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*Developing Social Media Policy for Public Agencies in Egypt*

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**Abstract**

The use of social media in governments is growing rapidly all over the world. Social media provides public agencies with diverse tools that facilitate their engagement with the public. However, social media raises different privacy, security and legal issues that need to be addressed in proper policy guidelines. In Egypt, while social media in government is relatively new, it is widely used at all levels of government. By logging on Facebook or Twitter you can follow most of Egyptian ministries' releases and news. However, the Egyptian government lacks having social media policies that regulate the use of social media. After interviewing social media officers in different Egyptian ministries, it has been found that they do not follow concrete written policies that regulate public employees' use of social media. Being interested in the power of social media in public agencies, this paper suggests a social media policy that provides guidance on how public employees can efficiently and securely use official social media to communicate with the public. To achieve this purpose, the methodology adopted includes a review of the existing research on social media policies, analysis of current social media policies in different countries, and interviews with social media officials in a sample of Egyptian Ministries to examine how they manage their use of social media. The proposed policy is flexible and can be used by any public or even private organizations willing to use social media to interact with their target audience.

Keywords: Social media, Policy, Analysis, Government, Egypt

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## Introduction

Social media has redefined how people interact and communicate across geographical boundaries and exchange information. Due to its large popularity, it creates great incentive for the public sector to benefit from its potentials. Social media provides a sphere for immediate, interactive, and fast communications among different agencies and individuals (Porter, 2008; Cardenas, 2013).

In the last few years, the use of social media in governments has generated discussions among experts due to its great potential for e-government (Pirolli, Preece, & Shneiderman, 2010). Governments started to use social media to deliver services to citizens, reach out for stakeholders (Chang & Kannan, 2008; Bertot et al., 2012), disseminate information to residents, boost citizens engagement in policy development discussions (Bertot et al., 2012; Wyld, 2008, Chun et al., 2010; Hanson, 2008; Bertot, Jaeger, Munson, & Glaisyer, 2010) and achieve transparency, collaboration and service quality (Bertot, et al., 2010; Jaeger, Bertot & Grimes, 2010; Bertot et al., 2012).

Despite the great benefits and promises that social media offer to governments, several challenges are associated with its use in government. Some of these challenges relate to privacy, security, and legal issues (Bertot, et al., 2012; Bryer & Zavattaro, 2011; Dadashzadeh, 2010; Landsbergen, 2010; Sherman, 2011; vela et al., 2012). To mitigate such challenges and ensure successful use of social media, experts believe that governments should develop policies that regulate their use of social media (Vela et al., 2012; Cardenas, 2013; Hrdinova et al., 2010; Freeman & Loo, 2009).

In Egypt, social media were firstly used by Egyptians as tools for entertainment, then it has become a venue for public opinion expression and public mobilization especially during the 25<sup>th</sup> of January revolution. Before the revolution, the Egyptian government didn't pay much attention to social media. However, when the revolution took place, the government started to realize how influential and crucial social media are. Egyptian government started to have huge presence on social media. Different ministries initiated their first Facebook pages right after the revolution to reach young Egyptians (El-Khalili, 2013; Abdelsalam, Reddick & Gamal, 2013; Khodeir & Khalifa, 2014). Since the 25th of January revolution, Egyptians' use of social media surpassed all expectations. Statistical data shows that Facebook users in Egypt rose from 4.2 million in 2011 (Abdullah, 2013) to 20 million in 2014 (MCIT Research department, 2014). In addition, Facebook became the most commonly used website by government (Abdelsalam, Reddick & Gamal, 2013). While the use of social media in Egyptian government is recent, the development of relationships between government and citizens is growing fast. Yet, there is still no guideline for the use of social media in Egyptian government. Through semi-structured interviews with government officers in different Egyptian ministries, the lack of social media policies was clear, and the need for clear social media guidelines became indispensable.

The main purpose of this paper is to provide a policy guide that leads public agencies into secured and efficient use of social media. This was accomplished by reviewing the existing research to find out the key elements of social media policies, analyzing social media policies in different countries to identify their addressed policy issues,

and finally assessing the use of social media in a number of Egyptian ministries to examine how they manage their social media pages and explore challenges they face during implementation

To draw a representative sample, I have classified Egyptian ministries into three main categories: service ministries, economic ministries, and sovereign ministries. Based on this classification, I have drawn a purposive sample to represent this classification by choosing the Ministry of Supply and Internal Trade (MSIT), the Ministry of Planning, Monitoring and Administrative Reform (MPMAR), and the Ministry of Finance (MOF). These three ministries represent different levels of government in Egypt; in addition, social media plays an important role in delivering their services.

## **Methodology**

This study is a qualitative study that includes literature review, policy analysis and semi-structured interviews with social media officials in the Ministry of Supply and Internal Trade, the Ministry of Finance and the Ministry of Planning, Monitoring and Administrative Reform. Officials who were interviewed in my research are as follow: the director of Ministry of Finance's portal and IT manager, the manager of the publishing department and director of Ministry of Supply and Internal Trade's portal, and the electronic content officer at the Ministry of Planning, Monitoring and Administrative Reform. These officials were selected as they are the executives in charge of managing social media pages in the three ministries

## **Social Media Policy**

Social media policies are different from other governmental policies. They are more flexible to adjust with the changing nature of social media. Social media policy can be defined as a shared policy of conduct that is set to guide employees who share content online on behalf of the agency they work at or on their personal social media pages. Social media policies offer assistance on how to regulate employees use of social media to interact with the public (Mergel & Greeves, 2013). They address managerial issues such as employee access to social media sites, account management, definition of adequate use, proper employee conduct, and citizen conduct (Mergel, 2012; Hrdinova et. al, 2010). Moreover, they discuss privacy and legal issues, for instance, copy rights limitations, freedom of speech boundaries, and security measures (Newman, 2009).

Policies can be developed as a bottom-up or a top-down initiative. However, it has been found that both approaches have limitations, as social media implementation needs collaboration between all levels of government to be efficient (Mergel, 2012). Thus, multiple levels of government need to collaborate and coordinate to make the best use of social media and overcome potential risks that may occur.

## **Research on Social Media Policies**

Studies on what social media policies should include are very limited. Research papers generally address what social media policies should consider. Most studies focus their scope on local and federal governments in United States. Zimmer (2012) and Cardenas (2013) analyzed social media policies in local governments. Zimmer

(2012) studied local public agencies in California. He found that 52% of his sample does not have formal social media policies. Among agencies that have social media policies, the elements found were: statement of purpose, account management, employee conduct, definition of social media, social media access, account monitoring, content management, citizen conduct and record retention. In addition, Cardenas (2013) examined social media policies in different local agencies in Virginia, Arizona, Minnesota, California, New Jersey and Indiana states. The elements varied from one policy to another, but most of them were: statements of purpose, security issues, institutional tasks, legal issues and acceptable use.

On the other hand, Mergel & Greeves (2013) studied federal governments in United States. They highlighted the importance of considering the hierarchal structure of the organization when designing a social media policy. Tasks and responsibilities should be clear and information should be accessible. From their interviews with federal officials, they found that social media policy should include citizen conduct and content management guidelines.

Finally, Hrdinova et al. (2010) introduced a framework of eight fundamental elements for an effective social media policy based on the analysis of 26 social media policies and interviews with 32 public officials in United States. The eight elements covers: employee's access to social media, privacy issues, legal concerns, account management procedures, public code of conduct, content production and management, employee conduct, and defines the acceptable use of social media.

### **Analysis of Existing Social Media Policies**

Since most previous studies were focused on United States, I added to this review by analysing policies that are currently adopted by governments in different countries and were published online such as Government of Canada, Government of South Africa, Government of India, United Arab Emirates Government and Queensland government in Australia. My analysis found that almost all of them address the eight fundamental elements developed by Hrdinova et al (2010) and expanded on it adding objectives, target audience, communication strategies, communication team, risk mitigation, monitoring and evaluation. Policy details are summarized in Table 1 on the next page.

**Table 1: Reviewed Social Media policies**

<b>Government</b>	<b>Date published</b>	<b>Policy elements</b>
<b>Queensland Government in Australia<sup>1</sup></b>	December, 2010	Eight fundamental elements  Added target audience, risk assessment, communication strategies and monitoring
<b>United Arab Emirates Government<sup>2</sup></b>	January, 2011	Eight fundamental elements  Added risk mitigation, assign communication team and monitoring
<b>Government of South Africa<sup>3</sup></b>	April, 2011	Eight fundamental elements  Added objectives, target audience, assign communication team, risk assessment, monitoring and evaluation.
<b>Government of Canada<sup>4</sup></b>	November, 2011	Eight fundamental elements  Added target audience, risk assessment, communication strategies and evaluation
<b>Government of India<sup>5</sup></b>  (Department of Electronics and Information Technology, Ministry of Communications & Information Technology)	No date	Eight fundamental elements  Added objectives, communication strategies, monitoring and evaluation

From this analysis, it has been concluded that the eight fundamental elements addressed by Hrdinova et al. (2010) are representing major policy elements in governments. In addition, other essential policy elements were added. Based on this

<sup>1</sup>Retrieved from: <http://www.qgcio.qld.gov.au/products/qgea-documents/547-business/2474-official-use-of-social-media-guideline>

<sup>2</sup> Retrieved from: <http://www.fahr.gov.ae/Portal/Userfiles/Assets/Documents/884dd373.pdf>

<sup>3</sup> Retrieved from:

[http://www.gcis.gov.za/resource\\_centre/guidelines/social\\_media\\_guidelines\\_final\\_20\\_april2011.pdf](http://www.gcis.gov.za/resource_centre/guidelines/social_media_guidelines_final_20_april2011.pdf)

<sup>4</sup> Retrieved from: <http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?section=text&id=24835>

<sup>5</sup> [http://deity.gov.in/sites/upload\\_files/dit/files/SocialMediaFrameworkDraftforPublicConsultation\\_192011.pdf](http://deity.gov.in/sites/upload_files/dit/files/SocialMediaFrameworkDraftforPublicConsultation_192011.pdf)

analysis, I developed a new comprehensive framework combining the eight essential elements introduced by Hrdinova et al. (2010) and the new essential elements driven from the analysis outlined in the table below. This framework has been used to evaluate the Egyptian ministries' management of social media and to create a social media policy for the Egyptian government.

**Table 2: Social Media Policy Framework**

<b>Phase</b>	<b>Elements</b>
<b>Phase1 “Planning”</b>	<b>Objectives Target audience Communication strategy Communication team</b>
<b>Phase 2 “Implementation” (8 essential elements)</b>	<b>Employee access Account management Acceptable use Employee conduct Content Security issues Legal issues Citizen conduct</b>
<b>Phase 3 “Assessment”</b>	<b>Monitoring Evaluation</b>

### **Social media management in Egyptian Ministries**

Based on the social media policy framework outlined in table 2, questions for interviews were developed to cover all phases of the framework and to examine how Egyptian ministries manage their social media accounts. The next three tables summarize the policy elements that were covered by the selected sample of Egyptian ministries

**Table 3: Phase 1 “Planning” policy elements covered by MSIT, MOF and MPMAR**

<b>Ministry</b>	<b>Objectives</b>	<b>Target audience</b>	<b>Communication strategy</b>	<b>Team</b>
MSIT	√			√
MOF	√			√
MPMAR	√		√	√

The three ministries share the same purpose of using social networks which is getting closer to citizens and encouraging a two-way communication; however, they lack having clear target audience. Government officials mentioned that they target all



Egyptians, which is not feasible since not all Egyptians are active users on social media due to lower levels of internet penetration. While the Ministry of finance and the ministry of supply and internal trade lack having clear communication strategies, the ministry of Planning and administrative reform was shown to have strategies for how to engage the audience using different kind of posts on their page that facilitate the delivery of their information using info graphics, videos and interactive posts. They three ministries have communication teams who are responsible for managing and monitoring social media accounts, but there is no official written guidelines, policies or documents that discuss how employees should manage social media pages and define their tasks and responsibilities. Yet, in the Ministry of Finance there is an online task sheet that documents employees' accomplishment of their tasks, date and time of accomplishment, and by whom it was revised, but it cannot be considered as a policy or a guideline for employees use of social media, rather it represents a follow-up measure.

**Table 4: Phase 2 “Implementation” policy elements covered by MSIT, MOF and MPMAR**

Ministry	Access	Account management	Acceptable use	Employee conduct	Content	Security	Legal	Citizen conduct
MSIT	√	√			√	√		
MOF	√	√			√	√		
MPMAR	√	√			√	√		

After assessing the eight essential elements in the three ministries, it has been found that almost all of them focus their regulatory scope on the mechanisms for internal control that deals with managerial issues such as who post, who access, and who manages social media while they all lack concrete written policies that deal with laws and regulations that define employees conduct, citizen conduct, personal and professional use of social media. They all have media departments which are responsible for managing social media pages; but they do not have clear measures for violations that may occur from employees or citizens. The three ministries have security measures to mitigate potential risks by using complex passwords, assigning specific employees to manage official accounts, and preventing the use of mobile phones when updating official accounts; however, they do not offer trainings to educate employees on how to act when a security breach occur. Legal issues are not addressed or considered as a high priority. There are no commenting policies on their social media pages and there isn't a clear guideline for deleting comments or a clear definition of violations that may occur on their pages. In addition, they all lack clear principles that guide employees' ethical use of social media.

**Table 5: Phase 3 “Assessment” policy elements covered by MSIT, MOF and MPMAR**

Ministry	Monitoring	Evaluation
MSIT		
MOF	√	
MPMAR	√	

Almost all of them monitor their pages around the clock to answer users' questions and achieve responsiveness. However, evaluation measures were not clearly applied in the three ministries.

## **Conclusion**

The main objective of this study is to examine and provide recommendations, supported by research and field experience, to governments on how to successfully manage and regulate social media. This was accomplished by reviewing the existing literature, analyzing social media policies in different countries, examining the current situation in a sample of Egyptian ministries and using the framework in the literature and what I learned from the analysis to design a social media policy for Egyptian public agencies.

While social media is gaining acceptance at all levels of government, this paper found that Egyptian ministries lack having regulatory frameworks that govern their use of social media. After interviewing social media officials in three Egyptian ministries, it has been concluded that social media policies and guidelines do not exist or considered by the selected ministries.

The literature review in this study found that social media policies are considered as the most powerful tools agencies should adopt to regulate their social media use, particularly in how they assist governments to overcome potential legal, security and privacy risks. Policies are crucial since they set regulations and tasks and mitigate challenges. Experts believe that governments willing to use social media should firstly consider adopting social media policies before implementation.

Since there are no policies regulating the use of social media in Egyptian ministries, there are no clear guidelines on who bears liability for the published content. Therefore, the need for social media policies has become clear. Government officials and employees need guidelines in place so they can move forward with responsible and effective initiatives that harness social media power.

The next section offers the research recommendations which are represented in the social media policy found on the next page. This policy outlines issues that governments should consider when using social media. It provides a concise and flexible framework which highlights ideas that can be simply adjusted to the setting of different organizations.

## **Social Media Policy for Egyptian Government**

### **Purpose of the Policy**

This policy provides government agencies in Egypt with guidelines on how to achieve the best use of social media in order to communicate with their citizens and deliver their services to them in secure, responsible, and efficient ways.

Many public agencies across Egypt have already started using social media sites as tools of communication with the public, yet, most if not all of them lack guidelines or

policies that could help them reap the benefits of social media and mitigate their potential challenges and risks.

### **Scope of the Policy**

- This policy applies to all Egyptian public agencies (ministries, authorities, and public institutions). It can also be used by private organizations or non-profit organizations willing to regulate their use of social media.
- To adapt with the speedy and changing nature of social media, this policy is flexible. It can be developed and changed as required to cope with these dynamic tools.

### **Importance of the Guide**

Social media sites with their collaboration and engagement powers have changed the static nature of Internet services and turned out to be a new media that has redefined the way governments deliver their services to citizens (World Economic Forum, 2009).

Particularly, social media assist policy makers in boosting transparency and citizens' engagement in governments programs; consequently social media expands the chances of efficient policy results. Through this process, residents shift from being passive receivers of government services to active contributors and participants in the policy making process (UN E-government survey, 2010)

Moreover, the popularity of social media sites in Egypt has increased significantly, the number of Facebook users alone has reached 20 million users at the end of 2014 (MCIT Research department, 2014)

Besides the great benefits social media offer to governments, they also raise numerous challenges and risks that need to be cautiously considered and addressed. These challenges include:

- Causing reputational issues to citizens or public agencies
- leaking of private or critical government or personal data
- Security breaches such as malware, viruses, hacking etc...and other security risks.

Such challenges can be reduced by adopting appropriate policy controls and guidelines which are addressed in the following section.

### **Social Media Policy Guidelines**

This section provides detailed guidelines for the use of social media by government agencies. These guidelines cover three consecutive stages for social media management:

## **A. Phase 1: Planning**

### **Identify objectives**

Public agencies should clearly define the purpose of using social media, is it to raise awareness about a new service, increase engagement with their public, open conversations with constituents, or change wrong image promoted by media, etc.? This will help in choosing the proper strategies that will lead to the achievement of these objectives eventually. For instance, if an agency aims at achieving engagement with its public, then developing a policy that does not allow for comments on its social media page would never be successful

### **Identify target audience**

Dividing the audience into segments will help the agency tailor its messages to suit the target audience and select the best social media platform to reach them. Some groups will be hardly reached or stay unreached by social media, however, other groups can be major targets for social media. For example, if the agency is targeting young university graduates, then Facebook and Twitter might be the best social media tool.

### **Set Communication Strategies**

A clear communication strategy defines how the agency acts on social media to achieve its desired objectives and goals. Since social media is based on users' engagement and interaction, public agencies should use communication strategies that boost engagement with the audience. Setting a clear communication strategy allows the agency to use the best communication tools to convey information to the public in the most efficient and engaging way. Strategies should include:

- Kind of posts to be published on social media to boost engagement and visibility
- Media formats to be used in delivering the information (animated videos, info-graphic posters, info-graphic videos,...etc)
- How many posts to be posted per day?
- How many posts to be posted per week?
- Monthly engagement analysis to assess the performance

### **Assign the Social Media Team**

Social Media managers in various government agencies should assign employees who would suitably speak on behalf of the government on social media .The following requirements should be considered when assigning employees to manage social media accounts:

- The level of qualification and comprehension of the issues to be discussed with citizens on social media platforms.
- Communication skills and language proficiency.
- Knowledge of social media tools and expertise in harnessing their powers
- His/her willingness to stay online on the social media sites after official working hours and his/her ability to act in situations that requires immediate response.

## **B. Phase 2: Implementation (8 essential elements)**

### **Access to Social Media**

- The agency should decide what social media sites are appropriate to utilize to achieve its objectives. Also, it should serve to train employees on how to best utilize these sites.
- A list of recommended websites should be created and frequently updated by the Social Media department in cooperation with public employees, and IT members. This list should also consider the benefits and threats of different social media platforms.
- Authorized Employees who are selected to manage social media accounts should be given access on the pages to moderate the page.

### **Account Management**

The social media team is responsible to manage official social media accounts and communicate with the public on behalf of the agency. The following guidelines should be considered:

- The social media department should approve the requests of establishing official accounts on a social media. However, IT unit should be consulted first to cover any security risks. This approval should consider aspects like the appropriateness of the site to the agency needs and target audience besides any technology-related issues.
- Social media managers should also develop a list of all social media sites' domain names in use, the names of all employees managing these accounts, and their related passwords.

### **Acceptable Use**

- There is a blurry line between professional and personal use of social media which makes the idea of allowing access to one and banning it from the other very complex.
- Access to social media shouldn't be prohibited; rather they should be utilized according to this policy guideline. Prohibiting employees from using social media at work might not be efficient since they can use it via their cell phones.

### **Employee conduct**

- Employees should be professional and consistent at all times to guarantee best representation of their ministry.
- Key principles of ethical use should include: credibility, accuracy, transparency, citizen respect, responsiveness
- Moreover, public employees should protect government's reputation on official and personal social media accounts. Employees' posts and comments on social media should not damage government's reputation by any means. Employees should not use the data acquired during their work for other non-related work reasons.
- If public employees added their official title on their social media accounts, they should include a disclaimer which clearly states that their posts on social media

profiles reflects their personal opinions only and have nothing to do with their government.

### **Content Management**

- Social Media Departments' responsibilities are: establishing, posting, and updating social media pages. The manager of the department should approve content before posting on social media sites to ensure its compliance with the guidelines. The following guidelines should be considered when sharing content on social media:
- Content on social media should be interactive rather than informative. In contrast to traditional media, social media provides users with information and allows them to interact with it. Thus, to create a two-way communication and interactive environment, content should drive conversations, views and engagement.
- A commenting policy should be posted on social media pages. It should state the following: "The government reserves the right to delete posts that contain defamation, content that promotes discrimination, Spam, sexual contents, and links to other sites.
- If the page administrator deletes a post or comment, he should take a screenshot first of the post for documentation. In principle, users' comments should not be deleted. Whether comments are positive or negative, they should be kept on the page as long as they are relevant to the topic of discussion.

### **Security**

Potential threats can be faced by implementing strict measures, some of these measures include:

#### **I. Security measures:**

- If authorized employees might moderate official social media pages from personal mobile phones, they must ensure protection by having a pass code.
- Employees are required to own complex passwords for their social media accounts to ensure the security of government's data.
- All files that are exchanged with social media should not be opened unless scanned to ensure safety from viruses or hacking measures.
- Employees are not allowed to use their official email addresses or passwords to log in to their social media accounts.
- Social media managers should ban access to unneeded functionalities within social media websites, such as file exchange and messages to mitigate the risk of receiving improper or unsafe documents.

#### **II. Training measures:**

- training sessions should be set to train public employees on how to use different social media tools, how to secure official accounts, and educate them about potential security risks and techniques used to mitigate them

## **Legal Issues**

- The easiness of copying and pasting materials on social media pages frequently leads to unintentional violation of copyright laws. Therefore, social media departments are responsible for the compliance with the established law no. 82 of 2002 on the protection of intellectual property rights.
- Employees should only interact with citizens on social media pages if their responses are specific and accurate, they are also required to correct misleading information posted by citizens.
- Employees are not required to answer citizens' questions or respond to their comments. Though, a response that offers useful knowledge to all users is required.

## **Citizen Conduct**

- Social media departments should publish commenting guidelines on their pages so that residents follow them.
- A citizen conduct that discusses suitable behavior for citizens should be created and posted on governments' social media pages. This conduct can clearly state that specific kind of posts are forbidden and will be deleted, including: comments that contain defamation, spam, sexual content, comments that promote discrimination and illegal activity, comments that include links to other websites, and content that violates intellectual property rights.

## **C. Phase 3: Assessment**

### **Monitoring**

Unlike the government fixed hours, employees should monitor the agency's social media pages around the clock to:

- Answer questions, increase engagement and responsiveness
- Delete spam, ads, or any inappropriate comments
- To monitor content to ensure its adherence to the agency's policy

### **Evaluation**

Ongoing evaluation helps public agencies know where they stand from their objectives. The page should be evaluated periodically to check if the strategies adopted has achieved the target objectives and to re-adjust strategies -if needed- to achieve greater engagement. Agencies should decide when to conduct the evaluation; it could be weekly or monthly based on the agency's objectives. Agencies can use Facebook insights and Twitter analytics since they provide analysis for the rates of engagement based on likes, shares, comments, re-tweets, etc.

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*A Study of the Social Causes of Over-Medication in China*

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**Abstract**

This paper seeks to examine the root causes of the pharmaceutical drugs over-use or over-medication in China. By this mean, there is considerable evidence of this overuse, and it appears to be more extensive than in western countries. I have applied 'Countervailing Power' as a theoretical model to explore how this overuse relates and interacts with the power of government, pharmaceutical industry, medical profession and patient. The research is expected to contribute the strategies and recommendations to reduce this overuse and improve healthcare system with policy design, implementation, and evaluation, doctors prescribing behaviour, and the doctor-patient relationship. The analytical results of this research will also shed some critical light on the current global issues addressing the role of the state and effective healthcare policy implementation in the healthcare domain. The study has mainly used qualitative methodology. The primary methods of data collection are: 1) structured and semi-structured interviews and survey that focus on doctors in Shandong province, my home province, 2) review of documents and literatures obtained from government (e.g. MOH report and year book of public health) and non-government sources.

**Keywords:** Over-medication, Overuse, Countervailing Power

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## **Background**

As the launch of market-oriented socio-economic reforms in China since 1978, China's health care system has been changed tremendously. However, the health care market is far from mature in the absence of an effective management system and self-regulation, this medical system has come under strain and conflicts. Studies in this field thus far have shown that China's healthcare sector has encountered deep problems since these reforms were initiated, and one of most important problems need to be solved is that over-medication. It is a very controversial issue in China. Recently, it is a commonly acknowledged phenomenon in China, and has become the focus of the public.

Based on a report of WHO 1985, over-medication is properly defined as an inappropriate medical treatment that occurs as a patient takes excessive or unnecessary medications. Over-medication is highly related to over-prescription, which is defined here as the practice of over-prescribing medicines, prescribing unnecessary costly medicines, and I will discuss this over-prescription later.

Medication overuse in China is prominently manifested in the overuse of antibiotics. One former study found that 98% of outpatients with a common cold were prescribed antibiotics (Zhan et al., 1998). Another study has estimated that about 50% of antibiotic prescriptions in China were medically unnecessary (Cheng, 2005). More recent study found that around 75% of patients with seasonal influenza are estimated to be prescribed antibiotics, and the rate of antibiotic prescription to inpatients is 80% (Zheng and Zhou, 2007).

As a comparison research conducted by IMS Health in 2005, it is clear that the number of antibiotics prescribed per capita was significantly higher in China than in other developed and developing countries observed. WHO also notes that the antibiotics in Chinese hospitals have been prescribed in as many as 80% of all patient visits, compared with the WHO recommended the international average rate of 30% for the antibiotic usage. However, researcher found that antibiotic use is high among outpatients in China as well: 40-60% use antibiotics. In comparison, in the U.S., the outpatient rate of antibiotic use is from 15% to 18% (Dong et al., 1999; Roumie et al., 2005; Zhang et al., 2008).

## **Methodology**

Donald Light (1995) used the concept of countervailing power in his analysis of health care services and distinguished four main powers: the state, the medical-industrial complex, the medical profession and the public. He argued that countervailing powers are powers in dynamic relation each other, if one power is dominant, its dominance tends to elicit a reaction from another power or powers to redress this imbalance. I have applied Light's 'Countervailing Powers' as a theoretical model to explore how this overuse relates and interacts with the power of government, pharmaceutical industry, medical profession and patients. The aim of the research is to explore how and to what extent these four key actors caused over-medication in China?

The research will mainly use qualitative method and compared with the quantitative data. I have reviewed the relevant documents and literatures, and compared with the quantitative data obtained from diverse sources, such as China’s Ministry of Health (MOH) report and year book of public health from government and some other non-government sources, which will be used to examine the power of government and pharmaceutical industry. However, since there are very few studies addressing doctors’ behaviour in relation to over-medication in China, so I have used the structured and semi-structured survey interviews to collect for the target doctors’ groups.

Interviews have been done in Shandong province, my home province. My personal biography experience influenced my choice of Shandong as my fieldwork site. I understand that Shandong cannot represent China as a whole, but as one of the major provinces in economy, agriculture, and culture, second largest population in China, it is considered to have the best resources in healthcare and a superb management mechanism. Shandong is also in the frontline for healthcare policy implementation. So data collected in Shandong is expected to be representative.

Target informant groups are medical doctors from urban cities, and rural counties and villages (Eligible informants will be 18+). The study have utilized a snowballing technique to approach subjects, and I have used the personal networks to approach subjects and then requesting existing informants to introduce their friends or colleagues who meet the criteria to participate, a sample of 120 doctors has been collected, including 52 doctors from three urban hospitals and 68 doctors from four rural hospitals and health clinics in Shandong.

### The survey research design

I have employed survey interviews in my fieldwork. The survey research I carried out consists of two stages (the Pilot Survey and the Main Survey) as shown in this diagram. In order to design the main survey’s questionnaires, semi-structured interviews were chosen as the preferred method for the pilot survey, which aimed to explore the research questions and identify key themes.

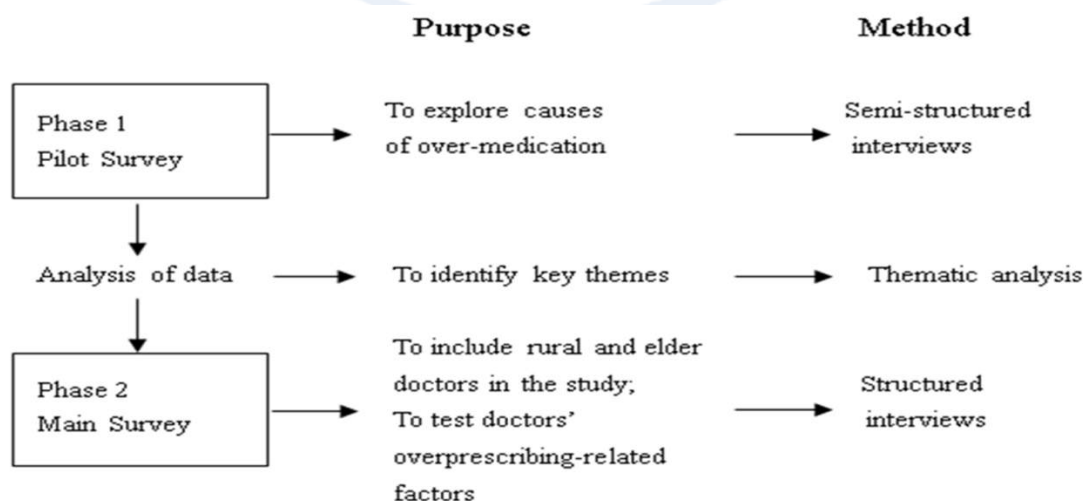


Figure 1: The survey research design

There were two main limitations of the pilot survey sample. Initially, I only focused on urban hospital doctors and did not include rural hospital or health clinic doctors. However, in the pilot interviews of urban doctors, in which they were asked about over-medication in China, most urban doctors actually found it difficult to focus purely on urban issues, often comparing urban and rural hospitals. I therefore had to make adjustments to the survey and questionnaire. Hence, I recognized from the interviews, urban hospital doctors are not representative of Chinese doctors as a whole, and I also noticed how important it was that I collected data from rural doctors to compare with that of the urban doctors. In order to represent rural doctors, I needed to include country hospital doctors and health clinic doctors in the main survey. The main survey aimed to explore the factors that encourage over-prescribing by doctors, hence over-medication in China.

### **The content of the main survey questionnaires**

The questionnaire of the main survey was generated from the results of the pilot survey. Through the reviews of relevant documents and literatures, it appeared that doctors' overprescribing behaviour is related to three key factors that I call "medicine interventionism", "professional knowledge" and "financial incentives". I sought in both interviews and questionnaires to explore these areas.

Consequently, in the main survey, the questionnaire consisted of 25 questions. However, I initially decided to remove some questions that did not link to the findings from the first stage, and add some questions based on the results of the pilot survey. The areas covered by this questionnaire are shown in this table.

<b>Factors/Variables</b>	<b>Contents</b>
<b>Medicine interventionism</b>	<b>Frequency of prescription</b>
	<b>Increasing dosage of medicine</b>
<b>Professional knowledge</b>	<b>Knowledge of Choosing drugs</b>
	<b>Definition of over-medication</b>
<b>Pharmaceutical industry related financial incentives</b>	<b>Pharmaceutical marketing</b>
	<b>Profit-oriented prescribing</b>

Table 1: The content of the main survey questionnaire

The first part of the questionnaire concerned medicine intervention and concerned the doctor's wish/plan to "doing something for the patient", in some contexts to increase the prescription in order to avoid taking any risk involved in not treating patients. The second part the questionnaire considers the doctors' knowledge on the use of medicines, addressing their prescribing decisions, how they know about drugs' information and characteristics, and how to choose suitable medicines. The third part of the questionnaire is about financial incentives for over-prescribing behaviour. Since there is a profit-chain between the pharmaceutical industry and doctors, these questions are designed to investigate the doctor's prescribing behaviour driven by financial incentives such as kickbacks, bonus and rewards, etc.

## **The power of government**

In China, there is a risk for low thresholds in the regulation of drug registration and approval process due to the official corruption, which leads to more 'new' drugs come into the market. For example, Xiaoyu Zheng, who is the Chief of China Food and Drugs Administration (SFDA) from 1998 to 2005, he was convicted of taking bribes 6.5m yuan (\$850,000; £650,000) from pharmaceutical companies to register and issue the approvals of new drugs, so there are astonishing number of more than 150,000 "new" medicines issued in 2004, most of those 150,000 medicines were the products of the eight pharmaceutical companies, an average of unbelievable 100 times that of the US FDA, Zheng was also guilty of dereliction of duty, personally order approval of their products without making them undergo the necessary checks. As a result, government officials taking the bribes from pharmaceutical companies lead to a considerable number of so-called "new" drugs appeared in the market annually, which also increase the risk of prescribing unnecessary expensive drugs when dispensing those "new" medicines (Santoro and Liu, 2009).

In China, structural and economic changes imposed by the transition to a market economy have had a profound impact on the healthcare sector (Berman and Bossert 2000). As the unintended consequence of devolution, the local governments have allowed private medical practices, given increasing autonomy to public health institution, suggested the public health institution to contract operation and partly outsource the services etc (Zhang, 1987; Kan, 1990). In rural areas, village health clinics were sold or contracted to individual, township hospitals were closed or sold to private practitioner, public health facilities reduced quickly with rapid expansion of private medical care. The central government issued a series of new policies regarding hospital reforms since 1980s, main points of which included: allowing hospitals to make profits by providing medical services and selling drugs, and deregulating price control.

In 2000s, the government allowed hospital pharmacies to charge a 15% mark-up on the wholesale price of drugs, it encourages hospitals and medical profession to overprescribe pharmaceutical drugs. However, manufacturers can apply for special pricing permission for higher prices if their drugs have greater efficacy. Consequently, this loophole in the government price policy ambiguously leaves a gap for pharmaceutical manufacturers to allow them setting higher prices, seeking for more profits by "differentiation" for their products, which I will talk about it in the next slide.

The reduction of government funding of health services, which also has a significant effect on prescribing through distorted incentives for hospitals and doctors arising from insufficient government subsidies and poor medical salaries. For example, public health care providers such as public hospitals, face financial pressures as shrinking government budgets caused dramatic cuts in subsidies. There was a gradual shift in hospital financing from an average of 50% government provision of public hospital revenues in the 1980s to less than 10% in 2000, it also means that the average percentage of Chinese state-owned hospital income from government sources declined 40% within two decade (Eggleston and Yip, 2004; Ramesh and Wu, 2009). Although these hospitals continued to be called public, this reduction meant that public hospitals, the large majority of hospitals in China, were forced to operate like

for-profit private providers in order to generate sufficient revenue (Yip and Mahal, 2008). In this context, the reduced government role in subsidizing and regulating the healthcare sector builds incentives for the profit-seeking behaviour into the healthcare provision system, which leads to the collusion between the pharmaceutical industry and the hospital to encourage overuse of pharmaceutical drugs.

Finally, although the government has a role for making guidelines to the public on safe use of medication, mostly indirect advice via medical profession and the pharmaceutical industry, so guidelines have less effect on controlling drug use or reducing over-medication.

### **The power of the pharmaceutical industry**

Firstly, I argue that the loose regulation of drug approval and pricing loopholes in China, allows pharmaceutical manufacturers to use these loopholes to circumvent price policy by differentiating drug products in a rather superficial way. In addition, they give bribes to government officials in exchange for “new” drugs approvals, while pharmaceutical companies claim that these “new” drugs are “more effective” or “better” drugs. However, in fact, “most new drugs offer little or no advantage over existing drugs to offset their greater risk” (Light, 2010: 2). A “new” drug is a means for the industry to secure a higher price. These new drugs encourage hospitals and doctors to dispense/prescribe more “new” expensive drugs in larger quantity than might be necessary.

Obviously, this partial regulatory measure leaves space for manufacturers and hospitals to circumvent governmental regulation. In fact that pharmaceutical manufactures in China have a lot of alternatives, such as transform the generic drug to so called “new” drugs by changing such specifications, dosage and package or adding a little irrelevant ingredient to avoid the government regulation. Moreover, it also implies that in order to obtain “new” drugs approval, some pharmaceutical companies give bribes to the government officials in exchange for new drug approvals. For example, as mentioned early, in 2004, 150,000 approvals have been issued, but only about 22 new drugs among them were innovative with intellectual property rights.

Secondly, I argue that extensive marketing campaigns directly targeted at doctors is a concrete way that pharmaceutical companies attempt to influence prescribing practice, thereby encouraging the greater use of drugs to boost sales. In order to persuade doctors to use their products, the industry tries to develop favourable relations with hospital administrators and doctors by various promotional activities, such, free drug samples, entertainment, and funding for continuing medical education, as well as kickbacks and bribes. For example, the well-known British multinational pharmaceutical company GSK was the ringleader involved in a half a billion dollar bribery corruption linked with 700 companies in China. The managers in GSK’s China business had used travel agencies for making money with arbitrage to sponsor such trips, dinner, medical conference and seminars, then giving gifts to some hospital doctors. As well as the French multinational pharmaceutical company Sanofi bribed 503 doctors with so-called “research grants” of 1.69 million Yuan (\$276,000, £169,000) for 79 hospitals in Beijing, Shanghai, Guangzhou in China in late 2007 (Yap & Burkitt, 2013). The evidence indicates that people who attend events that pharmaceutical company holds or accept gifts or grants that pharmaceutical company



offers tend to prescribe that company's drugs (Goldacre, 2012). Also, doctors rely heavily on the information and products provided by the industry, and sales representatives of drug companies are often the most important source of information about new medicines. Consequently, there is an overlap or duality of interest of both the pharmaceutical industry and doctors in respect to encouraging the great use of drugs.

Thirdly, pharmaceutical marketing tactics not only persuade hospital administrators and doctors to use more of their prescription drugs, but also "educate" or more accurately persuade the public to use the drugs the companies produce by the slogans and images used in advertising. This is largely done via the advertisements on TV, newspapers, journals, and on-line, etc., which significantly influences beliefs and behavior of the public in the pattern of drug use, and it may encourage the greater use of self-medication. This may also lead to a considerable impact on what the public purchase for OTC drugs and request from doctors, increasing the risk of unnecessary drug use by self-medication and the demand for prescription drugs. In addition, some patient groups have been financially supported by drug companies, addressing patients directly to advocate the greater use of their pharmaceutical products.

### **The power of the medical profession & over-prescribing**

Medical profession play a crucial role on use of medications, and prescribing is not a straightforward practice, and the dominant factors are not yet well understood. However, I have examined the doctors' prescribing process using my own data, in order to demonstrate the way in which the medical profession exercise its power in a way that influences prescribing patterns. I found that the fundamental factors such as professional knowledge, the range of perceptions, attitudes, experiences, and the preferences of doctors and patients, all have more or less influence on medication use in China. Although the overriding responsibility of medical profession is to try to cure the disease, doctors may misuse their power in any of the three dimensions of power: social authority, knowledge and finance, and this lead to an inappropriate prescribing or unnecessary medication.

Only licensed doctors have prescribing powers in China, unlike in the UK, where non-physician healthcare professionals (e.g. nurses and pharmacists) other than doctors can write a limited range of prescriptions. Therefore, the medical profession has a monopoly power over the prescribing in China, and the clinical decision-making process is also mainly dominated by medical practitioners and with patients tending to quest what doctors say in a rather unique sharing manners due to a more paternalistic style of consultations and large information asymmetry (Thistlethwaite et al., 2010: 239).

Since the medical profession largely has a monopoly power over the prescribing of medicines, they crucially play a gate-keeping role, officially rationing and regulating patient access to specialized medicines, deciding which to prescribe and whether any drug is needed. This role is important firstly as doctors have authority over identifying illness, officially defining whether a person is ill and determining whether a specific medication is necessary or not (Freidson, 1988); secondly, doctors have the most extensive power to prescribe with the increasing number of available medicines, and may also recommend OTC drugs.

