27	56	52	2.94

they are fairly often as idealized influencer of behavior, intellectual stimulator and individual considerer. Finally, they are sometimes idealized influencer of attribute. This can be expounded through the responses of the respondents during the conduct of casual interview. The following are the characteristics of the leadership style of Bicolano entrepreneurs as transformational leader which, to reiterate, was based on their actual practices:

Inspirational Motivator

As inspirational motivator, Bicolano entrepreneurs show and tell to their people that the vision of their enterprise is not only to earn profit but to provide stable livelihood to the people in their local community. They show this in an informal way, through their actions and conversation. So employees in the enterprise develop their initiative to care for the business because whatever happens to the enterprise, their livelihood will also be affected. Entrepreneurs also want to share their skills, interest and passion for the business to their employees. They look for possibilities to enhance the technique used by his/her people and utilize local resources in production. Entrepreneurs desire to increase or add value to the local resources that the local community has and showcase it to the world.

Some of the entrepreneurs have a written vision statement and post it in the working area so that from time to time, everybody is reminded on the direction they want to achieve. Others would just have in their minds their vision statement, and their actions likewise reflect this vision.

As inspirational motivator, Bicolano entrepreneurs share to their employees the future plan of the enterprise through formal and informal meetings and general assemblies. In the meetings entrepreneurs tell their people the short term and long term plan of the enterprise, and then seek for their suggestions. Entrepreneurs ask their employees on what they can contribute to achieve those plans because the entrepreneurs value the participation of their people/employees. This develops the team spirit of employees believing that they are valued by the enterprise so they are encouraged to work together and do their best on whatever task they were assigned, and help the enterprise realize its future plan.

Finally as inspirational motivator, Bicolano entrepreneurs encourage their employees to accomplish their responsibilities by accomplishing his/her own responsibility, meaning the entrepreneurs act as role model to the employees. They also remind employees in a gentle way about their responsibility, teaching them how to accomplish their job, and come-up with a dialog and counseling if employees encounter a problem or difficulties in the task assigned to them. Entrepreneurs also provide proper salary and incentives.

Idealized Influencer of Behavior

As idealized influencer, Bicolano entrepreneurs share the most important values and belief of his/her enterprise when they provide livelihood to marginalized people and help them grow financially and develop their right attitude towards spending. Another is when they emphasize to their employees the value of hard work and perseverance. Then, when the

entrepreneur valued the people/employees who produce the quality product of their enterprise he/she considers them as partners in business. Lastly, the entrepreneur leads by example to his/her people.

Bicolano entrepreneurs also specify the importance of having a strong sense of purpose in their employees in the course of the following: first, they encourage them to produce quality goods because this will benefit the enterprise and also the employees. Second, they provide positive attitude to the employees. Third, they inspire employees to work as a team because as enterprise grows, employees would have a better livelihood opportunity. And lastly, they identify employees' need and provide it.

Furthermore, Bicolano entrepreneurs as idealized influencer of behavior consider moral and ethical consequences in making decisions in their enterprise. The following situation illustrated how the entrepreneurs consider moral and ethical consequences in making decisions in their enterprise: first, they provide equal livelihood opportunity, at least the minimum salary for their employees and the required benefits by the government. Second, they provide reasonable price for their product where quality is assured. Third, they use alternative materials in producing product to help preserve the environment. And lastly, they exercise maximum tolerance in terms of the offenses of their employees. Most of the time, they call the attention of the employees when they commit mistakes and provide counseling and the worst punishment they do is to advise them to rest for a while. It is difficult for the entrepreneur to just remove them from work because they consider the family that depends on the employee.

Intellectual Stimulator

As intellectual stimulator, Bicolano entrepreneurs encourage their employees to look for new ways to complete their task in the course of the following: first, they affirm employees in their work and make suggestions on how they could improve the accomplishment of their

task. Second, they conduct dialog with employees in a two-way communication process which aims to develop self-awareness in the employees. And lastly, they set target date to accomplish the task assigned to the employees and provide close supervision.

Another attribute of the intellectual stimulator, the Bicolano entrepreneurs encourage the employees to analyze problems by the enterprise in different perspective and to re-examine the critical assumptions to problems whether they are appropriate or not through open communication and transparency. Entrepreneurs are open and transparent to their employee on what is happening to the enterprise, the demand for their product, its financial status and competition in the market and they ask for the suggestions or opinion of the employees. For example in a handicraft business, when they experience reject items from their buyer, the enterprise is obliged to redo the item and shoulder the expenses from the point of recall up to the point of delivery. In this case, the entrepreneur would normally tell their employees about this situation and ask them how to minimize if not totally avoid similar situation, because it would mean additional expenses to the enterprise and dissatisfaction to the buyer or client. So they let employees develop their initiative to care for the enterprises by assessing how to have zero reject items or to minimize its occurrence and re-examining critical assumption to problems like employees' assumption that if there are reject items, they just redo the item and then it's alright. But when they re-examine the issue, it's not only about redoing the item. There are other things that are affected like expenses on the part of the company, the dissatisfaction of the client and the reputation of the company. Entrepreneurs believe that the participation of employees in solving problems of the enterprise will benefit both parties.

Individual Considerer

As individual considerer, Bicolano entrepreneurs spend time in teaching and coaching their employees to accomplish their task through the following: first, they are hands-on to the task assigned to their employees. So they show to the employees how to do it and personally

guide them. Second, they also provide close supervision to their employee where one on one coaching happens. And lastly, they send employees to attend trainings to help upgrade and update their skills.

Bicolano entrepreneurs also help their employees develop their strength. First, they are assigned to a particular task where they are good at to develop their mastery. Next, they have this job rotation to give employees the opportunity to do different tasks and develop their other skills. Another thing: entrepreneurs allow employees to attend seminars, trainings and trade fairs offered by the DTI to help them boost their morale and develop their self esteem. Lastly, entrepreneurs are consistent in motivating employees to do their best.

Finally as individual considerer, Bicolano entrepreneurs treat employees both as individual and as a member of a group. As an individual, entrepreneurs consider that their employees have a unique characteristic. They have different level of skills, development, capacity and working attitude. Their differences in terms of capacity, working development and attitude is most of the time the basis for task assignment, level of supervision or coaching or counseling from the entrepreneur and the training provided to them. As a member of a group, entrepreneurs provide the same benefit to their employees, provide equal opportunities, and treat them as part of his/her family so they can easily move or do their work without hassle.

Idealized Influencer of Attribute

As idealized influencer of attribute, Bicolano entrepreneurs display a sense of power and confidence in managing his/her enterprise through the following: first, they are firm in making decisions and show to the employees that they are capable of managing problems of the enterprise. Second, they are also firm in giving instruction and are systematic. Third, they personally deal with the customers and employees. Fourth, they are strict in terms of working issues but maintain a good working relationship with employees. And lastly, they show trust to

employees, affirm them in their small accomplishment and provide disciplinary action if necessary.

Bicolano entrepreneur's action in the enterprise builds respect in their employees. Some of their actions that build respect in employees are: first, if they could provide the financial needs of their employees, like sustainable livelihood and safe working environment, they provide these necessities. Then, they treat their employee as partner of their business. Since employees are considered as partner of business they value it and give respect to the entrepreneur who treats them that way. Next, entrepreneurs extend his/her understanding to their employees' family concern and offer friendships. And finally, they apply the "walk the talk" philosophy.

Finally as idealized influencer of attribute, Bicolano entrepreneurs instill pride to their employees for being associated to their enterprise. These are manifested in the following: employees' loyalty to the enterprise; valuing the camaraderie that they have; boosting their morale by giving them a chance to work in the company; providing conducive working environment; and the transparency of the company to their customer and employees. They also believe that the enterprise is sustainable and could provide them better livelihood. These are the reasons why they work and stay for a long period of time in the company.

Bicolano entrepreneurs are not conscious in displaying a sense of power and confidence in managing his/her enterprise, even in building respect and instilling pride in their employees for being associated to their enterprise and that is why this leadership characteristic is sometimes practiced.

As to the characteristic of transactional leadership style, 55 of the respondents are frequently, if not always a contingent rewarder and only 3 respondents are not at all; 34 of the respondents frequently, if not always are management-by-exception (active) and only 19 respondents are not at all; 16 of the respondents frequently, if not always are management-by-

exception (passive) and 57 respondents are not at all; and only 10 of the respondents frequently, if not always, are laissez faire leaders and 72 are not at all. This was illustrated in table 3.

Table 3 –Transactional Leadership Characteristic of Successful Bicolano Entrepreneurs

Transactional Leadership Characteristics	Frequency					Weighted Mean
	0 not at all	1 once in a while	2 Sometimes	3 Fairly Often	4 Frequently if not always	
Contingent Reward	3	5	22	65	55	3.11
Management-by-Exception (Active)	19	17	32	48	34	2.42
Management-by-Exception (Passive)	57	26	29	22	16	1.44
Laissez Faire Leadership	72	30	24	14	10	1.07

and once in a while as management-by-exception (passive) and laissez faire leader. This was expounded through the responses of the respondents during the conduct of casual interview. The

following are the characteristics of the leadership style of Bicolano entrepreneurs as transactional leaders which, to reiterate, was based on their actual practices:

Contingent Rewarder

As contingent rewarder, Bicolano entrepreneurs discuss with their employees who is responsible in achieving performance target through the following: first, they provide job description for each employee when they start working in the enterprise. Second, they also call for a meeting or an individual dialog to provide clear instruction like the specification of the product, its procedures, set date when to achieve the target goal and their responsibility, And lastly, they personally supervise their employees to help them accomplish their work and double check to see to it that the quality of their product is maintained.

Moreover as contingent rewarder, Bicolano entrepreneurs provide orientation to his/her employees when they start working in the enterprise. The orientation is done personally by the entrepreneur in a casual conversation with the employee. Part of the orientation is the information on what the employee will receive if he/she achieves or accomplishes their task or the target goals. Basically, entrepreneurs provide a minimum salary and some of the required benefits imposed by the government. But they also provide incentives monetary and non-monetary. A non-monetary incentive includes verbal affirmation to employees showing to them that he/she is happy and satisfied in their accomplishment, providing free snacks and celebrating the accomplishment together.

Management-by-Exception (Active)

As management by exception (active), Bicolano entrepreneurs focus their attention on the irregularities and mistakes of the employees because they want to know the development of their employee's skills and come-up with corrective action. Corrective actions may take the form of showing to the employees how to do it, sending them for trainings, one-on-one coaching, dialog and counseling to help them improve their work and relationship with co-workers. Another reason is that they want to maintain the quality of their product to minimize the effect to the enterprise particularly the loss. The problems/mistakes usually committed by the employees are the quality of their output, tardiness and sometimes working relationship with co-worker.

Also as management by exception (active), Bicolano entrepreneurs keep track of all of their employees' mistakes through the following: first, they let their employees recall their mistakes for them to realize and learn from it. Then, they are hands-on to the business so they closely supervise their employees. And finally, they get feedback from co-employees. Entrepreneurs keep track of all employees' mistakes for the following reasons: first, to immediately correct mistakes committed by the employees and provide counseling for them

not to commit again or to lessen their mistakes; second, to help improve and upgrade their skills; third, to maintain the quality of their product; and fourth, to have basis for job evaluation if employees should be retained in their post or be transferred to another task that they are more capable or worst if they should be advised to take a rest for a while.

Management-by-Exception (Passive)

Bicolano entrepreneurs make intervention in the problems before they become serious. Entrepreneurs are hands –on to their business so they could notice if there is a problem and assess the root cause. Then, they analyze to forecast or anticipate possible problems relative to that and immediately look for solutions as part of their early intervention. As much as possible entrepreneurs want to intervene when problems are just starting to prevent further damage to the enterprise and its employees. For example, an entrepreneur is expected to deliver a certain volume of product to the buyer on a specific date but his/her employees could not meet the target date of delivery, despite increase in the work force. Before the due date to deliver the product the entrepreneur already informs the buyer and explains the situation and requests for an extension of the date of delivery. Intervention was made so that the satisfaction of the customer will not be sacrifice and the reputation of the enterprise will be safeguarded.

In addition, Bicolano entrepreneurs will not wait for things to go wrong in his/her enterprise before taking action, because they do not want to waste their resources. They want to maintain the quality of their products and the reputation of their enterprise. But there are some situations that are beyond the control of the entrepreneurs. Another reason is that some lack the skills of anticipating or forecasting problems that is why management by exception (passive) is once in a while practiced.

Laissez Faire Leader

Bicolano entrepreneurs involve themselves when important issues of his/her enterprise arise because they want to prevent further damage of that issue to the enterprise. Another is

that they immediately look for possible solutions to address that issue. One advantage for them is that they are hands –on to their business so they could anticipate possible issues and immediately settle the problem. They also believe that responding to issues of their enterprise is an area for growth and opportunity where they could learn something.

Furthermore, they do not delay responding to urgent concerns of their enterprise because they prioritize and immediately respond to look for possible solutions. They act accordingly so that they could prevent up-coming problems and its negative result. This is also their way of protecting the company’s image and of maintaining customer satisfaction. Therefore, Bicolano entrepreneurs are not a laissez-faire leader. However, there may be some situations that call to practice this type of leadership once in a while.

From the nine leadership behaviors, Bicolano entrepreneurs demonstrate inspirational motivation behavior as a transformational leader and contingent reward behavior as transactional leader.

Dominant Leadership Style among Successful Bicolano Entrepreneurs

As reflected in table 1, the transformational leadership style has a weighted mean of 2.92, which means that respondents fairly often make use of transformational leadership style. In table 2, inspirational motivation ranked first and idealized influencer (attribute) was ranked fifth among leadership characteristics under transformational leadership. This indicates that Bicolano entrepreneurs as transformational leader are characterized as frequently, if not always, an inspirational motivator because they demonstrate commitment in sharing the vision of their enterprise-that is, to provide sustaining livelihood to the people in their local community. This encouraged and inspired them to also engage into business. Sometimes they utilized idealized influencer leadership to motivate their employees to do their best and care for the enterprise, because in the end if the business succeeds they will be the ones benefited.

Transactional leadership style has the weighted mean of 2.01. This indicates that it is sometimes utilized. In table 3, contingent reward was ranked first and laissez faire leadership ranked fourth among the leadership characteristics under transactional. They are fairly often contingent rewarder because they provide rewards like incentives, affirmation for employees' performance and once in a while, a laissez-faire leader.

Further, the transformational leadership shows that Bicolano entrepreneurs are optimists about future of their business, enthusiastic about what needs to be accomplished, articulate in giving a compelling vision of the future and expresses confidence that goals will be achieved.

This result is similar to Thornberry's (2006) finding that 'entrepreneurial leadership is more like transformational leadership than it is like transactional leadership, yet it differs in some fundamental ways'.

Leadership Program for Aspiring Entrepreneurs

This program targets the current and aspiring entrepreneurs engaging in entrepreneurial venture throughout Bicol region and focuses on the leader's role in improving enterprise, team and individual performance. The aim of this program is to build and develop entrepreneur leaders to utilize frequently transformational leadership instead of transactional leadership.

But how would the entrepreneur utilize frequently transformational leadership instead of transactional leadership. Shifting from transactional leadership to transformational leadership requires the use of emotional intelligence. Emotional Intelligence is about knowing yourself and others through understanding how emotions influence our thoughts and behaviors. It is also using that knowledge to make the most of your own talents and improving your effectiveness when interacting with others. The development of the four domains of emotional intelligence in the entrepreneur is very important to help them shift from transactional to transformational leadership. This factor is integrated into this program. According to the

literature, EI (emotional intelligence) more strongly influences career success than one's IQ, or technical competency.

The leadership program is comprised of three separate modules such as: *Module One*: Transformational leadership, self awareness and building high performing teams as well as the power and dynamics of leadership, *Module Two*: Leading organizational and personal change. Development of a entrepreneurial vision and plan for the future, and *Module Three*: Leadership, culture and performance improvement including mainstreaming improvement; tools and methodologies for preventing waste; spread and adoption of new ideas and innovation. The module has defined outcomes and each module commences with the underlying theory relevant to the module's content and cascades out from knowledge to skill development, and from practical examples via personal reflection, the use of case studies, relevant methodologies and tools as well as group interaction and discussion will be utilized.

CONCLUSIONS

Leadership among entrepreneurs may not be exceptional. The study used an instrument based on a contemporary full-range leadership model to determine & assess explicit leadership characteristics of successful Bicolano entrepreneurs. A successful Bicolano entrepreneurs show a noticeably higher predisposition toward transformational leadership. Leadership competencies related to inspirational motivation, contingency reward and laissez faire leadership were the most considerable discriminates among leadership factors. Successful entrepreneurs constantly rated themselves higher in inspirational motivation and contingent reward and lower in occurrence of application of laissez faire leadership.

That dominant leadership among successful Bicolano entrepreneurs is the transformational leadership style they fairly often make use of these. They are characterize as being optimist about future of their business, enthusiastic about what needs to be

accomplished, articulate a compelling vision of the future and expresses confidence that goals will be achieved.