As prescribing has become such a core feature of medical practice, medicine's interventionism is more likely to have an effect against doctors' gate-keeping role in prescribing medicines. This interventionism is not only founded in altruism, but is also necessary to sustain doctors' status and power, in order to retain patients who want something done for them. Medication is seen as a first-hand solution to a wide range of problems, thus a prescription provides a relatively speedy way of ending the medical encounters with a prescription. In this respect, a prescription indicates that a doctor has something to offer to help their patients, and the patients' request is "Doctor, do something" not, "Doctor, tell me if this is true or not", even though sometimes the doctors' help is unlikely to make a real difference to patients' condition (Freidson, 1988: 22; Butler et al., 1998). This interventionism is also related to what has been called the optimism bias, which is the belief that the patient will beat the odds, no matter how unlikely this might be. The optimism bias encourages patients to undertake treatments that have only tiny chances of success, in the belief that they will be part of the tiny minority that is successful, rather than part of the vast majority who are not. Consequently, the requirements of a doctor's job is to solve the practical problems that people bring to them, and try their best to provide "good results" to satisfy patients' needs (Freidson, 1988: 22).

The "good results" of medical practice rely on a sound foundation of knowledge. A significant majority of doctors in China wittingly or unwittingly contribute to the prescription drug epidemic because of inadequate knowledge, given the complexity of choosing a medication from the large variety of medicines and dosages. They may lack clear practice norms and guidelines, or professional knowledge of medicines that could meet the patients' needs. Further, most of the doctors only focus on "good results", and are mainly concerned about the effectiveness of medication, and pay less attention to side-effects.

Furthermore, the interest chain between hospitals and the pharmaceutical industry is another important factor that may encourage doctors' prescribing behaviour; and this economic incentive becomes an inducement for over-medication. The higher the drug price, the more the financial incentives to procure and prescribe it by hospitals and doctors, since there is also an insufficient funds and subsidies from government.

### **The power of the public**

On the demand side, the public or patients can choose to use doctors or self-medication (e.g. OTC), and comply or do not comply with the drug regimes. Consequently, non-use of doctors/non-adherence of the drug regimes could increase the possibility of patients' self-over-medication, otherwise patients have to be attracted, which is essential to the career of medical profession, so doctors tend to prescribe if patients requested for more medicines.

Collectively user groups share opinions (e.g. effectiveness, side effects, low quality/inferior drugs, etc.) through media (e.g. Newspaper, Journal, TV, etc), internet (e.g. Twitter, etc.) against the failure of the pharmaceutical industry. Therefore, patients have more public ideas/comments about which drug is "good" or "bad", however, some user groups can be funded/supported by the industry, and patients can demand easier access to some drugs (e.g. access some drugs online), so these would increase the use of certain drugs.

Adverse publicity about the healthcare policy and system, demands and campaigns for the reform result in patients demand for cheaper medicines and more effective policy to control over-prescription, but they play a rather limited role here and only collectively patients group have this power.

### Key findings

The changing power structure between the social relations of government, pharmaceutical industry, medical profession and patients could be sketched as an interacting system as shown in the diagram. I identified a diamond pattern of the relationships between these four actors in China.

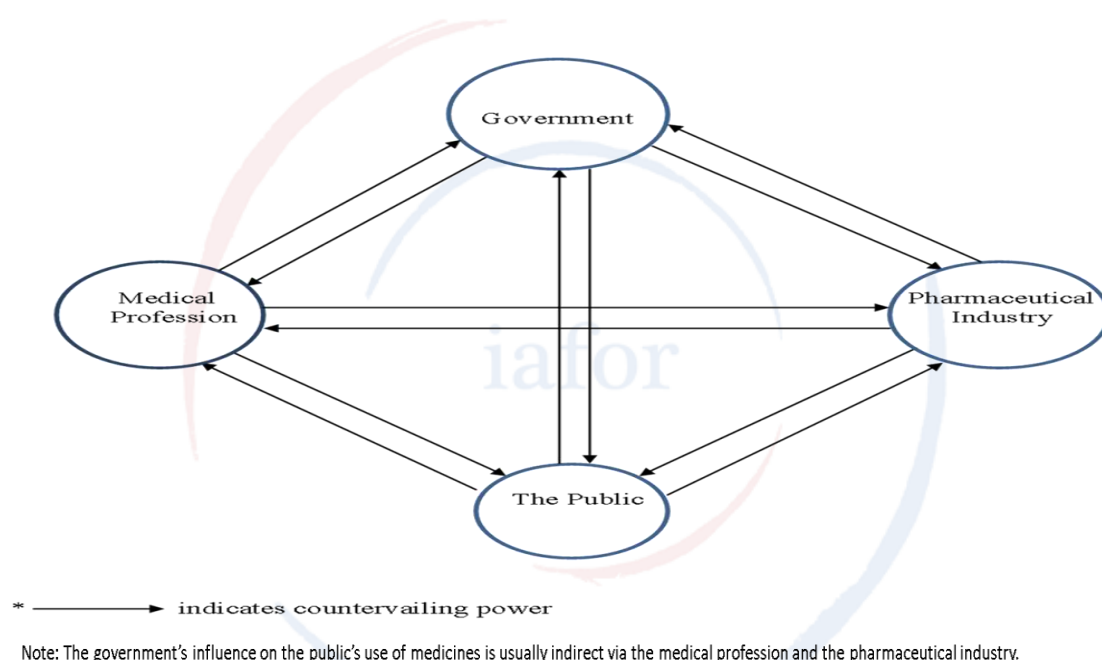


Figure 2: The framework of countervailing powers

The government has played a crucial role over other three actors in relation to regulate the healthcare sectors and medicine use, which is a powerful actor, but failed to control overuse.

Most doctors have an interest in prescribing the pharmaceutical industry's products, and in supporting the pharmaceutical industry, and often act as a partner of the industry, rather than acting as a countervailing power.

As the medical profession only rarely acts as a countervailing power against the pharmaceutical industry, whereas patients as a group or individually one are also not strong enough to neutralize it. Consequently, doctors and the pharmaceutical industry are not challenged, but contribute to over-prescribe.

Patients could only collectively be an important countervailing power against the alliance of doctors and the pharmaceutical industry, but patients have typically been

deferential towards medical profession. However, the public is now starting to play an important role in changing patterns of drug use (e.g. by increasing self-medication).

## **Conclusion**

My thesis is the very first in the English language with regard to the issue of over-medication in China offering a new critical perspective in understanding the relationship between the state, the pharmaceutical industry, the medical profession and the public. I would argue that the study of the interaction between these different groups of actors in the healthcare domain has been the key here to an understanding of “over-medication” in China. This thesis has made several contributions based on the countervailing power framework. Far from demonstrating a failure of the theory, this thesis offers and demonstrates the utility of the countervailing powers theory in China’s healthcare context. At the point of finishing this thesis, the countervailing power framework had been only applied in the western countries (e.g. UK and US).

I argue the state has, to some extent, allied with medical profession and pharmaceutical industry in China, to provide a new market in healthcare provision. The state allows the profession and industry to make profits from selling drugs, enables them access to “pharmaceuticalization” through legislation, thus creating a new market opportunity, and the doctors and pharmaceutical industry (manufacturers and companies) have picked up on that opportunity. In a sense, it may be argued that the actions of “big pharma” as the extensive power are intended to reduce the power of all other actors, whereby they seek to undermine the state, the medical profession and the public, as a means of asserting and maintaining their own dominance in the field. Meanwhile, as the role of the state is different, I also found the strong link between pharmaceutical industry and medical profession, which is a powerful “industrial-professional complex” in China’s healthcare context that lead to the difficulty for any other powers, particularly patients, to act as a countervailing power against these allies, I believe this argument in my thesis, to some extent, is an important development in Light’s theoretical argument, and it would be one well worth pursuing. The research will, I hope, contribute to the strategies and recommendations to reduce medication overuse.

The main fields of empirical research I would like to explore in the future aim to develop the “new medical sociology” using a developed “countervailing power” framework. However, it is arguable that the lessons learned from China can be also applied to other developing countries, or more broadly speaking, it is questionable whether or not this theory can be applied universally. Therefore, future research may be needed to examine the possibility of countervailing powers’ theory being applied to other developing countries or worldwide.

Moreover, it should be also noted that over-medication is not an isolated process. It should be seen within the background of healthcare system reforms. In order to control the overuse of drugs, healthcare policy should consider providing a “good” institutional background for the cultivation of healthcare provision and establish a firmly grounded foundation for the appropriate use of pharmaceuticals. Further research on the cultural background, groundwork and conditions that constitute the phenomenon of over-medication will be helpful in understanding the social causes of over-medication in China’s modern healthcare domain.

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*Are We on the Same Jobsite? Expectations of Millennial Students vs. Construction Industry Employees*

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**Abstract**

This paper gives an overview of a pilot study conducted in a geographical area of the US to understand the millennial generation's perception of the workplace of the construction industry. Many organizations face the challenge of integrating diverse generations in a workplace. With the retirement of a large number of Baby Boomers and the current intake of Millennials in the workplace, organizations are facing a challenge to attract and retain the millennial generation. This study also includes a comparison of the workplace expectations amongst the different generations in the construction industry.

Keywords: millennials, generations, construction industry, employee retention, workforce

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## **Introduction**

Among the many challenges in an organization, one of them is dealing with a diverse workforce. This diversity is not just limited to gender, religious, ethnic and racial backgrounds, but also relates to the various generational values that are present in the workplace today. The current workforce in the construction industry comprises the greatest diversity of generations. There are four generations that are currently involved in the workplace. They are the Silent Generation, Baby Boomers, Generation X and Generation Y or the Millennials. The US Census Bureau in the year 2014 stated that the youngest generation entering the workforce numbered around 87 million, which is almost one-fourth of the total American population. With the retirement of a large number of US employees belonging to the Baby Boomer generation, organizations face a crisis to recruit and retain the generations younger than the Baby Boomers who hold different values, attitudes and expectations from the workplace (Ng, Schweitzer, & Lyons, 2010). The Society for Human Resource Management (SHRM) study in the year 2004 conducted by Mary E. Burke, states that there are three areas where the generations differ: work ethics, managing change and perception of organizational hierarchy. Other researchers suggest that management associates the millennials with common stereotypes that include disloyalty, entitlement, and casual and unmanageable attitudes (Thompson & Gregory, 2012). Based on literature findings, the following questions arise: What are the expectations of the millennial generation of the workplace? Are these expectations similar to the employees currently working in the construction industry? This research study examined the workplace expectations of construction students of the millennial generation and the perception of workplace by current employees. The study also compared workplace expectations amongst different generations in the construction industry.

## **Background**

The current construction industry consists of four generations working together with each other. The four groups are The Silent Generation, the Baby Boomers, Generation X and Generation Y also known as The Millennials. The Silent Generation includes those born between 1925 and 1945; Baby Boomers between 1946 and 1964; Generation X between 1965 and 1980 and the individuals born after 1980 are known as The Millennials or Generation Y (Lancaster & Stillman, 2002). Each generation has a set of characteristics by which it is defined. These characteristics include their approach towards work, technology and family.

### ***Silent Generation (1925- 1945)***

The Silent Generation, population of approximately 30.5 million (US Census Bureau, 2014) is also known as the Traditionalists. This generation was raised during World War II and has undergone some of the hardest times when compared to all the other generations (Strauss & Howe, 1991). Their opinions towards family, religion, work and the government were deeply affected by the situations that had arisen during the Great Depression and World War II. Therefore, this generation is known to be conservative, disciplined and have a sense of obligation towards the company for which they work. They like formality, a chain of command, respect and prefer to make decisions based on issues that have affected them previously (Kersten, 2008).



The Silent Generation has been characterized as loyal, dedicated, non-risk takers and believes in teamwork and collaboration. At work they show consistency and uniformity; do not seek out technological advancements; display command-and-control leadership reminiscent of military operations and prefer hierarchical organizational structures. Even though they may be uncomfortable with ambiguity, change, and technology they are considered to be stable, detail-oriented and hardworking. They are uncomfortable with conflict and reticent when they disagree with anything in the workplace (Zemke, Raines, & Filipczak, 1999). They also consider work to be their duty and have an obligation to the organization for which they work (Lancaster & Stillman, 2002; Kupperschmidt, 2000).

### ***Baby Boomers (1946- 1964)***

The Baby Boomers got their name due to an increase in the birthrate when many troops came home from World War II. The Boomers grew up in times of economic and educational expansion, which lead them to embrace an attitude of entitlement and an expectation to obtain the best from life (Smola & Sutton, 2002). This generation was brought up to respect people of authority, but as they witnessed their idiosyncrasies, they learned not to trust anyone over 30 years old (Karp, Fuller, & Sirias, 2002). Their period of growth was prosperous; and hence, they are known to be idealistic, optimistic and responsible for many social movements in American history like the Civil Rights movement and the Women's movement (Lancaster & Stillman, 2002). The Baby Boomer generation, approximately 78 million people (US Census Bureau, 2014), is the largest cohort currently in the workplace and the one associated with a large number of leadership positions (Trunk, 2007). The individuals of this generation have been characterized to believe that success can be achieved only through hard work and sacrifice. They are considered to be workaholics who prioritize their careers, believe in paying dues, are familiar with step-by-step promotion and seek meaning in their life from their work (Kupperschmidt, 2000; Raths, 1999; Strauss & Howe, 1991). The Boomers, being confident task completers, want their achievement to be recognized, but may be insulted by constant feedback (Glass, 2007). Although they have been characterized as being goal-oriented, they are known to be more process-oriented rather than results-oriented. They are also known for their optimism and intuition to avoid conflicts in the workplace (Zemke et al., 1999). The individuals of this generation value health, wellness, personal growth and gratification and also seek job security (Raths, 1999).

### ***Generation X (1965- 1980)***

Around 33 percent of the U.S. population belongs to Generation X, which consists of about 51 million people (US Census Bureau, 2014) that were born between the years 1965 and 1980. The 'X' in Xers refers to the namelessness of the group (Beutell & Wittig-Berman, 2008) because they are considered to be a group of individuals without a clear identity; having generally diminished expectations; and feelings of alienation, pragmatism, conservatism and detachment (Corbo, 1997). Generation X is described as cynical and skeptical (Lancaster & Stillman, 2002). This may have been the response to witnessing many negative events while growing up which included an increase in crime and divorce rate (Losyk, 1997). This generation had both parents working; and, hence, they are also known as latchkey kids because they were taking care of themselves everyday (Kupperschmidt, 2000; Strauss & Howe, 1991). This may

have been the reason that individuals of this generation developed skills of independence, adaptability and resilience (Thiefoldt & Scheef, 2004). Some also consider that growing up alone shaped them to value family and flexible work arrangements that allow them to balance work and family demands (Losyk, 1997). Their untrustworthiness of the corporate sector may have been the result of seeing their parents getting laid off even though they spent most of their time at work (Kupperschmidt, 2000).

Work is a difficult challenge and they believe in working smarter rather than harder (Lancaster & Stillman, 2002). Unlike the Baby Boomers, they do not define themselves based on the career path they have or will achieve. They have changed the career ladder to the career lattice and want to know “What’s in it for me?” They look towards improving their career security rather than concentrating on job security. Thus, they build experience and skills that they can carry with them into the future. They value continuous learning and skill development and are ruled by a sense of accomplishment (Bova & Kroth, 2001). The individuals of this generation are technically competent and very comfortable with diversity, change and competition (Kupperschmidt, 2000).

### ***Generation Y (Millennials) (1981- 2000)***

This generation is also referred to as the Millennial, Nexters and Echo Boomers. At a population of about 87 million (US Census Bureau, 2014), this generation is now larger than the Baby Boomer generation. Other generations consider them to be equipped with the latest technologies and tools that help them in a world facing economic, geo-political and environmental crises, while some consider them to be “Generation Whine” where they are so over-indulged and protected that they are incapable of handling the simplest task without any assistance (Hershatter & Epstein, 2010).

Millennials do not have a long-term attachment or commitment towards the organization and regard their job as a means for building their career resume (Howe & Strauss, 2000). The Millennials regard fun in the workplace, not as a benefit, but as a requirement, unlike the Boomers who oppose workplace fun and Xer’s who are mostly indifferent towards workplace fun. They are also known as the “Trophy Generation” or “Trophy Kids” because of the trend to reward everyone for participation rather than rewarding only the winners. Many of the Millennials have observed high rates of divorce and layoffs and are skeptical about long-term commitments. Members of this generation are described as confident, conventional, optimistic, socially conscious and civic-minded. They prefer collective action and team work and desire to have flexibility in their work schedules (Dries et al., 2008; Hewlett et al., 2009; Kowske et al., 2010).

They are the first generation considered to be digital natives. Millennials grew up with existing technologies in abundance and modern ones being developed regularly. They are generally unafraid of new technologies and are usually the first ones to try, buy and spread word about new gadgets and technologies (Glass, 2007). Using technology and incorporating it into their daily lives play an important role. Having access to technology and the Internet has been a source for exploring the world and getting information instantaneously (Zemke et al., 1999). The millennial generation is

considered to have a strong preference for structure and organization. They have a preference towards working with clear expectations and a desire to maintain a well-defined career path (Westernam & Yamamura, 1996). Unlike the Boomers, this generation is unwilling to dedicate much of their daily life to work. They prefer having a balance between their work life and other interests (Smola & Sutton, 2002). Having been raised in an environment with constant feedback, individual attention and praise, they expect the same level of feedback from the workplace in terms of individual development (Ng, Shweitzer, & Lyons, 2010).

## **Methodology**

Based on the literature studied and the objectives to be achieved, a survey questionnaire to measure the perceptions of industry with respect to the current work place attributes was developed for students in a mid-size public university located in the southeastern part of the United States and the employees associated with construction companies located in the same region. The questionnaire was structured to obtain responses from questions in the format of rank order scale, Likert-scale and multiple choice. The first section of the questionnaire requested data about the age of the respondent, job position and the level of experience in the construction industry. The next section consisted of rank-order and multiple choice questions that solicited input from the students and employees about the requirements of the construction industry workplace. This included workplace attributes, benefits, opportunities of career improvement, rewards, training, ways to attain work-life balance, and opportunity of traveling. Another section consisted of a series of questions that evaluated their opinion on the work habits currently practiced in the construction industry as well as questions regarding the respondents' expectations of community service.

The participants in the pilot study were students of the Department of Construction Science and Management (CSM) at Clemson University and construction industry employees (CIE) of the Industry Advisory Board and Corporate Partners. The Construction Science & Management Department offers a comprehensive educational program designed to produce motivated, well-educated, responsible citizens with the management and technical skills requisite for leadership positions in the construction industry. The department offers both undergraduate as well as graduate programs with an enrollment of around 180 undergraduates and 25 graduate students. The department has an Industry Advisory Board and Corporate Partners comprised of members from the industry that help provide assistance and guidance to the CSM department. For the purpose of this research members of the Industry Advisory Board and the Corporate Partners are referred to as Construction Industry Employees (CIE).

The questionnaire was distributed via survey monkey to the Construction Industry Employees that are located predominantly in the southeastern states of the US. The web-link distributed to the employees was distinct and could not be distributed to other people in order to receive unique responses. The link was also designed by survey monkey to protect the anonymity of the participant's identity. The students of the CSM Department were handed out the same survey questionnaire in their respective classes. The survey was designed to take around 20 minutes and allowed the participants to opt out of the survey at any time. The respondents were given a time frame of 4 weeks to respond. The analysis of data obtained was done using one-

way analysis of variance, chi-square test for independence and t-test for means using a 95% confidence level to determine statistical significance.

## Results

The survey was distributed to 103 students from the freshman, sophomore, junior, senior and graduate classes. There were 42 survey links sent to employees in the construction industry. There was a 100% response rate from the students and a 62.5% (N=25) response rate from the employees in the construction industry. Of the total of 128 responses, 19.6% (N=25) of the respondents belonged to the Construction Industry Employees and 80.4% (N= 103) of the respondents were CSM students at Clemson University. Also, 113 (88.28%) of the respondents belonged to the millennial generation, 8 (6.25%) to Generation X and 7 (5.47%) to the Baby Boomer generation. Of the 113 respondents belonging to the millennial generation, 103 respondents were students and 10 belonged to the population of Construction Industry Employees (CIE). Only 20 (19.42%) of the respondents belonging to the population of students (N= 103) had no experience working in the construction industry. A summary of the respondents is shown in Table 1.

Table 1: Distribution of respondents in the survey

	Student	Employee
Millennial (<33)	103	10
Generation X (34-49)	-	8
Baby Boomer (50-68)	-	7
Silent Generation (>69)	-	-
<b>Total no. of respondents</b>		128

To understand the expectations of the millennial generation about the attributes of the workplace in the construction industry, three aspects were considered for the purpose of the research pilot study: work, home, and community. To analyze the work preferences of the millennial generation, ranking-type questions regarding workplace attributes, benefit packages, rewards and training/development opportunities were considered. Out of the 103 student responses, 54 (52.43%) of them ranked “job security and career advancement opportunities” as their top priority. Similarly, 13 responses of the 25 responses (52%) from the construction industry employees ranked it as their top priority.

“Competitive pay and benefits” was another attribute considered to be top priority for 25.24% of the student respondents and 36% of the construction industry employee respondents. The percentage of ranking the benefit packages varied amongst the students and the construction industry employees. Around 40% of the student respondents considered “health and dental insurance” as their top priority while 52% of the construction industry employees considered “incentives and rewards based on performance” to be their top priority amongst the given benefit packages offered by the construction firm. In terms of the rewards to be offered by the company, 87% of the student responses and 64% of the construction industry employee responses ranked “bonus” as their top priority. Extra time off was another benefit considered a top priority by 28% of the construction industry employees.

When asked about training/ development opportunities, a majority of both populations ranked “continuing education workshops and seminars” as their top priority. The other response repeated by participants of each group was location of the job. Some of the respondents marked this response to be their top attribute when they considered a job in the construction industry.

The other aspect considered for the purpose of this research pilot study was how the millennial generation achieved a work-life balance and their perspective of community service while working in the construction industry. The factors considered were grouped according to their category and asked as a ranking order question. While a majority of the construction industry employees considered “flexible work hours” as their top priority, the millennials divided their priority between “flexible work hours” and “travel distance from work”. Similarly, when ranking the community services that are of high priority, millennials considered “volunteer opportunities in the community” while a majority of the construction industry employee’s ranked “membership in professional societies” as their top priority. Based on the ranking priorities of each group of respondents and the significance of the results achieved, the attributes considered to be of top priority are shown in Figure 1.

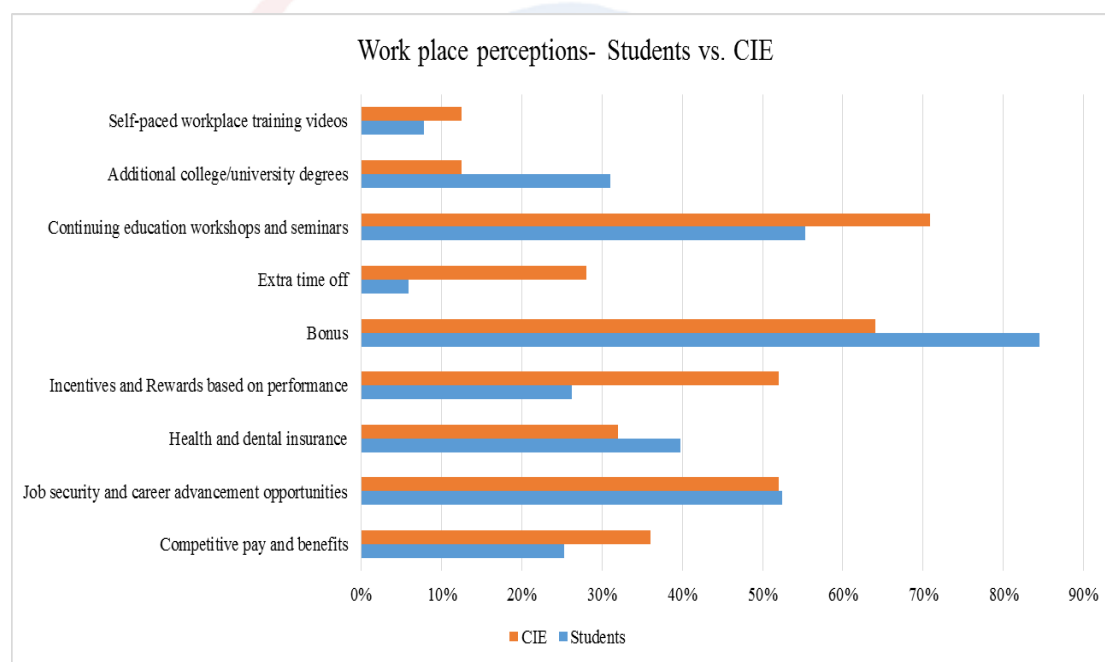


Figure 1: Work place attributes perceptions: Students vs. CIE

Another criteria that was considered to be important was the amount of travel required as part of the job description. Of the entire sample, 60 respondents (N=113) of the millennial generation considered traveling as an opportunity (refer to Table 2). Around 81 of the millennial respondents preferred to travel less than 50 miles on a daily basis. The other respondents considered traveling up to 100 miles, but very few people considered traveling more than 100 miles on a daily basis. Chi-square test of independence was performed to examine the relationship between different generations and their preference to travel. The relations between the variables was significant,  $\chi^2 (2, 128) = 26.85, p = 0.05$ . This showed that millennials in this study considered travelling as an opportunity.

Table 2: Generational preference about traveling as a part of their job description

	<i>An opportunity</i>	<i>Requirement</i>	<i>Avoid Travel</i>
Millennials	<b>53.10%</b>	28.32%	17.70%
Generation X	12.50%	<b>75.00%</b>	12.50%
Baby Boomers	14.29%	<b>57.14%</b>	28.57%

In order to understand other parameters the millennial generation and employees considered for the ideal workplace, questions were asked related to job performance, social activities in the work place, communication methods, the environment of the workplace and technology. Respondents were asked to rate each statement based on a Likert-type scale of: 1= strongly disagree, 2= Disagree, 3= neither agree nor Disagree, 4= Agree, 5= strongly agree.

To get an insight on the different factors that improve “*job performance*”, statements were considered that included close supervision and job performance reviews. Millennials were split on the neither agree nor disagree (33.01%, N= 103) vs. agree (33.98%, N=103) that “*close supervision improves their job performance*” while the construction industry employees agreed (54.17%, N= 25) with the statement. When asked their opinion about “*job performance reviews*” both the construction industry employees and the millennials strongly agreed that the performance reviews were to be taken seriously (58.33%, N= 25; 49.02%, N= 103).

To consider their attitude towards “*formality in workplace*” both millennials and the construction industry employees appreciated formality in speech and dress in the workplace. The construction industry employees (54.17%, N= 25) agreed with the statement “*enjoy attending company sponsored events*”, while the millennial generation disagreed with that statement (38.24%, N= 103).

To understand their perceptions about “*methods of communication*”, both the millennial generation and the construction industry employees were inclined towards the preference of communicating in person rather than using electronic methods. In terms of “*receiving important information and updates by impromptu meetings*”, the majority of the employees agreed (75%, N= 25) with the statement and 51.46% of the millennial generation (N= 103) agreed with that statement.

When asked if they would look at other “*job opportunities*” and remain loyal to their existing employers, a majority of both the millennial generation and the construction industry employees agreed with the statement. Figures 2 and 3 denote the frequency of responses on the Likert scale of the students and construction industry employees with the statements related to the environment of the workplace in the construction industry.

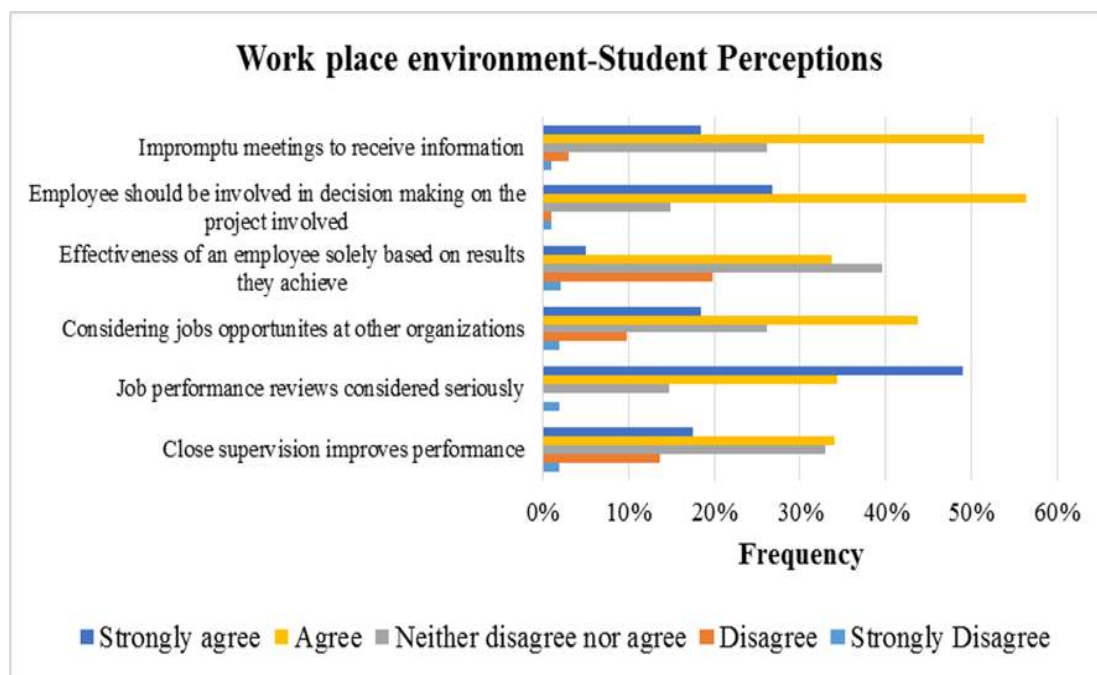


Figure 2: Work place environment in construction industry- Student Perceptions

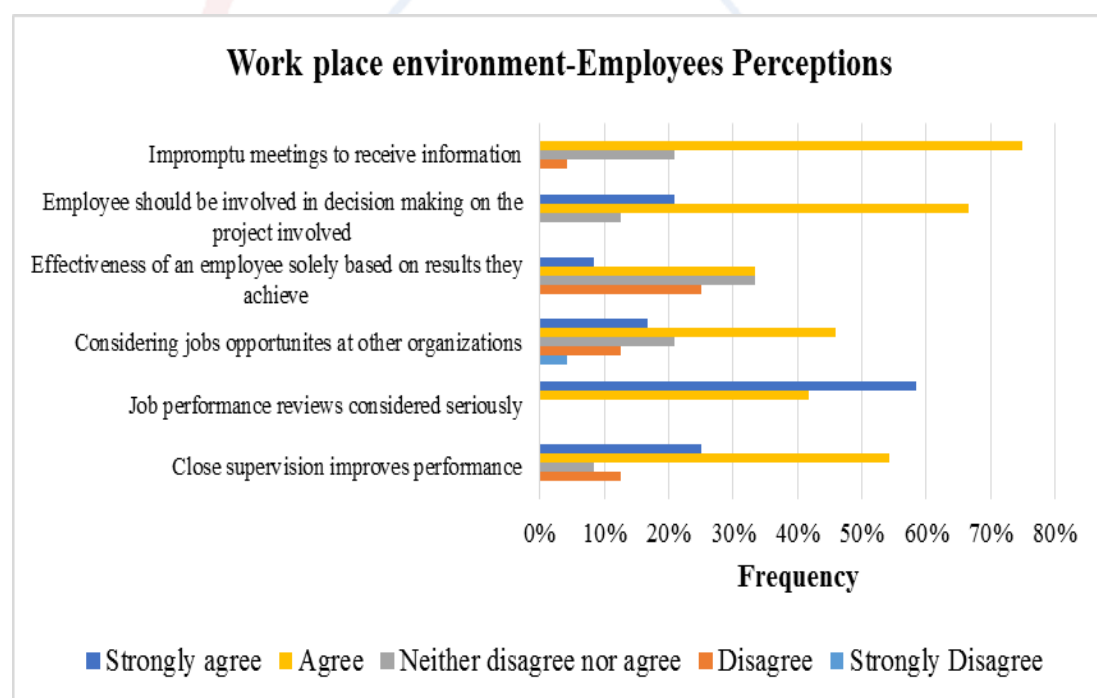


Figure 3: Workplace environment in construction industry- Employees Perceptions

To understand the viewpoint of the students and CIE on working individually or as a team, the aspects of their working preference and the effectiveness were considered. While millennials were split on the neither agree nor disagree (34.95%, N= 103) vs. agree (38.83%, N= 103) on their preference of “*working on group projects than individual projects*”, a majority of the construction industry employees neither agreed nor disagreed (45.83%, N= 25) with the statement. When asked their opinion on “*team work being more effective in accomplishing projects*”, the construction industry

employees (CIE) neither agreed nor disagreed (45.83%, N= 25) while students strongly agreed (33.01%, N= 103) with that statement. However, both construction industry employees and millennials agreed (45.83%, N= 25; 49.51%, N= 103) with the statement of increasing productivity in a workplace by having “*competition amongst coworkers*”.

“*Flexible work hours*” are considered to be a priority by the millennials (41.75%, N= 103) associated with the construction industry but the employees were split between neither agree nor disagree (37.50%, N= 25) vs. agreeing (37.50%, N= 25) with the statement.

To understand the perception of “*technological advancement*” in the company the aspects of incorporating technology and keeping up with latest technology were asked. Employees strongly agreed (50%, N= 25) that the company should be associated with the latest technology to create a competitive opportunity while a majority of the students agreed (53.92%, N= 103) with the same and both were in agreement (46.53%, N= 103; 62.50%, N= 25) with their comfort level of learning and keeping up with changes in technology.

A two-paired samples t-test was conducted to test the significance between the population means of the millennial generation in the construction industry and the population mean of the employees in the construction industry. This test was conducted for all the statements in the survey questionnaire in the format of the Likert scale. The statistical data for each statement is presented in Table 3. The statements that did not provide statistical significant data are “*I consider myself to be more work-focused than family-focused*”; “*I do not mind working more than 60 hours every week if I am a salaried employee*”; “*I prefer working in a company with an informal organizational structure vs. a company with a very formal organizational structure.*”



Table 3: T-Test- Paired Two Sample of Means  
For statements related to the workplace in the construction industry

	Statement	Mean	Variance	T-stat	
a	Close supervision improves performance	3.59	0.99	6.69	S
b	Job performance reviews considered seriously	4.34	0.66	18.55	S
c	Considering jobs opportunities at other organizations	3.65	0.94	7.59	S
d	Formality in the workplace	3.72	0.68	9.92	S
e	More work- focused than family focused	2.38	0.91	-7.29	
f	Enjoy attending company sponsored social events	3.83	0.76	10.8	S
g	Communicate in person rather than electronic methods	3.97	0.78	12.38	S
h	Impromptu meetings to receive information	3.81	0.57	12.14	S
i	Working on group projects than individual projects	3.52	0.84	6.39	S
j	Teams considered to be more effective	3.81	0.92	9.55	S
k	Competition amongst co-workers to increase productivity	3.6	0.91	7.07	S
l	Flexible work- hours are a priority	3.72	0.89	8.57	S
m	Company has no control over vacation time	4.02	1.14	10.71	S
n	Company associated with latest technology	4.34	0.43	22.84	S
o	Effectiveness of an employee solely based on results they achieve	3.21	0.8	2.61	S
p	Employee should be involved in decision making on the project involved	4.07	0.5	16.9	S
q	Need to be shown how to do something once	3.61	1.02	6.76	S
r	Comfort level on keeping up with latest technology	4.22	0.62	17.23	S
s	Working more than 60 hours/week as a salaried employee	2.85	1.4	-1.43	
t	A flexible schedule to meet personal/ family commitments	3.73	0.7	9.73	S
u	Follow an established chain of command	3.74	0.63	10.5	S
v	Work in an informal organizational vs. formal organizational st	2.9	1.12	-1.01	

## Discussion

While the literature findings stated that the millennial generation is associated with stereotypes, this pilot study showed that the millennials think much similarly to the other Baby Boomers and Generation X respondents belonging to the construction industry. This was seen in their preferences of work place attributes. Table 4 shows the preferences of the majority of responses ranked in the top two positions. One of the attributes considered to affect the preference of the workplace by both the millennial generation and the construction industry employees was the geographical location of the workplace or the jobsite. This showed that the perception of the millennials is not very different from the other generations in the workplace. This contradicted the research done by Ng et al., 2010 that the perceptions of the younger generation and the Baby Boomers differed in terms of workplace attributes and expectations.

Table 4: Perceptions of the workplace attributes by the majority of respondents

	<b>Students Perception</b>	<b>Employee Perception</b>
<b>Work Place Attributes</b>		
<b>Rank 1</b>	Job security and Career advancement opportunities	Job security and Career advancement opportunities
<b>Rank 2</b>	Competitive pay and benefits	Competitive pay and benefits
<b>Benefit Packages</b>		
<b>Rank 1</b>	Health & Dental Insurance	Incentives and Rewards based on Performance
<b>Rank 2</b>	Incentives and Rewards based on Performance	Health & Dental Insurance
<b>Rewards</b>		
<b>Rank 1</b>	Bonus	Bonus
<b>Rank 2</b>	Extra Time off	Extra Time off
<b>Training/ Development Opportunities</b>		
<b>Rank 1</b>	Continuing Education workshops and seminars	Continuing Education workshops and seminars
<b>Rank 2</b>	Additional university degree	Additional university degree
<b>Achieve work- life balance</b>		
<b>Rank 1</b>	Flexible work hours	Flexible work hours
<b>Rank 2</b>	Travel distance form work	Travel distance form work

The research data also showed that the millennials considered close supervision and job performance reviews to improve their performance on the jobs. This supported the statement that the millennial generation expects the same level of feedback that they have received throughout their upbringing in terms of development in the workplace from their supervisors/mentors/employers according to Ng et al., 2010. The construction students also appreciated formality in the workplace which contradicted the SHRM study (Burke, 2004) that the millennials prefer an informal workplace. The millennials also had a strong preference to work in teams and group projects and considered that as a factor to be more effective in accomplishing the project when compared to working individually on the project. They considered technology to be a factor to create a competitive environment and also agreed that they were comfortable keeping up to date with the latest technologies. Apart from that, they believed that competition amongst co-workers might increase productivity in the workplace. The construction student millennials, according to this research study, considered flexible work hours to be a priority to meet personal or family commitments and gave less consideration to working more than 60 hours a week on a regular basis. This supported prior research studies (Dries et al., 2008; Hewlett et al., 2009; Kowske et al., 2010; Smola & Sutton, 2002) that stated millennials prefer a work-life balance when compared to the earlier generations. The results of the research study showed that a majority of the millennial generation preferred working in a company with a formal organizational structure and following an established chain of command, but did not prefer attending company sponsored social events for employees and their families. This indicated that the population of this study had a preference of keeping their personal and work life separate from each other.

Another common stereotype attached with the millennials was their method of communication. Based on literature by Zemke et al., 2000 the results stated that the younger generation preferred communicating by electronic methods rather than communicating in person. This research study proved otherwise; students preferred communicating in person rather than by electronic methods and welcomed impromptu meetings to receive important information and updates. Though the millennials in this research study did not care for working more than 60 hours a week on a regular basis as a salaried employee, they did not mind working overtime in order to get a project back on schedule. They considered traveling as an opportunity if it is a part of the job description, but also favored traveling less than 50 miles on a daily basis to a job site.

Based on the results obtained from respondents in this research study, the preferences of the millennial generation in the workplace of the construction industry were:

- Flexible work hours to meet family/ personal commitments.
- Believe in team work and job performance reviews.
- Do not mix personal and work life.
- Prefer to communicate in person rather than using electronic methods and do not mind impromptu meetings to receive important information.
- Prefer using the latest technologies and do not mind learning and keeping up with the changes in technology.

Commonly cited responses to the questions of having a dream job with a perfect work environment were:

- Competitive work environment with challenging projects.
- A structured environment that allows free means of communication amongst the employees and employers.
- Balance of work and family life.
- Benefits in terms of paid vacations or extra days off.
- Work should not be restricted to the home office but should involve active participation at the project site.

### **Limitations**

The first limitation of this pilot study was the relatively small sample size of the population: students from one construction management program and construction industry employees from the department's industry board. The millennial students' values and attitudes may differ by race, gender, social and economic background. They may not have realistic expectations, attributes and experience working in a professional construction environment. Furthermore, the students with previous work experience may have been dissatisfied with their experience in the industry. It is unknown whether this issue may have had an impact on the participant's responses. Both the samples of the population considered were restricted to a single geographical area of the United States. The relatively small size and geographical restrictions may have biased the results of the survey.

## **Conclusions and Recommendations**

This research study used the framework of work, family and community to examine the ideal workplace attributes that the millennial generation considered in the construction industry. Unlike many prior research studies that stated the perspective of the millennial generation is completely different from the perceptions of the previous generation, the millennials of the construction industry seemed to disagree. While construction industry employers perceive that millennials view the workplace differently, responses showed that the millennials may not have a completely altering view of the workplace when compared to the other generations. This research study showed that although the millennials may have different expectations of the workplace, they shared similar attributes with current employees of the construction industry who belong to different generations.