The leadership program for aspiring entrepreneurs as designed is geared toward achieving useful leadership style to improve survival and growth of their entrepreneurial endeavors.

REFERENCE

- Avolio, B.J., & Bass, B.M. (2004). Multifactor leadership questionnaire: *Manual and sampler set* (3rd ed.) Menlo Park, CA: Mind Garden, Inc.
- Bass, B.M. & Avolio, B.J. (1993). Transformational leadership: A response to critiques. In M.M. Chemers & R. Ayman (Eds.). *Leadership theory and research. Perspectives and directions* (pp. 49-80). New York: Academic Press.
- Bass, B. M., & Avolio, B.J. (2000). *Platoon readiness as a function of leadership, platoon and company cultures: Final report*. Washington, DC: U.S. Army Research Institute for the Behavioral and Social Sciences.
- Creswell, J.W. (2005). *Educational research: Planning, conducting, and evaluating quantitative and qualitative research* (2nd ed.) Upper Saddle River, NJ: Pearson Merrill Prentice Hall.
- Drucker, P. F. 1985. *Innovation and entrepreneurship*. New York: Harper and Row.
- Drucker, P.F. (2002). *Managing the next society*. New York: St. Marten's Press.
- Fernald, L.W. Jr., G. T. Solomon, and A. Tarabishy. 2005. A new paradigm: Entrepreneurial leadership. *Southern Business Review* 30 (2): 1–10.
- Gasse, Yvonne (1990) 'An experience in training in the area of entrepreneurship and starting a business in Quebec: the project "Become an Entrepreneur" in Donckels R & Miettinen Askop (eds) New Findings and Perspective in Entrepreneurship, Avebury Gower Publishing Company Ltd.
- Thornberry, N. 2006. *Lead like an entrepreneur*. Blacklick, oh: McGraw-Hill.

GENDER EQUALITY AND EMPOWERMENT OF INDIAN WOMEN

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ABSTRACT

The continuance of journey depends on the equal strength and speed of both wheels of a chariot. Gender equality has gained prominent importance in the recent past. The third item of the Millennium Development Goals (MDGs) of United Nations describes 'promoting gender equality and empower women.' Gender equality means boys and girls; women and men have equal opportunities to realize their individual potential to contribute to their country's economic and social development and to benefit equally from their participation in society. Gender equality and empowerment of women is recognized globally as a key element to achieve progress in all areas.

India as a signatory to the UN convention has taken several measures to ensure full development of women. The charter of the United Nations signed in 1945 is the first international agreement that proclaimed gender equality as a fundamental right. Women constitute nearly fifty percent of the Indian population, but when we often solemnize a lot of human rights, we often forget that women as human beings are also entitled to fundamental human rights. We have denied and continue to deny them basic human rights. Can a nation progress by cutting off half of its population from the main stream? This does not mean we have made no headway in our efforts to secure gender justice and gender equality, but a few patches of achievements here and there cannot hide the yawning hiatus between precept and practice in our glib talk on women's emancipation.

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**MARGINAL CASTES IN LEGAL PROFESSION: A STUDY OF GROWING
CONSCIOUSNESS AMONG MARGINAL CASTES AND THEIR PARTICIPATION
IN LEGAL PROFESSION IN UTTAR PRADESH, INDIA (1974-2005)**

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ABSTRACT

The legal profession was introduced into the judicial system of India by the British Government, in the colonial period. The profession took inspiration from the western concept of law and its practice in the western countries. In the 19th century India, a new middle class arose which adopted different types of new professions as the means of its livelihood. This was against the norms of the traditional caste-based Indian society which determined one's profession on the basis of one's caste, and denied marginal castes the freedom to engage in intellectual activities or to pursue professions other than those prescribed by their

caste. The middle class in British India was also largely confined to the upper castes in the beginning. However, industrialization, education and an overall new consciousness after the independence of the country soon ushered in a new change that led the marginal castes to knock at the doors of various professions including legal profession. This paper studies the participation of these marginal castes living on the peripheries of the society, in the legal profession in Uttar Pradesh. It focuses on the transforming composition and characteristics of legal profession in the view of the growing participation of the marginal castes, on the basis of the data culled out from the records of the advocates registered with the Uttar Pradesh Bar Council, Allahabad, as the primary source. It attempts to study the effects of the newly introduced marginal castes in the legal profession, and is expected to help in understanding the dynamics of the caste system, in the view of the growing consciousness among marginal castes.

Methodology

The study utilizes both primary and secondary sources for the collection of facts and data. The significant primary source consulted is the record of the Bar Council of Uttar Pradesh, Allahabad, U.P., the body that regulates the legal profession in Uttar Pradesh, India. The secondary sources consist of the literature available on the topic which has been extensively reviewed. Apart from published books, unpublished theses from the University of London, U.K., and Lucknow University, India, have also been referred.

Introduction

Caste, a social group by birth, is a unique social system prevailing in the Hindu community of India since antiquity. So pervasive has been its influence in India that, even after the growth of middle class professions in the nineteenth century colonial India, the professedly egalitarian religions have also developed caste like professional groups, marginalising other castes and confined them to traditionally segregated manual labour

professions. However, it has resulted into severe disabilities for large segments of the population, whose upliftment has remained one of the biggest challenges in post-colonial India. This paper studies the disabilities of these segments of population, often called marginal castes, in historical perspective. It begins with examining the growth of caste system and its implications for the society in the ancient period, going on to the struggle of the marginal castes to come out of these disabilities and assert themselves in the British period. Finally, it examines the participation of these castes in the legal profession in Uttar Pradesh, the state with the largest population in India, as an indicator of their empowerment in modern India.

Caste System among the Hindus

Caste is the fundamental unit of social structure among the Hindus in India, serving as the steel frame of the society (Desai 1987, p.243). The traditional Hindu society determined the status of a person by birth. The status of a man or woman born in a particular caste was determined by the rank of that caste in the caste hierarchy and could not be altered by any talent they might possess, or any amount of wealth they might accumulate (Nanda 2003, p.437).

The present day Hinduism is the outcome of a very long process of evolution. *Purusha Sukta*, a hymn belonging to the later parts of the Vedic canon constituting the Rigveda (1100 BC), mentions the names of the four main castes for the first time (Bergel 1962, p.37). However, only the names appear; there is no indication that the old social order of the Aryans had been replaced by the caste system as yet. But by the sixth century BC, there are clear indications of the establishment of Hinduism as we know it, along with a full-fledged caste system.

Hinduism basically ordains two things: to respect and revere the Brahmanas, the highest of the castes and the repositories of the sacred knowledge, and to fulfil the specific duties of one's own caste, called the *dharma* of that caste. Thus, there is not one *dharma*; every caste has a *dharma* of its own. However, all the *dharma*s have in common one supreme commandment: that people must accept and live the life of the caste into which they are born. If they neglect

this obligation, they will supposedly get punished by being reborn into a lower caste. On the other hand, if they observe their *dharma*, the reward will be rebirth into a higher caste.

To use Max Weber's favourite example, it depends only on a person's behaviour whether they will be reborn as a god or as a worm in the intestines of a dog. The important point for the present discussion is the penalty imposed on those who dared to challenge their positions in the caste hierarchy. The Hindus cannot change their caste within the system; nor can they try to change the system itself. No other order ever approximated to this situation. Because of its unique religious foundation, Hinduism, to quote Weber again, created "the most consistent theodicy, ever produced in history" (Bergel 1962, p.39).

Prior to the coming of the Aryans, India was inhabited by a variety of people. Some were hunting tribes; others were farmers living in villages, while still others resided in cities. This diversity is indicative of an advanced civilization with a highly differentiated social organization.

The Indo-Aryans had their own pastoral nomadic social system. In search of land to settle down, each group waged its own wars. Their leaders usually came from families with a reputation for magical abilities to win wars. Apparently, the mysterious powers of the royal families had to be augmented by no less mysterious powers of the priests. These priests were at first merely individuals supposedly endowed with magical powers. However, during the period of conquests, they allied with the kings, though the military leaders maintained their superiority. Below these two uppermost ranks was the rest of the tribe, i.e. the soldiers and the commoners, who were free but without any special distinctions. After winning the wars, the groups became sedentary, and a new political and economic organization became necessary. Conquests caused a threefold change - the pastoralists settled down and became farmers; the tribal hordes, at least groups of supposedly common descent, were forced to find some way of

integrating the conquered groups into the new community; and, consequently, the stratification system had to be altered.

In course of time, the system changed. The economy expanded; crafts, although despised as menial by free men, emerged; and trade, which had existed on an international scale in the pre-Aryan India, came of age. Now, the artisans and the merchants had to be fitted into a stratification system that had economically rested, so far, only on landownership.

The castes are not the result of one revolutionary move; they are the outcome of a long, gradual transformation. The names of the four castes appear for the first time in the late Vedic hymns. These are - Kshatriyas, Brahmanas, Vaishyas and Shudras (Kane 1992, p.110). They roughly correspond to the aristocratic warriors, priests, commoners and slaves. In the course of developments, lasting at least five centuries, the Brahmanas rose to the top, displacing the Kshatriyas. Meanwhile, the free peasants came under increasingly heavy economic pressure, particularly when the money economy made inroads into the primitive barter system.

Many peasants lost their land, or their freedom. They changed their occupation and moved downward in the social hierarchy; social conditions facilitated a shift from agriculture to trade. The predominantly trader class came to be known as Vaishyas.

There was also a limit to the use of the Shudras as unfree agricultural workers. Progressing economic conditions were making the crafts more and more indispensable. Thus, the Shudras became the caste that ultimately absorbed the skilled craftsmen.

An advanced social system consists of many more divisions than just the priests, soldiers, merchants and artisans. An increasing number of people had to be employed as civil servants, administrators and supervisors of estates, as clerks in the merchants' offices, and in other capacities. In addition, there were still the large landowners and various types of peasants. The older trades, such as those of the smiths, masons and carpenters often enjoyed higher prestige than other crafts.

Once the system was firmly established, it became well-nigh impossible to live outside it. Having been found to serve the requirements of the society fairly well, the system strengthened its hold over the society.

The functions of a Brahman may be said to be teaching and officiating at sacrifices, with his aim being to be pre-eminent in sacred knowledge (Kane1992, p.145). The priests' profession was perhaps hereditary; we read of a Brahmaputra in a few passages as the son of a Brahman (a priest), and also of a Brahmabandhu. The Kshatriyas, the second class of the society, are known in the later portions of the Rigveda as the *Rajanyas*. However, the class seems to have included only the chiefs and the nobles, as the word *rajanya* points to ruling activities and, thus, brings out the functional origin of the class. The occupation of the class must have consisted of administrative and military duties, though the rank and file of the army might have been formed of the commoners. The third order of the society, namely the Vaishya, figures little in the Vedic literature. The Aitareya Brahmana describes him as a tributary to another, 'to be lived upon by another', and 'to be suppressed at will'.

The name of the fourth class, the Shudra, occurs only once in the Rigveda. It seems that the class represented domestic servants, approximating very nearly to the position of slaves. The Shudra is described as 'the servant of another', 'to be expelled at will', and 'to be slain at will'. Yajnavalkya allows a Shudra, in case of necessity, to engage in trade, which was earlier regarded as the sole preserve of the Vaishyas.

In the medieval period, AbulFazal remarks that the Vaishyas and the Shudras are divided into numerous branches. He mentions castes like Kayastha, Bhar, Chandel, Chauhan, Gaharwal, Gehlot, Kaushik and Raghubansi, and sub-castes like the Rajputs, Ahirs, Lodhs, Gujars, Kurmis, Mehtars, Bhils, Kolis, Garasiahs, Bisens, etc.(Ghurye1957:110)

Besides the four orders mentioned in the Rigveda, we find occupations like those of the blacksmith, leather-worker, barber, physician, goldsmith, merchants and chariot-builders. We

do not know whether any of the four orders were engaged in these, nor can we say with certainty that each of them constituted a separate class.

The first three Varnas, or the social orders, were called Dvijas (twice-born) because they had to go through the initiation ceremony which was symbolic of rebirth. This privilege was denied to the Shudras who were, therefore, called Ekjati (once-born). The term *jati*, here used for Varna, is henceforward employed more often to mean the numerous sub-divisions of a Varna. It is also the vernacular term for a caste

Awakening in marginal Caste in 19th Century

With the advent of the British as the political head of the society, things took on a different dimension. The British brought with them their own traditional form of government. They introduced a system of education which did not clash with the caste of the learners. At the same time, the policy of comparative non-interference gave ample scope of revolt to the castes which were not quite comfortable in the traditional caste system. The new land revenue system, together with the technical backwardness of Indian agriculture, the rising indebtedness of the agriculturists, and excessive pressure on agriculture due to the destruction of the handicrafts, which was not compensated for by any proportionate industrial development in the country, forced a section of the farming castes to migrate to cities, where they became factory workers or domestic servants. Later on, with the growth of industrialisation and urbanization, large numbers of people congregated in cities of mixed population, away from the influence of their homes, and unobserved by their caste or village people. This also helped in the disorganization of the vocational basis of caste.

The establishment of British courts, and the implementation of a uniform criminal law, removed from the purview of caste many matters that were earlier adjudicated by it. Even in matters of civil law, such as marriage or divorce, though the avowed intention of the British

was to be guided by the customs of caste, various decisions of the courts slowly but surely side-lined the authority of caste.

The Caste Disabilities Removal Act of 1850 dealt a veritable blow to the traditional caste system. It also facilitated conversion to other religions that did not recognize the caste system. Notwithstanding any custom of the caste, it provided that a person did not forfeit his ordinary rights of property due to loss of caste or change of religion. Apart from this, the British Government introduced several other measures to remove caste discrimination. However, the social reformers were still not satisfied, and the legislators among them tried to introduce bills legalizing inter-caste marriages. The Special Marriage Act of 1872 made it possible for an Indian of whatever caste or creed to enter into a valid marriage with a person belonging to any caste or creed, provided that the parties registered the contract of marriage, declaring *inter alia* that they did not belong to any religion. Nonetheless, agitation to liberalize the marriage law continued. However, it was only in the Reformed Legislature that Sir Hari Sing Gour succeeded in getting a relevant bill passed, though not in its original form, known as the Special Marriage Amendment Act of 1923. It applied only to Hindus, including Jains, Sikhs and Brahmos. Persons marrying under the provisions of this Act, to whatever caste they might belong, did not need to make the declaration prescribed in the Act of 1872.

Under the old regime of caste, certain sections of Hindu society, regarded as untouchable, were devoid of many of the civil rights. So, the question of removing their disabilities and placing them on a footing of civil equality was an important consideration before the British administrators. In 1858, the British Government announced in a press note,

.....the Governor-in-council does not contemplate introduction of low caste pupils into schools, the expenses of which are shared by the Government with local contributors and patrons who object to such a measure, he reserves to himself the full right of refusing the support of Government to any partially aided school in which the benefits

of education are withheld from any class of persons on account of caste or race, and further resolves that all schools maintained at the sole cost of Government shall be open to all classes of its subjects without distinction (Ghurye 1957, p.189).

In 1923, the Government issued a resolution that no grants would be paid to any aided educational institute, if it refused admission to the children of the Depressed Classes.

With all this, many ambitious castes were quick to perceive the chances of raising their status. They organized conferences of their members, and formed councils to take steps to see that their status was recorded in a way they thought was honourable to them.

The British Government did not recognize caste as a unit empowered to administer justice. Caste was thus shorn of one of its important functions as a community. Caste practices themselves were rigid among the higher castes, but malleable among the lower.

The British also brought with them a casteless culture and a literature full of thoughts on individual liberty. With the introduction of English education, many of the intelligent minds of the country came in closer contact with the religion of the rulers and with some outstanding personalities among them. As a result, some Indians, like Raja Ram Mohan Roy and DevendraNath Tagore, started movements aimed at liberalizing religion and practising the brotherhood of man. The liberals among the traditionalists also moved in the same direction. Thus, Swami Dayanand preached that the four fold division of the Hindu people should be substituted for the manifold ramifications of the contemporary caste system.

Movements against caste of a more militant nature were also not slow to arise. In 1873 JyotiraoPhuley of Pune, though a man of the Mali caste and with comparatively little education, started an association called the *SatyashodhakSamaj*, with the aim of asserting the worth of man, irrespective of caste. In his writings, he demanded representation for all classes of the Hindus in all local bodies, services and institutions(Ghurye 1957, p.201). Certain types of non-Brahman leaders found it easy to secure a seat on the legislature or a local body through

the door of reserved representation, and, perhaps, that was the main reason why they were so strong in claiming it.

The problem of the depressed classes, in so far as they were the result of the caste system, deserves special mention here. These classes comprised of castes that followed the skilled occupations of tanning, shoe-making and working in bamboo and cane. However, these occupations were considered so low by the other Hindus that they were not allowed even to approach other castes within a measurable distance. They had, thus, been kept segregated most effectively for centuries. To better the economic condition of the depressed classes was the first requirement in order to bring about a real change in their social status.