If the sample size considered was larger and the population was not restricted to a single geographical area, the results would have had a lesser probability of being biased. It is recommended that with a larger sample of the population, other aspects such as the number of years of experience in the construction industry and the job position of the respondents should be considered. Data could be gathered and differentiated by employer (supervisor) vs. employee. This may help in conducting a comparative analysis of the expectations of the construction industry workplace from two aspects: generational differences and also the student-employee-employer expectations.

The findings reported in this research can help inform employers on how best to attract and engage the next generation of skilled workers. The millennial generation has the capability to encompass their knowledge and skills to fulfill both personal and societal goals. If effectively managed and retained, the millennial generation has the potential to become one of the best generations to serve in the construction industry.

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*Misapplication of Power and the Death Penalty in Georgia*

Ruth J. Carter, Georgia College State University, USA

The European Conference on the Social Sciences 2015  
Official Conference Proceedings

**Abstract**

In Georgia, as well as many parts of the United States, the misuse of power is often centered on who goes to prison and who goes free. Worse is the misapplication of power in connection with the death penalty, which is still legal in 30 of the American states, over who gets life with or without parole and who is executed. The arbitrary nature of the application of the death penalty is fatally ironic. Under consideration are two cases, that of Emma Ruth Cunningham and the process of parole and that of Kelly Gissendaner who is still on death row after two postponements of her sentence of execution.

A large, faint watermark of the iafor logo is centered on the page. It consists of the lowercase letters 'iafor' in a light blue font, surrounded by several overlapping, semi-transparent circular lines in shades of blue and red.

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## **Introduction**

Although still very divided, Americans are moving toward the abolition of the death penalty. Yet in this evolution toward a more humane viewpoint, Justice is neither blind nor balanced. The legal process available to someone given the death penalty in Georgia, follows the judicial procedures used all over the US. After the appeals route, there is one significant difference which makes the progression to execution or commutation in Georgia even more Draconian. In August 1953, Georgia voters ratified a landmark amendment to the State Constitution. In that document, the sole authority to grant paroles, pardons, reprieves, to commute sentences, including death sentences, to remit sentences, and to remove disabilities imposed by law was given to the State Board of Pardons and Paroles. This Board, which also deals with clemency, is a five-member group appointed by the serving Governor “for staggered, renewable seven-year terms subject to confirmation by the State Senate”. Each year the board elects one of its members to serve as chairman.” Once appointed, this group does not answer to the Governor or any other elected state official. This gives them unrestricted power over paroles and more significantly over who on death row lives or dies at their discretion.<sup>1</sup>

Statements from lawyers on behalf of the defendant and those concerned with the victims are held privately. There is no opportunity for additional information to be presented after the fact from either side. Not Even additional legal briefs can be added. Each of the five board members decides even which cases to review and when selected each member reads an inmate’s case file and comes to an independent decision about whether to grant or deny parole. The board’s majority opinion of three determines whether the inmate will be released or granted clemency.<sup>2</sup> It is almost impossible to obtain any information about how decisions are made. The Board really does hide state secrets. Only personal connections and hard won interviews allow even a glimpse of the truth.



## States and the death penalty

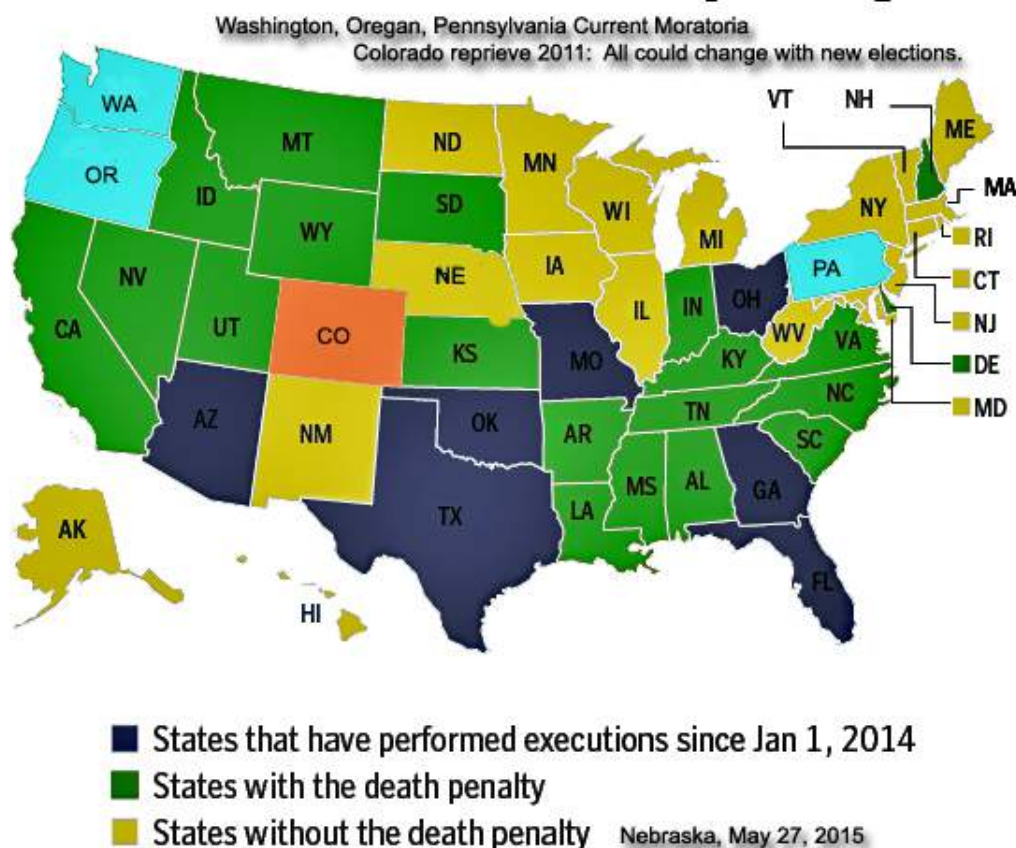


Figure 1: States with the death penalty 2015

### The Road to Parole: Emma Ruth Cunningham

In a previous presentation at the European Social Sciences conference in 2014, I discussed a case study about Emma Ruth Cunningham, a young African American woman, who was convicted in 1979 of the murder in Lincolnton, GA of a prominent white businessman, William Beal Crawford. Emma spent 3 ½ years on death row and after a retrial in 1983, granted because of erroneously introduced evidence, was given a plea bargained sentence of life with the possibility of parole. There was never any evidence but circumstantial against her and considerable proof that she was not guilty. Emma Cunningham's former husband James Cunningham confessed to killing Crawford and was also placed on death row. James was without doubt guilty of the crime. Yet under a federal appeal based on mental incompetence his sentence was also commuted to life with parole.<sup>3</sup>

Emma was assisted in her defense at her second trial by the addition of the famous *Dead Man Walking* ACLU attorney Millard Farmer to her coterie of lawyers. In addition to the lack of physical evidence against Emma, the US Supreme Court case *Enmund v. Florida* explicated the idea of proportionality of sentencing in the commission of a felony murder. This case examined the issue of death as valid penalty under the Eighth and Fourteenth Amendments for one who neither took life, attempted to take life, nor intended to take life. The Court's response was that death

was a “disproportionate” punishment. This case had direct bearing on Emma's retrial but it was not used as an argument. Instead a compromise decision of the plea of life with the possibility of parole was determined, based on the strong possibility that if Emma’s case went to actually went to a jury, in the racially prejudiced South the outcome might end with a second death sentence, with little or no chance of another reversal. An examination of the circumstances of Emma Ruth Cunningham’s case offers a rare look at the usually secret workings of the parole process.<sup>4</sup>

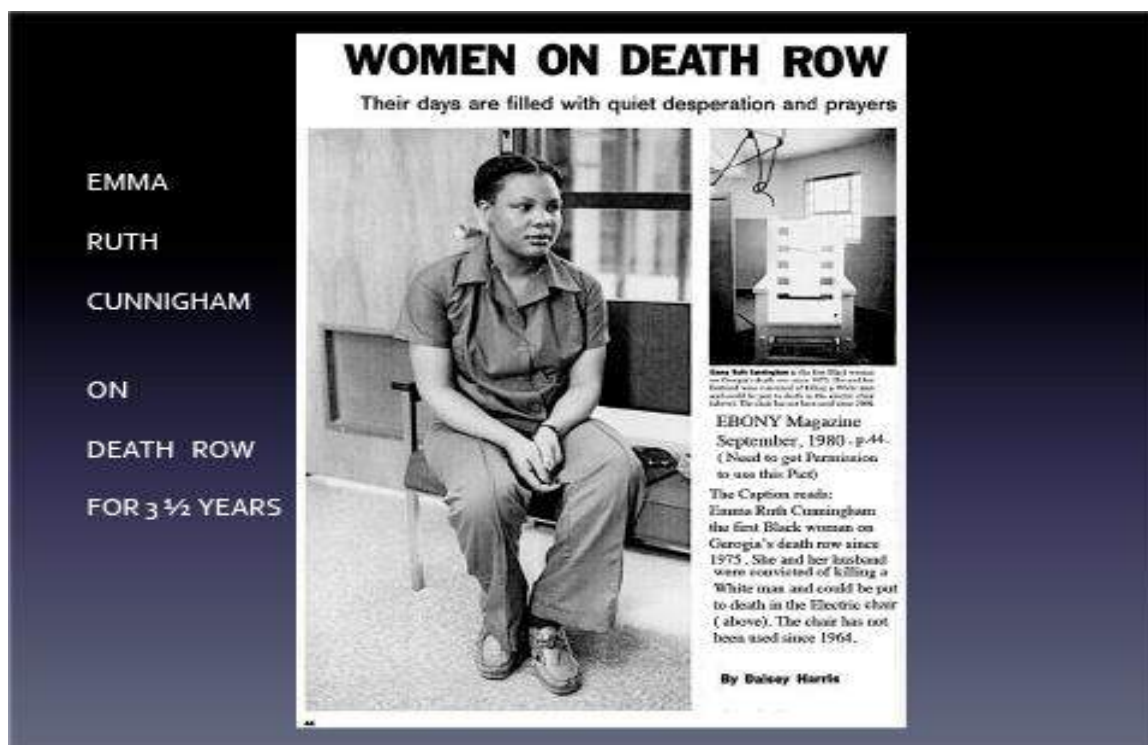


Figure 2: Ebony Magazine story on Emma 1980.

In 1983, Emma was transferred to a minimum security prison in Milledgeville, GA, which was a part of the Georgia Women's Correctional Institution called Colony Farms. She was an exemplary inmate who soon won fame as the soloist for the prison choir directed by Chaplain Susan F. Bishop. Emma’s remarkable soprano voice gained her the nickname of the Southern Songbird.<sup>5</sup> Her positive influence over other prisoners led one of the prison counselors, Luz Bolivar Roman to write in 1987 a letter of application to the Parole Board on Emma’s behalf, which was submitted with other supporting documents. Luz Roman enumerated that:

Inmate Cunningham’s participation in other therapeutic parts of the program at the institution has been outstanding. Participation in recreational and religious activities has been far above average. She has participated in drama festivals, Bible Studies, weekly worship services, and self-awareness groups. She always takes a leadership role in the religious activities in which she participates. Her most notable accomplishment in this area has been her participation in the Colony Farm Gospel Choir.<sup>6</sup>

I knew from experience,” Luz said “that the board was going to object because Emma had been on death row.” She continued, "I wrote to them that this objection should not be entertained in view that the Georgia Supreme Court had overturned this death

sentence in 1983 and that a new trial resulted in a life sentence with the possibility of parole." Luz argued that, "The stigma of having once been under the death sentence should not be held against her or be a factor in considering her for parole." <sup>7</sup>

Despite all of the recommendations and additional legal assistance from a prominent parole lawyer, named James Pilcher, Emma's first bid for parole was rejected on August 7, 1987, with no explanation of the refusal. She was informed in a letter signed by the Parole Board Chairman at that time, Wayne Snow, Jr. that she could apply for reconsideration in January 1994 after she had served 15 years in prison. <sup>8</sup>

Remarkably, in 1979, District Attorney Kenneth Goolsby, who had been the prosecutor at Emma's first trial, and Judge Robert Stevens, who handed down her death sentence that same year, argued in 1976 that a modification of the 1953 Georgia Constitutional Amendment that made the proceedings of the State Board of Pardons and Paroles confidential was "likely illegal." Over the years, other Georgia politicians have campaigned to weaken or abolish the Parole Board. From time to time, the legislature has threatened its, usually after controversial decisions. To date, no legislative attempts or public objections have dented the power of the Board of Pardons and Paroles. <sup>9</sup>

Despite the disappointment of parole denial, Emma continued to attract positive attention because of her unusually powerful voice. The *Atlanta Journal Constitution* sent a reporter to write a story about her. In a series of feature articles including one titled, "Update on Singer Emma Cunningham, who is serving a life sentence in the Georgia Women's Correctional Institution" the reporter, quoted Ruth Walker Hood, the now deceased older sister of the Pulitzer Prize winning author Alice Walker. Mrs. Walker, who had invited the prison choir to sing at the Georgia premier of the film version of her sister's book *The Color Purple*, said about Emma Cunningham, "I was blown away by her voice... It was so clear, so pure, and so sweet. And I asked myself, 'How could a voice like that be in a place like this?' " <sup>10</sup>

## State Board of Pardons and Paroles

Wayne Snow, Jr.  
Chairman



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ATLANTA, GEORGIA 30334

Mrs. Mamie B. Reese  
Member  
James T. Morris  
Member  
Mobley Howell  
Member  
Michael H. Wing  
Member

August 7, 1987

Ms. Emma Ruth Cunningham BP-122984  
Women's Correctional Institution  
P.O. Box 218  
Hardwick, Georgia 31034

Dear Ms. Cunningham:

Thank you for your letter concerning your parole. I understand your disappointment at being denied parole. However, the Board carefully considered all available information before a decision is made. Also I must regretfully say that the information in your letter is not sufficient reason for the Board to reconsider your case before your next consideration date set by the Board.

When you are again considered for parole in, January, 1994 I hope the facts in your case will justify the Board's granting parole.

Very Truly Yours,

A handwritten signature in cursive script that reads "Wayne Snow, Jr.".

Wayne Snow, Jr.  
Chairman

WSjr./pl

AN EQUAL OPPORTUNITY EMPLOYER

Figure 3: Parole Denial

Ruth Walker Hood, appalled that Emma would not be eligible to apply for parole again until 1994, began to apply her considerable resources to the situation. Mrs. Hood said, "If you want to get something done, you also have to have good information and good publicity. I hired a Private Investigator and a PR firm in Conyers, Georgia. They found some of Emma's records for me and we obtained copies of both the local newspaper and Ebony magazine stories on Emma. Mrs. Hood also knew if she were going to get the Parole Board to look at Emma's case that she was going to have to have expert legal counsel. At considerable expense, she hired a well-known Florida attorney, James V. Johnstone, who was also licensed in Georgia, to represent Emma. Johnstone wrote a multi-page motion submitted to the board on

October 23, 1989, entitled "Request for the Reconsideration of the Life Sentence of Emma Ruth Cunningham Under the direction of Ruth Walker Hood the substantial file on Emma Cunningham was submitted to the Parole Board. When the Parole Board got the information that Mrs. Hood had assembled, she complained that, "They just stuck it in a file and didn't even look at it," Generally speaking, an inmate with a life sentence who is denied parole usually will face an uphill battle to secure it at a future time. As a rule, the inmate will not even be considered at a date earlier than the one stated in the rejection. 11

Emma was allowed to apply for parole because her death sentence had been overturned, but the attitude of the parole board was based on her pre-appeal conviction. "Someone on the board told me that they had no plans to release Emma at all—ever—because she was a convicted murderess." Ruth continued, "The Parole Board don't just release murderers back on the street. Particularly, when no one is pullin' for Emma. No family. No friends. nobody." She added, "They expected to keep her in jail for 25 years.<sup>12</sup>

"I was the first somebody to approach the board and say, 'Let this woman go,'" Ruth Hood remembered. "So I found out there was one African American woman, Bettye O. Hutchings, on the parole board. I called her personally." Mrs. Hutchings was married to a prominent funeral director in Macon, Georgia. Their facility had been in business since 1895 and the funeral home had an excellent reputation. Because of the longevity of the family business and her own public service, Mrs. Hutchings, who is now the director of the business, had well-deserved status in the Macon community and beyond. "When I spoke to Mrs. Hutchings," Ruth Hood says, "I asked her if had they looked at the petition that Mr. Johnstone had submitted and all the supporting documents." She said, "No, the board has not looked at the file because you know it's pointless." She pointed out that one of the main considerations in giving an inmate parole was a good residence plan which had to include, among other things, that the parolee would have access to necessary social services, transportation, to a job, and above all, a stable environment. "I don't think that you know," Bettye Hutchings said, "that Emma Cunningham's never going to ever get out because nobody wants her." Ruth said, "I want her. You know, if it takes becoming her surrogate mother and giving her my home as her home, I will reach for her. I will take her if you all will please look at the files. You know?" Ruth admitted, "I just broke down over the phone and just cried and just cried and begged Mrs. Hutchings to please look at Emma's file. So she said she couldn't promise me nothing, but she would see what they could do."<sup>13</sup>

Emma relates, "I know that a lot of people including Chaplain Bishop, Luz Bolivar Roman and Mrs. Ruth Walker Hood were all still working to get me out on parole, but I don't hold out much hope. One of the prison Chaplains got permission for me to go to Atlanta. When I ask why? She says, 'To sing *Happy Birthday*.' I just stare. I done sung for Governor Joe Frank Harris and for the premier of *The Color Purple* movie. Governor Harris even gets me to sing his mama's favorite song, *He's Coming Home Again* twice. "What the hell good they think it going do for me to sing that bitty song, but I always do what they tell me," Emma says ruefully. "We go to a big building, on an elevator and into an office that say Department of Corrections. There is a whole bunch of people in the room. The Chaplain introduces me to a nice black lady named Mrs. Bettye Hutchings. I sing *Happy Birthday* to her with all my best up high notes.

She smile, shake my hand and they all clap. We turn around and go back to Colony Farm." Emma says, "It don't make no never mind to me. I get out of the prison. I get a nice lunch," she laughs. "I done got used to singing what and where ever." Emma did not realize it, but she had just met the Parole Board. <sup>14</sup>



Figure 4: Ruth Walker Hood

Bettye Hutchings

The second time her case was presented the Board made a decision in Emma's favor and she was granted parole in 1990. I have known Emma almost 25 years. If anyone ever deserved parole it was she. While in prison both on and off death row her life was an example of how to overcome adversity. She now works in prison ministry, and who after all could be better qualified. She continues to be the Southern Songbird as she was called during her years in prison, inspiring others with her voice and positive message.

The unsupervised power of the Georgia Board of Pardons and Paroles and the inconsistency of its decisions is clearly illustrated by the circumstances of Emma's parole. She was exactly the same person in 1987, when she was denied parole in terms of her behavior and contributions, as she was in 1990 when the Board granted her freedom. For Emma to finally be paroled it took someone with money and prominence (Ruth Walker Hood) to hire a detective, an influential parole lawyer who wrote in Emma's defense, a special meeting by Emma with the Parole Board and personal sponsorship by Mrs. Hood. She was the only one of five women on death row with her to be paroled in under 20 years. At a concert at Thankful Baptist Church in Decatur, Georgia, the first Sunday she was out on parole, Emma sang to the congregation with clear, upward spiraling notes about what was now true of her life, "I sing because I'm happy. I sing because I'm free. God's eye is on the sparrow, and I know he watches me." <sup>15</sup>

## State Board of Pardons and Paroles

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Chairman



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ATLANTA, GEORGIA 30334

James T. Morris  
Member  
Bettye O. Hutchings  
Member  
David C. Evans  
Member  
Timothy E. Jones  
Member

November 20, 1990

Ms. Emma Ruth Cunningham,  
EF-122984  
Metro IC

Dear Ms. Cunningham:

After careful investigation and deliberation, the Parole Board has tentatively decided to release you under parole supervision. This means you will be allowed to serve the rest of your sentence(s) outside of prison where you may earn your own living and lead a normal life.

You are scheduled for release on parole on November 30, 1990  
This date is tentative until actual release.

Your Certificate of Parole will be delivered to you soon by your Superintendent or Warden, who will explain the standard conditions of parole which are found on the back of the Certificate and any Special Conditions which are found on the front of the Certificate. These conditions will be explained to you again when you first contact your Parole Officer. Pay attention to all of these conditions and make sure they are explained to you fully. Remember that the only way you can go back to prison is by violating one of these conditions. The only one who can send you back is you!

The name and address of your Parole Officer will be found on the front of the certificate. Report immediately as required by the conditions of parole and follow all instructions. You will find the officer to be a friend and advisor.

You have our best wishes in your efforts to begin a new life. You went to prison because you failed to abide by society's rules. We think you are ready to abide by these rules and be an asset to your community instead of a liability. This is why we grant you parole.

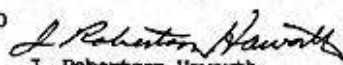
We wish you success and happiness.

Sincerely,

STATE BOARD OF PARDONS AND PAROLES

WAYNE SNOW, JR., CHAIRMAN  
JAMES T. MORRIS, MEMBER  
MRS. BETTYE O. HUTCHINGS, MEMBER  
DAVID C. EVANS, MEMBER  
TIMOTHY E. JONES, MEMBER

FOR THE BOARD

  
J. Robertson Heworth  
Director of Central Operations

cc: Warden

EQUAL OPPORTUNITY EMPLOYER

Figure 5: Letter Granting Emma Parole

## Death Row and Death Warrants: Kelly Gissendaner

Unfortunately because of the seemingly arbitrary pronouncements of the Georgia Board of Pardons and Paroles, many outcomes do not have the positive results of Emma Cunningham's case. Assessments often are concerned not just with freedom or continued time in prison but with the irreversible decisions of who lives and who dies. The State board not only handles paroles, it has the same complete and unsupervised control over Pardons and Commutation of the death sentence According to the State Board of Pardons, in its 60-plus year history, it has granted less than 5 pardons based on innocence.<sup>16</sup>

The Parole Board has the sole constitutional authority to commute, or reduce, a death sentence to life or to life without parole. Only after an inmate appears to have exhausted all appeals and other judicial avenues of relief will the Parole Board even consider granting a commutation to a death-sentenced inmate. At that time, the condemned inmate's attorney may petition the Board to grant executive clemency to his or her client. Commutation is even more rare and always controversial.<sup>17</sup>

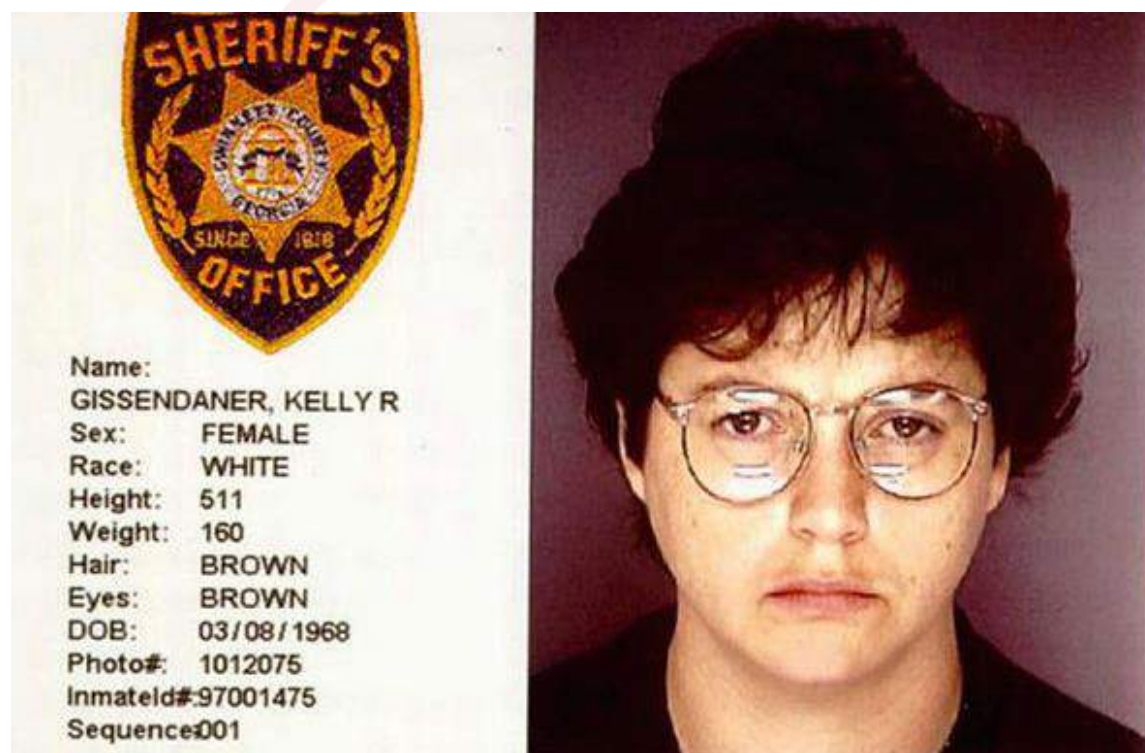


Figure 6: Kelly Gissendaner Mug Shot

In investigating the second case under consideration, that of Kelly Renee Gissendaner the concept of proportionality is of concern as well as the secrecy of the Parole Board and the issue of unusual cruelty connected with the death penalty under the Eighth Amendment of the US Constitution. Gissendaner was given the death penalty in 1997 for her complicity in the murder of her husband Doug. Initially Kelly denied having anything to do with the murder. Her then lover Gregory Owns admitted that he "beat Kelly's husband with a club and stabbed him and left him to die in the woods." Eventually, the remains of the victim were found in the shell of his burned out car, in a remote wooded area in Gwinnett County Georgia. At that point, Kelly was also



arrested for the crime, which was instigated over the supposed benefits of a life insurance policy.<sup>18</sup>



Figure 7: Gregory Owen testifying against Kelly Gissendaner

In return for a plea bargain of life, with the possibility of parole, Gregory Owen testified that Kelly went to the scene of the crime with him after the murder and that they set the fire together. He also maintained that it was she who planned the crime. "Plea bargains are a question of who can cut a deal first, which is not a very principled way to decide who could get the death penalty," said Stephen Bright, who teaches at Yale Law School and is president and senior counsel at the Southern Center for Human rights. "And it's troubling."<sup>19</sup>

Kelly was advised by her lawyers to go to trial, since the death penalty for women in the United States is unusual. This advice was based on the fact that only 5 other women in Georgia, including Emma Cunningham, have been given the death penalty in Georgia since 1973. All but one had her sentence commuted to life with parole and the other four, including Emma, are now free. The last, Janice Buttrum, had her sentence commuted to life without parole.<sup>20</sup>

Gwinnett District Attorney Danny Porter, who prosecuted Gissendaner, said she was not only as guilty as Owen but perhaps more so for crafting the plot. "She didn't actually strike the blow with the night stick, and she didn't actually stab him four or five times," Porter said. "(But) she was the instigator." The jury agreed and Gissendaner was placed on death row.<sup>21</sup>

Victor Streib, a retired Ohio Northern University law school dean and death penalty authority, said it's not unconstitutional to hand down disparate punishments for the same murder. But there is an appearance it may not be just. Who gets a death sentence seems random, making it hard to justify from one case to another, Streib said. A hard childhood is rarely allowed as evidence in Felony crimes in the US. But those

circumstances no doubt contribute to the personality and emotional responses of the person who commits criminal acts. Kelly was the victim of molestation and rape from age 10 variously by her stepfather, and an uncle. She gave birth to a son two weeks after she graduated from high school, as the result of date rape.<sup>22</sup>

The issue of proportionality is clear in this case. The killer, Gregory Owens, was given life and the instigator, Kelly Gissendaner, was put on death row. In 1984 in a Supreme Court Case, *Pulley v. Harris* the majority opinion was that the Constitution does not require that a state appellate court, before it affirms a death sentence, compare the sentence in the case before it with the penalties imposed in similar cases if requested to do so by the prisoner. The possibility of such a comparison existed nevertheless. Although they might have, Kelly's lawyers made no mention of an oddly similar case with a reversal of the outcome in her situation.<sup>23</sup>

In 1975 Rebecca Smith Machetti was sentenced to death for the murder of her ex-husband and his new wife, Ronald and Juanita Akins. The Akinses were found shot to death in a secluded area of Bibb County, Georgia. Like Gissendaner, Rebecca Machetti was not present during the murders and was described not as the killer but as the initiator of the crimes, also based on a desire to collect on life insurance. Rebecca Machetti was granted a new trial in 1982 and she was sentenced to two consecutive life sentences. Her second husband, John Eldon Smith (AKA Tony Machetti), was the first person to be executed when Georgia resumed utilization of the death penalty in 1983. After 36 years in prison, Rebecca Machetti was released at the age of 71.<sup>24</sup>



Figure 8: Rebecca Machetti at her release

Cases like this one and that of Gissendaner are rare. Out of nearly 1,500 murders executed in the United States since the 1970's only four others were co-conspirators. In other cases the issue of proportionality has also been a significant factor. The US Supreme Court case of *Enmund v. Florida* addressed this issue by distinguishing the relative complicity of the actual killer from a bystander. The crucial difference in both the Rebecca Machetti and Kelly Gissendaner cases is based on the collusion of both women in the crime, despite the actual murders being carried out by an accomplice. These circumstances should be compared to those of Emma Cunningham, against whom only circumstantial evidence was ever presented.<sup>25</sup>

All individuals in the United States given the death penalty have the right of appeal, which is an extended and complicated process, which often leads to a gap of 15 to 20 years between sentencing and potential execution. The U S Eleventh Circuit Court of Appeals granted Gissendaner a certificate of appeal based on several of her claims for relief. One request was based on proportionality despite her instigation of murder. The brief maintained that her trial attorneys were ineffective for failing to "advocate for and negotiate a plea agreement for a sentence less than death, while the actual murder was given life with parole under a plea bargain. The second point argued was that "trial counsel rendered ineffective assistance during the penalty phase of her trial by failing to adequately investigate and present mitigating evidence of her alleged history of sexual abuse, physical abuse, and mental health issues." All of Gissendaner's appeals failed, including this one that raised the constitutionality of her death sentence for murder in light of the life sentence given to Owen. Kelly has said, "I deserve to be in prison but I don't deserve to die."<sup>26</sup>

Kelly was incarcerated for more than 14 years at Metro State Prison in Atlanta. Under the supervision of Rev. Susan Bishop, (who still directs the prison choir which was instrumental in the eventual parole of Emma Cunningham), a theological certificate program was sponsored by the Candler School of Theology at Emory University in Atlanta Georgia for the inmates. Beginning in 2009, Kelly was allowed to study theology in the classroom with the other women inmates. In 2011 Metro was closed and many of the women, including Kelly, were transferred to Lee Arrendale Prison near Alto, GA. Interestingly enough the required judicial citation of Kelly's appeal in 2013, cited warden Kathy Seabolt who allowed this privilege. Even after the transfer to Arrendale, Warden Seabolt continued allowing Kelly's attendance at lectures.<sup>27</sup>

With a change of leadership at Arrendale, classroom attendance was rescinded and Kelly was placed back in solitary at all times. She lived in Spartan 12-by-9-foot cell, where she spends about 16 hours a day. The door of her cell is solid steel, with a 6-by-9-inch window. The door has a slot, used by corrections officers, to slide three meals a day to her on a plastic tray. An orderly existence Everything she owns is contained in a small metal wall locker with no doors. It holds her shampoo, soap, deodorant and other toiletries. She keeps snacks in the locker: kosher dill pickles, Cheetos and saltine crackers. The furniture in her cell is made of welded steel and is bolted to the floor. Her metal bed has a sleeping bag-thin mattress. A stainless steel toilet and sink are attached to the cinder-block walls. Each time she leaves her cell, she must first extend her arms through the slot to be handcuffed.

When Gissendaner walks through a Georgia prison, she wears a tan prison uniform with Department of Corrections stenciled on the back.<sup>28</sup>



Figure 9: Gissendaner on her way to one hour of solitary recreation.

Since Kelly was not allowed to attend theology classes at Arrendale the professors came to her. One instructor, Rev Jennifer McBride, connected the imprisoned theology students with the German professor Jürgen Moltmann, who is one of the most distinguished living theologians. Moltmann's theology resounded with all of the inmates in the theology certification program at Metro and then for those transferred to the Lee Arrendale prison. This was especially true of Kelly who asked to correspond with Dr. Moltmann. Gissendaner sent Professor Moltmann a paper that she had written on Dietrich Bonhoeffer. He was impressed by her thoughtful point of view. The two Christians — a convicted murderer in Georgia and a retired theologian in Tübingen, Germany— became pen pals. In four years, they exchanged “20 or 30 letters.” They discussed “theological and faith questions.”<sup>29</sup>

Moltmann personally understands imprisonment and imminent death. As a young man he was conscripted into Hitler's army. Never a Nazi, he was appalled by the cruelty and carnage of the regime. He surrendered to the British as soon as was opportune. After having spent 3 years in the hell of war he devoted his time as a POW to considering the issues of Good and evil. "In the Spirit", he concluded, "we embrace the presence of God, but we also embrace community with people and all living things. "Motlmann says, "I am disgusted at the inhumanity of the American prison system. It is pure punishment, not educational justice. I am unconditionally against the death penalty." "There is always for everybody hope to change. And we

must not nail a person down to the crime once committed. We condemn the sins but we love the sinners. So we must separate the person from the deed, and give the person a new chance. "<sup>30</sup>

In 2011 Kelly was awarded her Theology Certification. To her delight Jürgen" Moltmann came from Germany to deliver an address at Candler School of Theology and later he made a speech to the graduates of the Arrendale class. Kelly was overwhelmed to meet her spiritual mentor and intellectual guide.



Figure 10: Professor Moltmann, Kelly and one of her teachers, Rev. Kathy Zappa

When all of Kelly's judicial appeals were denied Moltmann sent her a blue trimmed handkerchief for her tears "Dear Kelly," he wrote, "Friede sei mit dir" — peace be with you. The new administration at Arrendale Prison prevented the handkerchief from being given to the prisoner. Through the intervention of the prison chaplain the treasured gift was sent to Kelly's children, who were then allowed to give it to Gissendaner as a Christmas present.<sup>31</sup>

Despite her revolutionary change of character, with her appeals exhausted a warrant for Kelly's death was signed by Sam Olen, the Attorney General for Georgia on February 9, 2015. A remarkable petition to stay the execution on the grounds of proportionality and change of character was filed by Gissendaner's current lawyers, Susan C. Casey and Lindsay Bennett This 54-page document included letters of positive endorsements from inmates, wardens and concerned citizens. At the same time they filed an emergency application on her behalf for a 90-day stay of execution, which was also declined with no explanation.<sup>32</sup>

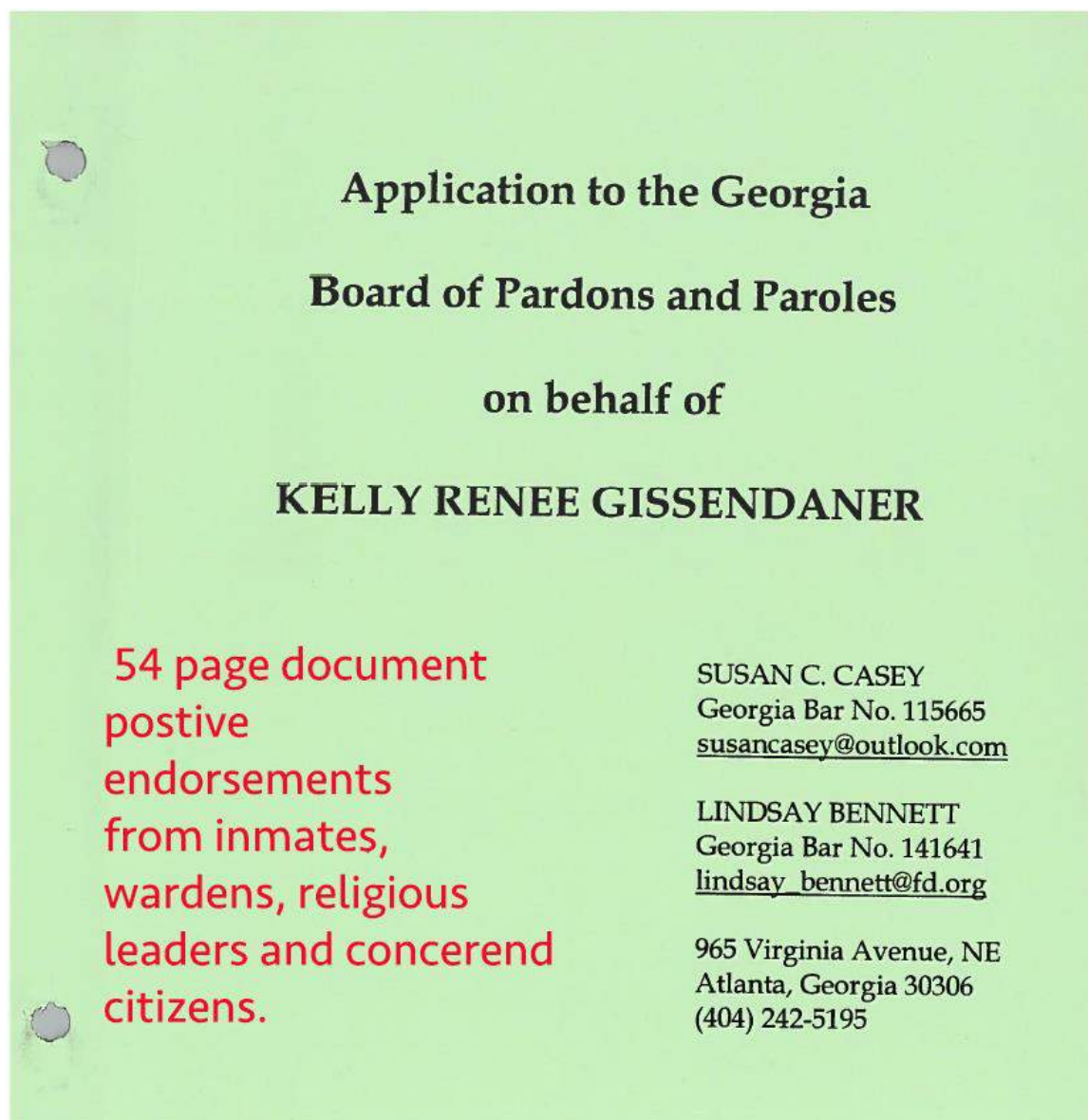


Figure 11: Clemency Petition filed for Gissendaner

As has been noted, the only group authorized to grant commutation or a stay of execution in Georgia is the State Board of Pardons and Paroles. As is true of parole the decisions surrounding this process are secret. As of 2015 Kelly has been on death row for 18 years and two warrants for her execution have been issued but not yet carried out. Kelly was schedule to be taken to Georgia Diagnostic Prison for execution by a lethal injection of Penobarbital. A heavy winter storm on the Feb. 24 continuing until the execution date of Feb 25 precluded transferring Gissendaner to the death chamber in Jackson, Georgia. Two dozen or so priests and other ministers delivered 26,000 petitions to the Georgia Governor Nathan Deal's office asking him to use his influence to halt the now postponed execution. "We are purportedly a Christian state, but this execution is just state-sponsored mob violence," said the Right Rev. Rob Wright, bishop of the Episcopal Diocese of Atlanta. "It's a lynching." The Governor declined to intervene. As the weather cleared, despite further appeals for clemency, Kelly waited in her solitary cell for her execution to be rescheduled.<sup>33</sup>

**February 25, 2015  
For Immediate Release**

## **Parole Board Denies Clemency for Kelly Renee Gissendaner**

**ATLANTA** – Tuesday, February 24, 2015, the State Board of Pardons and Paroles met to consider a clemency request from attorneys representing condemned inmate Kelly Renee Gissendaner. The Board has voted to deny clemency.

In reaching its decision, the Board thoroughly reviewed all information and documents pertaining to the case. In addition to hearing testimony during the meeting on Tuesday, the Board, prior to the meeting, had thoroughly reviewed the parole case file on the inmate which includes the circumstances of the death penalty case, the inmate's criminal history, and a comprehensive history of the inmate's life.