Individual workers, like V. R. Shinde and A. V. Thakkar did much not only to rouse the feelings of the upper caste Hindus against the unjust doctrine of untouchability, but also to prepare the depressed classes for better treatment by spreading education among them. Phuley started a primary school for the so-called untouchables in Pune in 1951. The campaign benefitted by the efforts made by the Christian missionaries to convert the depressed classes to their faith. The growth of city life, with its migratory population, gave rise to hotels and restaurants. The exigencies of office work forced the city people to put aside their old ideas of purity. Upper caste Hindus had to eat food prepared by Christian, Muslim or Persian cooks, because Hindu restaurants were not easily or equally accessible during office hours.

The new economic system brought about a new grouping of the population in the economic sphere. The Indian people became differentiated into such categories as capitalists, workers, merchants, tenants, labourers, doctors, lawyers and technicians, each category being composed of individuals belonging to various castes and communities, but having identical material and political interests.

There was much more freedom in the matter of choice of occupation during the British era than there ever was in the old regime. To begin with, new occupations that required abilities similar

to those needed in older occupations arose out of the new requirements. Many of these occupations, like those of craftsmanship and cabinet-making, came to be looked upon with greater esteem, and were better remunerated than their older prototypes. Recruits to this profession, therefore, hailed from both the higher castes of Brahmanas and others, as well as the lower castes, such as higher artisans. Such occupations as tailoring and shoemaking appreciated in public esteem, partly because of the new machinery making them easier and less tedious, and largely because the new technique and craftsmanship was associated with the new rulers. They were being taken up by more and more members of the higher castes. Many members of the various artisan castes were now teachers, shopkeepers, bank clerks, shop assistants, and architects.

One feature of the Hindu society, during the first few decades of the twentieth century, was the marked tendency of every caste to form its own association, comprising all the members of the caste speaking the same language (Ghurye 1957, p.213). The feeling of caste solidarity was now so strong that it was truly described as caste-patriotism. Economic conditions led many castes to clamour for petty jobs in the clerical line. This factor enhanced the feeling of caste animosity.

The criterion of birth in a caste, for the purposes of the traditional fourfold classification, was now found to be quite unsatisfactory. If the actual occupation of an individual was to be the test of his status, how were the modern occupations to be accommodated in this old scheme of the fourfold division of humanity?

Such political organizations as the Liberal Federation, the Indian National Congress, and others, however different their programmes, strategic principles and methods of struggle, were all working to liberalize the caste system. In the political sphere, only the Schedule Castes, the erstwhile untouchables, figured as a separate caste entity. Dr. B.R. Ambedkar, the leader of the Scheduled Castes, who was adamant against accepting any change in the special

representation of these castes in 1932, for which Mahatama Gandhi had to undertake a fast unto death, not only acquiesced in their special representation only for ten years, but also became the sponsor of the constitution of modern India in 1949. Article 341 of the constitution empowers the President, in consultation with the head of the particular State, to notify by an order “the castes, races or tribes or parts of or groups within castes, races or tribes which shall for the purposes of this Constitution be deemed to be Scheduled Castes in relation to that State.”(Upadhyaya, 2003,141)And the second clause of the Article empowers the parliament to pass a law to include in or exclude from the list so notified by the President “any caste, race or tribe or part of or group within any caste, race or tribe.” The Schedule Castes, formerly known as depressed classes and forming the fifth order of the four fold society of the Hindu theory of caste, have in the Republican Constitution, been provided with not only special privileges in the matter of recruitment into services, but also special representation in the legislative bodies.

The movements of the lower castes of the Hindu society suffering from social, religious and legal disabilities, as a result of the undemocratic caste system, had two aspects: one progressive and the other reactionary and anti-national. When a lower caste organized, even on a caste basis, and fought for democratic freedom, its struggle helped the general struggle for the unity of the Indian people.

With the spread of education among the depressed classes, more and more members from them took to vocations which were formerly the monopoly of the upper castes. With the introduction of modern education, the Indians came into contact with the liberal and democratic ideologies of the west. Lack of education among the untouchables was one of the factors which had restricted them to low occupations. But now, the new economic bonds between the touchadddbles and the untouchables following the same economic activity started weakening the prejudices of the caste system.

In the 3rd decade of the 20th century, on 17 August 1932, the British Prime Minister Ramsay MacDonald announced communal representation, in the central and provincial legislatures, to the Muslims, Sikhs, Christians, Depressed Classes and Anglo-Indians. Against representation being granted to the Depressed Classes as a separate entity from the Hindus, Gandhi wrote to the British Prime Minister on 18th August 1932, demanding its withdrawal. He believed that giving separate representation to the Depressed Classes was the beginning of the conspiracy to divide the Hindu society. When Gandhi's demand was ignored, he began a fast unto death on 20th September 1932. Dr. Ambedkar, however, considered separate representation, given to the Depressed Classes for the first time, an important step in the direction of their uplift. Ultimately, on 24th September 1932, an agreement was reached in Poona between Dr. Ambedkar and the Hindu leaders, in presence of Gandhi, accepting reservation of seats, instead of separate representation, in the central and provincial legislatures.

The Poona Pact, granting reservation of seats to these, formerly untouchable, castes doubtlessly led to a new consciousness among them. It agreed to the reservation of 15% seats for the Depressed Classes in the provincial legislatures, and 18% in the central legislature. It also envisaged reservation for these castes in the government jobs. It called for proper provision of funds in the provincial budgets for the education of the children of these castes (Sathi 2009, p.90).

The terms of the Poona Pact were conveyed to the British Prime Minister, and, accordingly, provision of reservation for the Depressed Classes was made in central and provincial assemblies in the Government of India Act 1935. The elections of 1937 were based on this Act. In this way, the Depressed Classes got representation in the legislature for the first time, and this led to a rapid development of political consciousness among them.

Marginal Castes in Legal profession in post-colonial India

It is because of the centuries old oppression of castes like Chamar, Mehtar, Dhobi, Chandal, Pasi, etc., under the traditional caste system of the Hindu society, that Articles 334 and 335 of the Indian Constitution provide reservations to them in the Parliament and State Legislatures, as well as in Government service. Article 17 declares the practice of untouchability a crime. Similarly, there are castes like Nai, Bari, Kahar, Kumhar, Darji, Lodhia, etc., that have got a similar preferential treatment in terms of social, educational, economic and political development (AIR 1972, SC 1975). Government places these castes of the Shudra Varna under the category of Backward Castes. It was the assessment of the past, present and future of these backward castes of the Indian society, that Articles 15 (4), 340 and 341 provided for a commission to investigate the present condition of the socially and educationally backward castes, and make recommendations to the Government for their development.

In pursuance of this provision, Kaka Kalelkar Commission of 1955, Chhedilal Commission of 1977, and V. P. Mandal Commission of 1980 gave their recommendations for the development of the socially and educationally backward castes (Sathi 2009, p.136). On 15 August 1990, Prime Minister V. P. Singh of the National Front Government, implementing the recommendations of the Mandal Commission, announced 27% reservation, in Central Government jobs, for 3743 backward castes, constituting about 52% of the population of India (Sathi 2009, p.94). This increased the representation of the backward castes in the Central Government service, and strengthened their participation in the development of the country, while leading to their own social and economic development.

However, the representation of the Scheduled and Backward castes in the Judiciary is still negligible. Uttar Pradesh (U.P.) is the state with the largest population in India, which was known during the British period as the United Provinces of Agra and Awadh. Bucky, in her research paper, analysed the caste composition of the advocates, practising in the Civil Court in Agra in 1866. Out of 48 advocates practising here, 2 were Europeans, 30 Muslims and 16

Hindus. Among these 16 Hindus, 11 were Kayasthas, 2 Vaishyas and 3 Brahmanas. The 3 Brahmanas included a Kashmiri, a Nagar and a Bengali. This makes it clear that the marginal castes had no representation at all in the legal profession.(Buckee, 1972, p. 144)

The U.P. Bar Council, Allahabad, is the organization that regulates the legal profession in U.P., and registers qualified advocates desirous of practising law in the state. An analysis of the records of U.P. Bar Council shows that the Scheduled Caste and Scheduled tribe advocates slowly but steadily increased their participation in the legal profession from 1976 to 2005. However, they still constituted a tiny proportion of the total registered advocates. Even at the time when Mandal Commission (1980) gave its report, the SC and ST advocates constituted only about 4% of the total registered advocates. During the next decade also, the pace of the participation of these castes in the legal profession remained slow, and this proportion could only increase to 5% in 1990. However, the process gained momentum after 1990; the proportion became 8.74 in 2005, and generally remained above 8% up to 2005.

Thus, out of the 215140 advocates registered in the U.P. Bar Council during 1974-2005, 13099, or 6.09%, belonged to the marginal castes. As a result of the process of social reform of the 19th and 20th centuries, the marginal castes are now making their presence felt in the legal profession also, which has not just increased their legal consciousness, along with helping in their social and economic development, but is also a pleasant saga in the development of Indian society.

This is not in the least surprising, as, from Mahatma Gandhi, the father of the Indian nation, to Dr. Ambedkar, the architect of the Indian constitution and a prominent leader of the marginal castes, almost all the influential figures in India during the course of its development as a nation were associated with the legal profession. It is important to note here that the revolutionaries – those who adopted the path of violence to fight for the country's independence – had nothing to do with the legal profession. Thus, legal profession was

invariably linked to constructive efforts, and the participation of the marginal castes in it was indicative of their desire to join the constructive mainstream.

The Indian National Congress was the sole organization leading the mainstream of the struggle for independence. Even then, it was largely dominated by the caste-Hindus with little participation of the marginal castes. If we look at the political scenario of the U.P., we see that, right from Pt. Govinda Ballabh Pant to Chandrabhanu Gupta, that is from 1947 to 1967, this most populous state of India continued to be headed by upper caste Chief Ministers. A leadership strata had not emerged among marginal castes by this time, and they continued to support the upper caste leadership of the Congress. However, Congress did not have any clear policy for the upliftment of these castes, leave alone bringing them to the fore in its leadership. Even during the next 22 years, that is from 1967 to 1989, this most populous state of the country had only two Chief Ministers from the Backward Castes, namely Chaudhary Charan Singh and Ram Naresh Yadav, that too for very short durations (20 months and 19 months respectively). The same situation is reflected in the legal profession also, where just about 3.22% of all the registered advocates in the U.P. Bar Association during 1976-1985 belonged to the Scheduled Castes and Tribes, the core marginal castes. (Fig.1)

At about this time, Mr. Mulayam Singh Yadav emerged to provide a strong and meaningful leadership to the Backward castes, and the most basic and strongest branches of the huge tree of Congress broke away from it. After 1982, after the emergence of Mr. Kanshi Ram as the undisputed leader of the Scheduled Castes, the marginal castes experienced not just political and social but also economic and educational awakening. The movement was carried further by Ms. Mayawati, who, just after a decade or so, succeeded in becoming the Chief Minister of the state. This new awareness is again reflected in the legal profession, where, the representation of the marginal castes now reached a significant level of 5.22%. This increase of

2% in the course of one decade may justifiably be attributed to the new political awareness and empowerment of these castes in the politics of the state.(Fig.2)

Out of the 96426 advocates registered during 1996-2005, 8360 belonged to the Scheduled Castes and Tribes, or the marginal castes. Thus, the political empowerment of the marginal castes is reflected in the legal profession which saw an increase of 3.44% in the number of advocates of this caste registered during this decade.(Fig.3) This can be clearly seen in the data obtained from the records of the U.P. Bar Council.

It must be made clear here that, unlike Government service, the legal profession has no provision of reservation for the Scheduled Castes and Tribes, or the Backward Castes, the two main segments of the marginal castes. Thus, the increasing participation of these castes in this profession is a clear testimony to their political empowerment. However, political empowerment is just one factor underlining the increasing representation of the marginal castes in the legal profession, improving social, economic and educational situation being others.

CONCLUSION

Caste by birth is a fundamental unit of Hindu social system in India. It was based basically upon the four professionally divided *Varnas* (Colours) mentioned in the Aryan's Rg Veda memorised since centuries. The three *Varnas* –*Brahmans*, *Kshatriyas* and *Vaisyas* were involved in the profession of priesthood, warfare and trade while the fourth *Shudras* who were limited to the profession based upon manual labour only. No individual from any *Varna*, excluding *Brahmans*, were allowed to opt profession other than that prescribed especially for that particular *Varna*. The Hindu society religiously continued to grow upon this basic system even after coming up of various other professions except that all the upcoming professionals got a caste name by birth in place of *Varnas*. Though all the castes by birth were sub-divided among number of sub-castes or *Gotras* but the fundamental division remained the same in which three upper castes by birth were known as *Savarna* i.e. with colour and others *Shudras*

or those without colours. However, the restriction upon immobility of professions based upon castes by birth continued throughout the history and Shudras were not allowed to adopt newly emerging professions based upon modern education including legal profession during colonial period.

The European liberalism embodying the values of liberty and equality of nineteenth century arrived at Indian shores also through British colonialism. The colonial government and the English educated milieu of Indian aristocratic and middle classes joined hands in promoting a social revolution professing equality among castes and gender. It also promoted a *Dalit* Movement in nineteenth century India. The dalit movement in post-colonial India, having democratic political system, began enhancing a dalit consciousness in the political area also and dalits or marginal castes because of their superiority in numbers began grabbing political power in various states in due course of time. The growing political power in states and their growing share in the Federal Government also symbolised in their growing participation in the various professions, including legal profession, initially and religiously prohibited for marginal castes.

There was no representation of these marginal castes known as scheduled castes in the legal profession in Uttar Pradesh, the most populated state of India, immediately after independence. However, their number began increasing steadily along the years of growing political consciousness during 1976 to 2005, which arrived at 4% in 1980 and 5% in 1990. This was the time when they finally captured political power in Uttar Pradesh and their number in legal profession increased to 8.74% in 2005. It is to be noted that there is no reservation in the legal profession like it is provided in other professions which is further testimony of their growing interest in the legal profession enhancing along their political empowerment.

References

Bar Council of Uttar Pradesh, Allahabad

Records of Register of Advocates (1976 - 2005)

Books

Bergel, E. E. (1962) *Social Stratification*. London, McGraw-Hill Book Company INC.

Desai, A. R. (1987) *Social Background of Indian Nationalism*. Bombay, Popular Prakashan.

Ghurye, G. S. (1957) *Caste and Class in India*. Bombay, Popular Book Depot.

Hutton, J. N. (1961) *Caste in India: Its nature, function and origin*. 3rd ed. Bombay, Oxford University Press.

Kane, P. V. (1962) *Dharmashastra Ka Itihas*. Lucknow, Uttar Pradesh Hindi Sansthan.

Nanda, S. P. (2003) *History of Modern India*. New Delhi, Dominant Publishers and Distributors.

Sathi, C. L. (2009) *Dalit Va Pichari Jatio Ki Istithi*. New Delhi, Samyak Prakashan.

Upadhyaya, J. J. R. (2003) *Constitution of India 1950*. Allahabad, Central Law Agency.

PRIMARY SOURCES

Buckee, G.F.M. (1972) *An examination of the Development and Structure of Legal Profession at Allahabad (1866-1935)*, Unpublished Thesis, University of London, U.K.

Mishra, S. K. (2009) *Uttar Pradesh Mein Vidhi Vyasayaya Ka Sanrachana tamak Aur Karyatamak Vikas: Ek adhayayan aitihasi ksandar bha mein (1935-1995)*, Unpublished Thesis, University of Lucknow.