Kelly Gissendaner was convicted of murder in the February 1997 death of her husband, Douglas Gissendaner. She was convicted of malice murder in 1998 and sentenced to death. Gissendaner's appeal to the United States Supreme Court was denied October 6, 2014.

Gissendaner is scheduled to die by lethal injection on Wednesday, February 25, 2015, at 7 p.m., at the Georgia Diagnostic and Classification Prison in Jackson.

### Figure 12: Denial of Clemency

Gissendaner's execution was rescheduled for Tuesday, March 2, 2015. If it were not so tragic, what happened on that day resembled a Keystone Cops film. On March 2, early in the morning, Kelly was transferred from Arrendale to Jackson State Prison for her execution. Kelly had tried to prepare herself for death and she was allowed to record her last words. She said: "I just want to tell my kids that I love them and I'm proud of them and no matter what happens tonight, love does beat out hate. You keep strong and keep your heads up. I love you." Abruptly, after she had made the recording, with no explanation or warning, she was transported back to Arrendale. Her solitary cell had been cleared so she asked Chaplain Bishop for shampoo and soap so that she could take a shower.<sup>34</sup>

Within minutes of her arrival at Arrendale, even before she could clean up, a Department of Corrections van arrived and she was transported to solitary confinement at the only other women's prison in Georgia, Pulaski State Prison. The reason given was that Gissendaner's support system at Lee Arrendale Prison was too involved with her personally and that many were committed to having the death penalty rescinded. At that point the public was told only that Kelly's execution had been postponed for a second time within slightly more than a week.

Georgia Attorney General Sam Olens called three times the night of March 2, first to say the execution was off, then on, and then finally off for that evening, Gissendaner's attorneys claimed in a new court filing. Eventually the Georgia Department of Corrections issued a statement indicating that Gissendaner's execution was again postponed because the drug Pentobarbital, used for lethal injections was found to be filled with particulate, and was determined to be unusable.<sup>35</sup>

A new brief filed on Kelly's behalf, maintained that the state did not inform her lawyers until the next day that Gissendaner wouldn't be executed within the window specified on her death warrant, which was good until March 4. The "hours of indecision" caused grave fear in the prisoner, enough to amount to "cruel and unusual punishment" barred by the Eighth Amendment, the attorneys said. This brief was filed simultaneously with a second petition for stay of execution to the US Supreme Court.<sup>36</sup>

There have been various examples of botched executions in the United States because of problems with lethal injections. One of the most recent was in Oklahoma in 2014 with the execution of Clayton Lockett, who languished for more than an hour before he finally died of a heart attack. In 2011 the European Union banned the export to the US of drugs which could be used in lethal injections. The American pharmaceutical company Hospira ended the manufacture of lethal injection drug sodium thiopental. These decisions have made execution drugs very difficult to obtain in the US.<sup>37</sup>

On Monday June 29, 2015, the US Supreme Court heard cases from Oklahoma, Ohio and Arizona on use of execution drugs. Chief Justice John G. Roberts Jr. and Judges Scalia, Kennedy, Thomas, and Alito joined the majority opinion. The Supreme Court affirmed Oklahoma's right to use an experimental drug midazolam in lethal injections. Justice Stephen Breyer responded that the majority "misses" the point, which is that the death penalty is applied too randomly to be legal. Justice Sonia Sotomayor concurred. This dissent marked the first time since the early 1990s that two sitting Supreme Court justices have openly questioned the legality of capital punishment.<sup>38</sup>

"The imposition and implementation of the death penalty seems capricious, random, indeed, arbitrary," Breyer wrote. "From a defendant's perspective, to receive that sentence, and certainly to find it implemented, is the equivalent of being struck by lightning. How then can we reconcile the death penalty with the demands of a Constitution that first and foremost insists upon a rule of law?" Sotomayor, writing for the liberal justices in the principal dissent, expressed outrage at Alito's insistence that prisoners must identify a humane way to be executed. "But under the Court's new rule, it would not matter whether the State intended to use midazolam, or instead to have petitioners drawn and quartered, slowly tortured to death, or actually burned at the stake: because petitioners failed to prove the availability of sodium thiopental or pentobarbital, the State could execute them using whatever means it designated," she wrote. Despite the obvious bifurcation in the decision, once the drug was legalized, Oklahoma immediately scheduled the execution of three death row inmates.<sup>39</sup>

In the aftermath of this Supreme Court ruling, on August 11, 2015 federal judge, Thomas Thrash, dismissed the lawsuit filed on behalf of Kelly Gissendaner maintaining that her Civil Rights had been violated under the Eighth Amendment of the US Constitution. Gissendaner's attorney's argued that she had suffered thirteen hours of anxiety before the announcement, not knowing whether the state would proceed with her execution and what drugs it might use. Her lawyers also maintained that the problem with the lethal injection drug means she could be subject to cruel and unusual punishment when her execution date is rescheduled. The judge ruled negatively. Thrash wrote, "The period of uncertainty between the cancellation of her execution and the announcement that the state would not pursue her execution before



the court-ordered window had ended did not constitute cruel and unusual punishment because there's no evidence state officials intended to inflict pain."<sup>40</sup>

In total, 141 countries have either abolished the death penalty by "law or practice."—meaning they have not executed anyone for at least 10 years and have a long-standing policy of not executing." Since 2010, the majority of executions in the world have taken place in China, Iran, North Korea, Yemen and the United States. That list is startling considering the American ideals of liberty and justice. Public opinion in the US is still divided about the death penalty. Local politics, the state in which the crime was committed, plea bargaining and "pure chance" make it a "lottery of who lives and who dies." Since the reinstatement of the death penalty in 1976, 82% of all executions have taken place in the South and West. Yet, "Actions of the legislatures, lower-court judges and governors can be interpreted by the Supreme Court as signs of 'evolving standards of decency' in society," which the U.S. Supreme Court may eventually see as justification for striking down capital punishment."<sup>41</sup>

The refusal by the Governor of Georgia as well as both State and Federal law courts to provide her relief means that for Kelly Gissendaner the slow evolution towards abolishment of the death penalty in the United States may come too late. In the wake of the circumstances around this case, on July 1, 2015 Act 43 of the Senate of the Georgia State Legislature became effective. The law is entitled: *Pardons and paroles; provide input and transparency relative to granting a parole or commutation of a death sentence to a life sentence*. How much this law will influence the secrecy issue around the decisions of the State Board of Pardons and Paroles remains to be seen. This law comes too late for Kelly Gissendaner as well, since to date her appeals have been exhausted.<sup>42</sup>

As of August 2015, Gissendaner is confined to a solitary cell at Pulaski State Prison, with no access to those officials from Lee Arrendale prison that provided compassionate supervision and spiritual comfort for much of her incarceration. Gissendaner's fate could be determined by the issuance of a third death warrant at any time.

## **Conclusion**

Emma Ruth Cunningham, was placed on death row and spent nearly twelve years in prison for a crime, the murder of a white businessman in Lincolnton, GA, she almost certainly did not commit. At play in her death row sentence clearly was racial discrimination. Her lawyers opted for a Bench Trial because they were aware of the mind-set of the mostly white jury, which had already given her husband the death penalty. To their horror, the presiding judge also sentenced Emma to death. Even though blacks and whites are murder victims in nearly equal numbers of crimes, 80% of people executed, since the death penalty was reinstated in 1976, have been executed for murders involving white victims. This problem was endemic in 1979 when Emma was incarcerated and even today nearly 98% of all prosecutors responsible for the death penalty are white. A second trial, which ended in a plea bargain of life with parole placed Emma in jail for nearly ten more years because of her lawyers fear that a new jury would again give her the death penalty. Only influence, money, determined supporters and personal contact with the Parole Board ultimately gained freedom for Emma Cunningham. 43



Figure 13: Emma Cunningham with her lawyer, now a Georgia Circuit Court Judge, Roger Dunaway.

Kelly Gissnedaner admits her complicity in the murder of her husband. This is no longer the issue. Inmates, wardens, chaplains, and more than 25,000 members of the public has petitioned for clemency for Kelly because of her 18 years of incarceration and her remarkable transformation during that time. Professor Moltmann said of Kelly Gissnedaner, "I have found her very sensitive, and not a monster, as the newspapers depicted her. And very intelligent." She has been rehabilitated. She has changed her heart and mind," he said. None of this commentary nor direct observation of Gissnedaner's exemplary behavior and spiritual growth has had any impact on the State Board of Pardons and Paroles or on either the State and Federal legal systems. The application of the death penalty in the United States is based on decisions, which are arbitrary by any standard. From a humane standpoint in the case of Kelly Gissnedaner, despite legal decisions to the contrary, her death sentence in the minds of many does constitute cruel and unusual punishment.<sup>44</sup>

TERRY E. BARNARD,  
CHAIR



JAMES W. MILLS - VICE CHAIR  
ALBERT R. MURRAY - MEMBER  
BRAXTON T. COTTON - MEMBER  
BRIAN OWENS - MEMBER

**For Immediate Release**

## **NEWS RELEASE**

### **Parole Board Denies Clemency for Kelly Renee Gissendaner**

Figure 14: The last plea for Clemency was denied

Hope remains for general abolition of the death penalty in the United States with recent decision in Connecticut, which "banned applying the death penalty to anyone convicted of what had been a capital crime as of April 25, 2012, the effective date of the repeal." On August 13, 2015 this law was made retroactive by commuting the death sentences of eleven death row inmates, who had been sentenced previously. There is a growing movement in the United States away from "the barbarity of the death penalty – Connecticut this month, Nebraska in May (though there's a move there to reinstate it), Maryland two years ago. Four other states have governor-imposed moratoriums, rooted in skepticism about the fairness of the system." The evidence that the judicial system is arbitrary in dispensing death sentences and in determining who ultimately gets executed, may ultimately be enough (despite the latest Supreme Court Decision allowing the use of lethal drugs) to persuade a majority of justices to finally end what amounts to state sanctioned murder.<sup>45</sup>

The early 20th century reporter Dorothea Dix summed up what are even now the current ideas of those against the death penalty in the United States. "While we diminish the stimulant of fear, we must increase to prisoners the incitements of hope. As we extinguish the terrors of the law, we should awaken and strengthen the control of the conscience."<sup>46</sup>

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<sup>5</sup> Susan Bishop, personal interview, June 26, 2008.

<sup>6</sup> Georgia Department of Corrections., The parole application letter on behalf of Emma Cunningham, p. 3 content section pp. 4 & 6, written originally to support elevation to Trusty status. The title of Trusty is no longer used nor are the privileges available to current GDOC inmates Trusty Status in Georgia Prisons as defined at the time Emma was given that classification: "Trusty status, which is a security classification for inmates, is defined by Rules of Board of Corrections Rule 125-3-1-.02 (5) (e) (former Rule 415-3-1-.02 (5) (e), formerly Rule 125-2-4-.02 (4) (e)) as follows: "An inmate assigned to this category must have proven himself... clearly trustworthy, having no adjustment problems; be fully cooperative, and have no current alcohol or drug addiction problems. Such inmates require occasional checks by correctional officers both inside and outside the security boundaries of the institution." The following case both defined Trusty Status and dealt with an assault by a Trusty named Anthony Brown against Linda Tolbert. *Tolbert V. Tanner et al.* 72459. (180 Ga. App. 441)(349 SE2d 463) (1986) <http://www.lawskills.com/case/ga/id/414/29/index.html>.

<sup>7</sup> Luz Bolivar -Roman, personal interview, July 26, 2008.

<sup>8</sup> GDOC, Letter p. 5. written originally to get Emma Trusty status and repeated for her first parole application.

University School of Law. 58 years since James B. Pilcher was first licensed to practice law.

State	License status	Year acquired	Last updated by
			Avvo

Georgia Emeritus 1955 03/30/2013  
<http://www.avvo.com/attorneys/30327-ga-james-pilcher->

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<sup>11</sup> Parole Handbook, (Atlanta, GA: Law Offices of the Southern Center for Human Rights, 2007). The Parole Process in Georgia: Item 2 "A person whose death sentence for a crime committed in 1977 or later is commuted to life imprisonment by the Board must serve 25 years before becoming eligible for parole consideration." The courts struck down the Board's 90% policy in 2005. <http://www.pap.state.ga.us/images/Parolee%20receiving%20MH%20counseling%20sm.jpg>.

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<sup>13</sup> Hutchins, Bettye O., Funeral Director. Funeral home Address: 536 New Street, Macon, GA. <http://www.superpages.com/bp/Macon-GA/Hutchings-Funeral-Home-L2056118622.htm>. Past Georgia Parole Board Members. Members and Chairs of the Georgia Board of Pardons and Paroles, from its inception in 1943 to the present. Parole Board member, Bettye O. Hutchins served 7.3 years from September 16, 1987-January 9, 1995. [http://oldweb.pap.state.ga.us/past\\_members.htm](http://oldweb.pap.state.ga.us/past_members.htm).

<sup>14</sup> Mabe, Logan D. , "The Cage Bird Sings," *Atlanta Magazine*, (March 1991):59. Joe Frank Harris, Democrat, served as governor of Georgia from 1983 to 1991. Emma Cunningham, personal interview, February 22, 2004.

<sup>15</sup> Mabe, "Caged Bird." p. 58. Ethel Waters, "His Eye is on the Sparrow," *His Eye is on the Sparrow*, 1960, Word 3100. "His eye is on the Sparrow" was written in 1905 and is most closely associated with Ethel Water's who used the song as the title of her autobiography. Conversation with Emma and Susan Bishop. Mabe, "Caged Bird," p.127. The lyric is cited incorrectly in the article. I have quoted the lines as written by the lyricist Civilla D. Martin .The words are a reference to Matthew 10:29-31. This is one of several songs that Emma actually sang.

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Kelly Renee GISSENDANER, Petitioner–Appellant, v. Kathy SEABOLDT, Warden, Metro State Prison, Respondent–Appellee. No. 12–13569. Decided: November 19, 2013 The brief also alleges that the State violated its obligations under Brady v. Maryland, 373 U.S. 83, 83 S.Ct. 1194, 10 L.Ed.2d 215 (1963), when it failed to disclose the prosecution team's handwritten notes from the final pretrial interview of her codefendant and accomplice, Owen; and  
: <http://caselaw.findlaw.com/us-11th-circuit/1650161.html#sthash.lxt8dPL2.dpuf>

<sup>28</sup> Campos, Carlos ,Death Penalty GA - A death row all to herself , Atlanta Journal-Constitution ( Sunday, Jul 18, 2004)  
<http://www.ajc.com/metro/content/metro/0704/18deathrow.html>

<sup>29</sup> Death Row Inmate Finds Common Ground With Theologians. (February 28, 2015 A13) , New York edition: New York Times

<sup>30</sup> Moltmann and Nazis, Response Magazine Online: Seattle Pacific University Response Spring 2008

<sup>31</sup> Interview with Susan Bishop, July 13, 2015

<sup>32</sup> Beasley ,David, Judge halts Georgia execution of man who killed woman [http://www.cbsnews.com/8301-201\\_162-57570660/georgia-executes-andrew-allen-cook-whose-lawyers-claimed-was-mentally-ill](http://www.cbsnews.com/8301-201_162-57570660/georgia-executes-andrew-allen-cook-whose-lawyers-claimed-was-mentally-ill) (2013). There has also been one stay of execution Nicholas Cody Tate, 32 who pleaded guilty to the murders of Chrissie Williams and her three year old daughter during a home invasion decided to appeal two hours before his scheduled execution on Jan 31, 2012.  
Boin, Kimberly, (July 9, 2014 )Pardons Board Votes to Keep Actions Secret [dawsonadvertiser.com](http://dawsonadvertiser.com)

<sup>33</sup> Estep, Tyler ( February 25, 2015 ) Clemency decision yet to be made, but Gissendaner execution may be postponed [tyler.estep@gwinnettdaily.com](mailto:tyler.estep@gwinnettdaily.com) ,

<sup>34</sup> Connor , Tracy (Mar 7 2015 )News Lethal Injection, Kelly Gissendaner Left Message for Kids Before Execution Was Postponed [nbcnews.com](http://nbcnews.com) Email from Susan Bishop and Kelly Gissendaner's Lawyers, March 2, 2015

<sup>35</sup> Wolf, Richard , (May 21, 2014) Supreme Court halts execution by lethal injection due to botched executions. Usatoday.com

The execution chamber itself is housed in a separate building and the condemned inmate is moved to a cell in that location before the death sentence is carried out by the use of lethal injection. At the time of his incarceration, James Cunningham was one of about 60,000 prisoners held by the Georgia Department of Corrections. This is fifth largest prison system in the United States and it is also responsible for supervising nearly 150,000 individuals on parole and probation. A 1990 report maintained that, "the single most reliable predictor of whether someone will be sentenced to death is the race of the victim."

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<sup>36</sup> Clemency Urged on Eve of Execution of Georgia Woman Kelly Gissendaner (March 2015).

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<sup>37</sup> The Cruel and Unusual Execution of Clayton Lockett:

The untold story of Oklahoma's botched lethal injection—and America's intensifying fight over the death penalty, Atlantic Monthly

<sup>38</sup> Barnes , Robert, (June 29, 2015 ) The Washington Post

A divided Supreme Court on Monday turned aside claims by death-row inmates that a drug to be used in their executions would lead to an unconstitutional level of suffering, a narrow but unequivocal ruling that made clear that states have leeway in carrying out the death penalty. Supreme Court upholds use of controversial execution drug; 2 justices question death penalty. (June 29, 2015)Associated Press

<sup>39</sup> Liptak, Adam (June 29, 2015) Supreme Court Allows Use of Execution Drug  
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<sup>40</sup> Brumback, Kate, ( Aug. 10, 2015) Thrash decision Judge tosses inmate's suit filed after execution drug issue

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<sup>41</sup>The worldwide trend towards abolition: progress of the past 10 years The Washington post

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<sup>42</sup> Next scheduled Ga. execution will test parole board transparency law ( May 6, 2015)

Macon Telegraph. Georgia has just passed into law new rules that will dramatically increase transparency into death row inmates' efforts to save their own lives. Put into effect July 2015

But the jury's still out on how revealing the new measure will actually be.

The processes in question are clemency proceedings, in which defense attorneys argue before the state Board of Pardons and Paroles that inmates have changed since their



conviction and don't deserve to die. Prosecutors, on the other hand, contend that the jury got it right and a scheduled execution should proceed.

Up until now, members of the parole board have never had to explain why they bought either argument and what prompted their decision.

<http://www.macon.com/news/local/article30231732.html#storylink=cpy>

<sup>43</sup> Moltmann, Jürgen Christianity as a Religion of Joy (2015)Karl Barth Conference Plenary Lecture Videos

Jürgen Moltmann shares about his friendship with Kelly Gissendaner

Moltmann was featured in a New York Times article on death row inmate Kelly Gissendaner ( February 28, 2015)The featured photo from the article was taken at Gissendaner's graduation from a prison theology program in 2011 and duplicated in this paper.

<http://moltmanniac.com/tag/kelly-gissendaner/#sthash.MAaFHOni.dpuf>

<sup>44</sup> Bright, S. Discrimination, Death and Denial: The Tolerance of Racial Discrimination in Infliction of the Death Penalty, 35 Santa Clara Law Review 433, 453-54 (1995)

<sup>45</sup> Berman, Mark (August 13, 2015)

Connecticut Supreme Court says the death penalty is unconstitutional and bans executions for inmates on death row

<sup>46</sup> Brock, Martha (January 17, 2015), Preserve the true legacy of Dorothea Dix in North Carolina  
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Worldwide trend towards abolition: progress of the past 10 years The Washington Post Vol. 17 No.4 (April, 2007) pp.312-317.  
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*Minority Representation and the Media Studies*

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The European Conference on the Social Sciences 2015  
Official Conference Proceedings

**Abstract**

How we acquire the discourse about identity? Also, how the discourse be constructed? This research examines the relationship of identity and media discourse, which will help shed light on the questions above. Representation of minority changes the surface through articulation to different signification and sometimes expands the range which connotes in the course of history. As Stuart Hall has proposed, mass media discourse is an arena which different social forces struggle over meaning. Researches which see mass media discourse formation as actual set in where power of discourse exercised and process which signification occurs by transforming the way it represent and how collate differ from other communication researches simply address disparity of power between actors by describing privileged “*sujet de l'énonciation*” creates authorized conversation field. Analyzing the articulation or re-articulation process in media discourse between social forces, especially over the representation of ethnic identity is in need to pursue theoretical development in Media Studies.

Keywords: Media discourse, Ethnic Studies, Neo-conservatism, Identity, Articulation

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## 1. Overview on Ethnic Studies and Minority Representation

The dominant paradigm of minority for the past half-century has been that of ethnicity. By 1920s, biologic and Social Darwinist conceptions of race predominated. This hierarchical conception of race which considered as natural and preset in history—for example eugenics was challenged by class- and nation- based paradigms of race after mid-1960s (Omi and Winant 1994:12, Selden 1992). Challenging the dominant race conception was encouraged by the social movements of 60s and also was building theoretical foundation of the movement itself.

*“These theoretical challenges originated with the black and other racial minority movements which rejected two central aspects of the ethnicity approach: the European immigrant analogy which suggested that racial minorities could be incorporated into American life in the same way that white ethnic groups had been, and the assumption of a fundamental, underlying American commitment to equality and social justice for racial minorities” (Omi and Winant 1994:12).*

Stuart Hall a theoretical leader of Cultural Studies who introduced neo-Marxism to mass communication research questioned why and how specific articulation of collective representation of identity by the mass media was accepted as unswerving, under neo-liberal regime. He set his focus on this discourse articulation process.

It is imperative to critically question the meanings of media representations and expose discourse formation.

The research takes a critical look on the argumentations of media representations or conceptualizations of identity presented in current academic particularly surrounding cultural analysis (i.e. ethnic studies). Moving beyond the accuracy or inaccuracy of specific representations, this research focuses on the question of power relations. This is done through discourse analysis of collective identity

The aim of this research is to raise awareness about the significance of discourse analysis in terms of analyzing the articulation or re-articulation process of discourse between social forces, especially over the representation of ethnic identity. This is done by presenting a view from the social constructions of reality by P.L. BERGER and Thomas LUCKMANN. Hopefully, elaborating the approach from the sociology of knowledge enables participation in these discourses to conduct themselves more skillfully through such conceptual labyrinths of cultural studies.

## 2. Cultural Project and Discourse analysis in Cultural Studies

In 1979, Stuart HALL became and sociology professor at Open University. The start of the Open University in Britain cannot be separated with the rise of minority politics. It started up as implementation of educating working class adults. He took this opportunity to access normal people—the women, the black students, in non-academic environment. This attempt could be said the manifestation of his aim to expand public pedagogy as cultural politics. The text book made for course D318 of Open University includes “The work of representation” and “The spectacle of the ‘Other’” written by him. In those articles, he developed his theory on power of representation and minority politics. Stuart HALL as an intellectual and a public icon

used its name to have enweaving relation with the public through mediated Open University courses and hoped to well up grassroots movement counter to neo-liberalism.

HALL adopted this discourse approach from Ernesto LACLAU<sup>1</sup> and introduced to media studies. He explores how the representation (shared language of a culture, its signs and images), provides a conceptual index that gives meaning to the world rather than simply reflecting it. He concerned the shaping of our collective perceptions, and how the dynamics of media representation reproduce forms of symbolic power.

By looking at the process of discourse formation, we will be able to see the identity as generated in a form which is always collated to representation; “subjected self”. Because identity is a suture point of discourse practice inviting specific discourse socialized subject and the process of construction of self by calling (HALL 1996:5=2001:15) . Moving beyond the inaccuracy of specific representations, he claims that the process of representation itself constitutes the very world it aims to represent.

*Identity is a suture point of discourse practice inviting specific discourse socialized subject and the process of construction of self by calling (HALL 1996:5=2001:15) .*

The mining exists within its representation. Cultural Studies question where these meanings come from, and how they are constructed through representation, especially images seen through the media.

Cultural Studies vividly demonstrate the ways in which actors produce and actively consume circulating representation, though it failed to show the changes in representations over the time. If unification is sustained under certain circumstances, then that might change in the course of history.

### **3. Rethinking the significance of discourse analysis**

Representation of identity changes the surface through articulation to different signification and sometimes expands the range which connotes in the course of history.

Analyzing the articulation or re-articulation process of discourse, especially over the representation of ethnic identity is in need to pursue theoretical development in Ethnic Studies. As HALL has proposed, mass media is an arena which different social forces struggle over meaning. Researches which see mass media discourse formation as actual set in where power of discourse excised and process which signification occurs by transforming the way it represent and how collate differ from other communication researches simply address disparity of power between actors by describing privileged “sujet de l'énonciation” creates authorized conversation field.

<sup>1</sup>Discourse theories-like those of Michel Foucault or Ernesto LACLAU and Chantal MOUFFE aim to set the groundings to analyze the social macro-level of power/knowledge relationships or the articulation of collective identities (Keller 2005: 2).

### Stuart HALL's Discourse Analysis

Signification

Signifying practice

Formation

Articulation

Legitimation 'explains' the institutional order by ascribing cognitive validity to its objectivated meanings. Legitimation justifies the institutional order by giving a normative dignity to its practical imperatives. It is important to understand that legitimation has a cognitive as well as a normative element. Legitimation not only tells the individual why he *should* perform one action and not another; it also tells him why things are what they are. (HALL, "Deviance," p. 276)

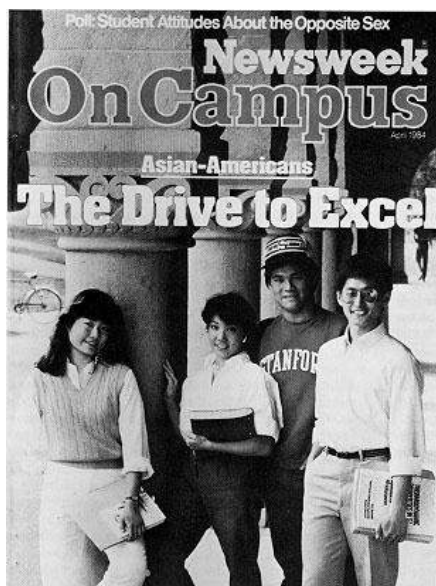
HALL says power consistently strives to fix meaning to support its agenda. Then Power consistently strives to fix meaning to support its agenda. Looking at the changes in discourse and how its accepted "legit" will help to understand the an enweaving relation of discourse and society especially when it works to reconfirm the existing social order of American society.

Analyzing the articulation or re-articulation process of discourse between social forces, especially over the representation of ethnic identity is in need to pursue theoretical development in Ethnic Studies. In many studies on ethnic groups, this systematical view on minority representation and its interwoven relation with neo-conservative wave are overlooked due to convergence to the actual racist experiences of minorities.

#### **4. CASE STUDY Asian American representation and changes in education policy**

##### Creation of Model Minority Representation

Starting in the late 1960s, Asian people were said to be the role model of other minority groups for their assimilative success and were given the name of "model minority." This model minority representation is created under the influence of neo-conservatism. In neo-conservative self-responsibility rhetoric, Asian people were praised for gaining better social position through their hard work and following traditional "American value," as contrast to other minority groups who actively participated in social movements. The startled White majority who felt threatened by growing visibility of minorities began to criticize those minority groups who raise their voice to gain better social treatments in American society.



Source: Newsweek, (On Campus special issue)      TIME, (On Whiz Kids special issue)

### From Successor in Assimilation to Victims of Model minority representation

Over the course of changing political and social contexts, “the ideal of racial equality has shifted to hold a very different meaning than that propagated by the Brown decision (2006, 14). We may see this interesting shift through a Supreme Court case which brought by a group of Chinese Americans. The Brian Ho, Patrick Wong, & Hilary Chen v. SFUSD lawsuit<sup>2</sup> challenged race-based admissions policies that were intended to ensure diversity by giving special consideration to African-American and Latino students in San Francisco United School District (Robles 2006).

The Ho plaintiffs portrayed Asian Americans as model minorities to portray themselves as victims of discrimination, and used an argumentation constructs Black and Latino students as undeserving and unqualified beneficiaries of affirmative action. In the *Ho* lawsuit, African Americans were cast as villains, whether explicitly or illicitly by a group of Asian Americans, who claimed reverse discrimination and specific harm to their ethnic group (Robles 2006, 29). Together this type of minority representation is seen in the media coverage. The media quickly picked up this case and linked to anti-Affirmative Action cases which White students sued the top schools for refusing their entrances. In those media coverage, Asian students are said to be refused from the top schools due to their growing visibility, in other words their excellence. In the case of *Ho vs. SFUSD*, Asian people were illustrated as model minority and positioned second to White people as works of ethnic studies had been criticizing.

The argumentations exploited by Asian activists shifted over time. This shift is co-opted by a neoconservative movement. The neo-conservative self-responsibility rhetoric, has worked to cast African Americans and Latinos as undeserving beneficiaries, through invoking merit and equality also using the model minority representation. The media, firstly representing them as overachievers then by

<sup>2</sup>Ho v. San Francisco United Sch. Dist. 147F.3d 854, 860 (9<sup>th</sup> Cir. 1998).

employing the study achievements of ethnic studies positioned Asian people as victims of stereotyping, then to the victims of AA (wrongly refused from their wished schools due to spare spaces for other minority groups.)

The crux of my work is not wholly about following the changes in argumentation surrounding race in these different arenas, but it is also about examining the way that media and political articulation of race/color differences influencing social race/ethnic formation through media representation.

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## *Failed States*

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### Abstract

Failed states were regarded as a contrast to what is considered an ideal state according to the Westphalian system, which exercises full sovereign powers over a territory and population. The functioning government has the ability to control prospective violence, provide public goods and can meet and maintain international obligations. When vulnerable states arise, non-governmental groups take control of the and people. As a result, governments would no longer be able to provide public benefits to their citizens and the economy would eventually collapse. This can also result in producing a flow of refugees, starvation, and human rights violations. Vulnerable states usually suffer from severe internal armed conflicts, an inability to control its own territory, and a loss of legitimacy among their citizens. Conflict usually has roots in long-standing ethnic, religious, or regional rivalries.

The phenomenon of failed states has become one of the biggest security problem in the international system since the early 1990s. Once again, history has shown that failed states cause unimaginable harm to their neighbors and to the international community. Failed states play an important and challenging role in the stability of the world. With this in mind, this report tries to outline and discuss the concept of failed states. First, a definition of "failed states" and what causes a state to fail. Second, the consequences of state failure on a national and international level.

**Key Words:** International Public Law, States, Security, Stability, International Community, Refugees, Human Rights.

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## **Introduction**

One state is considered failed in the Weberian sense when it is incapable to establish control over its own territory and citizens besides of its inability to attend the demands and needs of its own population and keep its international responsibilities. The concept of failed states, was begun to be used after the end of the Cold War. This concept has been important in order to identify countries where violence, conflict, political instability, poverty and security problems exist. In this article, the emergence of the first failed state concept, scope, and what factors in the classification is based on criticisms of the failure of the state and the clutch will be discussed. Secondly, national consequences of being a failed state with international influence of states classified as failed states and whether they are a threat to the international community or not, will be discussed.

## **Failed States: Definitions, Criteria and Criticism**

The most serious dangers to world security are no longer military threats from rival two power blocks, but rather international threats emanating from poorly governed countries. Since the end of the Cold War, the international community has become increasingly engaged with the phenomenon usually named "failed states", because state failure causes a broad range of humanitarian, legal, and security problems (Cojanu and Popescu, 2007: 113).

The failed state concept has been used to define countries which have severe economic problems and security issues with the beginning of the 1990s. The concept was popularised by Madeleine Albright at the United Nations in the early 1990s (Gross, 1996: 455). The concept of "failed states" was first introduced in 1992 by Steven R. Ratner and Gerald B. Helman, who published "*Saving Failed States*", in Foreign Policy in the winter of 1992 to 1993 where, defined a failed state according to functionality criteria. "The failed nation- state is utterly incapable of sustaining itself as a member of the international community. Civil strife, government breakdown and economic privation are creating more and more modern debilities. As those states become a threat for their own citizens and their neighbors because of refugee flows, political instability, and random warfare." (Helman and Ratner, 1992: 3).

In the historical process of the rule, the turning point for states was the Treaty of Westphalia, signed in 1648, which is currently constituted. The Westphalian system has essentially three powers: the idealized image which has been provided by Kant's works; the social contract, linked to the work of Rousseau, Hobbes and John Locke and finally the set of institutions mentioned by Weber. In line with Weber, the modern state can "exercise full sovereign powers over a territory and population have a functioning government that monopolizes legitimate violence and provides public goods, and can make and keep international obligations" (Yoo, 2011: 100).

After the World War II experienced an explosion of nation-states and self-determination which gained their independence in line with the principle colonial states have postponed problems they might encounter under the protection of two superpowers during the Cold War. But with the end of the Cold War, the international community "support for the need of development" does not function anymore. The Soviet disintegration brings a lot of countries whose lack of experience in self-government resulted in "weak civic Institutions, economic limited prospects, and

ethnic strife will inevitably reduce some to helplessness." In this sense they proposed the classification of the countries that are facing menace of disappearance on three levels:

- a) Failed states whose capacities have been exceeded, giving the cases of Somalia, Cambodia and Liberia.
- b) Decomposing States (failing states) whose collapse will occur in the near term exposing cases of Ethiopia, Georgia and Zaire.
- c) New independent States whose future is still uncertain (Helman and Ratner, 1992: 3-5) .

Thus, failed states causes both regional and international instability, Helman and Ratner suggest that "The international community should now be prepared to consider a novel, expansive- and desperately needed- effort by the UN to undertake nation-saving responsibilities." (Helman and Ratner, 1992: 9).

In this context, a clear definition of fail states become essential. What criteria should be determining for Failed states? According to Charles Call a successful state had to meet the western standards priorities based on political and repressive institutions over social and economic structures. In other words a successful state can conserve internal order even when he cannot even provide basic public services to the majority of the population or increase the respect the rule of law. A failed state has little practical control over its territory (Call, 2008: 1497). John Yoo suggests that key concepts are the state's functionality, power and territory (Yoo, 2011:120).

Robert I. Rotberg like Call and Yoo puts safety, this political benefit of a hierarchical format, in the first place. According to him the most basic function of government is to ensure the security of its territory and citizens. But on the other hand, a state besides providing security, should also guarantee the inviolability of private property and the rule of law. It should be able to provide a free way to participate in the political process, should respect the fundamental rights and should ensure political institution for its citizens. Besides all this, it should be effective in areas such as health, education, transport, trade, economy and finance, the development of civil society (Rotberg, 2003: 3-5) .

With a similar perspective to Rotberg, Chiara Giorgetti offers that failed states are not just failed governments, but it is failure in all the areas where the state has functions, including the entire structure of the state, its people, its territory and all its performance in international relations. (Giorgetti, 2010:6)

Noam Chomsky has a different approach about the concept of failed states. From his point of view, providing security and basic functions and services is not enough to be considered a successful state. A failed state is also known for its inability to achieve the goals of state and that faced lack of democracy and the gap between public policy and public opinion. Therefore, failure states are those not able to provide the population of services and meet the essential needs and unable to maintain the rule of law (Chomsky, 2006, 22).

Although, scholars can not reach an understanding about a certain definition of failed state. It may suggested that a state can provide its citizens of certain political benefits with complete powerful control over the state. The opposite of this definition applies to failed states. Failed states are faced with ongoing internal or external conflict. In

failed states, central authorities are unable to control the entire country and can not provide all services. They are unable to control their borders and different power centers within which the state was formed. Central government agencies are almost collapsed, an effective legal system is not available. The state can not provide basic public services such as education and health (Rotberg, 2003: 5-7).

There are surveys conducted on failed states by some international organisations and think- tanks supported by governments. These studies are aimed to identify what are the main factors which may provoke contingences in the states. As a result of these researches some indexes are published. Many international aid agencies and international organizations developed different indexes with the goal to recognize vulnerabilities of the states and give indications to states in order to avoid future crisis (Cojanu and Popescu, 2007: 116). These agencies prepare the Failed State Index every year. One of these indexes, is Brookings Index (index of the state's capacities is the *State weakness in the developing world*) which was done by Susan E. Rice Senior Fellow at the Brookings Institution and Patrick Stewart, Researcher at the Center for Global Development. This index estimates the problems of the countries in four spheres: economic, political, security, social welfare and GNI Per capita. In this sense the aim was to avoid linkage between strong state countries and authoritarian regimes, measuring the capacities according to their "effectiveness, responsiveness and legitimacy across of range of government activities." (Rice and Patrick: 2008, 3-4)

Another index is the Fund for Peace organization, established an annual index known as "Failed State Index" that was based on the analysis of multiple indicators aimed to "not define any country as failed, but prevent conditions that can force one country to become in one." Nowadays this ranking is known as "The Fragile States Index" (FSI) that is based on *Strategic Conflict Assessment* that includes 12 main factors, including demographic, economic, political and military indicators. Conforming to this analysis one state is identified as in high alert (more fragile) or in sustainable conditions (solid state) funded on its ability and performance in these key areas which include:

1. Demographic pressure
2. Massive movement of refugees or internally displaced people
3. Group grievance
4. Human flight and brain drain
5. Uneven economic development
6. Economic decline
7. Legitimacy of the state
8. Public services
9. Human rights and rule of law
10. Security apparatus
11. Factionalized elites
12. External intervention

Besides, the analysis is developed according to the risk level that the governments face in their relation with the mentioned 12 factors, "by the collection of works, reports and information from around the world detailing the existing social, economic and political pressures faced by each of the 178 countries that are analyzed" (Fund for Peace, 2015: 15-17)

The problems with this index are results of the big diversity of indicators that were used furthermore it is hard to identify the differences among them and at the same time some of them are generalized. There are different indexes and research institutions that make similar demonstrations about failed States. For example, *Organization for Economic Cooperation and Development* (OECD) has its own index known as *Domestic Revenue Mobilization in Fragile States*, defined a fragile state as “a state which has weak capacity to carry out basic governance functions, and lacks the ability to develop mutually constructive relations with society.” In this sense, OECD introduced the term “resilience,” that is a feature of countries that can adapt to the changing social needs and expectations and growing institutional complexity that let them be less vulnerable to internal or external crisis, as well (OECD:2014).

In addition to these institutions, the UN is preparing the indices that measure the effectiveness of the state. The Human Development Index (HDI) of the UN Development Program can also be taken as an indication of state capacity and hence state weakness and failure. It measures the average achievements in a country in basic dimensions of human development relating to health, life expectancy, education, and life standard. It is therefore an authoritative illustration of public service delivery. It is calculated for 177 countries and territories for which data are available. The highest possible HDI ranking is one. Values less than one indicate progressively lower standards of human development (Newman, 2009: 428).

After September 11 attacks United States and Western countries started applying failed states concept more often. According to them failed states were existential threats. In policy circles and amongst some academics, the concept justified emergency policies and if necessary the suspension of legal sovereignty to respond to extreme danger (Zelikow, 2003:22). As a response to this development, criticism began amongst scholars who are skeptical of the concept (Newman, 2009: 424). The concept of failed states has been questioned in the academic literature and experts mainly due to its vagueness and because its inability to generate public policies. Even some scholars such as Charles T. Call denounced “the concept contains culturally specific assumptions about what a ‘successful’ state should look like and groups together disparate sorts of states with diverse problems.” (Call, 2008: 1494) Noam Chomsky, Boas M. and Jennings K., defined that failed states or fragile states concept were created in order to legitimize and place a vision that highlight some states because of their inferiority, opening the possibility of one intervention. (Chomsky, 2006: 1-2; Boas and Jennings, 2005: 388)

Bilgin and Morton stressed that “the notion of ‘rogue states’ is merely the latest in a series of representations of post-colonial states that have arisen in and beyond the context of the Cold War, namely, ‘weak’, ‘quasi’, ‘collapsed’, ‘rogue’ and ‘failed’ states.” (Bilgin and Morton, 2002: 55) According to scholars there are some differences among in failed states as well. For example Somalia is identified as a “collapsed state,” and only eight other states as “failed”: Afghanistan, Angola, Burundi, Democratic Republic of the Congo, Liberia, Sierra Leone, Sudan, and Syria . Around thirty-five other states as “weak,” meaning that they could become failed states (Yoo, 2011: 103). These scholars clarified difference between failed and rogue states, which exposed that both terms are not the same because a failed state is used to describe the internal characteristics of a state, whereas ‘rogue’ states are labelled as such because of their foreign policy behavior. The notion of a ‘failed’ state, for

instance, What such labels have in common, however, is that they are all representations of post-colonial states; representations that enable certain policies which serve the economic, political and security interests of those who employ them (Bilgin and Morton, 2002: 55-56). Ronald Paris suggests that the idea of failed states as a result of ideological emptiness was created because “the failed state concept offered a way of thinking about the new international security environment at a moment when venerable Cold War policy frameworks- including bipolarity, containment, and deterrence seemed suddenly obsolete” (Paris, 2011: 62).