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Appendix

REGISTERED ADVOCATES IN BAR COUNCIL OF U.P.,ALLAHABAD (1976-2005)			
YEARS	TOTAL REGISTERED ADVOCATES	ADVOCATES OF MARGINAL CASTES	PERCENTAGE
1976-1985	46723	1506	3.22
1986-1995	61287	3205	5.22
1996-2005	96426	8360	8.66
1976-2005	204436	13076	6.39

Fig.1

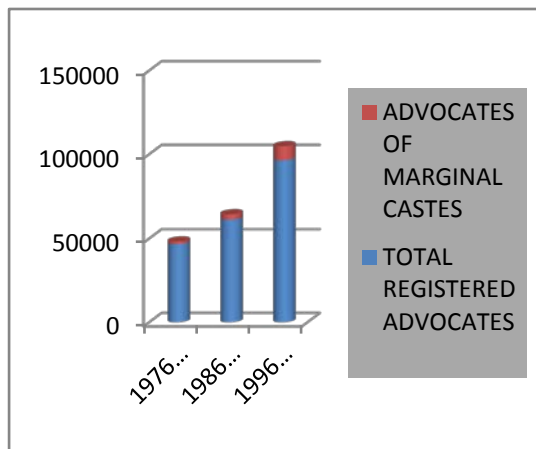


Fig.2

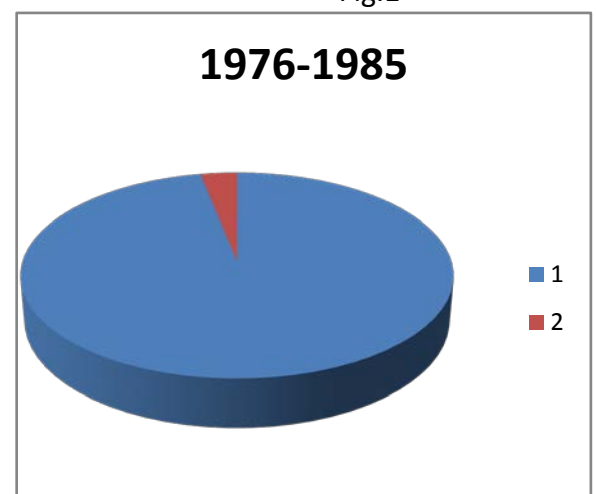
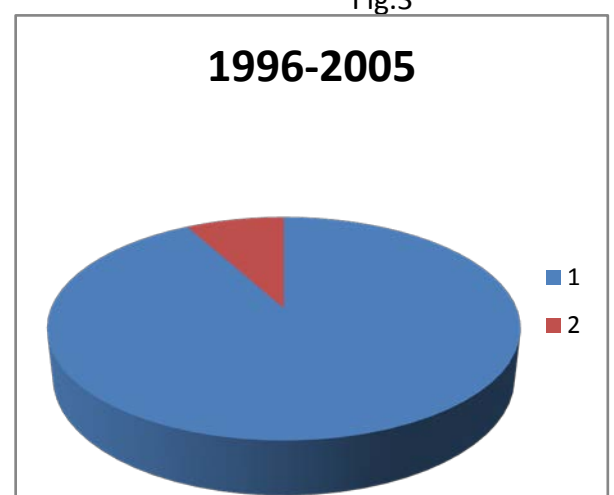
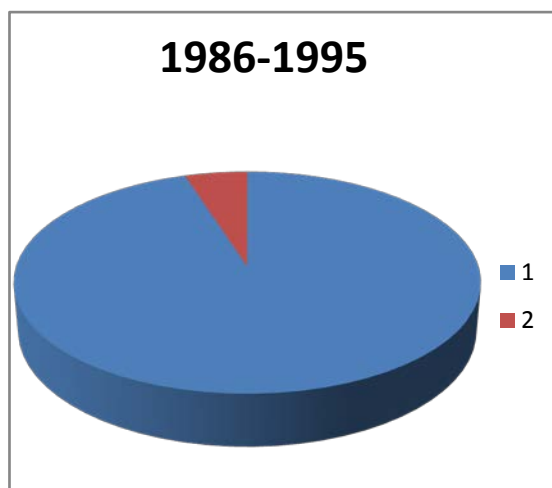


Fig.3



MARGINAL CASTES IN LEGAL PROFESSION: A STUDY OF GROWING CONSCIOUSNESS AMONG MARGINAL CASTES AND THEIR PARTICIPATION IN LEGAL PROFESSION IN UTTAR PRADESH, INDIA (1974-2005)

Dr. Saurabh Mishra

Abstract

The legal profession was introduced into the judicial system of India by the British Government, in the colonial period. The profession took inspiration from the western concept of law and its practice in the western countries. In the 19th century India, a new middle class arose which adopted different types of new professions as the means of its livelihood. This was against the norms of the traditional caste-based Indian society which determined one's profession on the basis of one's caste, and denied the marginal caste the freedom to engage in intellectual activities, or to pursue higher education. The middle class in British India was also largely confined to the upper castes in the beginning. However, industrialization, education and an overall new consciousness after Indian independence soon ushered in a new change that led the marginal castes to knock at the doors of the various professions including legal profession. This research paper studies the participation of these marginal castes living in the peripheries of the society, in the legal profession in Uttar Pradesh. It focuses on the composition and characteristics of legal profession from the marginal castes, culled out from the records of the advocates registered in the Uttar Pradesh Bar Council, Allahabad, as the primary source. The research attempts to study the effects of the newly introduced profession on marginal castes, and is expected to be of valuable help in understanding the dynamics of the caste system in the view of growing consciousness among marginal castes.

Methodology

The study utilizes both primary and secondary sources for data collection. The chief primary sources are the records of the Bar Council of Uttar Pradesh, Allahabad, U.P., the body that regulates the legal profession in India. The secondary sources consist of an extensive review of the literature available on the topic. Apart from published books, unpublished theses from the University of London, U.K., and Lucknow University, India, have also been utilized.

Introduction

Caste is a system unique to the Hindu society of India. So pervasive has been its influence in India that even the professedly egalitarian castes have also developed caste-like groups. However, it has resulted in severe disabilities for large segments of the population, whose uplift has been one of the biggest challenges before the country.

This paper studies the disabilities of these segments of population, often called marginal castes, in historical perspective. It begins with examining the growth of caste system and its implications for the society in the ancient period, going on to the struggle of the marginal castes to come out of these disabilities and assert themselves in the British period. Finally, it examines the participation of these castes in the legal profession in Uttar Pradesh, the state with the largest population in India, as an indicator of their empowerment in modern India.

Caste System among the Hindus

Caste is the fundamental unit of social structure among the Hindus in India, serving as the steel frame of the society (Desai 1987, p.243). The traditional Hindu society determined the status of a person by birth. The status of a man or woman born in a particular caste was determined by the rank of that caste in the caste hierarchy and could not be altered by any talent they might possess, or any amount of wealth they might accumulate (Nanda 2003, p.437).

The present day Hinduism is the outcome of a very long process of evolution. Purusha Sukta, a hymn belonging to the later parts of the Vedic canon constituting the Rigveda (1100 BC), mentions the names of the four main castes for the first time (Bergel 1962, p.37). However,

only the names appear; there is no indication that the old social order of the Aryans had been replaced by the caste system as yet. But by the sixth century BC, there are clear indications of the establishment of Hinduism as we know it, along with a full-fledged caste system.

Hinduism basically ordains two things: to respect and revere the Brahmanas, the highest of the castes and the repositories of the sacred knowledge, and to fulfil the specific duties of one's own caste, called the *dharma* of that caste. Thus, there is not one *dharma*; every caste has a *dharma* of its own. However, all the *dharma*s have in common one supreme commandment: that people must accept and live the life of the caste into which they are born. If they neglect this obligation, they will supposedly get punished by being reborn into a lower caste. On the other hand, if they observe their *dharma*, the reward will be rebirth into a higher caste.

To use Max Weber's favourite example, it depends only on a person's behaviour whether they will be reborn as a god or as a worm in the intestines of a dog. The important point for the present discussion is the penalty imposed on those who dared to challenge their positions in the caste hierarchy. The Hindus cannot change their caste within the system; nor can they try to change the system itself.

No other order ever approximated to this situation. Because of its unique religious foundation, Hinduism, to quote Weber again, created "the most consistent theodicy, ever produced in history" (Bergel 1962, p.39).

Prior to the coming of the Aryans, India was inhabited by a variety of people. Some were hunting tribes, others were farmers living in villages, while still others resided in cities. This diversity is indicative of an advanced civilization with a highly differentiated social organization.

The Indo-Aryans had their own pastoral nomadic social system. In search of land to settle down, each group waged its own wars. Their leaders usually came from families with a reputation for magical abilities to win wars. Apparently, the mysterious powers of the royal

families had to be augmented by no less mysterious powers of the priests. These priests were at first merely individuals supposedly endowed with magical powers. However, during the period of conquests, they allied with the kings, though the military leaders maintained their superiority. Below these two uppermost ranks was the rest of the tribe, i.e. the soldiers and the commoners, who were free but without any special distinctions. After winning the wars, the groups became sedentary, and a new political and economic organization became necessary. Conquests caused a threefold change - the pastoralists settled down and became farmers; the tribal hordes, at least groups of supposedly common descent, were forced to find some way of integrating the conquered groups into the new community; and, consequently, the stratification system had to be altered.

In course of time, the system changed. The economy expanded; crafts, although despised as menial by free men, emerged; and trade, which had existed on an international scale in the pre-Aryan India, came of age. Now, the artisans and the merchants had to be fitted into a stratification system that had economically rested, so far, only on landownership.

The castes are not the result of one revolutionary move; they are the outcome of a long, gradual transformation. The names of the four castes appear for the first time in the late Vedic hymns. These are - Kshatriyas, Brahmanas, Vaishyas and Shudras (Kane 1992, p.110). They roughly correspond to the aristocratic warriors, priests, commoners and slaves. In the course of developments, lasting at least five centuries, the Brahmanas rose to the top, displacing the Kshatriyas. Meanwhile, the free peasants came under increasingly heavy economic pressure, particularly when the money economy made inroads into the primitive barter system.

Many peasants lost their land, or their freedom. They changed their occupation and moved downward in the social hierarchy; social conditions facilitated a shift from agriculture to trade. The predominantly trader class came to be known as Vaishyas.

There was also a limit to the use of the Shudras as unfree agricultural workers. Progressing economic conditions were making the crafts more and more indispensable. Thus, the Shudras became the caste that ultimately absorbed the skilled craftsmen.

An advanced social system consists of many more divisions than just the priests, soldiers, merchants and artisans. An increasing number of people had to be employed as civil servants, administrators and supervisors of estates, as clerks in the merchants' offices, and in other capacities. In addition, there were still the large landowners and various types of peasants. The older trades, such as those of the smiths, masons and carpenters often enjoyed higher prestige than other crafts.

Once the system was firmly established, it became well-nigh impossible to live outside it. Having been found to serve the requirements of the society fairly well, the system strengthened its hold over the society.

The functions of a Brahman may be said to be teaching and officiating at sacrifices, with his aim being to be pre-eminent in sacred knowledge (Kane1992, p.145). The priests' profession was perhaps hereditary; we read of a Brahmaputra in a few passages as the son of a Brahman (a priest), and also of a Brahmabandhu. The Kshatriyas, the second class of the society, are known in the later portions of the Rigveda as the Rajanyas. However, the class seems to have included only the chiefs and the nobles, as the word *rajanya* points to ruling activities and, thus, brings out the functional origin of the class. The occupation of the class must have consisted of administrative and military duties, though the rank and file of the army might have been formed of the commoners. The third order of the society, namely the Vaishya, figures little in the Vedic literature. The AitareyaBrahmana describes him as a tributary to another, 'to be lived upon by another', and 'to be suppressed at will'.

The name of the fourth class, the Shudra, occurs only once in the Rigveda. It seems that the class represented domestic servants, approximating very nearly to the position of slaves. The

Shudra is described as 'the servant of another', 'to be expelled at will', and 'to be slain at will'. Yajnavalkya allows a Shudra, in case of necessity, to engage in trade, which was earlier regarded as the sole preserve of the Vaishyas.

In the medieval period, AbulFazal remarks that the Vaishyas and the Shudras are divided into numerous branches. He mentions castes like Kayastha, Bhar, Chandel, Chauhan, Gaharwal, Gehlot, Kaushik and Raghubansi, and sub-castes like the Rajputs, Ahirs, Lodhs, Gujars, Kurmis, Mehtars, Bhils, Kolis, Garasiahs, Bisens, etc. (Ghurye1957:110)

Besides the four orders mentioned in the Rigveda, we find occupations like those of the blacksmith, leather-worker, barber, physician, goldsmith, merchants and chariot-builders. We do not know whether any of the four orders were engaged in these, nor can we say with certainty that each of them constituted a separate class.

The first three Varnas, or the social orders, were called Dvijas (twice-born) because they had to go through the initiation ceremony which was symbolic of rebirth. This privilege was denied to the Shudras who were, therefore, called Ekjati (once-born). The term *jati*, here used for varna, is henceforward employed more often to mean the numerous sub-divisions of a Varna. It is also the vernacular term for a caste.

Caste and British Rule/19th Century Awakening

With the advent of the British as the political head of the society, things took on a different dimension. The British brought with them their own traditional form of government. They introduced a system of education which did not clash with the caste of the learners. At the same time, the policy of comparative non-interference gave ample scope of revolt to the castes which were not quite comfortable in the traditional caste system. The new land revenue system, together with the technical backwardness of Indian agriculture, the rising indebtedness of the agriculturists, and excessive pressure on agriculture due to the destruction of the handicrafts, which was not compensated for by any proportionate industrial

development in the country, forced a section of the farming castes to migrate to cities, where they became factory workers or domestic servants. Later on, with the growth of industrialisation and urbanization, large numbers of people congregated in cities of mixed population, away from the influence of their homes, and unobserved by their caste or village people. This also helped in the disorganization of the vocational basis of caste.

The establishment of British courts, and the implementation of a uniform criminal law, removed from the purview of caste many matters that were earlier adjudicated by it. Even in matters of civil law, such as marriage or divorce, though the avowed intention of the British was to be guided by the customs of caste, various decisions of the courts slowly but surely side-lined the authority of caste.

The Caste Disabilities Removal Act of 1850 dealt a veritable blow to the traditional caste system. It also facilitated conversion to other religions that did not recognize the caste system. Notwithstanding any custom of the caste, it provided that a person did not forfeit his ordinary rights of property due to loss of caste or change of religion. Apart from this, the British Government introduced several other measures to remove caste discrimination. However, the social reformers were still not satisfied, and the legislators among them tried to introduce bills legalizing inter-caste marriages. The Special Marriage Act of 1872 made it possible for an Indian of whatever caste or creed to enter into a valid marriage with a person belonging to any caste or creed, provided that the parties registered the contract of marriage, declaring *inter alia* that they did not belong to any religion. Nonetheless, agitation to liberalize the marriage law continued. However, it was only in the Reformed Legislature that Sir Hari Sing Gour succeeded in getting a relevant bill passed, though not in its original form, known as the Special Marriage Amendment Act of 1923. It applied only to Hindus, including Jains, Sikhs

and Brahmos. Persons marrying under the provisions of this Act, to whatever caste they might belong, did not need to make the declaration prescribed in the Act of 1872.

Under the old regime of caste, certain sections of Hindu society, regarded as untouchable, were devoid of many of the civil rights. So, the question of removing their disabilities and placing them on a footing of civil equality was an important consideration before the British administrators. In 1858, the British Government announced in a press note,

.....the Governor-in-council does not contemplate introduction of low caste pupils into schools, the expenses of which are shared by the Government with local contributors and patrons who object to such a measure, he reserves to himself the full right of refusing the support of Government to any partially aided school in which the benefits of education are withheld from any class of persons on account of caste or race, and further resolves that all schools maintained at the sole cost of Government shall be open to all classes of its subjects without distinction (Ghurye 1957 p.189).

In 1923, the Government issued a resolution that no grants would be paid to any aided educational institute, if it refused admission to the children of the Depressed Classes.

With all this, many ambitious castes were quick to perceive the chances of raising their status. They organized conferences of their members, and formed councils to take steps to see that their status was recorded in a way they thought was honourable to them.

The British Government did not recognize caste as a unit empowered to administer justice. Caste was thus shorn of one of its important functions as a community. Caste practices themselves were rigid among the higher castes, but malleable among the lower.

The British also brought with them a casteless culture and a literature full of thoughts on individual liberty. With the introduction of English education, many of the intelligent minds of the country came in closer contact with the religion of the rulers and with some outstanding personalities among them. As a result, some Indians, like Raja Ram Mohan Roy and

DevendraNath Tagore, started movements aimed at liberalizing religion and practising the brotherhood of man. The liberals among the traditionalists also moved in the same direction. Thus, Swami Dayanand preached that the four fold division of the Hindu people should be substituted for the manifold ramifications of the contemporary caste system.

Movements against caste of a more militant nature were also not slow to arise. In 1873 JyotiraoPhuley of Pune , though a man of the Mali caste and with comparatively little education, started an association called the SatyashodhakSamaj, with the aim of asserting the worth of man, irrespective of caste. In his writings, he demanded representation for all classes of the Hindus in all local bodies, services and institutions (Ghurye 1957, p.201). Certain types of non-Brahman leaders found it easy to secure a seat on the legislature or a local body through the door of reserved representation, and, perhaps, that was the main reason why they were so strong in claiming it.

The problem of the depressed classes, in so far as they were the result of the caste system, deserves special mention here. These classes comprised of castes that followed the skilled occupations of tanning, shoe-making and working in bamboo and cane. However, these occupations were considered so low by the other Hindus that they were not allowed even to approach other castes within a measurable distance. They had, thus, been kept segregated most effectively for centuries. To better the economic condition of the depressed classes was the first requirement in order to bring about a real change in their social status.

Individual workers, like V. R. Shinde and A. V. Thakkar did much not only to rouse the feelings of the upper caste Hindus against the unjust doctrine of untouchability, but also to prepare the depressed classes for better treatment by spreading education among them. Phuley started a primary school for the so-called untouchables in Pune in 1951. The campaign benefitted by the efforts made by the Christian missionaries to convert the depressed classes to their faith. The growth of city life, with its migratory population, gave rise to hotels and

restaurants. The exigencies of office work forced the city people to put aside their old ideas of purity. Upper caste Hindus had to eat food prepared by Christian, Muslim or Persian cooks, because Hindu restaurants were not easily or equally accessible during office hours.

The new economic system brought about a new grouping of the population in the economic sphere. The Indian people became differentiated into such categories as capitalists, workers, merchants, tenants, labourers, doctors, lawyers and technicians, each category being composed of individuals belonging to various castes and communities, but having identical material and political interests.

There was much more freedom in the matter of choice of occupation during the British era than there ever was in the old regime. To begin with, new occupations that required abilities similar to those needed in older occupations arose out of the new requirements. Many of these occupations, like those of craftsmanship and cabinet-making, came to be looked upon with greater esteem, and were better remunerated than their older prototypes. Recruits to this profession, therefore, hailed from both the higher castes of Brahmanas and others, as well as the lower castes, such as higher artisans. Such occupations as tailoring and shoemaking appreciated in public esteem, partly because of the new machinery making them easier and less tedious, and largely because the new technique and craftsmanship was associated with the new rulers. They were being taken up by more and more members of the higher castes. Many members of the various artisan castes were now teachers, shopkeepers, bank clerks, shop assistants, and architects.

One feature of the Hindu society, during the first few decades of the twentieth century, was the marked tendency of every caste to form its own association, comprising all the members of the caste speaking the same language (Ghurye 1957, p.213). The feeling of caste solidarity was now so strong that it was truly described as caste-patriotism. Economic conditions led many

castes to clamour for petty jobs in the clerical line. This factor enhanced the feeling of caste animosity.

The criterion of birth in a caste, for the purposes of the traditional fourfold classification, was now found to be quite unsatisfactory. If the actual occupation of an individual was to be the test of his status, how were the modern occupations to be accommodated in this old scheme of the fourfold division of humanity?

Such political organizations as the Liberal Federation, the Indian National Congress, and others, however different their programmes, strategic principles and methods of struggle, were all working to liberalize the caste system. In the political sphere, only the Schedule Castes, the erstwhile untouchables, figured as a separate caste entity. Dr. B.R. Ambedkar, the leader of the Scheduled Castes, who was adamant against accepting any change in the special representation of these castes in 1932, for which Mahatama Gandhi had to undertake a fast unto death, not only acquiesced in their special representation only for ten years, but also became the sponsor of the constitution of modern India in 1949. Article 341 of the constitution empowers the President, in consultation with the head of the particular State, to notify by an order "the castes, races or tribes or parts of or groups within castes, races or tribes which shall for the purposes of this Constitution be deemed to be Scheduled Castes in relation to that State." Upa2003 141And the second clause of the Article empowers the parliament to pass a law to include in or exclude from the list so notified by the President "any caste, race or tribe or part of or group within any caste, race or tribe." The Schedule Castes, formerly known as depressed classes and forming the fifth order of the four fold society of the Hindu theory of caste, have in the Republican Constitution, been provided with not only special privileges in the matter of recruitment into services, but also special representation in the legislative bodies. The movements of the lower castes of the Hindu society suffering from social, religious and legal disabilities, as a result of the undemocratic caste system, had two aspects: one progressive

and the other reactionary and anti-national. When a lower caste organized, even on a caste basis, and fought for democratic freedom, its struggle helped the general struggle for the unity of the Indian people.

With the spread of education among the depressed classes, more and more members from them took to vocations which were formerly the monopoly of the upper castes. With the introduction of modern education, the Indians came into contact with the liberal and democratic ideologies of the west. Lack of education among the untouchables was one of the factors which had restricted them to low occupations. But now, the new economic bonds between the touchables and the untouchables following the same economic activity started weakening the prejudices of the caste system.

In the 3rd decade of the 20th century, on 17 August 1932, the British Prime Minister Ramsay MacDonald announced communal representation, in the central and provincial legislatures, to the Muslims, Sikhs, Christians, Depressed Classes and Anglo-Indians. Against representation being granted to the Depressed Classes as a separate entity from the Hindus, Gandhi wrote to the British Prime Minister on 18th August 1932, demanding its withdrawal. He believed that giving separate representation to the Depressed Classes was the beginning of the conspiracy to divide the Hindu society. When Gandhi's demand was ignored, he began a fast unto death on 20th September 1932. Dr. Ambedkar, however, considered separate representation, given to the Depressed Classes for the first time, an important step in the direction of their uplift. Ultimately, on 24th September 1932, an agreement was reached in Poona between Dr. Ambedkar and the Hindu leaders, in presence of Gandhi, accepting reservation of seats, instead of separate representation, in the central and provincial legislatures.

The Poona Pact, granting reservation of seats to these, formerly untouchable, castes doubtlessly led to a new consciousness among them. It agreed to the reservation of 15% seats for the Depressed Classes in the provincial legislatures, and 18% in the central legislature. It also

envisaged reservation for these castes in the government jobs. It called for proper provision of funds in the provincial budgets for the education of the children of these castes (Sathi 2009, p.90).

The terms of the Poona Pact were conveyed to the British Prime Minister, and, accordingly, provision of reservation for the Depressed Classes was made in central and provincial assemblies in the Government of India Act 1935. The elections of 1937 were based on this Act. In this way, the Depressed Classes got representation in the legislature for the first time, and this led to a rapid development of political consciousness among them.

Emerging Consciousness among Marginal Castes in Modern India

It is because of the centuries old oppression of castes like Chamar, Mehtar, Dhobi, Chandal, Pasi, etc., under the traditional caste system of the Hindu society, that Articles 334 and 335 of the Indian Constitution provide reservations to them in the Parliament and State Legislatures, as well as in Government service. Article 17 declares the practice of untouchability a crime. Similarly, there are castes like Nai, Bari, Kahar, Kumhar, Darji, Lodhia, etc., that have got a similar preferential treatment in terms of social, educational, economic and political development (AIR 1972, SC 1975). Government places these castes of the Shudra Varna under the category of Backward Castes. It was the assessment of the past, present and future of these backward castes of the Indian society, that Articles 15 (4), 340 and 341 provided for a commission to investigate the present condition of the socially and educationally backward castes, and make recommendations to the Government for their development.

In pursuance of this provision, Kaka Kalelkar Commission of 1955, Chhedilal Commission of 1977, and V. P. Mandal Commission of 1980 gave their recommendations for the development of the socially and educationally backward castes (Sathi 2009, p.136). On 15 August 1990, Prime Minister V. P. Singh of the National Front Government, implementing the recommendations of the Mandal Commission, announced 27% reservation, in Central

Government jobs, for 3743 backward castes, constituting about 52% of the population of India (Sathi 2009, p.94). This increased the representation of the backward castes in the Central Government service, and strengthened their participation in the development of the country, while leading to their own social and economic development.

However, the representation of the Scheduled and Backward castes in the Judiciary is still negligible. Uttar Pradesh (U.P.) is the state with the largest population in India, which was known during the British period as the United Provinces of Agra and Awadh. Bucky, in her research paper, analysed the caste composition of the advocates, practising in the Civil Court in Agra in 1866. Out of 48 advocates practising here, 2 were Europeans, 30 Muslims and 16 Hindus. Among these 16 Hindus, 11 were Kayasthas, 2 Vaishyas and 3 Brahmanas. The 3 Brahmanas included a Kashmiri, a Nagar and a Bengali. This makes it clear that the marginal castes had no representation at all in the legal profession.

The U.P. Bar Council, Allahabad, is the organization that regulates the legal profession in U.P., and registers qualified advocates desirous of practising law in the state. An analysis of the records of U.P. Bar Council shows that the Scheduled Caste and Scheduled tribe advocates slowly but steadily increased their participation in the legal profession from 1976 to 2005. However, they still constituted a tiny proportion of the total registered advocates. Even at the time when Mandal Commission (1980) gave its report, the SC and ST advocates constituted only about 4% of the total registered advocates. During the next decade also, the pace of the participation of these castes in the legal profession remained slow, and this proportion could only increase to 5% in 1990. However, the process gained momentum after 1990; the proportion became 8.74 in 2005, and generally remained above 8% up to 2005.

Thus, out of the 215140 advocates registered in the U.P. Bar Council during 1974-2005, 13099, or 6.09%, belonged to the marginal castes. As a result of the process of social reform of the 19th and 20th centuries, the marginal castes are now making their presence felt in the legal

profession also, which has not just increased their legal consciousness, along with helping in their social and economic development, but is also a pleasant saga in the development of Indian society.

References

- Bergel, E. E. (1962) *Social Stratification*. London, McGraw-Hill Book Company INC.
- Desai, A. R. (1987) *Social Background of Indian Nationalism*. Bombay, Popular Prakashan.
- Ghurye, G. S. (1957) *Caste and Class in India*. Bombay, Popular Book Depot.
- Hutton, J. N. (1961) *Caste in India: Its nature, function and origin*. 3rd ed. Bombay, Oxford University Press.
- Kane, P. V. (1962) *Dharmashastra Ka Itihas*. Lucknow, Uttar Pradesh Hindi Sansthan.
- Nanda, S. P. (2003) *History of Modern India*. New Delhi, Dominant Publishers and Distributors.
- Sathi, C. L. (2009) *Dalit Va Pichari Jatio Ki Istithi*. New Delhi, Samyak Prakashan.
- Upadhyaya, J. J. R. (2003) *Constitution of India 1950*. Allahabad, Central Law Agency.
- Buckee, G.F.M. (1972) *An examination of the Development and Structure of Legal Profession at Allahabad (1866-1935)*, Unpublished Thesis, University of London, U.K.
- Mishra, S. K. (2009) *Uttar Pradesh Mein Vidhi Vyasayaya Ka Sanrachanatamak Aur Karyatamak Vikas: Ek adhayayan aitihasek sandarbha mein (1935-1995)*, Unpublished Thesis, University of Lucknow.

U.P. Bar Council Records, *Register of Advocates*, 1976-2005, Allahabad, U.P., India.

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HUMAN SECURITY AND POVERTY ALLEVIATION IN SRI LANKA PANEL PROPOSAL

Panel Abstract:

Despite the restoration of peace and security to the North-East and the relative success of the *Samurdhi* (Prosperity) national poverty alleviation program, Sri Lanka is faced with myriad challenges to its national and human security. Over the past decade, Sri Lanka has weathered many significant challenges: the 2004 boxing-day tsunami, the collapse of the Norwegian-sponsored peace process, and the return to violent conflict in the North leading to the defeat of the LTTE. Sri Lanka has also somewhat successfully navigated competing spheres of influence, with Japan, China and India on one hand providing substantial support – in the form of direct aid and soft loans – while Western states have been more critical. A recent UN Human Rights council resolution, backed by India, advising Sri Lanka to convincingly probe charges of alleged ‘war crimes’ runs the risk of opening up old wounds along ethno-religious lines.

In terms of human security, which will be the main focus of this panel, valid questions remain over the economic, social and political directions of Sri Lanka. The liberalization of its economy after 1977 has led to a significant increase in economic growth rates but has arguably resulted in greater inequality, leaving marginalised communities more vulnerable. Over 50% of Sri Lanka’s GDP is concentrated in the urban areas around Colombo and the emphasis upon increased economic growth through the launch in 2006 of the *Mahinda Chinthanaya* threatens to exacerbate regional disparities. It is within this context that the *Gamaneguma* (village uplift) program is of particular significance. The program aims at stimulating rural development through an emphasis on infrastructure, livelihood and social development. Increasing community participation in the developmental process is of vital importance to the success of the program. The planning and prioritization of different phases of the project at regional level is done with the participation of the community through *Janasabhas*, forums consisting of community leaders, village level politicians and field level officers in each village.

This panel will explore the ways that neoliberalism, inequality and conflict have impacted on the human security of communities and individuals in South Asia with a special reference to Sri Lanka. It will suggest that a human security-centred approach – one that focuses on enhancing participation within community-related projects – may enhance development outcomes and alleviate poverty. Finally, it will examine ways that such changes can be evaluated through a critical analysis of the *Mahinda Chinthanaya* and *Gamaneguma* programs, as well as programs implemented under the Japanese government’s human security framework.

Paper 1

1. Abstract (Oral Presentation)

Name: Giorgio SHANI (Panel Chair)

Department: Department of Politics and International Relations, International Christian University, Japan

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Title: **Neoliberalism and Human In/Security in South Asia After the Financial Crisis**

Keywords: Human Security, South Asia, Neoliberalism, Financial Crisis

This paper will seek to examine the effects of the global financial crisis on neo-liberal globalization and human insecurity in South Asia. Despite the global economic downturn, most economies in South Asia have continued to adhere to the neoliberal principles which have resulted in impressive growth rates in recent decades. However, this growth has been unevenly distributed and has not led to greater human security for the majority of South Asians. It is argued that economic liberalization in South Asia in general and its most populous country, India, in particular, has disproportionately benefited, and politically empowered, members of the dominant classes, religious communities and castes at the expense of the rural and urban poor. This has had profound consequences for members of South Asia’s religious minorities and subaltern castes and classes who find themselves increasingly marginalized by national discourses derived from the

majority religious tradition. These trends have been reinforced by the global financial crisis which has led to a sharp rise in the price of food and increased hunger, malnutrition and poverty for most South Asians.

2. Biography

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Paper 2

1. Abstract (Oral Presentation)

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Abstract title: Measuring and evaluating human security in post-conflict Sri Lanka

Abstract (200 words):

A number of countries that provide overseas development aid to Sri Lanka have done so under a human security framework – most notably, Japan, Canada and Norway. The strength of the human security framework lies in its ability to create a systematizing and multi-sectoral framework around which development and peace-building can be organized, implemented and evaluated. It also represents a move from realist assumptions to more constructivist principles for understanding development and international relations. While there has been some discussion of the general operating principles by which human security should help shape the goals and means of implementing development-related projects, there are still very few available methods for establishing effectiveness. Evaluations are essential in establishing best practice and providing an evidence base for funding future projects. This presentation will look at ways that human security-related interventions have been evaluated specifically within the Sri Lankan context, both during and after the peace process as well as in the final stages of the war. This presentation will explore how human security could be measured more effectively if evaluations utilised more constructivist approaches to data gathering. Community-based participatory methods of evaluation could provide one means of measuring the changes in human security as a result of development-related interventions.

Keywords: Human security, Sri Lanka, post-conflict, evaluation

2. Biography

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Albie Sharpe is a PhD candidate in the School of Public Health and Community Medicine at the University of New South Wales. He is currently researching human security-related development and health programs by Japanese international agencies and NGOs in Sri Lanka.

Paper 3

1. Abstract (Oral Presentation)

Anusha BANDARA

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Abstract title: Analysis of Income Distribution and Inequality in Sri Lanka and its Impacts on Economic Growth

Abstract (200 words):

This paper examines present situation of income distribution and inequality in Sri Lanka. It further studies potential impacts of income inequality on economic growth. Nature and direction of inequality-growth relationship is controversial and debatable. One school of thought believes that inequality retards growth whereas the other school of thought believes that inequality promote growth. Analysis of income distribution and inequality is based on household surveys conducted by the Department of Census and Statistics of Sri Lanka. A model derived from neoclassical grow model was used in modeling growth and inequality. The results suggest that real average household income has not significantly increased during the period of 1980-2007. Income inequality level has become stable comparatively at a higher level. Decomposition of income inequality suggests that income inequality in estate sector has sharply risen since 2005. Estimated model reveals that inequality has not significantly affected on the growth of the country. Growth rate was highly volatile as a result of war prevailed during the period of concern and therefore, its fluctuations may not be able to capture by conventional growth determinants.

(JEL: O15) Keywords: Sri Lanka, Income inequality, Economic growth, Gini coefficient

2. Biography

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Anusha Bandara is a senior consultant of the Industrial Services Bureau of Northwestern Province, Sri Lanka. He has undergraduate (in agriculture) and postgraduate (in agricultural economics) degrees from the University of Peradeniya and is currently completing an M.A. degree in public economics at International Christian University, Japan.

Paper 4

3. Abstract (Oral Presentation)

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Abstract Title: An analysis of impacts of community participation on the success of “Gamaneguma” national rural development program

Abstract

“Gamaneguma” (village uplift) program is the national rural development program since 2006. In this program, rural development is driven in main three components namely infrastructure development, livelihood development and social development. The objective of the program is to avoid duplications and disparity on regional development and poverty alleviation.

Planning and prioritizing phases of projects in regional level done with the participation of beneficiaries, community leaders etc as a policy. According to the evaluations of the program, we can see that there are fluctuations of the community participation for the program.

After conducting a field research in Kandy district I could analyze some factors behind these fluctuations. The field research was conducted in Yatinuwara, Udunuwara, Udapalatha and Ganga Ihala Korale Divisional Secretary Divisions to include most common socio-demographic sectors of Sri Lanka which are urban, rural and estate sectors. Community participation for rural development is associated with some socio-demographic characteristics of the society such as age, level of education, income, family size, social leadership and received benefits from the program. Therefore it is important to analyze the factors influencing community participation and how those could be boosted to intensify the outcomes of the national rural development program in Sri Lanka.