Analytical pitfalls of fragile and failed states studies can be grouped under four headings. Firstly, it is criticized that fragile states and failed states concepts became Portmanteau terms due to lack of a consensus on the definition. The Fragile or failed state concept varies according to the priorities by authors. These polysemy concepts are subject to a variety of conceptual uses. They become overloaded with multiple meanings, making them deeply ambiguous and elusive.

Secondly, the political labelling and concepts contained in those who completely reject the concept of failed states criticizes the occurrence Western-centric. The concept of failed states is often used in the context of security and development which gives it a political content. Third is the analytical reductionism. The policy discourse on failed states mainly focuses on factors that erode the legitimacy, the authority and the capacity of formal state institutions within the public sphere. Consequently, it gives incompetent attention to the informal structures that contribute to peace, stability and development in the society. It also miscalculates external dependencies which affect the domestic politics of failed states. Fourth is the lack of empirical evidence. Weak and failing states are likely to be systematically implicated in the emergence of new “global threats”. According to this criticism international terrorist network do not flourish just in failed states such as Afghanistan or Sudan. They also settled in more developed countries such as Pakistan or Kenya where they can use communication technologies, transportation and banking services. Countries such as Iran or North Korea which have “superficially strong” governmental institutions may exacerbate the proliferation of weapons of mass destruction despite the fact that such threats have often been linked with failed states (Nay, 2012: 5-12).

### **National Consequences Being A Failed State and the International Community**

Strength of a state can be measured by the state’s ability to provide basic political goods related with statehood: security, legitimate political institutions, economic management, and social welfare. Failed states have sharp gaps in one or more of these four functions of governance. In security area, they have difficulty to maintain monopoly on the use of force, control borders and territory, ensure public order. In the political sphere, legitimacy of governing institutions can be discussable and not efficient. In the economic area, they strain to carry out basic macroeconomic and fiscal policies or establish legal and regulatory climate conducive to entrepreneurship, private enterprise, foreign investment, natural resource management, and economic growth. Comparing with other developing countries, failed states are more likely to suffer from lower degree or no growth. In the social area, they fail to meet the basic needs of their populations about education, health, and other social services. The inhabitants of failing states are likely to be poor and malnourished, and lack access to basic public services or modern technology. They have the worst records on human rights violations. (Patrick, 2006:29-31).

Since the '90s Western politicians and scholars discussed how failed states affect the international community especially after the September 11 attacks. Actually there are many areas that failed states may affect international wealth and security. Firstly, all failed states loose control over within their borders, the result is 'ungoverned spaces'. These lawless areas allow to all forms of smuggling, including trafficking weapons which cause regional insecurity. Due to failed states drug production and trafficking, (Cojanu and Popescu, 2007: 120) and piracy activities are rising as well. Failed or weak states are mainly producers or routes for this kind of traffic. According to United Nations Office on Drugs and Crime (UNODC) the cannabis traffic focuses on local market meanwhile opium substances and cocaine focus on regional markets. On the other hand the amphetamines are linked to international webs. For example Afghanistan is one of the top producers of cannabis, focuses on the Asian markets. Besides cannabis, Afghanistan is the biggest producer of opium which reaches Europe and Russia. Heroin produced in Afghanistan can travel through Iran, Turkey and Balkan countries to the European markets (It is called the Balkan route). The other route for Afghanistan heroin from Tajikistan or Uzbekistan to Russia then to Eastern Europe (It is called the northern route). UNODC reported that now Afghan heroin is reaching new markets such as Oceania and Southeast Asia (UNODC, 2014: 21). Some groups that benefit from instability in failing states increased their piracy activities next to drug trade. This particularly began to occupy the agenda of the international community with Somalia, which has been called the paradigm of failed state since 1991, due to the fall of Dictator Mohammed Siad Barre. The country faces multiple crisis poverty, warlords' droughts and famine. In this sense, this territory has become a base for activities such as piracy and hijacking of vessels. In spite of the international aid and the intervention by the United Nations the country is still facing crisis of food shortage, security and lack of a centralized government.

Secondly, failed states, Failed states might be a source of heightened health problems. In the absence of a health system that will prevent the spread of epidemic diseases, especially epidemics that could threaten other countries, including developed countries (Newman, 2009: 429). Especially the ebola virus was under the influence of Central and West Africa last year.

Thirdly, failed states created a wave of forced migration across their borders. According to the United Nations Refugees Agency, about forced migrations as a result of states in crisis revealed that by the end of 2013 more than 42,9 million people were displaced. In the same report it appears that "about 52 % of refugees come from five countries: Afghanistan, Somalia, Iraq, Syria and Sudan." The people were affected by discrimination or human rights violations, migrate to neighbor countries in order to save their own lives or ensure the welfare of their families. But they changed political, social and economical structures of host countries as well. 10.5 million Refugees have been hosted by countries with a GDP per capital below US \$ 5,000. 81% of total refugees are living in developing countries now, while this figure was 70% just ten years ago.

A particularly revealing example is Afghanistan. Until 2014, Afghanistan was the largest generator of refugees in the world, they held this position for 32 years and according to statistics the refugees are more than 2.7 million which are located mainly in Pakistan and Iran. Since 1979 Afghan society has lived a long and tumultuous process of internal crisis characterized by the intensity of armed conflict, the

excessive use of violence, destruction of livelihoods and deteriorating living conditions, lack of governance and the absence of guarantees for basic human rights. Another case is Syria, since mid-2014 the number of Syrian refugees has increased to almost three million people (registered officially). Neighboring countries are the most affected by the Syrian crisis that started in 2011 “and includes Lebanon (1.1 million), Turkey (824.400), Jordan (645.600), Iraq (220.400).” (UNHCR, 2015: 3-5)

Only Lebanon hosted more than 1 million Syrians in 2014, this population is pressuring the resources and infrastructure of the country. With the economic conditions decreasing the tensions between Lebanese and refugees are more acute. The government of Lebanon reacted with controversial measures which banned Syrian refugees from the practice of some professions and imposing visa as requirement for entrance. Almost 80% of the Syrian refugees that fled to Turkey resided in the northern cities, mainly in Idlib, Latakia, Aleppo and Azaz. Initially the displaced people were mainly political dissidents who were forced to flee to Turkey and took advantage from solidarity nets; it means they were not settled in refugee camps. Others Syrians have not been officially registered and located in border towns between Turkey and Syria “Currently there are 15 refugee camps, 13 of which are tent cities and two container camps, in seven border provinces. Other than the border provinces, there are concentrations of Syrians in Istanbul, Ankara and Bursa.” (Ozden, 2013:2)

It is also claimed that failed states prepared grounds for the emergence and the strengthening of international terrorism. In particular, the September 11 attacks, a direct relationship between failed states and terrorists has been the establishment of landmark buildings. According to Call the attacks of September 11, repositioned failed states as a priority in the international agenda because the incapacity of Afghanistan, gave a location to al-Qaeda to launch their operations. Thereby failed states became the biggest question for the International Security (Call, 2008: 1493). But the international community is focused on the interests of developed countries rather than being focused on the population who live within those states, and face conditions that threaten their welfare and human rights. (Call, 2008:1504) Thus in the post September 11 era, two main elements were introduced. First; hierarchical agenda about security problems that clearly focuses on the failed states. Second; the system includes military security as an instrument to solve the problems of the failed states (Reyes, 2010: 1). The US programs in order to face this challenge are divided in five strategies: 1) Conflict and threat early warning. 2) International cooperation and diplomacy 3) Foreign development assistance 4) Post-conflict stability operations 5) Interagency coordination (Patrick, 2011:34)

Since failed states become a major threat for international peace and security, the international community began to discussed about the right to intervene in internal affairs. Even though UN Charter article 2(7) forbids states to intervene in the internal affairs of other states. The UN Security Council started ignoring this article for the sake of international peace and security. During the 1990s, the UN started involving in domestic problems. In this regard, it changed the interpretation of one of the basic principles of international law. Non-interference in the internal affairs of other states that international law has been expanded to the detriment failed states.



## **Conclusion**

It is explicit that instability of failed states threatens international peace and security today, because of the humanitarian crises, mass migration, environmental degradation, regional instability, energy insecurity, global pandemics, international crimes, the proliferation of weapons of mass destruction, and transnational terrorism. Military intervention and state building policies, although there is a temporary solution to the humanitarian crisis in the region where clashes are, is questionable regarding legitimacy and effectiveness. The final military interventions in the current crises didn't solve anything. On the contrary to that the interventions in Iraq and Afghanistan, caused the emergence of new terrorist organizations. Failing states problem cannot be solved through military solutions. Therefore, instead of military intervention, it should be focused on peace-building initiatives, ensure political and economic stabilization of failed states. Such methods would be more beneficial to both states and the international community.

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## **Virtual Water Trade as a Tool of Managing Water Resources in Egypt**

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### **Abstract**

In regions suffering from water shortage, water policies are formulated. Egypt is one of those states that endure water shortage. In the past, when water resources were sufficient in Egypt, relying on water supply management tools was considered appropriate. However, over time, with the continuous rise in population, the increasing demand for food and drinking water together with the fixed supply of water resources, the need for water demand management (WDM) policies emerged vigorously. This persuades some economists to apply the concepts of "virtual water" and "water footprint" in managing water resources in Egypt.

In this study, we start by reviewing the virtual water comparative advantages and related concepts such as water footprints. Issues related to the assessment of virtual water content of commodities and water savings are also examined. The paper focuses on how to make use of the virtual water concept in the agricultural sector with emphasis on the major agricultural products in Egypt and assess its effect in terms of water saving.

The main purpose of this study is to determine the optimal pattern of domestic production and / or imports and exports of the most water demanding crops. This is influenced by the productivity of water used (cash value per unit of water used in such products). Therefore, calculating the water productivity for the selected group of crops will assist in making the decision to import or to locally produce based on the comparative advantages of these products in terms of water productivity.

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## Introduction

Water is the source of life on Earth for all living organisms. Water is the second most important of all natural resources on earth next to air. The concept of water as an economic good came up during the preparatory meetings for the "Earth Summit in Rio de Janeiro" of 1992. It was brought forward and discussed extensively during the "Dublin conference on Water and the Environment", and became one of the four "Dublin Principles" that emphasize the fact that water as a finite essential non-substitutable resource has an economic value and should be recognized as an economic good (Zaag & Savenije, 2006).

"Water Scarcity" is the point at which the aggregate impact of all users impinges on the supply and /or quality of water- under prevailing institutional arrangements- to the extent that the demand by all sectors, including the environment, cannot be satisfied fully. Water scarcity can be measured by the amount of water that is withdrawn compared to the available amount of internal renewable and inflowing water from other countries. According to the United Nations, countries with water scarcity problems are classified as follows:

- A country having water resources less than 1700 m<sup>3</sup> per capita is a "Water Stressed Country".
- A country having less than 1000 m<sup>3</sup> per capita is suffering from a "Chronic Water Scarcity".
- Finally a country having less than 500 m<sup>3</sup> per capita is facing a "Severe Water Scarcity".

According to such classification, Egypt became one of the "**Chronic Water Scarcity Countries**" since 2007-2008, where water resources per capita dropped to about 858 (available water resources 70.36 Bm<sup>3</sup> ÷ population size 82 million people) at that time.

**Table (1): Egypt's Water Surplus/ Deficit (Bm<sup>3</sup>) During 2003-2008**

Year	Water Resources	Water Uses	Difference
	Bm <sup>3</sup>	Bm <sup>3</sup>	Bm <sup>3</sup>
2003/2004	68.76	67.1	+1.66
2004/2005	69.16	67.8	+1.36
2005/2006	69.56	68.6	+0.96
2006/2007	69.96	69.3	+0.66
2007/2008	70.36	72	-1.64

Source: Prepared by the researcher based on the data from [www.mwri.gov.eg](http://www.mwri.gov.eg)

The deficit in Egypt's water budget is **partly** explained by:

- The inability of the agricultural sector (that consumes over 80% of Egypt's water), governments and institutions to adapt to the fact of the existence of water scarcity.
- The inefficient use of the water resources in the agriculture sector triggered by vast production and exports of agricultural crops with high virtual water content.

The main objective of this paper is to determine how Egypt can change its agricultural crop pattern to conserve water consumption in that sector and transfer the saved water to other significant sectors in the economy and/or other crops characterized with low virtual water. More specifically, our core aim would be to review:

1. The current water use pattern in producing the main agriculture crops in Egypt.
2. The virtual water content of Egypt's exports and imports of those major crops.

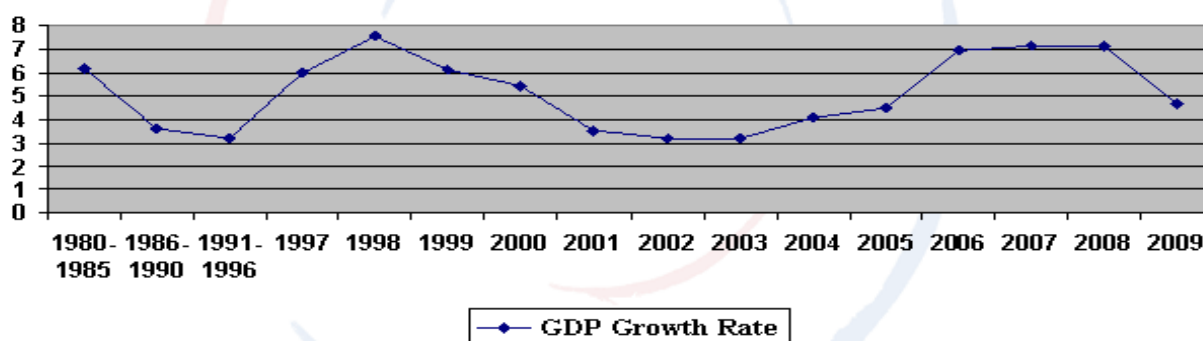
- Investigate to what extent Egypt can save water if it changed its agricultural crop pattern by altering the scheme of its agricultural exports and imports.

So, in the second section of this study we will examine the significance of the agriculture sector in the Egyptian economy. The third section will discuss the "virtual water" and "virtual water trade" concepts. In section four, we concentrate on "water footprint and its calculation" and apply that for a bundle of exported and imported goods in Egypt during the period (1997-2007). In section five, we proceed to calculate water savings due to external trade in selected commodities. Then in sections six and seven, water productivity of traditional and potential export and import crops of the Egyptian economy is calculated. Sections eight and nine analyze how may Egypt change its Agricultural trade pattern to save water and we examine a number of suggested scenarios for water use in Egypt.

### 1. The Agriculture Sector in The Egyptian Economy:

In 2008, Egypt's population approached 81.5 million people with an annual growth rate of 1.8%. In 2007, the labor force working in the agriculture sector did not exceed 27%, whereas this percentage has climbed to almost 50% in the service sector (www.worldbank.org).

Figure (1) illustrates Egypt's gross domestic product (GDP) growth rate during the period (1980-2009) which has experienced a lot of fluctuations during this period.



**Figure (1): Egypt's GDP Percentage Growth Rate (1980-2009)**  
Source: IMF, 2009.

The agricultural sector is not the largest sector. As shown in table (2), its contribution in GDP was –on average– less than 20 percent. However, it is considered the most active one in the Egyptian economy due to the important and effective role it plays in its international trade.

The details of the Egyptian agricultural net exports (\$1000) are presented in table (3) and figure (2).

Figure (2) shows that Egypt always reported a large agricultural trade deficit. During the period of (1997-2006) this deficit grew by about 16% (FAOSTAT, 2009).

### 1. Virtual Water and Virtual Water Trade Concepts:

The concept of "virtual water" emerged in the early 1990's and was first defined by Professor J.A. Allan as the water embedded in commodities. In other words; producing goods and services requires water; the water used to produce agricultural and industrial products

**Table (2): Gross Domestic Product (GDP) Structure**

Year	1990	2000	2001	2002	2003	2004	2005	2006	2007*	2008*
Sector	%	%	%	%	%	%	%	%	%	%
<b>Agricultural Sector</b>	19	17	14	16	17	15	14	15	14	14
<b>Industrial<sup>1</sup>Sector</b>	29	33	30	32	33	31	33	36	36	36
<b>Services</b>	52	50	56	52	50	54	53	49	50	50

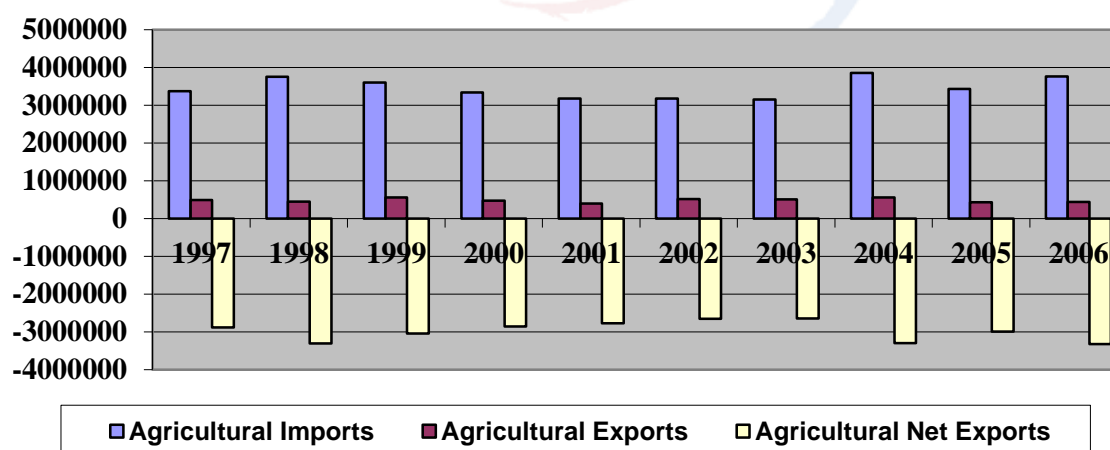
Source: [http://en.wikipedia.org/wiki/Economy\\_of\\_Egypt](http://en.wikipedia.org/wiki/Economy_of_Egypt)

\*<http://www.worldbank.org>

**Table (3): Agricultural Net Exports (\$1000) for the Period (1997-2006)**

	Agricultural Exports	Agricultural Imports	Agricultural Net Exports
<b>1997</b>	486,273	3,369,919	-2,883,646
<b>1998</b>	447,345	3,752,614	-3,305,269
<b>1999</b>	558,732	3,601,762	-3,043,030
<b>2000</b>	476,157	3,334,615	-2,858,458
<b>2001</b>	395,970	3,171,980	-2,776,010
<b>2002</b>	518,547	3,174,382	-2,655,835
<b>2003</b>	504,399	3,146,760	-2,642,361
<b>2004</b>	553,615	3,852,995	-3,299,380
<b>2005</b>	431,102	3,425,589	-2,994,487
<b>2006</b>	438,875	3,760,572	-3,321,697

Source: FAOSTAT, 2009.



**Figure (2): Agricultural Net Exports (\$ 1000)**

<sup>1</sup>The industrial sector include automobiles manufacturing, chemicals, consumer electronics and home appliances, steel industry, textiles and clothing, and finally the construction and contracting sector. While the services sector include banking and insurance, communications, transport and tourism.



Source: Prepared by the researcher based on data from table (3).

is called the virtual water of the product (Allan, 1998). Virtual water is also called "**embedded or exogenous water**". "**Virtual Water Trade**" is one of the techniques that are used to alleviate the severity of the of water scarcity in many countries.

The concept of 'virtual water' leads to focus on the "opportunity cost of water" when evaluating crop production and international trade alternatives. The virtual water concept is closely related to the notion of "**comparative advantage**" from international trade theory (Allan, 1999; Earle, 2001; Wichelns, 2001). In essence, countries can enhance the total value of goods and services available to residents by exporting products for which the country has a relative or comparative advantage in production, while importing products for which the country has a comparative disadvantage. Accordingly, countries in water-short regions may gain from trade by importing water-intensive crops, while using their limited water supply for other activities that generate greater incremental values.

The main advantage of "virtual water trade" is that it is a way to close deficits in the water budgets of water short countries. Another advantage is that virtual water trade presents itself as an alternative source of water to countries suffering from water scarcity. It is also considered as an environment friendly technique.

On the other hand the reliance on trade can encompass some risks such as deteriorating terms of exchange, uncertainty of supplies, and price instability.

## 2. Water Footprint and its Calculation:

The water footprint concept was introduced by Hoekstra in in 2003. It is defined as the volume of water needed for the production of the goods and services consumed by the inhabitants of the country.

The major factors determining the per capita water footprint of a country are:

- The average consumption volume per capita, generally related to gross national income of the country.
- The consumption habits of the inhabitants of the country.
- Climate conditions, in particular evaporative demand.
- Agricultural practice.

A nation's water footprint has two components:

- **internal water footprint** which is the volume of water used from domestic water resources;
- **external water footprint** which is the volume of water used in other countries to produce goods and services imported and consumed by the inhabitants of the country.

At the individual level, the water footprint is equal to the total virtual water content of all products consumed.

The total water use within a country itself is not the right measure of a nation's actual appropriation of the global water resources. The sum of domestic water use ( $m^3/yr$ ) per year (**WU**) and net virtual water import ( $m^3/yr$ ) (**NVWI**) can be seen as a kind of 'water footprint' of a country, on the analogy of the 'ecological footprint' of a nation:

$$\text{Water Footprint} = \text{WU} + \text{NVWI} \dots (1)$$

The net virtual water import( $m^3/yr$ ) of a country(**NVWI**) is:

$$\mathbf{NVWI = GVWI - GVWE \dots\dots\dots (2)}$$

Where:

**GVWI:** gross virtual water import to a country is the sum of all imports.

**GVWE:** gross virtual water export from a country is the sum of all exports.

In the case of a positive (NVWI) into a country, this net virtual water volume should be added to the total domestic water use. In the case of negative (NVWI) ;i.e, net export of virtual water from a country, this value should be subtracted from the volume of domestic water use.

Calculating the water footprint is important for calculating how much the country is water scarce; where water scarcity (WS) of a nation is defined as the ratio of total water use to the nation's water availability (WA).

$$\mathbf{WS = (WU / WA) \times 100 \dots\dots\dots (3)}$$

Water scarcity generally range between 0% and 100%, but can -in exceptional cases- be above hundred per cent, this is the case if there is more water needed for producing the foods and services consumed by the people of a nation than is available in the country.

The water dependency(**WD**)of a nation is calculated as the ratio of the net virtual water imports into a country to the total national water appropriation:

$$\mathbf{WD = \{NVWI / (WU + NVWI)\} \times 100 \dots\dots\dots (4)}$$

The water dependency index vary between 0% and 100%. A value of zero means that gross virtual water import and export are in balance or that there is net virtual water export. If the water dependency of a nation approaches 100%, the nation relies completely on virtual water import.

The counterpart of the water dependency index, the '**water self-sufficiency index**' is defined as follows:

$$\mathbf{WSS = \{WU / (WU + NVWI)\} \times 100 \dots\dots\dots (5)}$$

The water self-sufficiency of a nation relates to the water dependency of a nation in the following simple way:

$$\mathbf{WSS = 1 - WD \dots\dots\dots (6)}$$

The measure of (WSS)denotes the national capability of supplying the water needed for the production of the domestic demand for goods and services. Self-sufficiency is 100% if all the water needed is available and taken from within the own territory. Water self-sufficiently approaches zero if a country heavily relies on virtual water imports.

Table (4)below shows water footprint , water self-sufficiency and water dependency of Egypt as of year 2008.

Virtual water content is usually measured as:

$$\mathbf{Virtual\ water\ content\ (m^3/ton) = \frac{crop\ water\ requirement\ (mm/crop\ period)}{crop\ yield\ (ton/ha)},}$$

The "**crop water requirement**" is the total water needed for evapotranspiration,<sup>2</sup> from planting to harvest for a given crop in a specific climate region. The "**crop yield**"-also known as "**agricultural output**"- is the amount of plant harvested per unit area for a given time. It is usually expressed in kilograms per hectare (or metric ton per hectare).

**Table (4): Water Footprints, Water Scarcity, Water Self-Sufficiency and Water Dependency of Egypt in 2008.**

	<b>Unit of Measurement</b>	<b>2008</b>
<b>Population</b>	Million people	81,527,000
<b>Water Withdrawal</b>	10 <sup>6</sup> m <sup>3</sup> /year	72,000
<b>Water Availability</b>	10 <sup>6</sup> m <sup>3</sup> /year	70,360
<b>Gross Virtual Water Export</b>	10 <sup>6</sup> m <sup>3</sup> /year	901.6
<b>Gross Virtual Water Import</b>	10 <sup>6</sup> m <sup>3</sup> /year	16,937.1
<b>Net Virtual Water Import</b>	10 <sup>6</sup> m <sup>3</sup> /year	16,035.5
<b>Water Footprint</b>	10 <sup>6</sup> m <sup>3</sup> /year	88,035.5
<b>Water footprint per capita</b>	m <sup>3</sup> /year/capita	1079
<b>Water Scarcity</b>	%	102
<b>Water Dependency</b>	%	18.3
<b>Water self sufficiency</b>	%	81.7

Prepared by the researcher.

Therefore virtual water content (VWC) will be calculated as follows:

$$\text{VWC} = \text{ET}_a \div Y \dots\dots\dots(7)$$

Where:

**Et<sub>a</sub>**: is the actual evapotranspiration that is assumed to be equal to the reference evapotranspiration (Et<sub>o</sub>), calculated with the Penman-Monteith method (FAO, 1998)

Evaporation and transpiration occur simultaneously and there is no easy way of distinguishing between the two processes. The evapotranspiration rate is normally expressed in millimetres (mm) per unit time. As one hectare has a surface of 10,000 m<sup>2</sup> and 1 mm is equal to 0.001 m, a loss of 1 mm of water corresponds to a loss of 10 m<sup>3</sup> of water per hectare. In other words, 1 mm day<sup>-1</sup> is equivalent to 10 m<sup>3</sup> ha<sup>-1</sup> day<sup>-1</sup>.

**Y:** is the crop yield, which is equal to production (tonnes) divided by area harvested (hectare).

Quantifying (VWC) of products is not an easy task as Hoekstra (2003) argued because of the many factors that influence the amount of water consumed in a production process, such as:

- The place and period of production
- The production method.
- The method of attributing water inputs into intermediate products to the virtual water content of the final product.

Tables (5) and (6) below show those measures in case of Egypt for a selected basket of major crops. Examining the figures in these 2 tables reveals some interesting results:

- Sugar cane crop is the bigger consumer of irrigation water in this basket of crops. However compared to the rest of crops in the selected basket, VEC of sugar cane is very low.
- Water use in grapes' cultivation is relatively high, fourth after cotton. Nonetheless, VWC in grapes is relatively low compared to cotton, rice and dry beans.
- Tomatoes and dry beans are very close in terms of water consumption per, however, VWC of tomatoes is almost 0.08 that of VWC of dry beans.
- Aside from lentils, VWC of all Egypt's crop imports is lower than VWC in its exports of cotton.

**Table (5): Average Crop Water Requirement, Average Crop Yield and Virtual Water Content for Selected Export Crops in Egypt During the Period (1997-2007)**

Crop	ET <sub>a</sub> (m <sup>3</sup> /ton/crop period) (1) <sup>(1)</sup>	Y (ton /Ha) (2) <sup>(2)</sup>	VWC(m <sup>3</sup> /ton) (3) <sup>(3)</sup> = (1) ÷ (2)
Rice	13,870	6.5	2,134
Sugar Cane	16,340	118.4	138
Potatoes	7,070	23.9	296
Dry Onions	6,700	28.3	237
Oranges	10,970	17.8	616
Cotton	7,250	2.4	3,020
Dry beans	5,750	2.8	2,053
Grapes	9,430	17.5	539
Tomatoes	5,500	34.2	161
Strawberries	8,620	22.6	381

Sources: (1) Calculated from Chapagain and Hoekstra, 2004.

(2) Calculated by the researcher.

(3) Calculated by the researcher.

### 3. Calculating National Water Savings Due to Trade:

The most direct positive effect of virtual water trade is the water savings it generates in the countries that import water intensive products. A nation can save its domestic water resources by importing a water-intensive product rather than produce it domestically; this is what is called **water saving through trade**.

The water savings are directly the result of the quantity of imports multiplied by the local virtual water contents (VWC) of the imported goods, while water loss is the quantity of exports multiplied by the local virtual water contents (VWC) of the exported goods (Hoekstra and Chapagain, 2004):

$$\text{Water savings (m}^3\text{)} = \text{Imports of selected crop (ton)} \times \text{VWC (m}^3\text{/ton)} \dots\dots\dots(8)$$

$$\text{Water losses (m}^3\text{)} = \text{Exports of selected crop(ton)} \times \text{VWC (m}^3\text{/ton)} \dots\dots\dots(9)$$

**Table (6): Average Crop Water Requirement, Average Crop Yield and Virtual Water Content for Selected Import Crops in Egypt During the Period (1997-2007)**

Crop	ET <sub>a</sub> (m <sup>3</sup> /ton/crop period) (1) <sup>(A)</sup>	Y (ton /Ha) (2) <sup>(B)</sup>	VWC(m <sup>3</sup> /ton) (3) = (1) ÷ (2)
Wheat	5,700	6.3	905
Maize	7,710	7.7	1,001
Soybeans	7,540	3	2,513
Broad beans, horse beans, dry	5,430	3.2	1,697
Lentils	8,670	1.7	5,100

Sources: (1) Calculated from Chapagain and Hoekstra, (2004).

(2) Calculated by the researcher .

(3) Calculated by the researcher.

Table (7) below demonstrates that Egypt has saved more than 10.5 Gm<sup>3</sup> of water during the period of 1997-2007 by importing 5 types of major agricultural products. On the other hand, table (8) calculates the amount of lost water due to exports of the selected crops during the same period which sums up to 2.07 Gm<sup>3</sup>. This means the “**net water savings**” due to crop trade in Egypt during that period was about (10.59 Gm<sup>3</sup> – 2.07 Gm<sup>3</sup>) or 8.52 Gm<sup>3</sup>.

**Table (7): Water Savings (Gm<sup>3</sup>) for the Main Imported Crops in Egypt During the Period (1997-2007)**

Crop	Import (ton) <sup>(1)</sup> (1)	VWC (m <sup>3</sup> /ton) <sup>(2)</sup> (2)	Water savings (Gm <sup>3</sup> ) <sup>(3)</sup> (3) = (1) × (2)
Wheat	5,208,860	905	4.71
Maize	4,071,614	1,001	4.08
Soybeans	371,279	2,513	0.93
Broad beans, horse beans, dry	252,459	1,697	0.43
Lentils	85,900	5,100	0.44
<b>Total Imported Water Savings for the selected crops = 10.59Gm<sup>3</sup></b>			

Source: (1) FAOSTAT, 2009.

(2) Calculated by the researcher.

(3) Calculated by the researcher.

#### 4. Water Productivity of exported and imported crops:

Productivity is a ratio between a unit of output and a unit of input. Increasing water productivity means growing more food or gaining more benefits with the same or less water.

The water productivity of each crop could be calculated using the following formula:

$$\text{Water Productivity} = \text{WUE (Kg/ m}^3\text{)} \times \text{Price (L.E. /Kg)} \dots\dots (10)$$

Where:

**Water productivity:** is expressed in L.E. per m<sup>3</sup>.

**Price:** is the farm gate selling price in L.E. per Kg.

**WUE:** is the water use efficiency expressed in Kg per m<sup>3</sup>. It is calculated as

$$\text{WUE} = \text{Yield (Kg/Ha)} \div \text{Et}_a \text{ (m}^3\text{/Ha)} \dots\dots\dots(11)$$

**Table (8): Water Losses (m<sup>3</sup>) for the Selected Exported Crops In Egypt for the Period (1997-2007)**

	Exports (ton) <sup>(1)</sup> (1)	VWC (m <sup>3</sup> /ton) <sup>(2)</sup> (2)	Water Losses (Gm <sup>3</sup> ) <sup>(3)</sup> (3) = (1) × (2)
<b>Rice</b>	653,924	2,134	1.39
<b>Sugar cane</b>	287,403	138	0.04
<b>Potatoes</b>	256,348	296	0.07
<b>Dry onions</b>	213,201	237	0.05
<b>Oranges</b>	179,986	616	0.12
<b>Cotton</b>	107,850	3,020	0.33
<b>Dry beans</b>	19,704	2,053	0.04
<b>Grapes</b>	13,318	539	0.01
<b>Tomatoes</b>	9,336	161	0.01
<b>Strawberries</b>	4,512	381	0.01
<b>Total Exported Water (Losses) for the selected crops 2.07 Gm<sup>3</sup></b>			

Source: (1) FAOSTAT,2009.

(2) Calculated by the researcher.

(3) Calculated by the researcher.

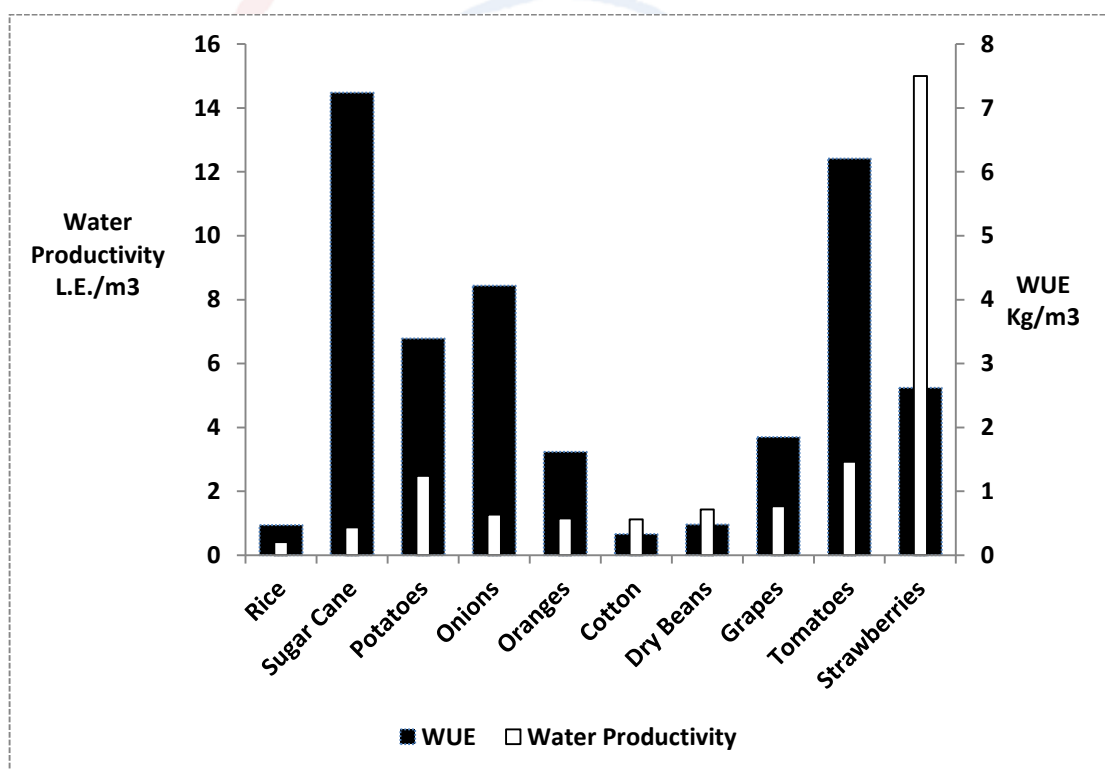
The calculations of those ratios of (WUE) and water productivity are presented in table (9) for the selected basket of exported crops and in table (10) for the selected basket of imported crops in Egypt during the period (1997-2007). Figure (3) and (4) plot those figures for the same period. Examining those figure reveal the following:

- For all export crops –except strawberries, cotton and dry beans- water productivity is very small compared to water use efficiency.
- In case of rice and cotton crops - 2 major exports in Egypt- both of WUE and water productivity are relatively very low.
- For all imported crops in the selected basket, water productivity is either higher then WUE or almost equivalent.

**Table (9): Water productivity (L.E/ m<sup>3</sup>) for the Selected Export Crops In Egypt for the Period (1997-2007)**

	<b>Average Price (L.E/Kg) (1)</b>	<b>Water Use Efficiency ( Kg/ m<sup>3</sup>) (2)</b>	<b>Water productivity (L.E/ m<sup>3</sup>) (3) = (1) × (2)</b>
<b>Rice</b>	0.87	0.47	0.41
<b>Sugar Cane</b>	0.12	7.24	0.87
<b>Potatoes</b>	0.73	3.39	2.48
<b>Onions</b>	0.30	4.22	1.27
<b>Oranges</b>	0.71	1.62	1.15
<b>Cotton</b>	3.40	0.33	1.12
<b>Dry beans</b>	2.99	0.48	1.43
<b>Grapes</b>	0.83	1.85	1.53
<b>Tomatoes</b>	0.47	6.21	2.92
<b>Strawberries</b>	5.69	2.62	15

Source: (1) Calculated by the researcher.  
 (2) Calculated by the researcher.  
 (3) Calculated by the researcher.



**Figure (3): WUE and Water Productivity for the Selected Export Crops in Egypt for the Period (1997-2007).**

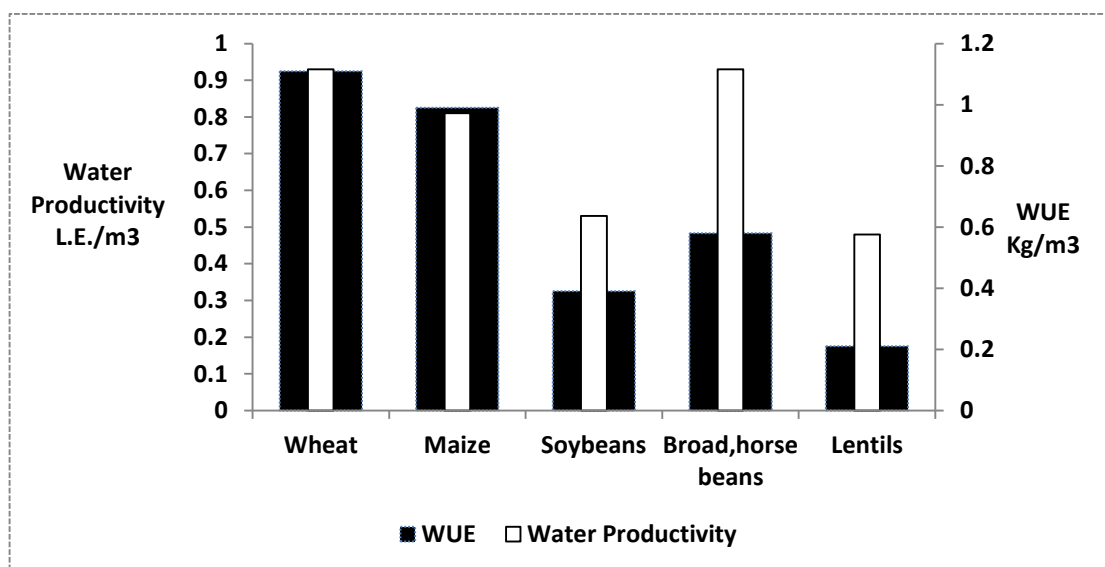
Source: Prepared by the researcher based on data from table (9).

**Table (10): Water Productivity (L.E/ m<sup>3</sup>) for the Selected Import Crops In Egypt for the Period (1997-2007)**

	<b>Average Price (L.E/Kg)</b>	<b>Water Use Efficiency ( Kg/ m<sup>3</sup>) (2)</b>	<b>Water productivity (L.E/ m<sup>3</sup>)</b>
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	(1)		(3) = (1) × (2)
<b>Wheat</b>	0.84	1.11	0.93
<b>Maize</b>	0.82	0.99	0.81
<b>Soybeans</b>	1.36	0.39	0.53
<b>Broad beans, horse beans, dry</b>	1.61	0.58	0.93
<b>Lentils</b>	2.30	0.21	0.48

Source: (1) Calculated by the researcher.  
 (2) Calculated by the researcher.  
 (3) Calculated by the researcher.



**Figure (4): WUE and Water Productivity for the Selected Imports Crops in Egypt for the Period (1997-2007).**

Source: Prepared by the researcher based on data from table (10).

### 7. Water Productivity of Other Important Agricultural Products in Egypt:

We present in table (11) the production of the 20 most important food and agricultural Egyptian commodities ranked by quantity for the year 2007. Seven of those crops (sugar cane, tomatoes, rice, potatoes, orange, dry onion and grapes) on that list are among the major exported crops in Egypt. Wheat and maize – 2 of Egypt's main imported crops- are also considered major agricultural production on the list.