Keywords: Sri Lanka, rural development, community participation, poverty alleviation

Biography

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Since joining RDTRI in 2008, Pradeep has been involved with planning and managing the researches and trainings on participatory development. Now he is reading for Masters in Public Administration at International Christian University in Tokyo, Japan from Sep, 2010 to July 2012. Before joining RDTRI, Pradeep worked at Walapane Divisional Secretariat as the Assistant Divisional Secretary.

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The lure of spices: Impact on human civilization and world history

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Research Objective: There is a general tendency to accredit history as mainly a human history delving into the exploits of men and women, the power of sword, and the nature and after-effects of the actions. Rarely would a historian consider bringing within the scope of his/her study the power of plants in shaping the cultures and societies. The study of spices is an attempt to provide an evidence of some of these plants/plant products, which played a crucial role in influencing the lives of the people and the course of world history.

Methodology: Being an inter-disciplinary subject, the research spans the study of ethno botany, ancient and medieval trading networks, history and religion. The focus is primarily on the history of spices that are native of India, e.g., black pepper, and how they fuelled European cravings and spurred them to undertake risky voyages across the globe. No effort is made to delve into their nutritive or medicinal values.

The work is based largely on secondary sources, English translations of records compiled by the Greco-Roman scholars, medieval-period European narratives/travelogues, contemporary Indian works (Sangam-period Tamil literary works), and data collected through internet, journals, and the surveys conducted by the FAO of the United Nations.

Abstract

Throughout the course of human history, plants have played a crucial role in influencing our lives and the course of world history. The lure of spices, such as pepper, cinnamon etc. began with the dawn of civilization and since antiquity India has been the largest producer, consumer and exporter of spices. Taking a journey through the past, this paper tracks how these aromatic and pungent plant products from India and the neighbouring regions made their way into distant Europe fuelling European people's imagination and senses in variety of ways and drove them across the globe to explore and exploit the areas rich with reserves of these exotic plants. What made these spices such precious and attractive commodities? The scarcity of these spices in European lands made them precious commodities like gold. They became catalysts of some of the greatest adventures in human history. The quest for spices prompted discovery of maritime routes and new lands, which not only facilitated intercontinental and cross-cultural movements, they also triggered a fierce competition among the sea-faring powers for control over the Indian Ocean and the spice-producing regions, and paved way for colonialism and global empires.

THE LURE OF SPICES: IMPACT ON HUMAN CIVILIZATION AND WORLD HISTORY

(Draft paper)

Introduction

The lure of spices began with the dawn of civilization and since antiquity India has been the largest producer, consumer and exporter of spices. Spices and aromatics used in foods, drinks, scented oils, perfumes, cosmetics, and drugs have been some of the most sought-after substances in the course of human history. Scarcity of these aromatic and pungent spices in European lands made them precious commodities like gold, driving merchants and adventurers across the globe in search of the spice-producing regions.

Taking a journey through the historic past, this study tracks how these spices, such as pepper, cinnamon, cloves, nutmeg and mace from India, Sri Lanka, and the Maluku Islands,⁸⁰⁴ made their way into distant Europe, and became a catalyst of some of the greatest adventures in human history. The discovery of maritime routes and new lands, while facilitating intercontinental and cross-cultural movements also extended Europe's commercial traffic to the remotest parts the world. The quest for spices triggered a fierce competition among the sea-faring powers for control over the Indian Ocean and the spice-producing regions, and paved way for colonialism and global empires.

⁸⁰⁴ 'Maluku' is an adaptation of the Portuguese word *Moluccas* meaning "spiceries."

Spices in antiquity

In ancient civilizations, all aromatic plant-products were known as herbs. Today, there exists a sharp distinction between the herbs and spices. Whereas the small aromatic temperate leafy plants like coriander, mint, and basil are labelled as herbs (derived from the Latin word '*herba*' meaning 'grass' or 'green stalks'), the withered detritus obtained from flowers, stigma, fruits, buds, seeds, bark, and rhizome of specific tropical plants, such as peppercorns, cloves, cinnamon are known as spices (derived from the Latin word '*species*' meaning 'specific kind').⁸⁰⁵

For times immemorial, both herbs and spices have been used in magical rites, incense, fumigation, as food preservatives, culinary additives, curatives, stimulants etc. Several historical records, namely the Sumerian tablet (3000 BC), Chinese medical treatise *Pen T'Sao Ching* (2700 BC), and India's only surviving Ayurvedic texts, notably *Susruta Samhita I* (800 BC), *Caraka Samhita* (1st century AD), and *Susruta Samhita II* (2nd century AD), Babylon's Hammurabi Code (1772 BC), Egypt's *Ebers Papyrus* (1550 BC) enlist innumerable spices and herbs for their therapeutic uses. Because of their anti-bacterial and preserving properties, spices were also sought after as effective embalming agents. Writing about mummification, the Greek historian Herodotus (484-425 BC) said that the most expensive ones were those where spices were used in embalming the body. The mummy of Ramses II (r.1279-1213) was discovered with peppercorns stuffed into his nostrils.

⁸⁰⁵ In Roman usage, the term 'species' implied value and was used as an umbrella-term to denote specific dutiable items. In a 6th century tariff *Alexandria Manifest*, spices were listed as dutiable items.

Spices, because of the long transit time from their origins in unknown parts of the world, were sold in dried form, while herbs were raised locally and used fresh. The value of spices was determined not by their small size and queer appearances, but the sensual aroma they emanated stirring European people's imagination, passion, and cravings in variety of ways. Spices, such as cinnamon and ginger, enlivened wines, were boiled like tea, cooled, decanted and used like stimulants to arouse passions. Cleopatra (b.69 BC, r.51-30 BC) of Egypt had a penchant for spices and used them not only as culinary additives but also as cosmetics and aphrodisiacs.

Of all the spices, black pepper, particularly India's Malabari peppercorns, has been historically the most significant because they were also used as commodity money for their intrinsic value. Plato (429-347 BC) described the tiny shrivelled berries as "small in quantity, great in virtue." Non-availability of Indian spices in European lands and their transportation through the hazardous caravan routes made them coveted gift items and emblems of power for the ruling class. When the peripheral warrior tribes, the Goths led by Alaric (370-410 AD) captured Rome in 408, his tributary demand included 3000 lbs. of pepper along with 5000 lbs. of gold among other things. And, when Attila the Hun (406-453 AD) besieged Rome in 435, his demand of pepper (3000 lbs.) far exceeded that of gold (350 lbs). Gifts of peppercorns had the trappings of upper-class culture and state ceremonial functions and the tradition continues till today. In 1973, when United Kingdom's Prince Charles took the symbolic possession of the Duchy of Cornwall, his tribute included a pound of pepper.

India and the early global trade network

The archaeological evidences indicate a vast network of strategically developed trading posts (in addition to the trans-Asian trade corridors known collectively as the 'Silk Road') among the settlements along river Indus, Tigris-Euphrates and Nile which enabled the exchange, distribution, and storage of goods. The Indus Valley traded mustard, sesame, spikenard, and indigo in exchange for frankincense, myrrh, and coral. The Sumerians called them '*meluhha*,' derived from the Sanskrit word '*mleccha*' meaning barbarian or alien.⁸⁰⁶ The presence of Indus artefacts and seals in Sumer and absence of the same indicates that trade was mostly one-way traffic. The Indus people were self-sufficient because most of the raw materials were available within the distribution zone of civilization. As such they felt little or no need to expand or even acknowledge their peripheral neighbours.⁸⁰⁷

In ancient times, the spices were sought after as incenses, fumigants and embalming agents. So they had to be crushed or powdered which made their transportation easier. The Indian merchants carried the powdered spices up to the shores of the Arabian Peninsula, and from there the Arab and Phoenician merchants manoeuvred the caravan through Petra to Egypt, and beyond. The Hebrew Bible refers to King Solomon of Jerusalem dispatching expedition to Ophir to procure the fragrant almug wood (sandalwood) for the construction of temple-pillars and aromatic spices for incenses. The land of 'Ophir' was probably the southern part of India because most of Solomon's supplies, like the almug, ebony, elephant tusks (ivory), cotton

⁸⁰⁶ The Sumerian name *Meluhha* for the Indus Valley people is believed to be derived from the Sanskrit word '*mleccha*' meaning 'barbarian' or 'foreigner.' For details, Parpola Asko and Parpola, Simo. 1975. "On the relationship of the Sumerian toponym Meluhha and Sanskrit mleccha," *Studia Orientalia*, vol.46, pp.205–238.

⁸⁰⁷ Lahiri, Nayanjot. 1990. "Harappa as a centre of trade and trade routes: A case study of the resource-use, resource-access and lines of communication in the Indus Civilization," *The Indian Economic and Social History Review*, vol. 27, no.4, pp.431-41.

textiles, and livestock (such as apes, peacock and chattering parrots) are native to India.⁸⁰⁸

The Bible also mentions the queen of Sheba visiting Solomon with camel loads of spices, gold and precious stones. The kingdom of Sheba had risen into prominence on account of its hold over the Incense route and the Gulf of Aden which provided the link between the Red Sea and the Indian Ocean

With passage of time, spices became a key pillar of the trade industry. Small in size and high in price, the trade of aromatic plant products became a very lucrative business – a source of untold wealth for those who could deliver it to the market. Their small size, non-bulky, non-perishable and unbreakable qualities facilitated their transportation to long distances.

Trading links between India and Europe received a boost when the Macedonian king Alexander (356-323 BC) extended his empire up to River Indus. The trail of Alexander's conquests from the Mediterranean to Punjab in northern India provided a corridor for overland trade by bringing the entire land-mass (Egypt, the Middle East, Iran and Afghanistan) under the single aegis of Macedonian rule. Alexander's Indian campaigns presented country's rich flora and fauna, amazing cotton textiles, and exotic spices to the world. The port of Alexandria, located at the crossroads of three continents, became a thriving Mediterranean entrepôt linking the Red Sea and the Indian Ocean. Alexander thus not only bridged the geographical gap and paved the way for the establishment of direct maritime links between India and Europe, but also placed India on the world map.

⁸⁰⁸ Another Biblical location from where Solomon procured ivory, apes, and peacocks etc. was Tarshish.

Prior to Alexander's thrust into India, spices and the trade that brought them within the reach of Europe's peripheral regions, carried an invisible baggage of myths and fantasies about their origins. Coming from distant and obscure lands, changing hands a dozen times between their source and Europe, the prices of spices soared with each transaction, and the Arabs were the greatest beneficiaries. To protect their sway over the trade, the Arab traders kept the location of spices a close-guarded secret; and spread horrifying tales to dissuade ambitious contenders from encroaching into their domains. And, many like Herodotus took these tales at face value. But following Alexander's Indian invasion, much of the mystery surrounding the origin of spices was lifted. Theophrastus (372-287 BC) found out that most of the spices were grown in the hot regions of India. His two books, namely *On Odors* and *An Enquiry into Plants*, based on the information gathered during Alexander's campaigns, gives valuable insights about the source of spices and their therapeutic usages. Taking lead from Theophrastus, Megasthenes (350–290 BC), who served as Seleucus Nicotar's (358-281 BC) emissary to Chandragupta Maurya's (b.340 BC; r.320-298 BC) court at Pataliputra (modern Patna in north India),⁸⁰⁹ compiled the fullest and the most reliable account of India (*Indica*) which set the image of India for the Greek world.

However, the first European to establish commercial contacts with India, according to a Greek geographer [Strabo](#) (64 BC-24 AD), was a Greek entrepreneur Eudoxus (130 BC) of Cyzicus. He successfully made two trips to India (116-118 BC) and returned with shiploads of spices,

⁸⁰⁹ Megasthenes lived in India for many years and visited many places as far as Madurai in the south. His *Indica* also refers to Ceylon.

cotton textiles, and precious stones. Eudoxus had met a shipwrecked Indian sailor at Alexandria who not only guided his voyages from Alexandria to India but also told about the wind system or the monsoons, derived from the Arabic word for season *mausim*, of the [Indian Ocean](#) and its impact on the sailing ships. The Indian and Arabian merchant sailors had long known about this, but they kept it a secret and controlled the sea trade for many centuries.⁸¹⁰ But, the credit for disseminating the knowledge goes to a Greek merchant Hippalus who sailed to India in 45 AD and wrote down his observations which greatly benefitted the future sailors and explorers. Hippalus observed that the monsoons of the Indian Ocean reversed their direction twice a year - blowing from southwest to northeast in summer (April-October), favourable for the outbound trip from Egypt to India, and from northeast to southwest in winter (October-April), favourable for the return voyage from India.

Sailing with the monsoon winds not only facilitated trade but also led to the rise of new ports, entrepôts on India's west coast, along the Red Sea, and the east coast of Africa. These developments considerably reduced the importance of Arabia's overland spice routes and brought the Roman contenders on the scene. Though just as dangerous, the sea route was less arduous than trudging through mountainous regions and deserts where grazing for the caravan's animals was unreliable. Having learnt the fundamental secrets of the monsoons, the Romans built ships on an increased scale and eventually broke the Arab monopoly of the Indian trade.

⁸¹⁰ Hourani, George F. 1995. *Arab Seafaring in the Indian Ocean in Ancient and Early Medieval Times*, New Jersey: Princeton University Press, pp.24-26.

There were two final routes to the Mediterranean Sea. The first was through the Red Sea and the other one was through the Persian Gulf. It was hard to navigate very far into the Red Sea so cargoes were transferred onto smaller mostly Egyptian vessels. The goods were then taken by river boat and camel caravan to Aleppo, Damascus, or Constantinople. Many of the overland routes ended at ports on the eastern Mediterranean, from which merchandise was distributed to cities throughout the Roman Empire.

The Romans were great connoisseurs of spices. They indulged in spices in every imaginable combination for their food, beverages, and pleasure. They bathed in water mixed with aromatics, scented their homes with the fragrance of cardamom, slept on pillows filled with saffron, and peppered their food with Oriental spices. Of all the spices, the hot and pungent taste of pepper became so popular that the 'spices collectively came to be known as '*pipera*,' derived from Sanskrit word '*pippali*' for pepper. A cookery book by Apicius written around 1st century AD (compiled in four volumes under the title of *De Re Coquinaria* in 4th century AD), contains as many as 468 recipes, and pepper figures in 349 of them. The archaeological findings of several silver pepper pots (*piperatoria*) reinforce widespread use of pepper both as a spice and a condiment. While the Greeks preferred their pepper for medicinal purposes, the Romans went wild for the spice in their food. A special spice market was built in Rome and city's most glitzy street was named *Via Piperatica* (Pepper Street).⁸¹¹ For the rulers of the sprawling Roman Empire, possession of spices added to their prestige. The Romans, during the reign of Augustus (r.27 BC-14 AD), had secured control over trade with India, and the

⁸¹¹ Chanda, Nayan. 2007. *Bound Together: How Traders, Preachers, Adventurers, and Warriors Shaped Globalization*, Yale University Press, p.45.

main ports of call were: Barbaricon (Karachi), Barygaza (Broach), Muziris (Kochi), Arikamedu (Pondicherry), and Gangem (Kolkata).

The Greco-Roman merchants traded topaz, coral, storax, frankincense, glassware, silver and gold plate, silk yarn, and wine in exchange for cotton cloth, silk yarn, indigo, ebony and sandalwood, rice, nard (*jatamanasi*, an aromatic plant from Himalayan foothills), sesame, spices, ivory, etc. The Romans lived with great pomp and show and took immense delight in exhibiting their Oriental luxuries. Seneca, one of Rome's wealthiest citizens, had 1,500 ivory tusks serving as table legs. The value of imports of white and black pepper varied between 4 *denarii* and 300 *denarii* (1 denarius = 4 sesterces) per Roman pound (12 oz.). This brisk trade meant an exodus of gold and silver to India. Pliny the Elder (23-79 AD) put the annual trade of the Eastern merchandise to 50 million sesterces (10,000 kg. of gold) of which as much as 50 to 80 percent accounted for black pepper alone.⁸¹² To this date more than 7000 coins bearing seals of Augustus (24 BC -14 AD), Tiberius (14-37 AD), Claudius (41-54 AD) and Nero (54-68 AD) have been found in Kerala (South India) and the archaeological excavations are still underway. In ancient times, strings of these coins were the most coveted neck and waist ornaments (*kasumalai*) among women in South India and the custom still continues. Early Tamil literature (*Sangam* – a collection of 2381 poems composed by 473 poets) throws valuable insights into the contemporary society of Chera kindom. A *Sangam*-poet named Erukkaddur Thyankannanar gives a picturesque description of the bustling port of Muziris and the flourishing trade with the Greco-Romans, who are viewed by the Tamils as exotic

⁸¹² Miller, J. Innes. 1969. *The Spice Trade of the Roman Empire, 29 BC to AD 641*, Oxford: Clarendon Press, pp.26-28; cited in Keay, John. 2006. *The Spice Route: A History*, Berkeley: University of California Press, p.73.

foreigners and referred to as *Yavana*.⁸¹³ It reads: “The thriving town of Muchiri (Muziris) where the beautiful large ships of the Yavanas bringing gold, come splashing white foam on the waters of the Periyar River, which belongs to the Chera, and return laden with pepper.”⁸¹⁴

The Roman monopoly over spice trade was broken when the Arab Peninsula, the Fertile Crescent (Iraq, Syria, Lebanon, and Palestine) and Egypt fell into the hands of Muslim traders who emerged as a powerful Islamic State under Muhammad (570-632), the founder of Islam. In fact, early history of Islam and spice trade is closely intertwined because Muhammad was originally a spice trader before he started preaching in Mecca. Within a century, the Islamic merchants captured Alexandria (641), the ‘Gateway to the East,’ and established themselves along all the spice routes stretching from India’s Malabar Coast to the northernmost region of the African continent. The Arabian region straddling three continents – Asia, Africa, and Europe -was central to all trade routes. The Muslim domination of the region formed a continental divide between Europe and Asia.