**Table (11): Production of Top Agricultural Commodities (tons) in 2007**

Commodity	Production (tons)
Sugar cane	17,014,272
Tomatoes	8,639,024
Wheat	7,379,000
Rice paddy	6,876,830
Maize	6,243,220
Sugar beets	5,458,210
Cow milk, whole, fresh	3,187,317
Potatoes	2,760,460
Buffalo milk, whole, fresh	2,609,821
Oranges	2,054,626
Watermelons	1,912,991
Dry onions	1,485,933
Grapes	1,485,010
Dates	1,313,696
Eggplants (aubergines)	1,160,621
Bananas	645,429
Sorghum	843,840
Other melons incl. cantaloupe	829,779
Tangerines, mandarins, clem.	748,395
Pumpkins, squash & gourds	724,579

Source: FAOSTAT, 2009.

We proceed to calculate water productivity for other important commodities in table (11) to decide whether it is beneficial for Egypt to continue with the existing trade pattern, or it is worthwhile to make adjustments in its production as well as exports and import prototype!! The results of the calculations are presented in table (12) and figure (5) below. Surprisingly enough, some of those products –such as cantaloupe and squash for instance- turned out to have higher water productivity than some of the major traditional exported crops such as rice and cotton, for instance.

### 8. How Can Egypt Change its Agricultural Trade Pattern To Save Water?

Our previous calculations and analysis help us to deduct the following results:

1. It is clear that all the selected crops on the **imports side** enjoy relatively low water productivity varying from 0.93 L.E./m<sup>3</sup> (**wheat**) to 0.48 L.E./m<sup>3</sup> (**lentils**). So we suggest that it would be advisable to continue importing these water intensive commodities as a way to rationalize the use of our national water resources. For instance, if we stop importing wheat or maize (their water savings is 4.71 & 4.08 Gm<sup>3</sup>, respectively) the total water use in the agricultural sector would rise by about 40%. Still, we may not be able to enlarge our domestic production enough to meet the growing needs for these two products.
2. It is recommended to increase the production – and exports – of "**strawberries**" as the most profitable commodity in the traditional export basket. As for tomatoes, potatoes, grapes, oranges and dry onions, it is also recommended to expand their production to increase their exports. These products are characterized – as shown in the previous figure- by their relatively high water productivity.

**Table (12): Average Price Level, WUE and Water Productivity for Selected Egyptian Products during the Period (1997-2007):**

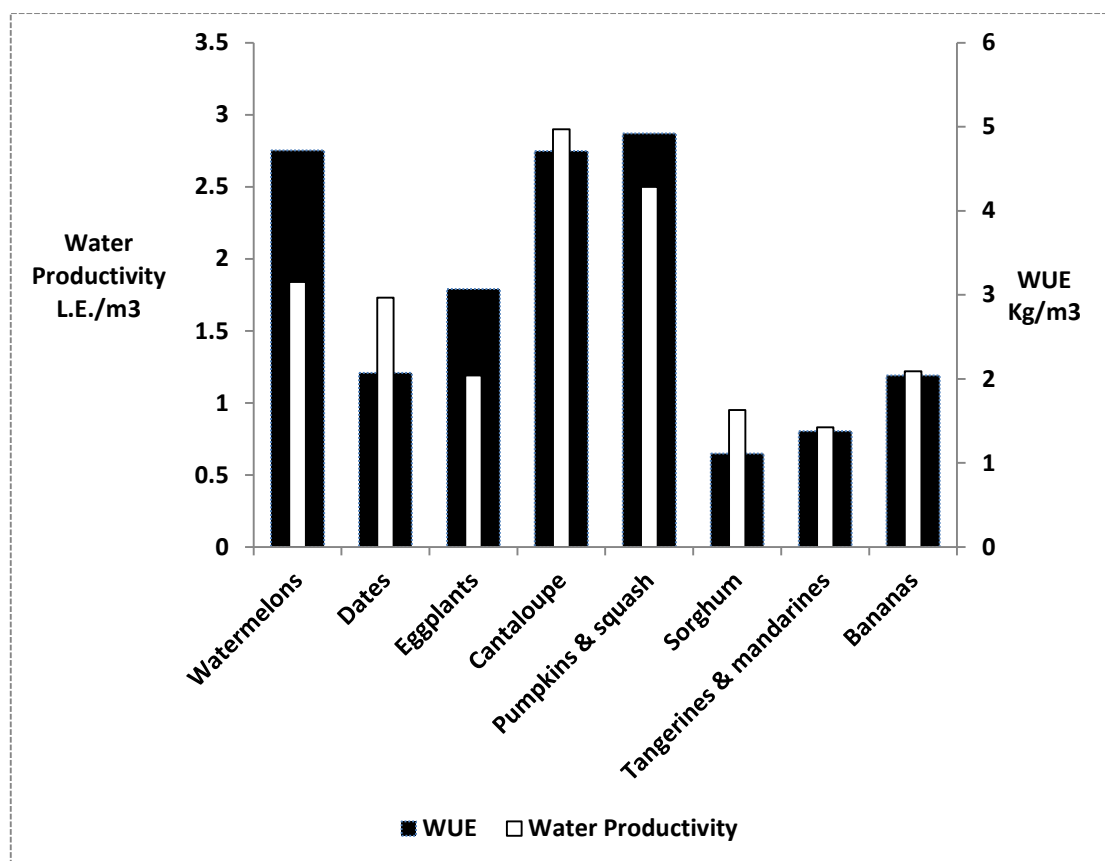
	<b>Average Price (L.E/Kg) (1)</b>	<b>Water Use Efficiency ( Kg/ m<sup>3</sup>) (2)</b>	<b>Water Productivity (L.E/ m<sup>3</sup>) (3) = (1) × (2)</b>
<b>Watermelons</b>	0.39	4.72	1.84
<b>Dates</b>	0.84	2.07	1.73
<b>Eggplants (aubergine)</b>	0.39	3.07	1.19
<b>Other melons incl. cantaloupe</b>	0.53	4.71	2.90
<b>Pumpkins, squash &amp; gourds</b>	0.51	4.92	2.50
<b>Sorghum</b>	0.86	1.11	0.95
<b>Tangerines, mandarins, clem.</b>	0.60	1.38	0.83
<b>Bananas</b>	0.60	2.04	1.22

Source: (1) Calculated by the researcher.

(2) Calculated by the researcher.

(3) Calculated by the researcher.

3. When it comes to "**cotton**" and "**dry beans**" things are different. Both enjoy relatively reasonable water productivity because of the relatively high price for both commodities. So, it is not an easy task to make a clear cut decision concerning these two commodities. Yet, the WUE of those two crops is not strong enough. So:
  - **If water saving is our priority**, we should exclude these two products from our exports' list.
  - **But if the main objective is foreign exchange revenues**, then these two products should stay on the exports' list, but with lower rank.
4. Exporting "**sugar cane**" in the form of "**molasses**" reflects another type of dilemma. The fact that its WUE is relatively high is explained by its relatively large yield (due to its nature as a bulky product). However, the problem is in its very low water productivity due to the very low price of molasses. It would be more beneficial if we can divert the water used in that product (even partially) to irrigate more productive crops.
5. Exporting "**rice**" is a big problem in Egypt due to its very high water consumption per ton and the very low water productivity which is mitigated by its relatively low price. Therefore, it is recommended not to continue producing and exporting this amount, because rice is harvested on a vast area which represented about 65% -on average- of the total harvested area in Egypt during the period 1997-2007.



**Figure (5): WUE and Water Productivity for Some Suggested Crops in Egypt for the Period (1997-2007).**

Source: Prepared by the researcher based on data from table (12).

We can summarize the previous results regarding water savings and water productivity of export products and major import products in the following table (13). Note that the mark (√) indicates that the product satisfies the specified measure, whereas the mark (X) means that the product does not satisfy it and the mark (≈) indicates that the product is marginal in terms of satisfying the measure.

Figure (6) displays the water losses generated from the traditional exports arranged in descending order and figure (7) shows the water productivity for the same selected export crops arranged in descending order as well. By examining these two figures we find that rice comes at the tail of agricultural products that satisfies neither production measures nor water efficiency.

Figure (8) displays the water savings generated from the selected imports arranged in descending order, while figure (9) shows the water productivity for the same selected import crops arranged in descending order. It is obvious that the crop which satisfies both measures best is the wheat followed by the maize. This supports the decision we took earlier to continue on importing these crops. Based on water productivity presented in figure (9) we find that wheat and broad horse beans are equal, but what gives the wheat higher weight is its very high significance in the Egyptian diet.

**Table (13): Water Saving and Water Productivity of Various Products**

Crop	Water Saving	Water Productive	Water Saving & Water Productive
Rice	X	X	X
Sugar Cane	√	X	X
Potatoes	√	√	√
Onions	√	≈	≈
Oranges	≈	≈	≈
Cotton	X	≈	≈
Dry beans	√	√	√
Grapes	√	√	√
Tomatoes	√	√	√
Strawberries	√	√	√
Wheat	√	√	√
Maize	√	√	√
Soybeans	√	≈	≈
Broad beans, horse beans, dry	≈	√	≈
Lentils	≈	≈	≈

Source: Prepared by the researcher.

### 9. Suggested Scenarios for Water Use in Egypt:

Let us imagine **three scenarios**:

**First Scenario:stopping or cutting the rice exports.** This -of course- will affect both the amount of water being lost (1.39 Gm<sup>3</sup>) and the revenues generated from exporting 653,924 ton at 876 L.E./ton which is 572,837,424 L.E. If we were able to cut the rice exports; then we can use the saved water (1.39 Gm<sup>3</sup>) to increase the quantities of more productive crops.

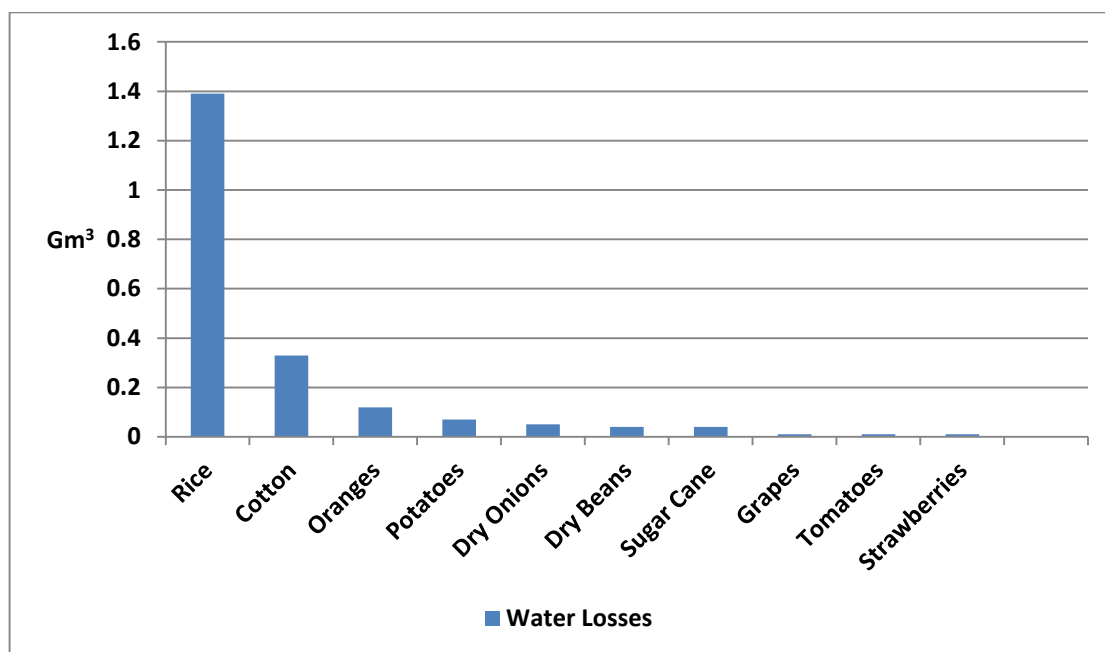
Table (14) displays the scenario of cutting the rice exports and substituting it with the highest water productive crops . This table shows the effect of tripling the exports of “strawberries”, “tomatoes”, “potatoes”, “grapes”, “dry onions” and doubling the exports of “dry beans” on the revenues and the amount of water lost.

Table (15) compares the total revenues and water lost generated from changing the current trade pattern –by increasing the exported quantity– with the current rice exports. Under the constraint of having insufficient land and water to increase the production, we conclude that:

1. **If the foreign exchange revenues is our priority**, then it is wise to change the current trade pattern according to the scenario shown in table (14), because the revenues generated from the current rice exports (572,837,424 L.E) is about 40% of the total revenues generated from changing the current trade pattern (994,847,144 L.E) as shown in table (15).

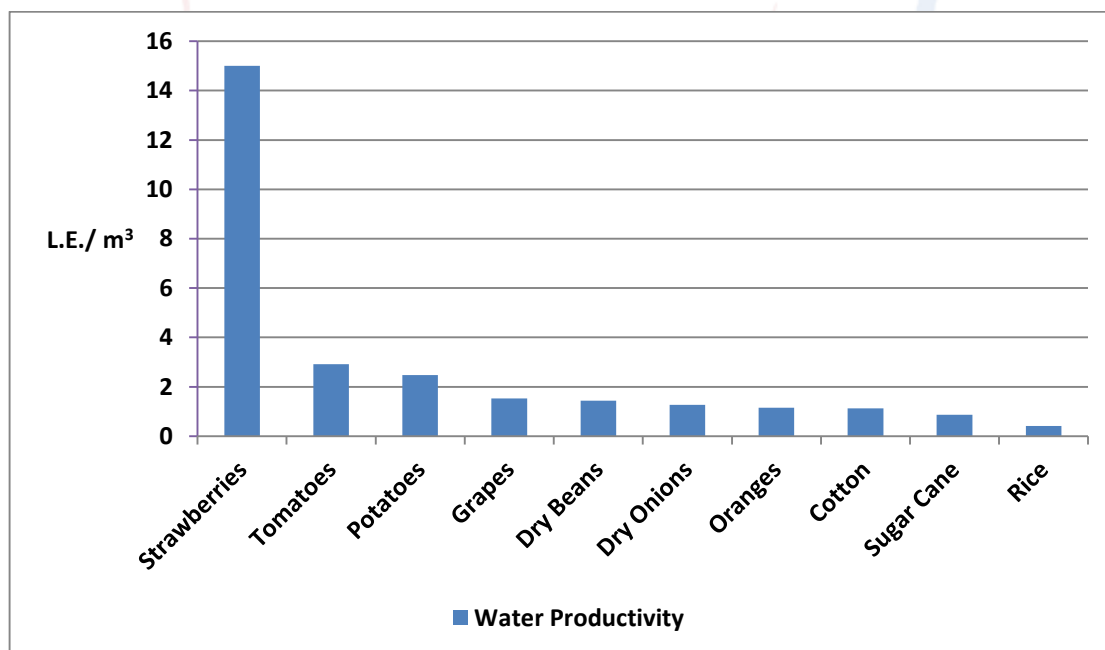
2. **If the water savings is our priority**; then our decision will coincide with the decision we took earlier taking into consideration the revenues priority, since the total water lost –from increasing the exports quantity of the highest productive crops- is 0.48 Gm<sup>3</sup> which is smaller than half the amount of water that is lost from the current rice exports (1.39 Gm<sup>3</sup>). Hence, we can either increase the exports by more than three folds till the amount of water lost due to this increase is equal to that consumed by rice exports

or introduce one or more of the suggested potential export crops this moves us to the second scenario.



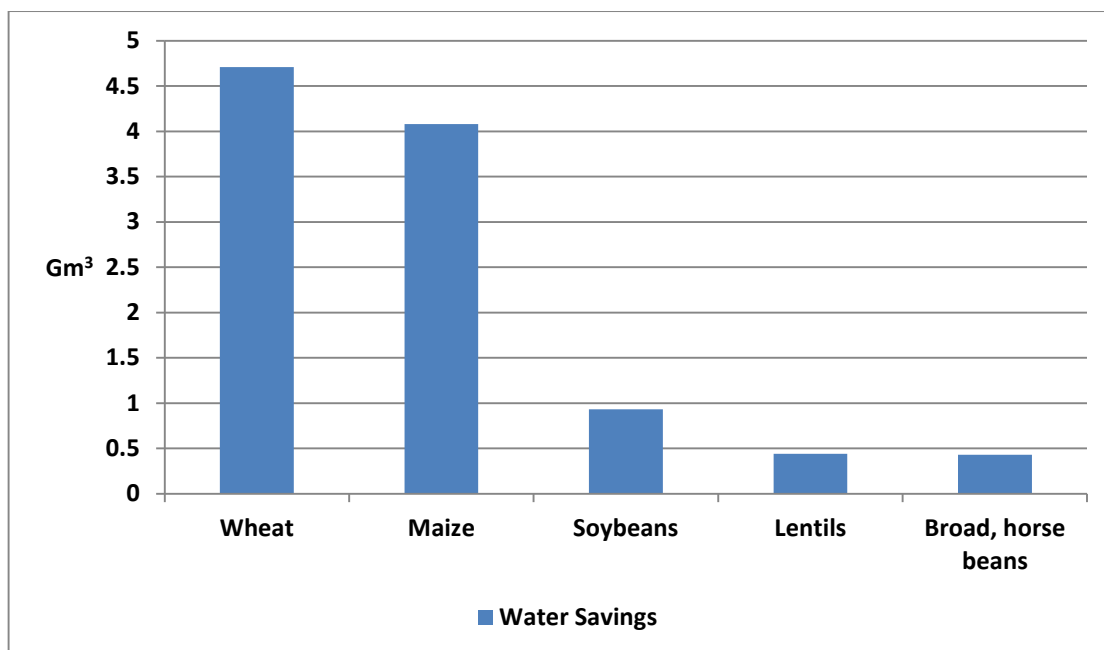
**Figure (6): Water Losses Generated from Selected Exports Arranged in Descending Order**

Source: Prepared by the researcher based on data from table (4.6).



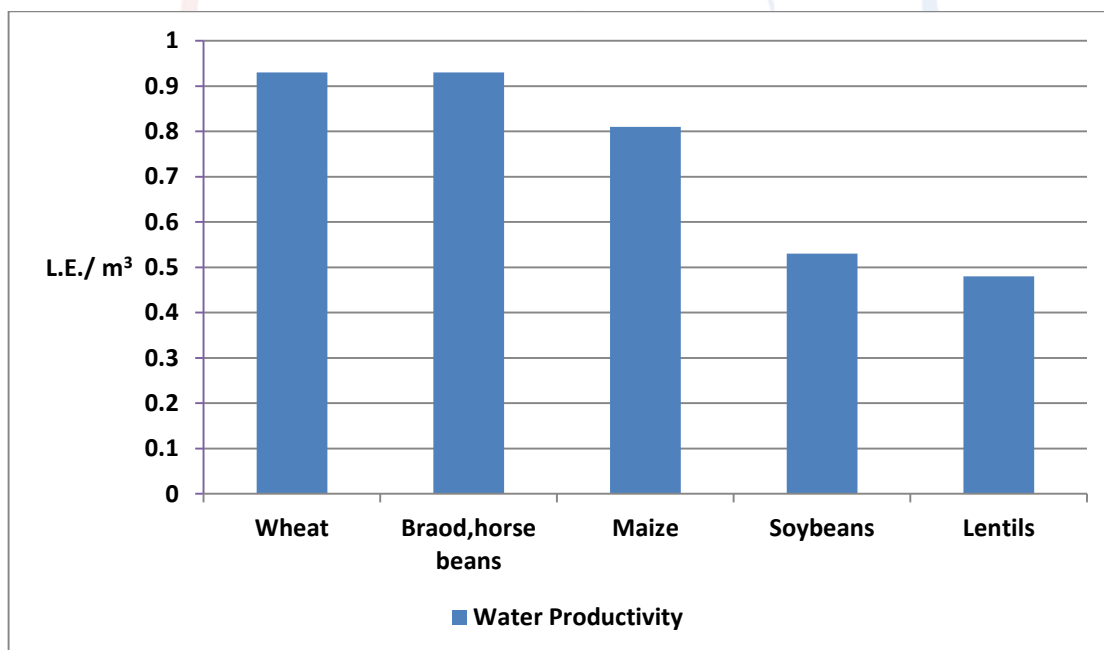
**Figure (7): Water Productivity Generated from Selected Exports Arranged in Descending Order.**

Source: Prepared by the researcher based on data from table (4.8).



**Figure (8): Water Savings Generated from Selected Imports Arranged in Descending Order**

Source: Prepared by the researcher based on data from table (4.5).



**Figure (9): Water Productivity Generated from Selected Imports Arranged in Descending Order**

Source: Prepared by the researcher based on data from table (4.10).

**Table (14): The Effects of the First Scenario.**

<b>STRAWBERRIES</b>						
	Exports Quantity (ton) (1)	Price (L.E./ton) (2)	Revenues (L.E.) (1) × (2)	Exports Quantity (ton) (3)	VWC (m <sup>3</sup> /ton) (4)	Water Losses Gm <sup>3</sup> (3) × (4)
Current Situation	4,512	5,686	<b>25,655,232</b>	4,512	381	<b>0.001</b>
Doubling Exports	9,024	5,686	<b>51,310,464</b>	9,024	381	<b>0.003</b>
Tripling Exports	13,536	5,686	<b>76,965,695</b>	13,536	381	<b>0.005</b>
<b>TOMATOES</b>						
Current Situation	9,336	468	<b>4,369,248</b>	9,336	161	<b>0.001</b>
Doubling Exports	18,672	468	<b>8,738,496</b>	18,672	161	<b>0.003</b>
Tripling Exports	28,008	468	<b>13,107,744</b>	28,008	161	<b>0.004</b>
<b>GRAPES</b>						
Current Situation	13,318	830	<b>11,053,940</b>	13,318	539	<b>0.007</b>
Doubling Exports	26,636	830	<b>22,107,880</b>	26,636	539	<b>0.014</b>
Tripling Exports	39,954	830	<b>33,161,820</b>	39,954	539	<b>0.021</b>
<b>DRY BEANS</b>						
Current Situation	19,704	2,993	<b>58,974,072</b>	19,704	2,053	<b>0.04</b>
Doubling Exports	39,408	2,993	<b>117,948,144</b>	39,408	2,053	<b>0.08</b>
<b>DRY ONIONS</b>						
Current Situation	213,201	303	<b>64,599,903</b>	213,201	237	<b>0.05</b>
Doubling Exports	426,402	303	<b>129,199,806</b>	426,402	237	<b>0.10</b>
Tripling Exports	639,603	303	<b>193,799,709</b>	639,603	237	<b>0.15</b>
<b>POTATOES</b>						
Current Situation	256,348	728	<b>186,621,344</b>	256,348	296	<b>0.07</b>
Doubling Exports	512,696	728	<b>373,242,688</b>	512,696	296	<b>0.15</b>
Tripling Exports	769,044	728	<b>559,864,032</b>	769,044	296	<b>0.22</b>
<b>Rice</b>						
Current Situation	653,924	876	<b>572,837,424</b>	653,924	2,134	<b>1.39</b>

Source: Prepared by the researcher.

**Table (15): Rice and Selected Crops Revenues and Water Losses**

<b>Crop Name</b>	<b>Revenues (L.E)</b>	<b>Water Lost (Gm<sup>3</sup>)</b>
Strawberries	76,965,695	0.005
Tomatoes	13,107,744	0.004
Grapes	33,161,820	0.021
Dry Beans	117,948,144	0.08
Dry Onions	193,799,709	0.15
Potatoes	559,864,032	0.22
<b>Summation</b>	<b>994,847,144</b>	<b>0.48</b>
<b>Rice</b>	<b>572,837,424</b>	<b>1.39</b>

Source: prepared by the researcher.

**Second Scenario: cutting rice exports and use the conserved water to introduce some new crops** that are not listed in the traditional exports list. Depending on the figures of water productivities along with the WUE presented in figure (7), we would suggest to start by adding first the “cantaloupe” then the “pumpkins, squash and gourds” then the “watermelons”.

**Third Scenario: cutting rice exports and redirect** this amount of water –that have been conserved- to more productive sectors in the economy, such as **commercial, industrial and tourism sectors**. From a social and economic point of view this policy can be justified since the marginal value of water and the revenues generated from its use for the commercial, tourist and industrial sector is estimated to be greater than its value in agriculture. Advocates of this scenario justify their opinion based on the fact that the transfer of water from the agricultural sector to the commercial, industrial and tourism sectors will result in a cut back in irrigated agriculture with all its difficulties. Thus, as less water becomes available for irrigation in the agricultural sector there will be less employment in agriculture and hence there must be well planned, well financed programs of training and education of the farmers to prepare them for more productive occupations in the commercial, industrial and tourism sectors which is expected to increase the Egyptian GDP.

When considering this scenario of reallocating the water to commercial, tourist and industrial sector attention must be paid for the environmental impact beside the revenues effect. Environmentalists and ecologists believes that agriculture keeps the country green and by applying this scenario the farmers themselves will become promoters of the sales of their farmlands for more productive projects. This is profitable to the farmers but it may turn large areas into densely populated areas and the green areas will be disappearing.

#### **10. Conclusions:**

This study aimed at deciding on which crops to grow and export in Egypt and on which crops to import. Knowing the national virtual water trade balance is essential for developing a rational national policy with respect to virtual water trade, It will also help us find a way to let governments interfere in the current national virtual water trade balance in order to achieve higher global water use efficiency and thus saving the natural resource and make it last longer.



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***Power Dynamics in Development-Induced Resettlement: The Lesotho Highlands  
Water Project Case***

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**Abstract**

Forced resettlement often results in unintended, negative consequences that may have long-lasting, undesirable impacts on those who are compelled to make way for development. In response to this likely damaging and the inherently complex nature of resettlement, some countries, and sectors within countries, have formulated – and continue to formulate – policies which are meant to inform and guide resettlement processes towards constructive end results. However, policies in themselves do not mean that the outcomes will automatically reflect the intended objectives. The efficiency and success of resettlement policies and processes are the result of a well planned and executed process. In practice, the dynamics on the ground may have a significant impact on the manner in which policies are implemented, and the outcomes that follow. This paper explores power dynamics in resettlement policy implementation processes through a case study of resettlement in Lesotho, and how the distribution and exercise of power, without exhaustive measures of accountability, can result in unintended consequences and outcomes on the ground.

Keywords: Resettlement, Power, Development

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## **Introduction**

The undertaking of resettlement in development projects is often a controversial process that has attracted a lot of debate and activism. Resettlement, often involuntary, results from projects aimed at providing resources such as water, electricity, housing, etc., to the public. The irony of this process, however, is that while it is usually claimed to be “development-driven”, it subsequently leaves those who are forced to make way for development in worse-off socio-economic conditions in many cases (Cernea, 2000; Evrard and Goudineau, 2004; Mulugeta and Woldesemait, 2011; Patel and Mandhyan, 2014; Yntiso, 2008). Research shows that resettlement may also negatively affect forced resettlers psychologically, culturally and otherwise (Downing, 1996).

While some countries, and sectors within countries, have made significant strides in the formulation of policies that are supposedly meant to inform resettlement processes towards the restoration and/or improvement of projects-affected lives, it remains that on the ground, some situations do not necessarily reflect the provisions of policies in a substantial manner (Cernea, 2005; 2008; Cernea and Schmidt-Soltau, 2006; Mathur, 2006; Scudder, 2005). As Rew puts it, policy involves both formulation and practice, and therefore, the effectiveness of policies can be measured on the basis of the outcomes reflected on the ground (2006).

This paper explores power dynamics that may be at play in resettlement policy practice, with reference to the implementation of the Lesotho Highlands Water Project (LHWP) policies. Power dynamics may find expression in policy implementation and, therefore, the outcomes on the ground. The LHWP, established in 1986, is one of Africa’s big dam projects, based in Lesotho in the Southern African region, and it is a Lesotho-South African co-run project. The main objectives of this project are to provide cheaper water to South-Africa – currently some parts of its Gauteng Province – through a series of dams built in Lesotho, and hydroelectric power to Lesotho through the power plant in ‘Muela, Lesotho. The paper will explore power dynamics at different levels of implementation, mainly between the implementing organisation, the Lesotho Highlands Development Authority (LHDA) in this case, and the project affected people (PAP), as well as within the affected communities themselves.

While the LHDA has many policies that inform and guide its resettlement processes, this paper will mainly focus on the Compensation Policy, looking at the aspect of communal compensation, which will be discussed below. It will show how the manner in which this component of the policy was implemented has affected the socio-economic outcomes on the ground. The discussion will take into account the intended objectives of the policy component, and the justification of the approach that was adopted in the implementation, and reflect the unintended consequences of the manner in which power was distributed and exercised.

### **Communal compensation**

As provided in the Compensation Policy of 1997 of the LHDA, “all communal assets...will be compensated to communities as a whole, in the form of lump sum or annual cash payment” (LHDA, 1997, section 11.5). The policy further shows that all the money which is assigned for compensation of all the lost resources owned by communities shall be geared towards the upliftment of those communities. In implementing this clause of the policy, the LHDA set out to engage affected communities in community development projects (or income generating projects in some cases), which were meant to ensure that the people who have lost their assets and means of livelihoods, have a form of income or services to maintain their standards of living. It is a prerequisite as stipulated in the LHDA Treaty of 1986 between Lesotho and South Africa (LHDA, 1986: section 44.2(a)), that the lives of the affected people should be improved or, at least, maintained to the level not inferior to their standard obtaining before disturbance. Communal compensation is for the loss of all rights and access to communal assets which include; grazing land, brushwood, medicinal plants, useful grasses and wild vegetables (LHDA, 1997, section 11.5).

The use of funds from the communal compensation is subject to the decision taken collectively by the incoming and the host community members. This may have its downsides as in trying to reach a common consensus, conflicts may arise, sometimes leading to a delay of projects' implementation. Nonetheless, this approach was the LHDA's strategy to encourage community ownership and sustainability of projects and services yielded by this form of compensation, even though it does not always mean that community ownership will yield sustainability, this will be reflected in the section on implementation. The way projects from communal compensation are implemented is through forming community cooperatives or organisations, through which the funds can be facilitated and projects implemented. The LHDA would then deposit communal compensation funds into the community's bank account. In each case, a committee comprising representatives from both the incoming and host community members is elected by community members, and it is the same committee that is charged with the responsibility to implement collectively planned community projects. The committees comprise of seven members; the Chairperson, the Treasurer, the Secretary, and members without portfolio.

There is no specified strategy or guidelines that determine how committee members are or should be selected, but in the cases studied, there are a few common factors which came out as some of the features that influenced the selection of committee members. As can be expected, the LHDA officials did have a say in advising communities on how or what they should base themselves on, when selecting their representatives or committee members. As it came out in the interviews, during community consultations which the LHDA conducted with the affected communities, the officers did advise community members to elect people who can read and write, as they will need to keep the records and read documents that outline the agreements between LHDA and the affected people. Community members were also advised to elect people who are more articulate, who will be able to represent them effectively to other stakeholders. Each committee had a period of one year to implement communally planned projects, after which a new committee would be elected. These committee members were elected by community members at a community gathering, held (usually) at the chief's place.

## **Planning, Implementation and outcomes**

### **The planning for Communal Compensation**

This paper is based on the study which was undertaken in the Mohale area, which is the dam area of the second stage of the first phase of the LHWP, commonly known as Phase 1B, and some parts of Thaba-Bosiu, where people from the Mohale areas were resettled to. The first group of people to be resettled from Mohale were moved in 1996, during pre-construction resettlement. And the last people were moved in 2006; post the construction of the dam (Hitchcock, et al., 2009).

As indicated in the policy, communal compensation would be given to communities annually over a period of fifty years, or as a lump sum if the community decides on a project that would cost all the money allocated to them (LHDA, 1997). This form of compensation is calculated by the LHDA on the bases of the number of people resettled into a particular community. In the two main areas studied in this case – Mohale and Thaba-Bosiu – annual communal compensation was provided for the first few years (four to five years on average). This was calculated from the first time of disturbance – mainly inundation of the dam – which covered resources such as rangeland, medicinal plants, useful grasses, brushwood etc. As shown previously, community members would decide on the projects they would like to engage in, or the services they would like to have with their money. In one case in Mohale, community members decided they wanted to have electricity installed in their homes, thus part of the first instalment given by the LHDA would be used for wiring every household and the other portion would be used for actual installation of electricity.

In three communities in the same areas of Mohale and Thaba-Bosiu, community members decided on getting hammer mills. It is common course in the rural areas of Lesotho that people do not typically buy mealie-meal, but they grow maize and sorghum in their fields for their own consumption. One can, therefore, see why a hammer mill would be a common option in these areas. There were also additional projects of chicken and pigs breeding for commercial purposes that communities decided would help them generate some form of on-going income. This is, in fact, a common business venture that people engage in, on both small and large scales. The sustainability of this kind of business differs from one case to another, and it will be seen in the section that follows how it turned out in these particular cases.

The idea and justification for hammer mills in the studied communities was two-fold; on the one hand, it was to enable community members to access the service in their own communities, these are the areas where the members would previously have to go to other communities farther than their own if they wanted to mill their grain into flour. On the other hand, it was to allow community members to create their own income through the charges that users incur on a daily basis. The plan was that the on-going revenues would be saved in the banking account of the communities on a regular basis, and periodically be shared amongst the members when enough funds had been raised. The money raised would also be used to pay the workers on a monthly basis, such as the cleaner and other personnel.

The same rationale applied for the chickens and pigs project; community members would breed them until they are ready to be taken into the market, then profits would be saved in the bank account and new stock bought to ensure that the project sustains, then after sometime the money would be shared equally amongst the members. The initial capital – communal compensation that is – was used to buy all the necessary

equipment, such as feeding and drinking containers, and feeds. Selected members of communities were taken for training by the LHDA, on how to breed chickens and how to do business out of it. The training included; how to source and link with the market, where to buy feeds and equipment from, comparing prices from different service providers, negotiating prices when buying on a large scale basis, etc.

When one learns of what communal compensation was meant for in its inception, which was to uplift the affected communities towards self-reliance, and how well-articulated the plan was, it is quite ironic to see how things turned out on the ground. The idea was good, the plan was reasonable; in fact, one would argue that it was a well-calculated and theoretically substantiated plan that would see community members being on the forefront in the running of the projects. Community members decided on the projects to engage in, their reasons seem to have been backed up by their own lived experiences, they would run the projects themselves, using the money that technically belonged to them, which they got having lost their assets and means of livelihood, and this would be their way of re-establishing themselves as self-reliant people. The subsections that follow explore the implementation of the above illustrated process, and power asymmetries that seem to have been at play, as well as how that resulted in unintended consequences that rendered the initial objectives of the projects void.

### **The role of the committee in the implementation process**

When committee members were elected, they were given authority to facilitate implementation of projects through, among other activities, procuring the needed materials and resources for the planned projects. This, therefore, means that committee members had the responsibility to choose service providers on behalf of the whole community, and to withdraw money from the bank to buy whatever needed to be bought or to pay for services. Three members of the committee – the chairperson, treasurer and secretary – had the authority to withdraw money from the bank. The obligation to keep the records of how much money had been used and for what purposes laid on the committee members, especially the three main members with portfolios.

Basically, the LHDA put the funds under the care of communities themselves, through the elected committee members; communities who comprise mainly of people who used to rely on subsistence agriculture and livestock as their basic forms of livelihood. It should, however, not be assumed here that these community members had previously never participated in the money economy before, as in one way or the other, the people in Lesotho have, even historically, had other means of financial income, however limited they may be. Writers such as Ashton (1952), Ferguson (1990), Murray (1977), who have studied the lives, livelihoods and history of Basotho have, in fact, argued that as early as the 1920's agriculture was already supplemented with financial income, mainly remittances from the South African mines.

However, what should be taken into context in this case is that the committee members were charged with the responsibility to oversee funds amounting to hundreds of thousands of Maloti (an equivalent of Rands), even millions in some instances, something none of the committee members had any prior experience in. Whether or not these people were ready for such a huge responsibility, and ready to exercise the amount of power they were given appropriately, is the factor which appears to have not necessarily been established. Being in the committee, therefore, meant that, for the first time, members had access to hundreds of thousands of Maloti

under their care, which they, at that particular time, had the authority to withdraw and use.

### **Committee members' accountability**

The committee members were charged with the responsibility to account to community members on a monthly basis, on how much has been collected as revenues from the income generating projects. The amounts would then be recorded in the books and the money supposedly be taken to the bank for saving. Again, committee members had the authority to take the money to the bank and the obligation was vested on them to actually take the agreed amount to the bank. It does not appear that the LHDA had any direct role, at the time, to hold committee members accountable, in terms of whether or not the money did, in fact, end up in the bank account. Perhaps, again going back to the issue of community ownership, it made sense at the time, for the LHDA to let community members run their own affairs, and not have a direct influence in the affairs of the community. The unintended consequences of this approach will be discussed in the subsection on outcomes.

A lot of debate in community development around the issue of participation has been on whether community members are ever practically allowed to be in the forefront and direct their own affairs, or whether "participation" is, at the very best, merely "consultation" and can never really go beyond that in practice. Cooke and Kothari (2002) argue, in their book entitled "Participation: the New Tyranny?" that participation has predominantly become a rhetoric that promises empowerment and self-reliance, when in actual fact, it can result in "unjust and illegitimate" application of power. It can, therefore, be argued that the LHDA stepping aside was their way of giving communities an opportunity to run their own affairs.

On the other hand, it could have also been a question of abdication of responsibility on the part of LHDA. The LHDA is required, by law, at least as far as the treaty of the 1986 between Lesotho and South Africa on the LHDA is concerned, to ensure that the lives of the affected people are improved or, at the very least, maintained to their standard obtaining before disturbance. Hence, the success of the community projects that were meant to uplift the livelihoods of the PAPs is not only the business of the people, but also that of the LHDA. While the LHDA seemingly wanted to avoid controlling the affairs of the community as an external stakeholder, the other side of the coin involves the abdication of the responsibility to provide some long-term support where appropriate.

Furthermore, there is no evidence that there were any mechanisms at the disposal of community members to enforce accountability on committee members, beyond those monthly reporting meetings, which were also the responsibility of the same committee to arrange for. There were no other means put in place to ensure that if the committee members fail to account timeously, community members could take action to hold them accountable. The only other means was the courts of law, which, in practice, should be the last resort when all the other measures are proving to be insufficient, owing to the costs associated with legal processes, both financial and time wise. Therefore, it can be argued that in this particular case, a substantial amount of power was vested on a few individuals, to act on behalf of the entire community, with no effective means at the disposal of community members to hold those few individuals accountable, the result of which is discussed below.



### **The outcomes on the ground**

The main objective of the communal compensation is to recompense communities for the losses they have incurred through forced resettlement. When community members are forced to move to make way for development, they do not only lose their individual assets, but also the communally owned assets that form a significant part of their livelihoods. This is because, as de Wet (2015) puts it in his spatial analysis of resettlement, people do not only occupy places at which they live, but they also learn to survive and make a living using the resource base provided by their long-standing social, physical and environmental surroundings. This means, therefore, that when people are being uprooted from their places where they have established a strong sense of survival, their livelihoods, which are strongly linked to their spatial reality, are compromised, and their standards of living are bound to deteriorate. In an attempt to address this possibility of depreciation, communal compensation is meant to replace the loss of means of livelihoods.

In this context, it is only fitting to discuss the outcomes on the ground against the main objectives of this type of compensation. If the objectives of this form of compensation were achieved, it would have meant that community members who have lost their assets and other means of livelihoods are able to benefit from the projects and services provided with communal compensation. Secondly, in accordance with the LHDA's responsibility to ensure that the standards of living of the PAPs are improved or at least maintained, it would mean that the LHDA would have followed through with the implementation process, particularly in holding committee members consistently accountable in the use of the funds entrusted to them.

However, as the reality is reflected on the ground, ordinary community members are not necessarily benefiting from the projects in a substantial manner. At the very best, the only benefit yielded by ordinary community members is the service of milling using the hammer mills in their own communities. Thus, the only advantage is the closeness of the service, which does not in any way address the loss of livelihoods that the resettled communities experienced. In the specific cases where this study was undertaken, it has been established that there has been some misuse and misappropriation of funds by committee members. Other projects such as the chickens and pigs projects could not last either, although in those cases, other reasons other than the misuse and misappropriation of funds were cited. These reasons included the limited market, people buying on credit and not paying on time, as well as chickens dying in significant numbers. In another case in Mohale, where community members had requested electricity installation, houses were only wired but electricity was never installed due to the same reason of misuse and misappropriation of funds by the committee, which resulted in a shortage of funds to complete the intended activity.

What is even more interesting is the fact that, by their own admission, other community members were aware when the funds were evidently being squandered by the committee members. One of the former committee members interviewed indicated that when they, as the committee, went to buy the needed equipment, the chairperson and the treasurer would give her money to buy lunch and send her back home with the equipment, while they stayed behind in town, supposedly to spend more money for their personal needs. This boils down to an illegitimate exercise of power, in this case by the people who were seen to have the same kind of goals as the rest of the ordinary community members. While community members were aware of the misuse of funds, they seemingly did not take any action to demand accountability from those to whom

power was given. As indicated by Dryzek and Dunleavy (2009), if people are not presented with alternative ways of dealing with an unacceptable conduct of those superior to them, it becomes difficult to act collectively against that behaviour.

Even though new committees were supposed to have been elected annually, in the studied cases committee members who were in the office had been there for more than five years, and in some cases for close to ten years. The committee is responsible for arranging, in collaboration with the chief, community meetings in which new members of the committee could be elected. When it became apparent that community funds had been misused, the LHDA stopped processing more funds to be deposited into the communities' bank accounts, and advised that the issue of misused funds be resolved first. This led to delays in the election of new committee members, as the projects' implementation processes were subsequently withheld. In all the cases, committee members were taken to the cooperatives courts by community members at the advice of the LHDA, to be tried regarding the misuse of funds. In all those cases, the members were found guilty and were ordered by the courts to pay the money back.

However, these are the people who typically do not have any on-going or significant income, and for someone in that position to be asked to pay some twenty thousand Maloti is almost impossible, especially when nothing they own could amount to that amount of money. In the end, the ordinary community members are the ones left with no benefits to yield from the projects which were meant to uplift their lives.

Following this abuse and misappropriation of funds, which has resulted in more losses for communities, the LHDA has had to review their implementation strategy. The result of this review has been a shift of power from the community level to the LHDA. Instead of giving money to communities, the LHDA has now decided to keep the money in their own account, and only allow communities to decide on the projects or services they want with the money, and to select service providers in collaboration with the LHDA, then LHDA will pay service providers directly. Additionally, income generating projects have also been terminated, due to their dismal failure in the first round.

This seems to be a much more controlled strategy, and can still ensure that communities are in control of their own affairs as they will still get an opportunity to choose what should be done with the money. Communities will also be able to keep their own records of how much money has been used and how much is left, if there is any. However, there are further power dynamics, now not within communities themselves, but between the LHDA and communities. The question still remains as to what mechanisms are at the disposal of community members to keep the LHDA accountable, in terms of paying service providers timeously, and actually ensuring that the money is, indeed, used exclusively for its intended purpose. It is a well-known matter that the LHDA in some cases has had delays in processing compensation for some people, which have previously resulted in community members being compelled to follow legal processes, involving the Ombudsman and other Non-Governmental Organisations, such as the Transformation Resource Centre (TRC) and Seinoli, which are human rights and public interests oriented organisations (Seinoli, 2014; TRC, 2006).

It remains to be seen, therefore, how the implementation of this new strategy will be, and if enough control will be exercised, and by whom, to ensure that timeframes, plans and procedures are adhered to, and whether or not the real benefits will be yielded by the people on the ground.

### **The methods of the study**

The study which informed this paper was undertaken over a period of three months, where a full month was spent in each of the two areas of study; Mohale and Thaba-Bosiu. The people who were moved from their places of origin in Mohale to other areas in the same locality are considered as “relocatees”, and those who were resettled to Thaba-Bosiu are considered as “resettlers” as the two terms are used by the LHDA. The LHDA uses the term “resettlement” to describe the planned and funded process of uprooting households or people from their places of origin to the new areas outside their own vicinity, where they will supposedly experience significant, whether partial or complete, changes in their socio-cultural, economic and environmental lives (LHDA, 1997:iii). Whereas “relocation” is taken to mean the planned and funded process of the removal of households or people from their original places to new areas within their vicinity, where they will supposedly experience minimal, and in some cases no changes, in their socio-cultural and environmental lives (ibid). Twenty resettled and twenty relocated people were interviewed in the two areas. The hosts, the chiefs in the areas, as well as some LHDA officials were also interviewed. During the period of the month, the researcher lived with and interacted frequently with community members.

For resettled and relocated people, a questionnaire was used as an instrument for data collection. This instrument consisted of a combination of open-ended and closed-ended questions. The open-ended questions allowed respondents to give their opinions or to relate their situation, whereas the closed-ended questions allowed respondents to choose an option(s) most relevant to them from the set of options/answers provided (Babbie and Mouton, 2001). For the host community members, the chiefs and LHDA officials, different sets of interview guides were used for data collection. The questions in the interview guides were open-ended, and this enabled the researcher to probe for more responses. The questions in the interview guides were all aligned with the objectives of the study, but depending on the response given by a responded, slightly different, but all relevant probing questions were asked.

## **Conclusion**

It has been established that resettlement is, in fact a complex process. In some cases the failure or ineffectiveness of policies does not necessarily result from the limitations of policies themselves, but the manner and the context within which they are implemented. Other dynamics outside the provision of policies may also come into play, and affect implementation processes and the resulting outcomes. In this paper, it has been discussed how the distribution and application of power, with no strict measures of accountability, can result in unintended consequences. The issue of community participation and ownership remains relevant in the area of community development, including resettlement, and therefore, cannot be overlooked. However, in the same way that external or implementing organisations can sometimes inappropriately exercise their power to influence community affairs, more powerful community members may also influence initiatives in a manner that does not necessarily take into account the needs of ordinary community members at large. Effective measures of accountability should, therefore, be put in place throughout all the stages of resettlement and rehabilitation, to ensure appropriate use of power.



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*The Semiotic of Bangkai-Bangkaian: A Special Space for the Spirit*

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**Abstract**

The main purpose of this paper is to ethnographically describe the ritual of death among the West Coast Bajau in Sabah especially on the matters related to the preparation of *bangkai-bangkaian* after a funeral. This cultural artifact is perceived as a resting place or 'special space' for a spirit which is believed will visit his or her family members during special feast and occasion known as *bejogo*, *mangan bangi* and *malam tujuh*. Apart from that, *bangkai-bangkaian* also symbolizes the values of love, care and respect for the dead. Symbolically, the act of preparing *bangkai-bangkaian* also reflects the world-view of the Bajau. The discussion also covers the concept of spirit's space among other ethnic groups in Sabah. The data were gathered through interviews and participant observations carried out in Kampung Kota Belud, Sabah, Malaysia. The qualitative description were analyzed and elucidated based on semiotic and non-verbal communication perspectives.

Keywords: Bajau, Death Ritual, *Bangkai- Bangkaian*, Semiotic, Non-verbal Communication

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## 1. Introduction

Semiotic referring to meanings of symbols and humans as creators and meaning givers to symbols are two inseparable entities in a life of a cultured civilization. In reality, humans live with symbols and signs. Death symbols are among the significant symbols signifying a culture. Generally, death symbolizes sadness and people have different ways to manage, handle and signify death. Like other ethnics in Malaysia, ethnics in Sabah have their own unique death rituals. The Bajau or *Sama* is one of the ethnics in Sabah that has this unique death ritual. Thus, this article discusses death symbols of Bajau specifically the artifact of death culture called *bangkai-bangkaian*.

Based on the intended objective, the researchers have applied some interrelated theoretical perspectives, namely the Semiotic Theory and Nonverbal Communication Approach, to conduct and support the focus of the study and also to act as a foundation to search for the meaning of death symbol. This qualitative research utilized the ethnographical thick description approach to illustrate and interpret the semiotic meanings behind the death symbol of *bangkai-bangkaian*. In line with the ethnographical approach, the data collection is conducted through participant observation and interview. Besides that, interpretation from both etic and emic perspectives are also employed to describe the data.

## 2. The Bajau in General

In most western writings or researches on ethnic Bajau tribe, the Bajau or also known as the *Sama*, is grouped as boat nomads or sea nomads---people who have a close affiliation with the sea and boating life, and tend to live a nomadic way of living. This group is also associated with several names/titles, including sea gypsies, *waju* and with variations of pronunciation and spelling of the term Bajau, as Badjaw, Bajo, Badjoo, Bajjau and others. In Sulu, the Bajau is also known as Sama, Samal, Palau, Kaliaggeh and Luwaan. But despite the diversity of the names/titles, the term Sama-Bajau is accepted as the name/title to include all ethnic tribal groups, not just those that have become synonymous with the sea living people, but also those majority ethnic groups living on the coast and on the land.

Geographically, the Bajau occupies several regions in Southeast Asia and becomes the indigenous people in three countries, namely the Philippines, Indonesia and Malaysia. In the Philippines, they can be found in the South or in the Sulu Archipelago, while in Indonesia, they settle in the east, especially along the coast of Sulawesi. In Malaysia, the Bajau lives in Sabah. In this state, there are two major settlements of the Bajau community, namely the district of Kota Belud, located on the West Coast, Sabah and the Semporna district, located on the East Coast, Sabah. Apart from Kota Belud, the Bajau in the West Coast can also be found in Kudat Peninsular, Tuaran, Kota Kinabalu, Sepanggar, Putatan and Papar. In the East Coast, besides the town and the mainland of Semporna, the Bajau people also live on the islands such as Omodal Island, Danawan Island, Siamil Island, Bum-Bum Island and others. In spite of this, the Bajau people are also spreading across several other regions in Southeast Asia and is said to be a huge ethnic groups scattered and dominated the islands of Southeast Asia from ethno-linguistic point of view (Sather, 1997).

Demographically, about 15 years ago, a study conducted by Sather (1997) had estimated that the population of Bajau in the archipelago continent was between 750,000 to 900,000 people. Therefore, it can be suggested that nowadays the number of Bajau people on this archipelago has reached more than one million people. <sup>i</sup>According to Gusni (2005), the Bajau ethnic population in three countries, namely Malaysia, the Philippines and Indonesia is estimated to reach 860,000. In Malaysia alone, particularly in Sabah (including the Federal Territory of Labuan), the distribution of the Bajau population is estimated at 334,671<sup>1</sup> (Yearbook of Sabah Statistics, 2005:16). In total, the Bajau on the East Coast is ahead of little figures, estimated at 169, 349<sup>2</sup> people compared to the West Coast, which is estimated at 165, 322<sup>3</sup> people (Yearbook of Sabah Statistics,2005: 16-18).

Writings and studies of the Bajau origin can be traced since the 20th century---including writings and studies by researchers such as Warren, Sopher, Saleeby, Alliston, Nimmo and Sather. In the late 20th century to present (21<sup>st</sup> century), amongst the top researchers who have been actively written and published articles on the West Coast Bajau community, whether from within or outside the country, are Yap Beng Liang, Gusni, Miller and Saidatul Nornis. Nevertheless, until now the research and writing about the West Coast Bajau, especially the chronology of this community maybe somewhat less prolific.

As of today, issues concerning the origins of the Bajau have not yet found a definitive final say due to the imperfection of history resources record and the diversity of literature available regarding the matter. Based on studies that have been carried out previously, there are many classical theories associated with the origin of this society, among them are the state of Johore in the Malay Peninsular and the Riau-Linga archipelago, and Zamboanga in southern Philippines. Information that supports the argument that the Bajau community comes from Johor and the Malay Peninsular derived from the legendary stories such as that described by Cyrill Alliston, Najeeb Saleeby, Hellen Follet, the Bajau people of Pulau Omadal, and the latest story of Bajau Kota Belud and the version of the Bajo story from Sulawesi Indonesia.<sup>4</sup> The legend of Bajau from Pulau Omadal stated that Bajau people was originally from Johor, was then moved to Sulu and finally anchored in Sabah. Helen Follet's statement also stated that the Bajau were boat dwellers of the Malay Peninsula. Cyril Alliston excerpt also explained that the Bajau was from Johore, as well as Najeeb Saleeby, which also suggested that before occupying Sulu, the Bajau came from Johore (Yap Beng Liang, 1993). Writings and research by Sopheras as well as demographic evidence from Earl and Tom Harrison also strengthen the theory which claims that the Bajau are from Johor (Gusni, 2005).

<sup>1</sup> This figure is based on 2000 statistics, according to ethnic group and Sabah local authority area, and Federal Territory of Labuan. The figure includes the population of Labuan which is amounted at 3675 people and also of Malaysian citizen.

<sup>2</sup> This figure includes the Bajau of Tawau residency (Tawau, Lahad datu, Kunak, Semporna), and also Sandakan residency (Sandakan, Kinabatangan, Beluran, dan Tongod.)

<sup>3</sup> This figure covers the Bajau of the West Coast (Kota Kinabalu, Ranau, Kota Belud, Tuaran, Penampang dan Papar), Kudat (Kudat, Kota Marudu dan Pitas), remote areas (Beaufort, Kuala Penyu, Sipitang, Tenom, Nabawan, Keningau dan Tambunan), and Federal Territory of Labuan.

<sup>4</sup> For details' reading about the legendary tales, please refer to the studies done by Yap Beng liang (1993), Sather (1997), and latest study by Saidatul Nornis Hj. Mahali (2006).

Meanwhile, the other opinion which claims that the Bajau people are from the southern Philippines maybe referred to the linguistic evidence. Based on the comparative study of languages by Collins, which argues that there are similarities between the dialects of Bajau people in Sabah with the Bajau people in Indonesia and in the southern Philippines. Apart from the oral traditions mentioning about 'Samboanga' as the origin of the Bajau (from a geographical view as well), the Bajau is said to begin moving from the island of Sulu, leading to the island of Borneo and proceed to the island of Celebes in southern Philippines (Gusni, 2005). According to Gusni again (2005), the arguments and theories which claim that the Bajau people are from Johore are much stronger compared to Zamboanga.

A study on Land Bajau community conducted by Miller (2007) found that the West Coast Bajau language are more akin to the Indonesian Malay language compared to the Philippines and Borneo languages family. These findings reinforce the hypothesis that once said by Blust in 2005 which stated that Bajau people (proto-sama) are more likely came from Indonesia, which is located in the East Kalimantan (Miller, 2007). Anchored to the fact that language is the foundation of civilization building, and one of the important cultural aspects in tracing cultural comparison between tribes, the authors feel that the latest linguistic findings can be addressed. Miller's findings also confirm that although there is similarity, the Bajau language of the West Coast and East Coast are different. The language of the East Coast Bajau is more similar to the Bajau language of the Philippines. However, detailed examination of the chronology and the origin of this West Coast Bajau people are still necessary to prove the validity. Until more of the same findings obtained, then only the matter can be finalized.

### **The Bajau community in the district of Kota Belud, Sabah in general**

Kota Belud district was chosen as the research location because it suits the research context and issues that the authors are trying to explore in this research attempt. This is because the Bajau community in this area is still characterized by a traditional cultural back drop to the present, in addition to the population size of the Bajau community in the area that dominates the number of people along the West Coast Bajau in Sabah. Kota Belud district is located in the North West Coast of Sabah, about 77 km from the capital state of Sabah, Kota Kinabalu, which is about an hour away by car. The area is bordered by the district of Tuaran, Kota Marudu and Ranau. The name Kota Belud originates from the Sama/Bajau language which means 'the fort on the hill'. The district has also earned itself the nickname of 'East Cowboy District', in honour of the residents' skill in horse riding and because of the number of cows and buffaloes reared there.

Within area of approximately 1,386 square kilometers, Kota Belud district has a population of 75,568 inhabitants according to 2000 census. From the total, the Bajau is estimated at 26,054, the second highest after the Kadazan Dusun which figures 32,682 people (Yearbook of Sabah Statistics, 2005: 10-13). From the above source, it is clear that the majority of the population in Kota Belud is dominated by the Bajau and Kadazan ethnic groups which are regarded as indigenous people and were among the earliest in the area. In addition, Kota Belud is also inhabited by Iranun, Suluk, Ubian, Chinese and has become the location of migration among various ethnic and sub-ethnic groups from the Philippines and Indonesia.

### **3. Theoretical Framework**

#### **The Semiotic Theory**

Semiotic derives from the Greek *semesion*, meaning sign, *semainon* which means signifier and *semainomenon* meaning signified or indication. Generally, semiotic is the study of signs or an epistemology about the existence or the actuality of sign in societal life. Many pioneers, researchers, practitioners and authors of semiotic such as Ferdinand de Saussure, Charles Sanders Peirce, Roland Barthes, Roman Jakobson, Charles Morris and Umberto Eco (Eco 1976; Leeds-Hurwitz 1993; PanutiSudjiman and Zoest, a. V 1996; Chandler 2002) have agreed on the simple definition. For understanding and clearer purpose, semiotic is account for everything that can be seen or be interpreted as a sign as postulated by Umberto Eco in his book entitled 'A Theory of Semiotics' who indicated that 'semiotics is concerned with everything that can be taken as a sign. A sign is everything which can be taken as significantly substituting for something else' (1979; 7). According to Umberto Eco, that 'something else' is not necessarily exist or be exactly at the same time when the sign represents or replaces its position. Therefore, Umberto Eco often refers it as theory of the lie, or deception because it can be used for misleading or deceiving others (1976: 6-7).

Tracing the historical background and its advent, especially during the development of the classical semiotic, the philosophy pertaining to the significance of semiotic in the life of mankind has begun about more than two thousand years ago by the Greek philosophers. Later during the medieval, the meaning and the use of signs in depth have been discussed by the Stoici (Zeno) as well as among the philosophers and scholars. However, the term 'semiotic' only appeared at the end of 18th century when introduced and applied by a German philosopher, Lambert. Later in the 20th century, the thought and the use of signs on a systematic basis began to gain public attention and till then the field of semiotic has continued to become research topic and writings among scholars and academicians to date (PanutiSudjiman and Zoest, a. V 1996; Yarni Munaf, Erizal Ghani, Studs Rosa and Amris Nura 2001). In the development of the modern semiotic history, there are two pioneers from western countries who have made big contributions towards the respected field, namely Ferdinand de Saussure (1857-1913), a linguist from Switzerland and Charles Sanders Peirce (1839-1914), a philosopher from America.

#### **Non-verbal Communication Perspective**

Non-verbal communication is a field relating to various disciplines in social and pure sciences. Early studies on non-verbal communication started in two orientations. The first orientation started in the middle of 1950s by collaborative works of linguists, psychiatrists and anthropologists that were inspired by new development in informatics and cybernetic theories. Researchers of structural approach and context analysis were interested to study behavioural segmentations, forms of interactions and others. These early studies focused more on cultural context due to the influence of anthropological linguistic of Sapir-Whorf hypothesis. Among the key researchers of these studies were Ray Birdwhistell, who studied kinesics (Segerstrale & Molnar, 1997) through his monograph entitled "Introduction to Kinesics" in 1952, Druckman, Rozelle and Baxter (1982) and Edward Hall in *proxemics* (language of space) in 1959 and 1966 (Segerstrale & Molnar, 1997). The second orientation focuses on the natural side of non-verbal communication, and this field was mainly pioneered by Charles Darwin through his book entitled "The Expression of the Emotions in Man and Animals" in 1872. Darwin concluded that all mammals show their emotions through facial expressions

(Segerstrale & Molnar, 1997). But now, the studies of non-verbal communication have expanded to various fields including linguistics, anthropology and social psychology. Literally, most communication scholars conclude that non-verbal communication is communication without words (Adler & Rodman 2003; De Vito, 2005; Tubbs & Moss 2006). Therefore, non-verbal communication refers to all wordless forms of communication, and this is similar to definitions given by scholars like Ronald Adler and George Rodman (2003:150) who have defined non-communication as “oral and non-oral messages expressed by other than linguistic means”. This shows that language messages like written texts that are not expressed verbally or based on linguistic, are not included as non-verbal communication but categorized as verbal communication especially non-vocalized communication because according to Stewart Tubbs and Sylvia Moss (2006), non-verbal communication only “conveys non-linguistics messages”. Like verbal communication, non-verbal communication includes both vocal (the use of mouth) and non-vocal communications. William Seiler and Melissa Beall also define non-verbal communication as “...all behaviours, attributes or objects (except words) that communicate messages that have social meaning” (2005:110). To conclude, non-verbal communication can take place through any senses, either through vision, hearing, smell, touch and taste. Non-verbal communication is categorized into several aspects. However, this article will only focus on the cultural artifact of an ethnic group, namely the *bangkai-bangkaian* in a death custom of the Bajau.

#### **4. Findings and Discussion**

##### **Summary of the Contemporary Bajau’s Death Custom Structure**

From the perspective of basis structure, the Bajau’s death custom is similar to the Malay’s death custom that is based on Islam. The handling of a body, namely the bathing, enshrouding, praying, sending, and burial, and the reciting of Yaa’sin or other verses in Al-Quran during the time when the decease was sick; before and after the burial is still practised and follows the basic ritual structure required in Islam. Apart from these basic requirements, the Bajau practices some traditional customs that are not required in Islam like the *ngeduang*, *mangan bangi*, *pesuk*, *mayang pinang*, *guris* ceremonies and others. Nevertheless, nowadays the Bajau’s death structure has undergone few changes due to pluralistic and complicated society. The changes can be seen in the tools and materials used and also some of the customs are no longer in practice or they are being simplified. All these are due to the reason that most of the traditional tools require time, energy and money, and with this postmodern period, the customs and traditional rituals are rather burdensome. In general, the contemporary Bajau’s death ritual structure shows unification between rituals and traditional as well as Islamic practices (Halina Sendera & Andreas Totu, 2014).

##### ***Mangan Bangi* and *bangkai-bangkaian***

*Mangan bangi* in the Bajau’s culture is like a *kenduri* or feast for the decease among the Malay community. It refers to a mourning period held to commemorate and honour the decease. The Bajau holds *mangan bangi* (literally, it means eating on a day) for seven consecutive days after the burial ceremony ends and on every ten days until the 100<sup>th</sup> day, i.e. the 10<sup>th</sup> day, 20<sup>th</sup> day, 30<sup>th</sup> day, 40<sup>th</sup> day, 50<sup>th</sup> day, 60<sup>th</sup> day, 70<sup>th</sup> day, 80<sup>th</sup> day, 90<sup>th</sup> day and 100<sup>th</sup> day. *Mangan bangi* is also held on *temuan taun*, which is held after a year of the death and also on every death anniversary for the able families. There are two different customs influencing the day count in *mangan bangi*, namely *adat sama* (*sama* custom) and *adat abai* (*abai* custom). In *adat abai*, the first day is counted from the day of the confirmation of death, whereas in *adat sama* the days are counted

from the date of the burial ceremony<sup>5</sup>. Thus, there is a possibility that the 7<sup>th</sup> day feast in *adat abai* is actually held on the 6<sup>th</sup> day of *adat sama* or otherwise.

During the *mangan bangi* period, there are several important practices and rituals that need to be conducted, namely to care for the *bangkai-bangkaian*, *mesduwo turun*, *bejogo*, *ngeduang* and others. In addition, the recital of prayers and *tahlil* or recital of quranic verses during the *mangan bangi* period is a must as it is practised by the Malay community during the *kenduri arwah* or the feast for the decease (Abdul Rahman Ahmad Hanafiah, 2004). However, the Malays will hold the feast on the 3<sup>rd</sup>, 7<sup>th</sup>, 14<sup>th</sup>, 40<sup>th</sup>, 100<sup>th</sup> day and on every anniversary of the death (Syed Alwi bin Sheikh Al-hadi, 1960).

The *mangan bangi* ceremony can be categorized into small and big feasts. The small feast is called the *bejogo* (staying awake) ceremony in relation to the preparation and tending of the *bangkai-bangkaian* that will be held for seven days and seven nights. Still, on the 3<sup>rd</sup>, 7<sup>th</sup>, 10<sup>th</sup> and 20<sup>th</sup> day, the feast for the death will be held by inviting relatives and guests, and the number of people invited to the feast is normally greater than the number of people invited to the usual feast<sup>6</sup>. Also, the big feast will be conducted during *bangi pitu*, *bangi empatpu* and *bangi datus/atusan* periods (the 7<sup>th</sup>, 40<sup>th</sup> and 100<sup>th</sup> day of the death) and during those periods *ngeduang* (a ritual) will be held.

Generally, the family members will return home to prepare the *bangkai-bangkaian* and a feast and other needs<sup>7</sup> on the same day after the burial ceremony completed as a preparation for the first night feast--the night is called the *mesduwo turun* (*kenduri turun* or *turun* feast) and the starting of *bejogo* (staying awake) ceremony, mainly for those practising *adat sama*. *Bangkai-bangkaian* refers to *peturian* or bed for the decease that is fully ready with bedding set (such as mattress, pillows, bed cover, blankets and others), the decease's clothing, a mirror and a few items belonging to the decease. The items will be arranged neatly on the 'head' (upper part) of the *bangkai-bangkaian*. Traditionally, the *bangkai-bangkaian* will be prepared by the decease's family for seven days from the burial day because the Bajau believes that the decease's spirit will return home to visit his or her family members. During that seven days of the feast and *bejogo* ceremony, the *bangkai-bangkaian* must be attended and watched carefully from *mangat* and ghosts known as *balan-balan*. According to Bajau's tradition, *mangat* and *balan-balan* will successfully 'get' the body of the decease with only a piece of thread of the *bangkai-bangkaian* cloth<sup>8</sup>. Therefore, Quranic verses and Yassin should be recited daily for seven days in order to protect the body as well as to ease the burden of the body in the afterlife. Customarily, the belongings of the decease will be given away to

<sup>5</sup> This is due to the reason that during the death, mainly during hours after noon or *Zohor*, the decease will sometime be buried on the following day because of the time constraint in handling matters relating to the needs and rituals of death. Therefore, the date of the death is sometimes different from the date of the burial. For those following *adat abai*, the days counting is important. It should be counted from the date the decease passes away, and not from the date of the burial as it is practised in *adat sama*. Normally, the Bajau living in *kampong* or villages like in *Timbang Dayang* and *Sembirai* practises *adat abai*, whereas the Bajau living in *kampong* or villages in Kota Belud practises *adat sama*. The days counting, either in *adat abai* or *adat sama*, is also applied in deciding the starting date for *Ramadhan* (fasting month in Islam) and *Eid* celebration. Sometimes, the Bajau, who practises *adat abai*, will start fasting and celebrate *Eid* earlier than the *Ramadhan* and *Eid*'s official designated date as well as the Bajau who practises *adat sama*.

<sup>6</sup> Based on an interview with Ustaz Tarmizi Abdul Rahman, the authors believe that this relates to the Malays' beliefs that are based on hadith of prophet.

<sup>7</sup> The preparations provided are like the prayer mat, *Yassin* book, ablution's place, area for prayer and others.

<sup>8</sup> According to the Bajau's tradition on death, it is believed that if the *balan-balan* has the opportunity to lick the *bangkai-bangkaian*, the *balan-balan* will snatch the decease's body from the grave (Saidatul Nornis, 2010).

closest relatives when the *bangkai-bangkaian* is dismantled during the final day<sup>9</sup> (the 7<sup>th</sup> day), that is during dawn before the sunrise. The first night feast called *mesduwo turun* or *turun* or ‘descending’ feast (a manifestation of a body ‘descending’ to its resting place (grave), a *solat hajat* or an intent or wish prayer will be conducted especially for the decease’s wellness.

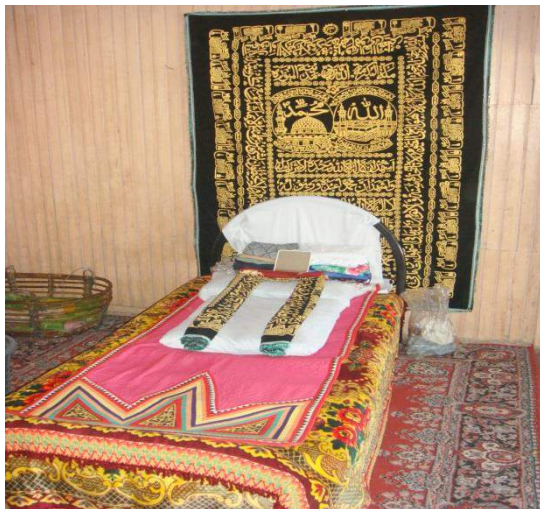


Image 46



Image 47



Image 48



Image 49

Images 46 - 49: A few Samples of *Bangkai-bangkaian*

Besides conducting the *bejogo* ritual at home, the ‘staying awake’ practice on the grave is also practised by the Bajau community, especially by the *Datu*’ ethnic heritage. Traditionally, this practice is conducted by the decease’s family for 40 days as an honour and also to protect the body from evil entities. For the commoners, guarding (‘staying awake’ practice) the grave is mainly done for the first born child of the family,

<sup>9</sup> The days’ counting is different according to the custom practised, namely the *adat sama* or the *adat abai*. In *adat abai*, the first day is counted from the date of the death, whereas in *adat sama*, the first day is counted from the date of the burial ceremony.



who passes away at birth or at infant age (this first born child is called *anak tindoro*). The purpose of the practice is to stop evil intention of some people who practise black magic from getting the body of the child. According to the Kota Belud village head, if a person is able to obtain *anak tindoro*, he or she is capable to make a person becomes invisible by slathering the person's body with the baby's saliva. The act can be done by tapping the grave while reciting specific verses, and it is believed that after the ritual finishes, the body of the baby will 'ascend' from the grave and will drool special saliva. With this supernatural power, anybody can perform evil acts like stealing, rape, killing and others. Due to this belief, the 'staying awake' or guarding practice is still performed until today, for at least seven days for commoners.

During that seven days of the *bejogo* ceremony, the family members and relatives will be busy to make preparation for the *bangipitu* (the 7<sup>th</sup> day) feast that will be completed with the main ritual, namely the *ngeduang*. Food like traditional essential *kuih-muih* or mini cakes and other types of food will be offered to guests. *Ngisikalas* activity that is filling glutinous rice into *kalas*<sup>10</sup> (a type of leaf) and preparing dishes to fill in food such as *dunbegiang*<sup>11</sup> and *tembusa*<sup>12</sup> are among the important practices of *bejogo*.

The presence of *bangkai-bangkaian* in *bejogo* ceremony (for the duration of seven days after the death) relates to a myth, which tells that the spirit of the dead will return home, and this was confirmed by an observed informant, Puan Ambong Gayah<sup>13</sup>. According to her, the Bajau was at first did not believe that the dead will return home and linger around the *bangkai-bangkaian*. In order to confirm this, they had placed *dodok* (rice flour) on the *bangkai-bangkaian* that was covered with white cloth, and left it for a night. The following day the family members found footprints on the white cloth. In relation to this, the Bajau started to have the idea of the existence of supernatural beings, i.e. the spirit of the dead. This belief is manifested in the build and preparation of the *bangkai-bangkaian* as a symbol to welcome the spirit home and also as a symbol of honour and love to the dead. To help the dead to find a place to rest and not to wander around the house, the *bangkai-bangkaian* furnished with personal belongings of the dead is prepared in designated space in the house.

The *bangkai-bangkaian* concept or bed prepared at designated space for the spirit of the dead to come home during the feast is not only applied and found in the Bajau culture, but it is also practised in some ethnic groups in Sabah. Among the ethnic groups are the Iranun, who use the same term, *bangkai-bangkaian*, Bajau Semporna, who refer the bed as *pabangkai-bangkaian*, Bisaya, who refer the bed as *mayat-mayat* or *bangkai-bangkaian* and Idahan, who refer the bed as *terugan* (Halina Sandera, 2012; Saidatul Nornis, 2010). Apart from the ethnic groups in Sabah, the *bangkai-bangkaian* concept also exists in the death ceremony of the sea ethnic groups of Kabupaten coast in Riau Archipelago. One example of the sea ethnic groups is the Mantang---as reported by Moh Daud Kadir (1985). Based on the Mantang's belief, the spirit of the dead will return home during the feast and for that reason, they have placed a bed, furnished with the dead's clothing, for the dead at the middle of the house or in the middle of a *sampan/prahu* or boat (for those living on *sampan/prahu* or boat).

<sup>10</sup>*Ngisi kalas* is normally held on the third day of the feast. Elderly and younger women who are relatives and people of the village who come to the *bejogo* ceremony will gather to perform this routine.

<sup>11</sup>*Dun begiang* is a type of leafy wild yam.

<sup>12</sup>*Tembusa* refers to a basket made of coconut leaf weaving.

<sup>13</sup> An interview with Puan Ambong Gayah at her house in Kampung Timbang Dayang, Kota Belud on 4<sup>th</sup> March 2010.

According to an informant, Puan Mulai Mulud<sup>14</sup>, the *bangkai-bangkaian* is prepared in order to greet the return of the dead, and it is not only limited to seven days and nights of *bejogo*. It will be held every year, namely three days before the Eid celebration<sup>15</sup> (the Bajau calls it as *songom pitu'* or *malam tujuh* or the 7<sup>th</sup> night in English). The *malam tujuh* is related to *malam lailaturqadar*, which refers to a magical night and is always awaited by people who believe that their living will be improved tremendously on that night that happen only once a year. It is also believed that the dead will visit the family members on that night if the ritual to welcome them is held. On that night the Bajau people will prepare a place or an area to welcome the spirits of their deceased family members, the past or the new deaths. The area does not have to have the form of *bangkai-bangkaian* like it is prepared in *bejogo* ceremony, but it is just enough to stretch a mat or mattress and to prepare a few necessities to welcome guests such as *penapa'* (tools to eat betel) and *sigup* or cigarettes, as well as candles to light up the area during the recital of prayers. The ritual is conducted as a gesture of remembrance and love so that the spirits of the dead will feel that they are still remembered, loved and taken care of by the family members. In addition, according to an informant, the spirits of the dead will always return to their homes although they have been dead for many years if the 7<sup>th</sup> night's feast, which is the ritual to welcome them, is still practised by their family members or their living descendants. The spirits of the dead are said to get angry, sulk, feel alienated or run away if the ritual is forgotten or not implemented.

According to the Bajau's traditional stories of the Bajau community in Kampung Liang Linau, as told by Madam Mulai Mulud and Madam Jubaidah Mulud,<sup>16</sup> the spirit of the dead will linger around the house during the seven days of *bejogo*, as long as the *bangkai-bangkaian* is not dismantled. Therefore, during that seven days period, the house's door will not be closed so that the spirit of the dead can freely enter the house. On the seventh day when the *bangkai-bangkaian* has been dismantled, the spirit will move to the house's main door and will only look in the house to check the people in the house from outside. Day by day, the spirit will eventually move away from the main door and on the 44<sup>th</sup> day, the spirit will go to the lawn of the house and will not go back to the house again. After 100 days of the death, the spirit will 'disappear' into the winds and will only come back after a year during the *kenduri arwah* or the feast for the spirit, and will again 'disappear' after the end of the prayer's recitation. The spirit is believed to return again every year during the *malam tujuh* or the 7<sup>th</sup> day feast. The prayer's recitation is believed to help the spirit in the afterlife, namely the metaphysical world. For this reason, the Bajau practises the *ngeduang* ritual during the *kenduri arwah* so that the spirit will not go hungry and will continue survival in his or her new world.

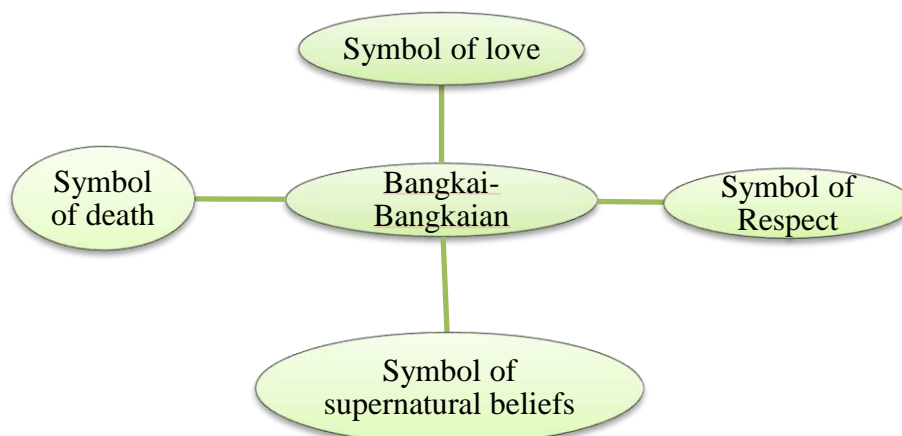
To sum, the *bangkai-bangkaian* conceptualized as a symbol in semiotic is prepared to express the family's love and honour towards the dead, so that he or she will not feel alienated although he or she has passed away. This significant symbol manifests the Bajau worldview on their beliefs on the power and existence of supernatural being lingering still in their live until today. Figure 1 & 2 below illustrate the semiotic symbol of *bangkai-bangkaian* and the semiotic process irrespectively.

Figure 1: Semiotic Symbol of Bangkai-bangkaian

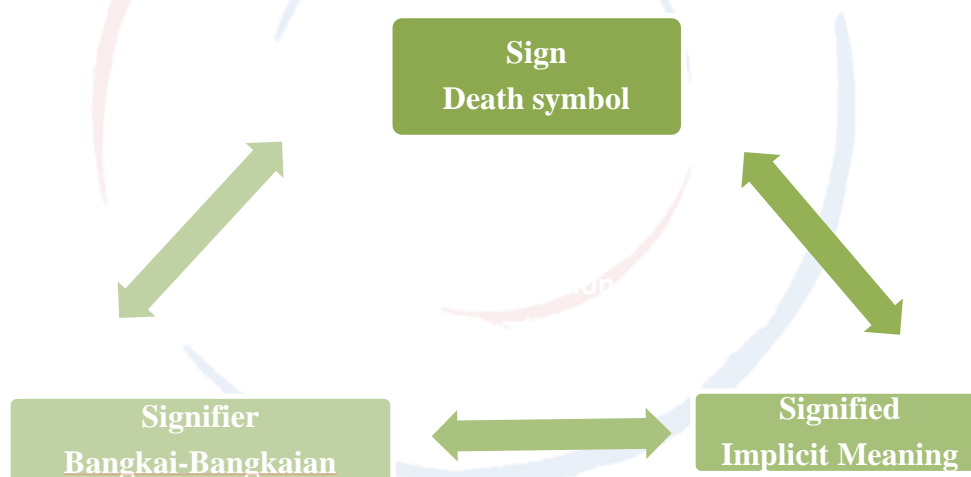
<sup>14</sup>An interview with Madam Mulai Mulud at her house in Kampung Liang Linau, Kota Belud on 18 March 2010.

<sup>15</sup>The date refers to the 27<sup>th</sup> day of a fasting month.

<sup>16</sup>An interview with two siblings, Madam Mulai Mulud and Madam Jubaidah Mulud in Kampung Liang Kinau on 18 March 2010.



**Figure 2: The Semiotic Process**



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*Development of Holistic Creative Learning Skills for Elderly People in Rural Area of Thailand: Career Dimension*

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**Abstract** – Thailand is an aging society because the elderly population is increasing rapidly and the elderly, especially those living in rural areas, still have insufficient income and learning skills for their careers. They need care and learning skills in today's rapidly changing society. This article presents the results of the study on the situation of the elderly people's learning in rural Thailand concerning their careers, which are an aspect of the study of the elderly on the aspects of physical health, mental health, socio-culture, and career. As a result of this study, the researchers developed the SPACE OF Happiness Model for improving learning skills in elderly people living in rural areas.

**Keywords:** Career of Elderly People/ Creative Learning Skills/ Rural Area of Thailand

## 1. Introduction

Since the 8<sup>th</sup> National Economic and Social Development Plan (1997-2001) until the 11<sup>th</sup> Plan (2012 – 2016), Thailand has focused on human resource development in all age groups, particularly the elderly. The public awareness of this group's importance was due to its increasing growth rate and the overall aging of the Thai society. In 2007, there were 6.8 million elderly people in Thailand, and will grow 20% by 2025. This is consistent with the data of the National Economic and Social Development Committee, indicating that the aging population in the world will increase by 81.9 million people; and the aging society will have an effect on development across the country (Office of National Economic and Social Development, 2011)

In Thailand, the results of previous studies showed that the preparation of the elderly would be in four main aspects: health, society and culture, conservation, and learning, which was the most needed among the elderly. Moreover, most of the elderly needed life-long education when they were 60-64 years old by learning from local wisdom in short-course training, and they wanted an organization to promote the management of their life-long learning. Previous studies also showed that the elderly were doing activities that generated small amounts of income in their free time, such as making and selling sweets (Archanya Ratanaubol, 2009; Department of Health, Activities for Health Promotion and Seniors Network, 2008). Additionally, the interview at the early stage of the study with three elderly in Nakhon Pathom province who had different careers and educational levels found that two of them had activities that generated income; but the other did not have such activities. The three elderly reported that they used learning from their own preferences from the various media such as internet, radio, television, newspaper and magazines, etc.