Prior to the Muslim conquest, this long-distance trade was a piecemeal business passing on from one carrier to another. It was like a relay race where the goods were handled in stages by Chinese, Javanese, Indians, Persians, Arabs, Greco-Romans and several others who

⁸¹³ The word ‘*Yavana*’ is derived from the Persian word ‘*Yauna*’ originally used for the Greeks of coastal Asia Minor. For details, see, Raoul McLaughlin. 2010. *Rome and the Distant East: Trade Routes to the Ancient Lands of Arabia, India and China*, UK: Continuum International Publishing Group, pp.18-19.

⁸¹⁴ Poem 148: *Ahananuru*. For details, see Ramaswamy, Vijaya. 2007. *Historical Dictionary of Tamils: Historical Dictionaries of Peoples and Cultures*, no. 6, UK: The Scarecrow Press, Inc. p.xiv.

travelled partly overland and partly through sea-lanes. But the Muslim traders made it a direct trade travelling the entire length without any middlemen. The astonishing military success of the Muslims, their unifying, expansionist and proselytizing zeal, enabled them to develop their traditional dominance over the caravan and Red Sea trade into a network of Muslim settlements that rapidly spread along the Indian Ocean littoral. The Muslim traders residing in foreign ports established business contacts with the local people and developed their settlements into effective organizations. Direct interaction with the people along the trade routes also contributed to the spread of Islam. The Muslim practice of pilgrimage kept their heartlands in communication with the far-flung settlements, making Mecca a centre not only of religious and political influence, but also a hub of commercial activity.

During the Crusades (1097-1490), launched to liberate the Christian Holy Lands from Muslim domination, the crusading armies were exposed to the untold riches the Oriental world. After the capture of Jerusalem (1099), the returning crusaders brought with them treasure chests filled not with gold and silver but peppercorns and rare spices which made a lasting impact on the cuisine and habits of Europe. To meet the increasing demand, spices were smuggled into the ports of Genoa and Venice, both of which aided by their favourable geographical location became prosperous trading centres. The Venetians in particular enjoyed an unprecedented boom in trade, as a continuous flow of merchandise-sacks of spices, pearls, precious stones, carpets, and other valuable goods passed through their canals and customs houses *en route* from Asia to central Europe.

The Venetians' determination to secure a larger share in this trade prompted a few merchant-explorers like Marco Polo (1254-1329) to set out overland in 1270 in search of the fabled

exotica of the East. After spending 16 years in China, Marco Polo decided to return via the South China Sea and explore the island regions (in Southeast Asia) where he found groves of spice trees. There existed an extensive network of crisscrossing water routes connecting the markets of Asia and the Arabian region. According to Polo, the consumption of pepper in the city of Kinsai (Hangzhou) alone was hundred times more than the whole Christendom. Sailing via the Nicobar Islands, Polo stopped at Seilan (Sri Lanka),⁸¹⁵ which he described as the finest island of its size in the world. On reaching India's southern shores, Polo noticed lot of hustle and bustle which was indicative of India's pivotal role in the movements of spices both eastward and westward. Polo found Coromandel and Malabar port markets flooded with Venetian *ducats* (gold coins weighing 3.5 gm). Polo noted that about 100 lbs of black pepper, which might be selling between 60 to 90 *ducats* in Venice, could be bought for just 3 *ducats* in Calicut.⁸¹⁶

The situation remained unchanged for several decades. Fifty years later, when a Moroccan traveller Ibn Battuta (1304-78) visited India, his account of India's spice markets was no different from Polo's. In Calicut, Battuta was astonished to find the Malabari merchants counting peppercorns one by one like pearls, both nearly of same value. Battuta spent eight years (1334-41) in India as a *Qazi* (Judge) in the service of Sultan Muhammad bin Tughlaq (b.1300, r.1325-51) who sent him as an emissary to China. Sailing via Sumatra and Java, he

⁸¹⁵ Marco Polo visited Sri Lanka twice (1284 and 1293).

⁸¹⁶ Keay, John. 2006. *The Spice Route: A History*, Berkeley: University of California Press, p.168.

smelt the fragrance of camphor and clove trees and observed a large number of trading vessels anchored in the harbour.

Although India was the main source for supply of spices, the growing popularity of spices and its heightened demand had pushed the Arab merchants to explore new areas beyond the Indian Ocean. They found several new spices, like nutmeg and mace, growing in Moluccas and the Malay Archipelago, collectively known as the 'Spice Islands.' The commercial expansion of Muslim merchants and traders across the Indian Ocean to South and Southeast Asia also led to the spread of Islam. And, with Islam on a firm footing in India, the Arab merchants acquired a virtual monopoly of the entire spice route.

The Indian Ocean in the 14th and 15th centuries was crowded with Islamic traders from Arabia, Egypt, and the Persian Gulf handling the westbound trade from India and dealing with peoples in Java, Sumatra and ports along the Straits of Malukus, and of China. It was a complex trading network, and there existed a fierce competition. And yet, no single power gained or sought hegemony over the Indian Ocean and it was a zone of largely peaceful competition.⁸¹⁷ This peaceful coexistence however changed with the arrival of Portuguese in the Indian Oceanic waters.

European explorations

Marco Polo and Ibn Battuta's fascinating narratives of fabulously rich lands full of gold, diamond, rubies, and spices growing on trees inspired ambitious sailor-merchants of distant

⁸¹⁷ Freedman, Paul. 2008. *Out of the East: Spices and the Medieval Imagination*, New Delhi: Orient BlackSwan, pp.187-88.

European lands to undertake transoceanic voyages to explore the exotica of the east. Until the discovery of direct maritime route to India, the trading routes possessed two faces, the sea itself and the arid plateau beyond the Himalayan and Hindu Kush mountain ranges. In the aftermath of Muslim domination of the regions what is today known as Afghanistan, Baluchistan, and Iran, the Indian spice merchants trudging along the coastal region up to the ports of Barbaricon, or Barygaza, handed over the merchandise to the Arabs who carried it through combined sea, river, and overland journey across the Persian Gulf to Syria and Egypt, and sold them to the Greek and Venetian traders who shipped the goods across the Mediterranean from Alexandria to Rome.

However, many of these ancient routes that had served for centuries became obsolete following the disintegration of Mongol Empire and the outbreak of plague pandemic. The situation was further aggravated by the fall of Constantinople (1453) and the rise of the Ottoman Empire. The rise of the Ottomans further enhanced Islamic influence.

The new rulers imposed high tariffs amounting to nearly one-third of the value of every cargo passing from Suez to Alexandria. The escalating demand for Asian spices, stagnant transportation technology, and spiralling customs duties leading to manifold rise in the price of spices resulted in a crisis situation. The crisis generated a need for a safer and less costly trade route to the spice-producing lands. The answer was an alternate route, via sea, to India.

Another factor behind European explorations was that the goods were coming to Europe via several middlemen, which enhanced their prices. The only way to eliminate the middlemen and break the Arab and Venetian stranglehold over the spice trade was to establish direct

links with the regions supplying these goods and reap the entire profit of the lucrative spice trade. The glimpses of the dazzling wealth of the Arabian world during the Crusades, enthused the European merchants and adventurers to undertake perilous travels beyond Eurasia and the Arabia and unravel the fabled treasures of the eastern lands. Marco Polo's travelogues had given sufficient clues that most of the exotica were coming from India, Ceylon, China, and several islands - as many as 7,459 in the Eastern Sea of China - all of which produce "a great variety of spices." Subsequently, the term 'Orient' came to encompass not just the Arabian lands but the whole Asia, as far as China.

Aided by new techniques of cartography, navigation, mariner's compass, sailing vessels, the Portuguese collated all available knowledge of geography, and worked their way down the western coast of Africa, sailing further and further south in hopes of finding an all-sea route to India. Soon, the centre of commerce shifted from the Italian and Egyptian ports to the harbours of Portugal and Spain - the two leading maritime powers of the day. Competition grew so fierce between the two Iberian powers that to avoid a conflict they struck a deal at Tordesillas (1494) which received the sanction of the Pope Alexander VI. The papal order divided the world and the sailable seas vertically from pole-to-pole; assigning the undiscovered world in the east to the Portuguese, and the west to the Spaniards. Both nations were assigned the task of spreading the glory of Christianity.

While Portugal headed south along the western coast of Africa to India and China, Spain took the opposite route, sailing west to find a more direct route across the open ocean to China and India. Completely oblivious of the knowledge about the existence of the two large continents and the ocean that lay between Europe and China, Christopher Columbus (1451-

1506) headed towards the west hoping to hit the Indian coast. He made four voyages (in 1492, 1493, 1498, and 1502) across the Atlantic, but he neither reached India, nor did he find the spices. Instead, he bumped into a cluster of islands - the Bahamas, Cuba, Haiti and the Caribbean, and his efforts resulted in the discovery of some new spices, like allspice, chillies, paprika, and the fragrant vanilla.

Portugal's search for a round-Africa route to the spices of the East was rewarded when Vasco da Gama (1460-1524) crossed the Cape of Good Hope and reached Calicut on the western coast of India in 1498. That Vasco da Gama chose to go to Calicut rather than Gujarat and Coromandel was no accident. Through the Venetian merchants, the Portuguese had gathered all information about Calicut being the major spice market in the Indian Ocean.⁸¹⁸ India's southern peninsula was at that time divided almost equally between Hindu and Muslim kingdoms. A powerful Muslim dynasty known as the Bahmani kingdom ruled the Deccan plateau. To the south there were numerous small Hindu kingdoms each ruled by a king or *raja*. On the Malabar coast, the most important kingdom was at Calicut, whose ruler Samudri Raja was known by his title "Samurin' (called Zamorin by the Arab merchants).

The seaports of Calicut and Cochin and the hinterland behind them had from times immemorial been famous for trade in spices like pepper, ginger, cinnamon, and other similar commodities. Soon after arrival in Calicut, Vasco da Gama sought audience with Samudri Raja and requested permission to trade. The permission was granted and in exchange for the

⁸¹⁸ Chaudhuri, K.N. 1985. *Trade and civilization in the Indian Ocean: An economic history from the rise of Islam to 1750*, UK: Cambridge University Press, p.67.

spices, Samudri Raja sought gold, silver, corals, and scarlet cloth. The Arab merchants were perturbed to see Portuguese sailors on Indian shores. “We are looking for Christians and spices,” said Vasco da Gama. He didn’t find many Christians but spices were in abundance. Some were produced in India and some had reached Calicut from Ceylon and the Maluku Islands. After a few months stay, Vasco da Gama returned with a rich cargo of Indian spices and precious stones as parting gift from Samudri.

Until the discovery of sea route to India, trade in the Indian Ocean was dominated by the Arab, Indian, Malay, and Chinese merchants who used various seafaring devices to transport a spectrum of cargo, from spices to elephants. In the early 16th century, a new form of force in the form of Portuguese ships with mounted guns arrived in the ocean. These vessels with their firepower and capacity for high speeds helped implement a policy of control that began to undermine the region’s long standing, relatively open trade competition. Thereafter, naval expeditions became frequent. Within twelve years since the discovery of sea route to India, the Portuguese had captured Goa (1510) and set up their *Estado da India* comprising several fortified posts along the entire coastline of India.

In 1505, the Portuguese accidentally landed in Seilan or Serandib (the Arab names for Sri Lanka), the epicentre of cinnamon. The sight of lush cinnamon groves all along the coastal region whetted their appetite. The island, which they called ‘Cilao,’ also conveyed a strategic advantage deemed necessary for protecting their coastal establishments in India and increasing Lisbon’s potential for dominating Indian Ocean trade. Taking advantage of the internecine feuds among the ruling class, the Portuguese entered into an alliance with the

local king (Bhuvanekabahu of the kingdom of Kotte) who agreed to pay an annual tribute of 300 *bahars* (110,000 kilogram) of cinnamon to the Portuguese crown. The king also gave the permission to build a residence in Colombo for trade purposes.

Within a short time, however, Portuguese militaristic and monopolistic intentions became apparent. The Portuguese found the new island very much to their advantage due to its important geographical position and its rich spice, ivory and gem trade which at that time was held by Arab merchants. Backed by superior naval technology and gunpowder, the Portuguese not only established complete monopoly over the spice trade, but by mid-16th century also set up innumerable trading posts throughout the maritime region in Africa, India, Sri Lanka, Southeast Asia, China, and Japan. However, the main objective was not to conquer territories but to control the ports of call and levy taxes on the merchant vessels sailing in the Indian Ocean rim.

The Portuguese outgoing vessels *Carriera da India* contained people, army, artillery, ammunition, and other necessities to maintain a Portuguese presence in Asia and silver to buy the merchandise. The return cargos included pepper and other spices, textiles, indigo, jewellery and all kinds of other things considered worthwhile. The average annual volume of the return cargo between 1510 and 1518 was about 50,000 quintals of which Cochin pepper alone accounted for 84.64 percent.⁸¹⁹ The percentages of other spices, i.e., cloves, nutmeg

⁸¹⁹ In 1548, the total average volume of cargos went up between 60,000 to 75,000 quintals and pepper alone was 30.119 quintals.

and mace, and cinnamon were 3.64, 2.60, 2.76, and 2.32 respectively.⁸²⁰ In addition there were unregistered private cargo vessels plying to and fro between Lisbon and Goa. The most important constituent of this cargo was textiles, pepper, and indigo from India; precious stones and cinnamon from Sri Lanka; and other spices from the Maluku Islands.

Along with the traders and soldiers, came missionaries like Francisco Xavier (1506-1552) to Goa. After his arrival in 1542, Xavier sought to preach and propagate Christianity by trying to convert the lower section of Hindu population comprising of pearl fishers, seamen, landless agricultural labour, paddy cultivators etc. suffering either on account of poverty or of oppression by the Muslims and by the upper caste Hindus. In many cases, the conversions were enforced either through monetary incentives or jobs for baptized Christians and military support for local rulers. In other words, spices constituted both an economic incentive and an iconic imperative.

By resorting to militant aggression and superior technology to secure economic monopolies and enforce Christianity, the Portuguese brought violence and introduced a new, aggressive type of relationship with the non-European countries. Until the Portuguese pursuit of the spice monopoly, the Europeans looked upon Asian states and cultures with awe. The flow of Indian spices and rare artefacts projected India as an affluent and a prosperous country. But, by conquering Goa and fortifying the trading outposts, the Portuguese set up a precedence that paved the way for the advent of European powers into India and its eventual conquest

⁸²⁰ Prakash, Om. 1998. *European Commercial Enterprise in Pre-Colonial India*, vol.2, UK: Cambridge University Press, p.34.

by Great Britain. The European discovery of the spice-regions, in short, also meant the discovery of global conflict.

Spices during plague pandemic

Another devastating impact of the spice trade was the transmission of deadly diseases. While the carriers coming from China via the overland Silk Route transmitted the deadly bacillus of bubonic plague decimating a large number of urban populations all along the spice trade routes, the Columbian transfer of animals and plants spread communicable diseases like small pox and measles from Europe to the New World. In 1340's, when the plague pandemic engulfed Europe, the demand for spices soared. The aromatic herbs and spices were considered effective in warding off the disease and miasma. A 14th century German price-table set the value of spices as: 1 lb. ginger = 1 sheep/2 cows; 1 lb. cloves = 7 sheep; 1 lb. saffron = 1 horse; 2 lbs. mace = 1 cow; and 1 lb. nutmeg = 7 oxen.⁸²¹

Spices were used in various ways for purification and self-protection. The physicians treating the plague-victims wore a costume consisting of leather gowns and gloves, mask with glass-covered eyeholes, and long beak-like nose-piece filled with spices and herbs to counter the stink and filter the air they breathed. People would keep cloves, cinnamon etc. in their mouths or carry pomanders for self-protection against infection. Sponges soaked with extracts of cinnamon and cloves were placed beneath the noses of the sick or dying.

⁸²¹ Varma, M. Sarita. 1998. "A Taste of Adventure: The History of Spices is the History of Trade," *The Economist*, December 19, p.52.

The trauma of plague and the Black Death and the awareness about the therapeutic uses of spices found expression in contemporary art and literature. The rhyme “Ring a ring o’roses; pocket full of posies; atchoo, atchoo! We all fall down,” which appeared in Kate Greenaway's *Mother Goose* in 1881, was actually composed during the plague pandemic. Though the words sound very innocuous today, at that time they conveyed a sense of dignity, hope and fearlessness with which the people faced death and the terrible misfortune. ‘Rose’ depicted pink cheeks of the plague victims; ‘posies’ were the bunch of herbs for freshening the air; ‘atchoo’ depicted sneezing caused by the fumes or vapours of pungent spices; and ‘We all fall down’ represented the sick people dying.

The plague remained in Europe for the next few centuries, breaking out occasionally. Survivors of Black Death claimed that a powdered mixture of saffron, aloes, cinnamon, cloves, myrrh, and mace enabled them to pass through the streets clogged with dead bodies. Thereafter, it became quite common for the people to carry pomanders or sachets of spices in pockets, or wear them as a pendant around the neck or waist, even during the disease-free times. Queen Elizabeth I (1533, r.1558-1603) always carried one. When the British ship *Mary Rose* that had sunk in 1545 was raised from the ocean floor in 1980, every sailor was found with pomanders filled with peppercorns on his person.⁸²²

Power of spices and expansion of Europe

Following the Portuguese discovery of sea route to India, the race heated up and the European vessels started gathering in Asian waters from the farthest corners of the world in

⁸²² Ibid.

search of spices, textiles and other exotic goods. The trading structure set up by the Treaty of Tordesillas had excluded all other sea-faring nations (England, the Netherlands and France) from sailing into the open seas in the East. For almost a century, Portugal and Spain dominated the sea routes and the spice trade. However, no monopoly could last forever. Lured by the prospects of spice trade, the Dutch, English, and French soon joined the race and set up commercial posts in India, and various other regions that later became Indonesia, Malaysia, and Sri Lanka.

Beginning with the conquest of Goa (1510) on India's Malabar region, the Portuguese held on the spice trade for about a century. In their search for spices and Christian converts, the Portuguese challenged Arab supremacy in the Indian Ocean, and with their galleons fitted with powerful cannons systematically built up a trading empire in Asia, set up a network of strategic trading posts in the maritime regions of Africa, Arabia, India, Ceylon, Maluku Islands, and China. At the close of the 16th century, the *Estado da India* had reached the zenith of its power and Goa became the centre of their commercial and political power in India and which they controlled for nearly four and a half centuries.

Economic competition among the European nations led to the founding of commercial companies in England (the East India Company, founded in 1600) and in the Netherlands (*Verenigde Oost-Indische Compagnie* or the United East India Company, founded in 1602), whose primary aim was to capture the spice trade by breaking the Portuguese monopoly in Asia. Both the Dutch and the English were aggressive competitors and fought a series of wars for control over the seas and trade routes. Within four years of its foundation, the Dutch had

besieged the Malukus, blockaded Strait of Malacca and Goa, and thus pre-empted and ultimately excluded the British from the heartland of spices in the East Indies (modern-day Indonesia). In 1619, the Dutch conquered the town of Jakarta, which they named Batavia and made it their headquarters (on the models of Portuguese Goa) for colonial operations in Asia. Thereafter, while the Dutch concentrated on expanding their power in and around the Maluku Islands in Southeast Asia, the English East India Company focused its energies on India, which besides pepper was also a source of profitable commodities like cotton, silk, indigo dye, salt, saltpetre, tea, and opium.

Despite their relative late entry in the Indian Ocean trade, the British set up trading posts in India's major ports, such as Surat (1612), Madras (1639), and Bombay (1668),⁸²³ and Calcutta (1690), and were able to outmanoeuvre their European rivals including the French who had also set up a commercial enterprise (*Compagnie des Indes*) in 1664. South India became a convenient base for them as it was outside the periphery of the rule of the Mughals. The once powerful Vijayanagara kingdom had splintered into many small petty kingdoms which were constantly at strife with each other. These regional rulers not only enthusiastically accommodated these Europeans but also conspired with them in the hopes of pitting them against their rivals. Later, as the central authority of the Mughal weakened, the British fully exploited the situation, combined trade with diplomacy, participated in power-politics, and slowly but steadily steered their way to a position of political dominance over India.

⁸²³ Bombay was ceded to England by the Portuguese king as part of dowry of Catherine de Braganza for marrying the King Charles II.

Waning popularity of Oriental spices

The lure for spices had lasted for several centuries, from the Roman Empire to the end of Renaissance. But from the 17th and 18th centuries onwards, the popularity of spices, both as culinary additives and a commercial commodity, had begun to wane. The Spanish and Portuguese discovery of water routes and new lands, knowledge about the spice producing regions, and improved means of transportation had drastically dampened the lure of spices. Spices became cheaper with colonialism and opening up of the new trade routes.

Spices also lost their attraction because of new flavourings and changes in the culinary taste. The craze for fiery and flavoured food gave way to natural taste and inherent flavour of the main ingredients. Spices were no longer deemed necessary to preserve meat or camouflage the unpleasant smell of raw or stale meat. A leading chef of Italy, Antonio Latini (1642–1692) daringly proposed that it was possible to cook and flavour food simply by using garlic and herbs like rosemary and thyme which were easily available and could be grown in one's own kitchen garden. The only piquant spice to survive this radical shift in taste and cooking style was pepper.

The most dramatic changes were in the sauces and mayonnaise-like combinations which emphasized richer and smoother taste. It was also the time when vegetarian cuisine and salads came into vogue in elite food habits. The sauces and salad-dressings were seasoned with salt, herbs, and shallots rather than spices. Besides, the discovery of spices from the New World, such as vanilla, chilli, and allspice also undermined the importance of spices. While the allspice (as the name suggests) combined the taste and flavour of pepper, cloves, nutmeg, and cinnamon – all in a single spice, the long American chilli (*Capsicum annuum*) was both cheaper and stronger and could be practically grown anywhere. By the end of the 16th

century, the chilli cultivation had spread as far as the East. The Portuguese brought the chilli seeds to India, which eventually became and continues to be the world's largest producer.

Eclipse of Oriental spices was also due to the discovery of newer and more profitable goods from Asia and the New World, such as tea, coffee, sugar, and cacao (chocolate beans), which became popular stimulants and addictive beverages. Cane-sugar, a native of India, was considered a prized stimulant and used as a drug to sweeten other medicines in medieval times. But, from 18th century onwards, sugar became an important commodity for sweetening tea, coffee, and chocolates.

Ancient medical ideas where spices were considered as curatives and drugs, lost currency on account of discovery of new drugs and opiates, advances in medical knowledge and pharmaceutical preparations. The practice of using spices as embalms was also rendered obsolete with the development of formaldehyde and the improved techniques of arterial embalming.

Impact on human civilization and world history

The quest for these extravagant cravings of the human palate marked the beginning of modern era leading to the discovery of maritime routes, new continents and lands. The sea routes united the continents and the scattered islands all over the globe. Spices thus provided an enduring link between Asia and Europe and facilitated trans-regional and intercontinental trade and human migration. The exploratory zeal led to advancement in ship-building techniques, instruments like the magnetic compasses, maritime knowledge, nautical,

cartographical, and navigational skills. As geographical and navigational knowledge expanded, the European mariners linked all the major ports of the world paving the way for global trade.

From the outset, spices had become an international commodity with globalizing ramifications. The discovery of maritime routes led to the development of long-distance trade centres in the Indian Ocean thus changing the traditional trade patterns. Until the European discovery of Indian Ocean routes, Indian trade was largely eastward - towards China and Southeast Asia. So far as the West was concerned, it were the traders from the Red Sea and the Gulf who used to come to India rather than vice versa. However, the Portuguese presence in India marked a decisive re-orientation towards the West because it encouraged the traders to venture out into the new areas which they had previously avoided.

The wealth accrued from the spice trade contributed to the development of several port-cities, such as Calicut, Alexandria, Constantinople, Venice, Lisbon, Amsterdam, and Malacca into prosperous merchant-cities. The Italian city-states of Venice and Verona became the first major players as the ports of entry for spices coming from distant and obscure eastern regions. These cities also owed their rise to their favourable geographical location which facilitated commerce, trans-shipping, and cross-cultural fusion.

As the spice-seekers came from various creeds and religion, it fostered exchange of ideas, brought several civilizations together, and promoted cross-cultural interactions and movements. India became a meeting point of several civilizations: Hinduism, Islam, and Christianity. Spice trade also played a crucial role in the eastward spread of Islam and Christianity across the Indian Ocean to India and Southeast Asia.

The exposure to a rich Indo-Arabic civilization during the Crusades fostered the renaissance or rebirth of European culture. The Europeans learnt the numerical system, which made possible book-keeping, the astronomical and nautical knowledge that made possible the great voyages of discovery. The most obvious impact was in the life-style of European people. Their homes were now furnished with carpets, sofa, and the *baldachin* (canopy);⁸²⁴ and dresses made of new materials - silk, velvet, damask, and taffeta; and their food was augmented by new foodstuffs and peppered with Oriental seasonings. The East-West interaction introduced changes in cuisine and culinary skills – while Europeans experimented spices, the Asians learnt techniques of baking and using vinegar.

The daring adventures along the spice routes and the fabulous wealth of the Oriental world inspired a new genre of story-writing. Imaginations ran wild where spices were concerned. The most entertaining-as well as the most informative-versions are in Arabic. *The Thousand and One Nights* (Arabic: *Alf-laylah wa laylah*) - a collection of fascinating and hair-raising stories of “Aladdin’s Lamp,” “Ali Baba and Forty Thieves” and “Sindbad the Sailor” based on Indian and Persian sources dating 800-900 AD, remains an all-time favourite with children and adults. Sindbad was more of a spice trader than a sailor, and his adventures took him to places that people only went when in pursuit of huge profit. Other prominent works influenced by the exotic Orient include Geoffrey Chaucer’s (1349-1400) *Canterbury Tales* (1400), and works by William Shakespeare (1564-1616).

⁸²⁴ *Baldachin* is a canopy of wood, stone, or metal, on the exterior as well as interior of buildings, erected over portals and altars, thrones, beds, and supported on columns or pillars.

Once the spice trade assumed global dimensions, it brought a decisive shift in European people's attitudes towards Asia. Until the Portuguese pursuit of the spice monopoly, Asia was a mystery. The Europeans looked upon Asian cultures with awe and admiration. India was perceived as an affluent and a prosperous country endowed with precious gems and exotic spices. While all this was true, they found India to be a heterogeneous society and a country devoid of political unity or central authority. The country was divided among a large number of autonomous warring states, which made it easier for the foreign intruders to subjugate the native population and impose their rule.

The Portuguese introduced an aggressive type of mercantilism whereby they acquired control of all strategic points along the eastern coast of Africa, India, Ceylon, and the Malukus. The rapid transformation of Portugal - Europe's smallest and the most impoverished state – into a prosperous empire aroused jealousy of other powers - Dutch, French, and the British, and triggered a fierce competition among the sea-faring powers for control of Indian Ocean trade routes and of India itself. The quest for spices thus led to the foundation of Asian empires of Portugal, Netherlands, and Great Britain. The struggle for control over the resource-laden regions of Asia marked the beginning of colonialism and imperialism which eventually changed the East-West relationship and the course of history.

Conclusion

Since the dawn of civilization, spices have played a pivotal role in the making of human history and transforming the lives of the people. Spices became irresistible items because of

their fragrant aromas, piquant tastes, and regenerative properties. With passage of time, the word 'spice' became inextricably linked with the mysterious Orient and its fabled wealth. Scarcity of these spices in European lands made them precious commodities, both politically and economically, inspiring ambitious rulers, merchants and sailors to undertake expeditions in search of the spice producing regions. The quest for spices thus became a catalyst for the exploration of sea routes and new lands which made the world smaller and accessible.

The lure of spices while serving to bridge the geographical and cultural gap between the East and West by bringing them together on the dining table, also tended to arouse jealousy and rivalry and drift them apart. The greed for its possession culminated in wars, outright acquisition of spice-lands and subjugation of the native populations. It not only became a force behind the expansion of Europe, but also the large-scale global economic network.

Although all the former colonial empires and spice trade cartels have vanished and the costs of the spices are relatively low as they are being grown in many other locations, spices retain their omnipresent appeal and flavour. This can be ascertained from the fact that the world's most popular soft drink Coco Cola (though the recipe is a closely guarded secret), since its inception in 1888, continues to be seasoned with spices such as nutmeg and cinnamon, and India continues to remain the largest producer (87% = 2 m. tons), consumer (41%), and, as the following figure shows, exporter (47%) of spices.⁸²⁵

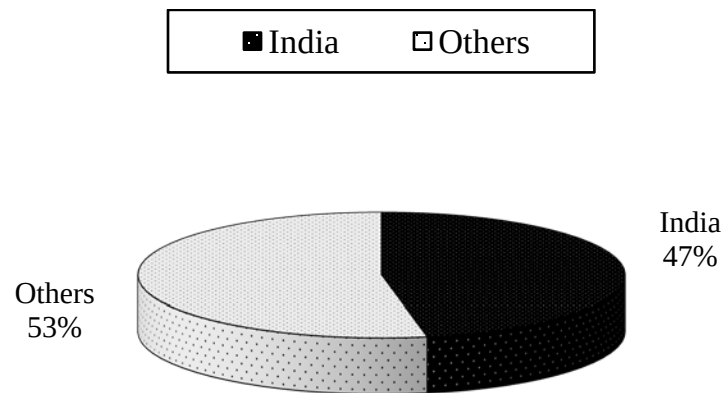
⁸²⁵ "Spices Export Crosses Target, Posts 121% Growth in Value Terms," *The New Indian Express* (Chennai, India), 23 March 2012, p12.

REFERENCES

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1. Boyajin, James C. 2007. *Portuguese Trade in Asia under the Habsburgs, 1580-1640*, USA: John Hopkin University Press.
 2. Chanda, Nayan. 2007. *Bound Together: How Traders, Preachers, Warriors and Adventurers Shaped Globalization*, New Haven: Yale University Press.
 3. Chaudhuri, K.N. 1985. *Trade and civilization in the Indian Ocean: An economic history from the rise of Islam to 1750*, UK: Cambridge University Press.
 4. Crone, Patricia. 1987. *Meccan Trade and the Rise of Islam*, New Jersey: Princeton University Press.
 5. Dalby, Andrew. 2002. *Dangerous Tastes: The Story of Spices*, London: British Museum.
 6. Freedman, Paul. 2008. *Out of the East: Spices and the Medieval Imagination*, New Delhi: Orient Black Swan,
 7. Hourani, George F. 1995. *Arab Seafaring in the Indian Ocean in Ancient and Early Medieval Times*, New Jersey: Princeton University Press.
 8. Inalcik, Halil and Donald Quatraert. 1994. *An Economic and Social History of the Ottomoman Empire, 1300-1914*, UK: Cambridge University Press.
 9. Keay, John. 2006. *The Spice Route, A History*, Berkeley: University of California Press.
 10. Krondl, Michael. 2007. *Taste of Conquest: The Rise and Fall of the Three Great Cities of Spice*, USA: Ballantine Books.
 11. Lach, Donald Frederick. 1994. *Asia in the Making of Europe: The Century of Discovery*, University of Chicago Press.
 12. Lahiri, Nayanjot. 1990. "Harappa as a centre of trade and trade routes: A case study of the resource-use, resource-access and lines of communication in the Indus Civilization," *The Indian Economic and Social History Review*, vol.27, no.4, pp.405-444.
 13. McLaughlin, Raoul. 2010. *Rome and the Distant East: Trade Routes to the Ancient Lands of Arabia, India and China*, UK: Continuum International Publishing Group.
 14. Parpola, Asko and Simo Parpola. 1975. "On the relationship of the Sumerian toponym Meluhha and Sanskrit mleccha," *Studia Orientalia*, vol.46, pp. 205–238.
 15. Pearson, M. N. 1969. *Spices in the Indian Ocean World*, London: Variorum.
 16. Prakash, Om. 1998. *European Commercial Enterprise in Pre-Colonial India*, vol.2, UK: Cambridge University Press.

Table: India's share in world spice trade (2007)

Source: World Spice Production in tons, *Food & Agriculture of the United Nations*



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17. Ramaswamy, Vijaya. 2007. *Historical Dictionary of Tamils: Historical Dictionaries of Peoples and Cultures*, no. 6, UK: The Scarecrow Press, Inc.
 18. Rosengarten, Jr. Frederic. 1969. *The Book of Spices*, New York: Jove Publ., Inc.
 19. Swahn, Jan Ojvind. 1991. *The Lore of Spices: Their history and uses around the world*, New York: Crescent Books.
 20. Turner, Jack. 2005. *Spice: The History of a Temptation*, USA: Alfred A Knopf.
 21. Van Rheede tot Draakestein, Hendrik A. 2003. *Hortus Malabaricus* [Garden of Malabar], tr. (in English) K.S. Manilal, India: Thiruvananthapuram, University of Kerala, 12 vols.
 22. Varma, M. Sarita. 1998. "A Taste of Adventure: The History of Spices is the History of Trade," *The Economist*, December 19, pp. 51-55.