Besides, the 2<sup>nd</sup> National Development Plan for the Elderly (2002-2021) determined five major strategies: 1) the preparation of the population to ensure high quality of life among the elderly, 2) the promotion of the elderly, 3) the system of social protection for the elderly, 4) the management for work development and 5) the processing and cognitive development of the elderly. All these five strategies had their action plans that covered income guarantee, education and life-long learning of the elderly, raising awareness to realize the value and dignity of the elderly, promotion of health knowledge, prevention and self-care, promotion of work and earnings, supporting the potential elderly to enter services and networks, the management for elderly development, etc. (Seniors Coordinating Board of the Office of the Prime Minister, 2002). In addition to these factors, the context of a changing society is influenced by the fact that Thailand is a member of ASEAN (Association of Southeast Asian Nations) and member countries set guidelines for the economic, social and political development in the ASEAN Community (Office of Policy and Planning, 2011; Office of the Education Council, 2011; Association of South East Asian Nations, 2012). These factors would also affect the elderly population in Thailand.

When the need for development of the elderly to meet changes in the present and near future society was taken into consideration, it showed the elderly, particularly in the remote areas, received less opportunity to exchange knowledge than those in urban society. One major problem of the elderly was insufficient income for their living.



They had to depend on public welfare and needed to find more income by having a career they could manage. Moreover, the elderly could do daily activities with a group of other elderly in the community. They would have good physical and mental health, a supportive community and could supplement their family's economy. Additionally, support for the elderly to learn useful skills did not only benefit their career, but also supported their creation of new products learning from experience and application of local wisdom in career and living. Thus, research on knowledge of the elderly was necessary in order to determine policy of the elderly development in the future and be able to support them to live happily in the changing society.

This research aimed to 1) study learning situations in careers of the elderly, 2) develop a model of creative learning skills for careers of the elderly in rural Thailand and 3) find guidelines for the development of holistic creative learning skills for careers of the elderly in rural Thailand.

## **2. Literature Review**

This research draws upon the concepts of adult learning stated by Knowles (1980) that adults would learn anything that was life-centred, so the management of learning activities had to apply authentic situations as learning content. The concept of creative learning led to providing the learners various alternatives according to their interest in different environments (Piaget, 1972: 1-12). The concept of sustainability provided an integrated and balanced set of activities that met the needs of the community, encouraging awareness building, appreciation, community participation with concern for the environment, and a focus on self-reliance (Kua Wongboonsin, 1997; Community Development, 2002; Preecha Piampongsan, 2006). The concept of creative economy, which is based on knowledge, education, creativity, intellectual property linked to cultural capital, the society's accumulation of knowledge, technology and innovations, and key mechanisms in the distribution of income (Patpong Intarakamnerd, 2010: 11; Hawkins, 2001; Arkom Termpitayapaisit, 2010; Office of National Economic and Social Development, 2009). The intended outcomes of the study were influenced greatly by the concept of efficiency economy, which is based on the principles of moderation, reason, good preparedness based on knowledge and virtues (Sumet Tantiwechakul, 2006; Udomporn Amorntham, 2006; Office of National Economic and Social Development, 2007). The study also focused on the concept of community economy, with important characteristics of the family as a productive unit, contributions from all family members and their importance, clear definitions of production, the production and allocation of benefits according to the ability and expertise that were passed from generation to generation as the community's capital (Sukhothai Thammathirat, 2014; Sirina Jitjaras, 2012: 19). Finally, the concept of happiness used in the study was defined as: positive feelings, satisfaction, pride, self-appreciation, and the ability to exist well in society (Royal Academy, 1999; Diener, 2010b).

## **3. The Methodology**

The research and development (R&D) approach was used in this study, which had the following steps:

Step 1 (R<sub>1</sub>) was a review of related literature and summarisation of the knowledge about learning for career of the elderly in Thai rural areas. Information was collected by use of a field survey questionnaire. Additionally, a field study in two regions was conducted with interviews, questionnaires and group discussion.

Step 2 (D<sub>1</sub>) was the development of a model of creative learning skills for careers of the elderly developed by the researchers, based on the findings from step 1. Then, the model was evaluated and approved by five experts. Next, the group discussion with the community was organised in order to check and improve the model.

Step 3 (R<sub>2</sub>) was the implementation of the model of holistic creative learning for career with the elderly in the study area. From this, the researchers determined the career activities that were common needs of the community. The researchers worked with the community to plan and engage in learning and doing career activities together.

Step 4 (D<sub>2</sub>) was an evaluation and development of the model of creative learning for career activities of the elderly through the use of a questionnaire. Guidelines for the model improvement were discussed with academics, community representatives and elderly people in community.

The study areas included all rural parts of Thailand. The samples of the study were 1) 380 members of the elderly in Thai rural communities (the sample size was determined by Krejcie and Morgan's table (1970: 607-610); 2) the elderly living in four communities joined in-depth studies conducted in (1) Ban Mae Rai in Mae Rai sub-district, Mae Chan district and Hua-Ngom sub-district in Parn district, Chiang Rai province, (2) Ban Kang Pla in Chaiyapruet sub-district, Muang district, Loei, (3) Ban Kao Hua Cheen in Huay Yang Toan sub-district, Park-Tor district, Ratchaburi province and, (4) Vichit sub-district in Muang district, Phuket province. The data was collected by field study, interview and documentary analysis. Then a model of creative learning skills for career activities of the elderly in Thai rural areas was developed and implemented. For the implementation group, sixty samples were selected from the elderly in two areas, thirty from each area, to use the model of the development of creative learning skills for career. The data was collected through focus group discussions, questionnaires and interviews. Representatives of the elderly, such as, chairs of the elderly clubs, community leaders, chief executives of the districts, presidents of community groups, directors of health promotion hospitals in sub-districts, representatives of the Office of Provincial Social Development and Human Security and two academics in each area (altogether twelve and fourteen people in the two areas) joined the focus group discussion at the final stage of the research. The period of data collection was during February - October 2014. The collected data was analyzed by frequency, percentage, arithmetic mean, standard deviation and content analysis.

#### **4. Results**

The results of the study are as follows:

4.1 Learning situations of the elderly in the Thai rural areas showed that they participated in groups according to the group's interests and needs, increasing happiness with activities in handicrafts and agriculture. Happiness could be increased

agriculturally based on the ideas of sufficiency economy, namely, raising chickens for eggs, planting organic crops, producing adequate food and necessities for consumption and supplies in the households (e.g. processing medicinal herbs and desserts), producing supplies for household use (e.g. cloth weaving or basket weaving) production for entertainment (e.g. making coins for charity throwing). All these activities were created from local knowledge. For learning skills of the Thai rural elderly, the study showed that they learned from the local people, often in groups. In terms of learning methods, the elderly mostly learned from doing, observation, remembering and practice, whether learning from local experts or their own ancestors. Other channels of learning were from radio, television media and the internet.



Picture 1: Basket weaving in the North of Thailand



## Picture 2: Agricultural activities of the elderly in the North of Thailand

4.2 Models of the development of creative learning skills for career of the elderly in Thai rural areas were developed. The SPACE of Happiness Model was created with eight factors: 1) (S)ustainability, 2) (P)articipation of community, 3) (A)ppropriate planning, 4) (C)reativity, 5) (E)conomy, 6) (O)ppportunity, 7) (F)riendship, and 8) (H)appiness. The factors of success were: 1) leaders with insight and wisdom, 2) self-reliance, 3) happiness adherence, 4) appreciation of the value and benefit of one's work. The steps of the holistic creative learning skills for career of the elderly were composed of 1) organising groups and setting goals, 2) planning activities and procedures, 3) learning and understanding, 4) practicing creative activities of the career, and 5) evaluation and making suggestions on guidelines for career development and building career networks. The results of the appropriateness of the SPACE OF Happiness Model and the picture of the model are shown in the table and figure below.

**Table 1** The evaluation of the model of creative learning for career of the elderly in rural

Thailand (SPACE OF Happiness Model) by the five experts.

No	Factors	$\bar{X}$	S.D.	Appropriateness Level
1.	Sustainability	4.40	0.31	high
2.	Participation of Community	4.40	0.52	high
3.	Appropriate Planning	4.45	0.34	high
4.	Creativity	4.45	0.34	high
5.	Economy	4.80	0.11	highest
6.	Opportunity	4.65	0.00	highest
7.	Friendship	4.30	0.25	high
8.	Happiness	4.50	0.39	highest
	<b>Total</b>	<b>4.48</b>	<b>0.36</b>	<b>high</b>

From Table 1, the evaluation of the model of creative learning for career of the elderly in rural Thailand "SPACE OF Happiness" by experts showed a high level of appropriateness of the model  $\bar{X} = 4.48$ . When the appropriateness was considered individually, the findings showed three factors at the high levels, namely Economy,

Opportunity, and Happiness )  $\bar{X} = 4.80, 4.65, 4.50$  respectively). When the model was evaluated by related people in the rural areas where it was applied, the result was also agreed to be at a high level.

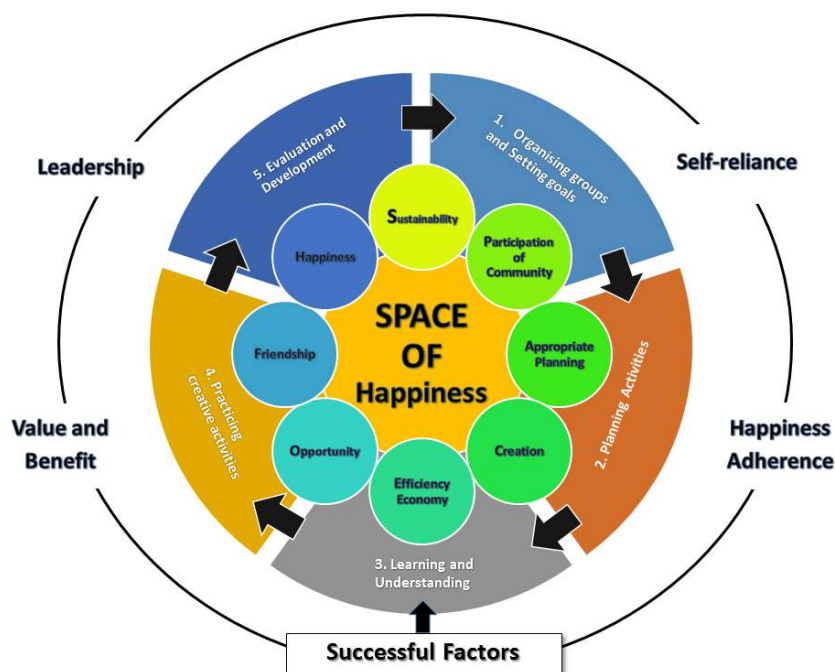


Figure 1: SPACE OF Happiness Model

4.3 Guidelines for the development of holistic creative learning skills for career of the elderly in Thai rural areas were: produce different products, add more value to the products through designing the products to meet the customers' needs, develop the products through local wisdom and develop more effective public relations and distribution channels.

## 5. Summary and Discussion

5.1 The results of the study of creative learning skills for career of the elderly in rural Thailand revealed that they joined groups of their interests and needs in a manner that was consistent with the concepts of adult learning. Their careers had to depend on the principle of giving opportunities and Knowles' concept of organising activities for adults (Knowles,1980), in which he stated that activities for elderly people should meet their readiness and address their needs. Also, their joining in a career group of interest agreed with Knowles' concept of individual difference. Allowing group members to pick groups based on their interest led to greater group cohesion and performance. For example, the elderly in Ban Ang Hin, Sampraya sub-district, Cham district, Petchburi province made a crispy snack in the dessert group and propagated herbal mango-lemon trees in the agricultural group. They also made products for making merits and for souvenirs, such as happy coins or distributing

coins. During the creative learning of the elderly at Ban Muang Kam in Muang Kam sub-district, Parn district, Chiang Rai province, they could choose to join an activity group of their interest and could exchange their learning within the group, which was both educational and fun for the group members. These examples were consistent with the principle of work and career stated by the Center for Preference Education Promotion (2014: 1-3) that a factor of career success was whether or not the learner has aptitude and interest in that career. Happiness was important to everyone and could cause sustainable development on the participation basis (Royal Academy, 1999; Diener, 2010b; Krairit Narukhatpichai, 2014; Sirindhon Sae Chua, 2010). The elderly had holistic learning development in both physical aspect, from movement during work, and mental aspect from talking with the group and doing entertaining activities. They could do the career using local wisdom that showed their culture and reduced expenses, thus increasing profitability.

The result of the study that showed the career of the elderly in the rural area of Thailand was created from their knowledge and the community. The works that they made were produced for their own use, and the rest would be sold to get income for themselves and their families. This result was consistent with the King's philosophy of sufficiency economy which was based on sufficiency, having enough, and the concept of living in a way that was sufficient in the context of family, society, and community (Diener, 2010a: 34-43; Somchai Sakdawekeyisorn, 2001; Krairit Narukhatpichai, 2014; Sirindhon Sae Chua, 2010: 21). These concepts could help the elderly live happily and have sustainable happiness.

The results also agreed with the concept of community economy, which Sirina Jitjaras (2012: 19) described as production based on the ability and expertise of the elderly transferred from their ancestors. There was an economic drive shared among the people in the community. This was seen most clearly in the cases of the knowledge for making desserts at Ban Ang Hin, and basketwork at Ban Muang Kam, etc. Traditional knowledge was transferred, learned, and used to develop some indigenous products to incorporate new ideas. This practice was consistent with the concept of creative economy, which was defined by the Office of National Economic and Social Development as an economy based on creative thinking that facilitates job and income creation which could be transferred from the old generation to the new ones (Patpong Intarakamnerd, 2010: 11; Hawkins, 2001; Arkom Termpitayapaisit, 2010; Office of National Economic and Social Development, 2009).

With regards to learning about career skills that the elderly in the rural areas of Thailand, it was clear that the sample learned from their local wisdom, joined with others to learn together from the local resources or joined with others to create career groups in their community. Example of this was included elderly groups making dessert, basketwork, and agricultural products. The method most of the elderly learned was based on previous experiences; secondly, they learned from their own observation, memorization and doing trial and error; thirdly, they learned from some experts and resource people, by learning together, discussion, and making decisions to choose the career of their choice, doing experimental work and then actual work. For example, when they produced products based on their available local wisdom, the elderly worked and found guidelines for the career together, discussed to exchange their opinions to develop and create new careers in their group, learned to do some

new careers together, exchanged what they learned and transferred it to their children. Their learning channels could be through radio, television, news broadcasts, and the Internet. The factors affecting their positive learning were the need of the elderly to reduce expenditure and make more income for the family, their need to have a group they could talk to, their need to have amusement, and the need to develop themselves in physical, mental, social, and cultural aspects, including career.

The positive factors for production included: having abundant and sufficient raw material for production, affordable costs of management, having groups for production in the community, setting groups supported by the elderly club of the sub-district authority organization, selling the products, and income earning.

The result of the career skills learning methods and channels of the career learning of the elderly agreed with the concept of the 21<sup>st</sup> century (Worapot Wongkitrungrueng & Atip Jittaruek, 2011; Surasak Pahe, 2013) that required learning environment where learners could learn from real practice in the context, with an appropriate learning system, as well as an opportunity to access technological media which agreed with the concept of 4 C's learning skills, namely critical thinking, communication, collaboration and creativity.

5.2 The model of creative learning skills in career of the elderly in the rural area of Thailand created by the authors was called the SPACE of Happiness Model, which was composed of eight factors, namely, 1) (S)ustainability, 2) (P)articipation of community, 3) (A)ppropriate planning, 4) (C)reativity, 5) (E)conomy, 6) (O)ppportunity, 7) (F)riendship, and 8) (H)appiness. The factors of success were: 1) leaders with insight and wisdom, 2) self-reliance, 3) happiness adherence, 4) appreciation of the value and benefit of one's work. The steps of the holistic creative learning skills for career of the elderly were composed of 1) organising groups and setting goals, 2) planning activities and procedures, 3) learning and understanding, 4) practicing creative activities of the career, and 5) evaluation and making suggestions on guidelines for career development and building career networks. The SPACE of Happiness model was consistent with the concepts of some key theories, namely adult learning (10), career work and happiness in work (Diener, 2010a: 34-43; Somchai Sakdawekeyisorn, 2001; Kraisit Narukhatpichai, 2014; Sirindhon Sae Chua, 2010: 21; Office of Non-Formal and Informal Education, 2008: 1-3). The work involved was based on local wisdom and the concept of sufficient economy, management and benefit allocation based on the community economy which required the participation of the people in the community in all the steps of the economic activities (Sirina Jitjaras, 2012: 19). Moreover, the acquisition of the model of creative learning skills in career was also consistent with the concept of a model development which showed the systematic relationship among the concepts (Keeves, 1988). If the elderly applied the model to develop their career learning skills, they could create jobs and income for themselves, their families, the community and society, and could transfer the skills to the next generation to encourage sustainable development. All of those factors were consistent with the principle of sustainable development and focused mainly on human value (Kua Wongboonsin, 1997; Preecha Piampongsan, 2006; Amornwich Nakonthap, 2008).

5.3 The major guidelines for creative and holistic learning skills in career development of the elderly in the rural areas of Thailand were more products from various careers, added value to creative production responding to the customers' and tourists' needs, expression of the local wisdom, more public relations and channels for selling the products, more supports from the public sector, and creating data bases of the careers of the elderly which could sustainably develop their creative and holistic learning skills. These findings agreed with the concept of creative economy based on creative thinking in careers that created jobs and income for the elderly, which could be transferred from one generation to another (Hawkins, 2001; Arkom Termpitayapaisit, 2010; Office of National Economic and Social Development, 2009).

The result of the guidelines for developing creative and holistic learning skills of the elderly indicated that the career groups of the elderly should be supported by the public sector and related people. This was agreed with the finding of the study that methods of the elderly mostly came from asking for participation from all related sectors in the area, but the level of participation in each project differed. Furthermore, the result was consistent with the point that the production of the career groups was focused on making a better life for the elderly concerning their physical, mental, emotional, and social aspects. It also agreed with the study of Nongnuch Sundhanchawakan (2009) that the guidelines and measurements motivating the elderly to have career opportunity were supporting them to do their previous jobs, and providing training to develop their working skills. The results also agreed with the study of Nipapan Ngarmwitayapong (2012) concerning the promotion of appropriate careers for the elderly that should be suitable for basic business factors and should find cooperation to develop their careers. The result found joining career groups of the elderly, learning together and doing activities together did not only create jobs, income, society, and promote good physical and mental health; it also promoted careers from the local wisdom, transferred their own wisdom and culture to their groups which was the development of holistic learning of the elderly. It was consistent with the study results of the Center of Academic Network for Observation and Research on Community Happiness (Center of Academic Networks for Observation and Research. (2008: 1-2) that found three prior factors that helped create happiness in work of the elderly, security, advance, and relation with colleagues.

Thus, the findings of this study, in particular the Space of Happiness Model for the elderly composed of eight elements, four conditions for success, and five steps of working could probably be an effective model of the development of creative learning skills for career. The elderly in the rural area of Thailand could apply to groups joining, learning a career, and developing creative learning skills. They could create products from new careers, have a method to transfer the career knowledge to the next generation, create jobs and income, and strengthen the community that caused sustainable development in economy, society, and culture.



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*Enhancing Women's Capacity in Peace Building Through the Open and Distance Learning System*

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**Abstract**

The World Economic Forum reported in 2012 that women make up one half of the world's human capital. This study reveals that illiteracy among women often leads to poor self-image, and inadequate knowledge, making them susceptible to being deprived of their rights and ability to play active role in the society. In contrast, literate women express their talents constructively and give direction to their aptitude which enables them to lead a fulfilling and satisfying life. To improve their standard of education, there is need for alternative modes of education delivery that will enhance their educational opportunities. Open and Distance Learning has emerged as a boon to women of all ages to equip themselves intellectually through the acquisition of knowledge that translates to radical thinking, autonomous and liberation. The study explores diverse ways of enhancing women capacity in peace building through Open University system. It also details the challenges and obstacles that women confront in participating in peace building efforts unless they reach certain educational level especially in the contemporary time that involves a lot of variables in attaining a goal. It recommends that women should be protected from stereotyping and marginalization in the society and that women's engagement in peace processes be increased.

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## **Introduction**

The significance of education in socio-political and economic development of any society cannot be overemphasized. Temitayo (2012) describes education as the aggregate of all the process in which a child or young adult develops the abilities, attitudes and other forms of behavior which are of positive value to the society in which he or she lives. Education is also a self-enlightening process and also imperative to the overall development of an individual and the society at large. Besides, education for all has been the most imperative debate in all stages of society, progress and development.

Throughout history, women all over the world have been categorized under the disadvantaged groups of people and the society itself has systematically and consistently pursued the socialization of women into accepting the notion of being a disadvantaged group (Temitayo, 2012). Findings show that, systemic deprivation of women's access to schooling and the labor force amounts to reduced educated workforce, inadequate allocation of labor, lost productivity, and consequently crippled social and economic development. However, sufficient investment in women education will bring about healthier women-folk, improved participation in the formal labor market, increases economic empowerment, population control and provision of better health care and productive education for their children; all of which will eventually transform the well-being of all households and the entire community out of poverty.

In the context of peace building, the minority presence of women in conflict resolution, or the implementation of outcomes of such discussions, has a bearing on the long-term viability of solutions to issues that invariably represent deep-seated local or regional social dimension. In other words, men tend to dominate the formal roles in peace building process. We have mainly male peacekeepers, male peace negotiators, male politicians, and male formal leaders. Power is skewed in favour of men and women are hugely not adequately represented in local and national decision making processes. In this context, it would be apt to say that, women have been relegated to the backbench in the area of peace building, whereas, they bear most of the negative consequences of violence in conflicts such as rape, assault, abduction, sex, slavery, and forced human movement. Yet, the concerns and priorities of women in conflict resolution are ignored in most peace talks as well as in the development of most post-conflict reconstruction programs (Theorin 2000:7).

However, Klot (2007:2) submits that; involving women and gender expertise in peace building activities is essential for reconstituting political, legal, cultural and socio-economic and social structures so that they can deliver on gender equality goals. Gender equality brings to peace-building new degrees of democratic inclusiveness, faster and more durable economic growth and human and social capital recovery. Indeed, peace building may well offer the single greatest opportunity to redress gender inequalities and injustices of the past while setting new precedents for the future. However, these opportunities can be enhanced significantly or constrained by how the international community sets its priorities for recovery and uses its resources for peace building.

Diaz (2010:1) has observed that analysts on formal peacebuilding and conflict resolution initiatives have continued to ignore or marginalise issues of gender, and women's involvement in formal missions. Issues of equal gender involvement have

also overwhelmingly failed to address structural inequalities and power dynamics which are the foundation of gender discrimination (Strickland and Duvvury, 2003). Many of these arguments put forward in support of a gendered approach to peacebuilding and conflict resolution especially those which have been brought into mainstream discourse see women as instrumental in bringing about sustainable peace, and focusing narrowly on 'what women can do for peace', and neglecting the issue of what peace can do for women. Puechguirbal, (2010:177) in his argument supports essentialist definitions that women have been regrettably confined to their roles as mothers and caregivers, and thus denying them access to the broader agenda of peacebuilding and conflict resolution. Consequently, there is inadequate space to create time for education. Open and Distance Learning (ODL) is capable of filling this gap by affording them the opportunities to combine study with other responsibilities. However, in combining education with their other roles, women face an array of social and physical challenges. It is therefore important to stress the need for support from family, work and the university, through which they are engaged in the learning process as these are critical in determining the success and completion of their course of study.

Distance education is a global and rapidly growing phenomenon which offers formal learning opportunities to people who would otherwise not have access to schooling or college education. As a result of large increase in population coupled with a growing awareness of the benefits of education, governments are now exploring the possibility of using alternative means to provide education on a large segment of the society particularly as conventional educational methods are becoming increasingly expensive narrowing opportunities for the less privileged. ODL is the best way to realize this as it provides equal educational opportunities for higher education for a large segment of the population including those in employment, women including housewives and adults who desire to upgrade their education or acquire knowledge and studies in various fields (Satyanarayana and Meduri, 2013).

The benefits of ODL cannot be quantified in any way. It is often a cheaper and qualitative alternative to pursuing a course of study that would have been lost in the conventional methods. Studying can be combined with work and makes possible to overcome geographical barriers and other confining circumstances such as personal constraints, cultural and social barriers and lack of educational infrastructure. ODL does not impose age restrictions and it uses technologies such as radio, television, and computers for providing education and its materials are self-teaching (Ibid).

### **Conceptualizing Peacebuilding, Open and Open Distance Learning**

Studies have revealed that peace building and ODL do not have a univocal definition. In other words, both concepts can be defined in many different ways. For the sake of clarity, however, the distinction between the concepts begins with the conceptual analysis of peace building.

Johan Galtung (1975:297) in his work "Three Approaches to Peace: Peacekeeping, Peacemaking, and Peace building," posits that peace has a structure different from peacekeeping and ad hoc peacemaking. His argument clearly shows that the aim of peace building is to institute structures that distinct it from peacekeeping and ad hoc peacemaking. He describes the nature of peace building as an endeavor aiming to create sustainable peace by addressing the "root causes" of violent conflict and eliciting indigenous capacities for peaceful management and resolution of conflict.

Peace building needs to involve every sundry to enable it meets the criteria described by Galtung.

The concept of peace building was magnified globally by the former United Nations Secretary General (UNSG) Boutros-Ghali in his work, “An Agenda for Peace”, which became a watershed on the issue of peace building efforts. His work is a clear evidence that peace building is one of the United Nations (UN) cardinal models of peace process. He defines peace building as an action to identify and support structures which will tend to strengthen and solidify peace in order to avoid a relapse into conflict. He added that, Peace building involves addressing not only the triggers, which are the immediate variables that mechanize the outbreak of any armed conflict, but involves addressing the root causes of the conflict and creating long term actions for sustainable peace and harmony between the parties (Kasali, 2006:1). His work represents UN’s cupidity for the maintenance of global peace.

Olawale Albert (2001) describes peace building as an art of repairing relationships, institutions and social facilities and putting in place schemes that can help the disputing communities to be united again. He added that, peace building primarily focuses on ways to address the underlying factors or root causes of conflict and sort for razor sharp ways to resolve them. Paul Lederach (1995:1) emphasizes that peace building is a comprehensive concept that encompasses, generates, and sustains the full array of processes, approaches, and stages needed to transform conflict toward more sustainable, peaceful relationships. Lederach’s definition emphasized that peace building centrally involves the transformation of relationships.

In the bid to ensure human security, help individuals, communities, and societies transform the way they perceive and manage conflicts, the 2000 Report of the Panel on United Nations Peace Operations, otherwise known as the ‘Brahimi Report’, defined peace building as “activities undertaken on the far side of conflict to reassemble the foundations of peace and provide the tools for building on those foundations something that is more than just the absence of war”.

Kofi Annan (Former UN Secretary General) in his 2003 Review of Technical Cooperation in the UN corroborated Brahimi’s report. He called for an action plan to identify the ways in which different parts of the UN system might properly work together to devise country specific peace building strategies. This set the pace for other peace building efforts. For instance, the establishment of a Peace Building Commission and Peace Building Support Office was recommended in the 2004 report of the Secretary General’s High Level Panel on Threats, Challenges and Change: A More Secured World. This was also true of the Secretary General’s report in May 2005, as endorsed by heads of state at the World Summit in September 2005, which was incorporated in the World Summit Outcome document. These developments culminated in identical resolutions of the Security Council and the General Assembly in 2005, establishing the Peace building Commission, Peace building Fund and Peace building Support Office (United Nations Secretary General’s Report, 2005).

As it is the case with peace building, (ODL) has no universally accepted definition. Historically, Men-Hu’s work has revealed that open learning evolved from the development of some initiatives belonging to the United Kingdom educational bodies such as National Executive College in 1963, Open University in 1969, Open



Technology Programme 1983-1987, Open Long Education 1988 and Open School 1989 (Men-Ching-Hu, 2005:325). Generally, however, ODL refers to an educational programme that is both open and offered at a distance. It is open in the sense that there are no barriers to accessing the programmes. It is worthy of note that the distance implies that the learner and the teacher could be at different places and time and engage in an educational transaction using an appropriate media such as print or electronic.

Spencer (1992:10) has submitted that:

...since open and distance learning hints on flexibility in delivery and recognizes that students can be at a distance from the teacher and can, therefore, overcome spatial and time barriers and if distance Learning seeks to provide open and accessible adult education that is open to traditional exclude individuals and groups, access to educational resources for those disadvantaged as opposed to individualized education, and encouraging critical reflection and practical democracy such as workers' self-management then all the barriers of distance learning itself need to be overcome

Spencer's argument is clear here. Openness should be widened to provide accessible and democratic education to all. In other words, ODL must project flexibility so as to accommodate everyone that is interested in the programme.

The perception of the United Nations Education Scientific and Cultural Organisation (UNESCO) on ODL complements Spencer's view on the flexibility of learning. It describes ODL as approaches to learning that focus on opening access to education and training provision, freeing learners from constraints of time and place while offering flexible learning opportunities to individuals and groups of learners. The UNESCO (2002) further emphasizes that:

...in efforts to meet the new and changing demands for education and training, open and distance learning may be seen as an approach that is at least complementary and under certain circumstances, an appropriate substitute for the face-to-face methods that still dominates most educational systems.

ODL also relates to policies such as open admissions, freedom of selection of what, when and where to learn. It involves a process of helping learners to exercise their freedom of choice or move over the main processes of learning that is, ensuring a learner centre-learning approach whereby learners take responsibility for their learning related activities. The openness attends to the flexible organizational structures; delivery and communication patterns coupled with the use of various technologies to support learning and further differentiate it from the conventional face-to-face learning (Ibid).

Creed (2001:1) et al, defined distance education as “an educational process in which a significant proportion of the teaching is conducted by someone far removed in space and/ or time from the learners”. On the other hand, they defined open learning “as an organized educational activity, based on the use of teaching materials, in which the constraints on study are minimized in terms of access, entry, or time and place, pace, method of study or any combination of these”. Thus, they concluded that the concept of open and distance learning suggest an educational approach designed to reach learners in their homes/offices/shops, etc, provide learning resources for them to qualify without attending formal classes in person, or create opportunities for life-long learning, no matter where or when they want to study. This definition explores the flexible nature of ODL. The malleability nature of ODL, was further described by the Commonwealth of Learning (COL), as a learner-oriented system that allows greater flexibility in learning while students continue with their regular work (Onwe, 2013:124).

The foregoing analysis of peace building and ODL above, have explored the relevant concepts on this research. However, compared to men, women have limited access to peace building issues and education. Though this has been improved by the United Nations Security Council’s (UNSC) Resolution 1325 passed in year 2000, which called for women’s equal participation with men in maintaining and promoting peace and security. It is therefore, imperative for state actors and well-meaning members of the society to put in place measures towards enhancing women’s education with a view to promoting women participation in peace building. Such opportunity could easily be attained cheaply through ODL, which is flexible and less cumbersome unlike the conventional educational system.

### **Theoretical Framework**

Many theories have been propounded on gender equality as both a movement and scholarly discourse. These include sexism, feminism, functionalism, structuralism and post-modernism. However, this work focuses essentially on feminism which seeks to establish equal opportunities for women in the areas of education and employment. It also seeks to establish and achieve equal political, economic, cultural, personal and social rights for women. Feminist theory is a response to gender inequality and social construction of gender culturally formulated as a result of distinctions by sex (male and female). It espouses the nature of gender equality and inequality respectively, by examining women social status, roles, experiences and positions in a social setting. Construction of gender as both ethical and pragmatic issue is important to feminist discourse.

Analysts on feminism have also highlighted women's specific experiences in institutions such as the family and drew attention to the significance of sexual divisions in the workplace and in the home and exploring the interconnections between public and private lives. Looking at women’s historical activities from the women's own points of view, they questioned the familiar chronologies and notions of time and argued that family concerns, emotional support and personal relationships were just as important as wage-work and politics (Hannam 2011). In the same vein, it is also observed that there is a wide gap between men and women educational attainments globally but more prevalent in Africa and Asia. These include school enrolment, degrees achieved, positions attained, and even representation at all strata of the society in critical and decision-making levels. In this context, this may also

include women not being represented in both conflict resolution and post conflict reconstruction levels.

It was discovered in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries that women were largely absent from standard history texts and this inspired them to write their own histories. However the work of Rowbotham (1973) "Hidden from History" produced a pioneering study that detailed investigations into varied aspects of women's lives, including employment, trade unionism, women's organisations, family life and sexuality. Further to this, various women organizations across the globe have protested their second place to men through the "concept of gender mainstreaming". The concept of gender mainstreaming is a worldwide product of this protest. The UN conferences in Mexico City in 1975, Copenhagen in 1980, and Nairobi in 1985 are examples where women developed recommendations on how to empower women and to improve their situation globally. When it was noticed that those recommendations were largely ignored a new assertive strategy towards ensuring that women were heard was developed in 1995 at the UN Beijing Conference (Sandole-Staroste 2009: 226).

Long before their actions of the 70s, women had protested against inequality with men. The Aba Women Riot in 1929 when women protested a new tax regime in the colonial Nigeria was a watershed in women's activities against discrimination. There have been in recent times women's protests in Zimbabwe against low representation in the country's cabinet against their male counterparts. According to Ngoboka (2015), today, Rwanda leads the world in terms of women's representation in parliament, increasing from 56.3 per cent in 2008 to 64 per cent in 2013 elections. This was made possible through the women's undeterred agitations against discriminative treatment in the government of that country.

Feminists generally agree that, in any investigative process, the power relations between women and men must be addressed (Ingrid, S., 2009: 227). Any attempt therefore in analyzing conflict either at the level of conflict resolution or peacebuilding without taking proper cognizance of equal participation of both men and women would be discriminative. It must be recognized too that women are not only active participants in their communities and societies but also perpetrators of conflicts. Yet, when ceasefire is declared and armed conflict ceases, politicians, scholars, and other professionals including negotiators do not always notice their absence at the negotiating table.

### **Discrimination Against Women and the Need to Strengthen Women's Participation in Peacebuilding**

Gender oppression and violence against women have been exacerbated by the proliferation of small arms and light weapons and increase in violent conflicts. Unfortunately, women that have been major victims of violence, rape and other unimaginable treatments of war and even perpetrators of war have been relegated to the background during peace negotiations. It would have been more honorable to even place women at the forefront of negotiation for peace, because they see everything about war.

Put succinctly, women have been brutalized in the war front when caught in the cross fire, they suffer the absence of their husbands and children who are members of the various forces in combat; they therefore could better understand of the causes of the many wars around the world. But the high-level negotiations are identified as male

domains. As a result, women lack direct influence in the identification of reconstruction priorities that are usually part of a peace agreement. The average numbers of women participating in peace negotiations in official roles as negotiators, mediators, signatories or witnesses remain notably negligible. Statistics on the numbers of women in peace talks are scarce, as this information is not consistently tracked by any authority. For instance, in 2008, there were 33 peace negotiations of 280 participants, out of which only 4 percent were women. Again, there were also 31 major peace processes between 1992 and 2011, in which it was revealed that only four percent of signatories, 2.4 percent chief mediators, 3.7 percent of witnesses and 9 percent of negotiators are women (United Nations Women, Second Edition, 2012: 3).

Nevertheless, women are identified to play an influential role through their work in grassroots organizations working for peace and reconciliation. Through these organizations, women have demanded for variety of positions such as full participation in peace processes, non-discrimination, accountability, recognition of their fundamental human rights, among others.

When included as meaningful participants in peace processes during decision-making forums, women can enlarge the scope of agreement, focusing on issues such as human rights, justice, national reconciliation, which are critical but often overlooked in formal negotiations. They also act as mediators and help foster compromise, as well as proffer solutions.

In the past two decades, attention has been directed to resolving the long standing victimization of women and girls during conflict and developing strategies to ensure their effective participation in peace building. National and international action on women, peace and security (WPS) is gaining strength. The objectives of WPS include: to protect the human rights of women and girls, to incorporate a gender perspective in conflict prevention activities and strategies, to recognize the important role women play in all aspects of peace and security, and enhance women's meaningful participation, both domestically and overseas, and to ensure a gender perspective is incorporated in all relief and recovery efforts in order to support the specific needs and recognize and strengthen the capacity of women and girls (National Action Plan on Women Peace and Security, 2012-2018:17).

An important step forward in increasing women participation in peace-building is the United Nations Council's Resolution 1325 passed on October 31, 2000 on women, peace and security. This resolution was a landmark, as it marks the first time the Security Council addressed the disproportionate and unique impact of armed conflict on women; recognized the undervalued and underutilized contributions that women can make toward conflict prevention, peacekeeping, conflict resolution and peace-building; and stressed the importance of their equal and full participation as active agents in peace and security.

Much existing scholarship on violence in conflict settings sees women as victims and men as perpetrators. On any discussion on women as combatants, the tendency is to take for granted that women do not participate in acts of violence, whether by choice or because women are assumed to play merely supporting roles to their male combatant counterparts. This is a wrong assumption as recent studies on gender and conflict, and the related issues of reconstruction and development have revealed. More nuanced analysis has given credence to women's active involvement in

nationalist movements and communal violence. Studies have equally supported the argument that women are also perpetrators of conflict. For instance in Sierra Leone, women actively participated as combatants on both sides. According to Cohen (2013) female combatants were overwhelmingly part of the RUF, which was 24 percent female, while making up a small minority of the SLA and the CDF, at 9 percent and 2 percent, respectively. This is to say that there is no aspect of conflict that women are not involved and therefore it is pertinent that they should stand side by side with men when discussions on peacebuilding are taking place.

According to the Gender and peace building working group and the Canadian Federation of University Women, the two main reasons women need to be involved in peace building and why peace building processes need to account for the particular needs and experiences of women are pragmatic and ethical reasons. In pragmatic terms, the failure to involve women in peace building processes leads to a less secure peace and lost opportunities for conflict resolution and prevention. In ethical terms, the global world must be committed to ensuring respect for women's human rights and promoting gender equality and empowering women (Women Building Peace, 2009:4). It is therefore expedient to deter all forms of discrimination against women in peace building, and enhance their capacity through ODL.

### **Enhancing Women Capacity Through Open and Distance Learning**

Education is an important means of sensitizing and empowering women with skills, knowledge, and self-confidence needed to participate in peace building and national development. It is also regarded as a key factor in overcoming the barriers that women face and the basic tool for empowering women and bringing them into the mainstream of development. Education not only provides knowledge and skills to improve health and livelihoods, but it empowers women to take their rightful place in the society and development process. On the contrary, gender discrimination practice has become a problem to educational achievement in promoting peace and security in the society. Similarly, gender biased policies have been encouraged in various cultures. Women are considered inferior to men. This plight has incapacitated most women in terms of education and their access to strategic positions in peace building, economy, society and governance.

However, ODL has emerged as a boon to women of all ages to equip themselves intellectually through acquisition of knowledge, leading them to new radical methods of thinking, and alternative lateral perspectives on existing information, thus rendering them more autonomous and liberated. At this juncture, it is expedient to variously illustrate the means in which women have been denied access to formal education because of one reason or the other, and how ODL has provided opportunity for these women to acquire education.

### **Full Time Housewives**

Most full time house wives have been reduced to nothing and are only famous for household chores and other domestic works. As a result, they may not have time to enroll in a conventional educational program if they desire to further their education; since it can be incredibly tough to juggle the household chores and school activities. The challenges posed by this social system is far reaching, in the sense that woman cannot venture out of the home to a formal school system where she can pursue the

much craved training, skills development and education. However, ODL is an alternative opportunity for this category of women to further their education by taking the advantages of its flexibility; they can study at their convenience. Women in this category will definitely benefit from distance education, since it allows them to sit at home and study for a programme without jeopardizing their marriages or abandoning their children. It can also assist them by easing the extra load of educational activities that an on-campus system brings with it. More importantly, ODL provides women with qualifications to enable them set up a venture of their own to contribute to the financial wellbeing of the family while still studying. Given the fact that education enhances a person's sense of self-worth, confidence and also creates an awareness of capacity, ODL provides full time house wives with education which makes them to become more assertive of their roles in social activities and take initiatives for themselves rather than wait for the decisions to be made for them.

### **Refugees and Internally Displaced People**

Two educationally disadvantaged groups are the refugees and internally displaced people (IDPs) who are often deprived of opportunity of having formal education due to the circumstances of war surrounding their displacements. Refugees are people who left their home country to live in another country as a result of war situation while IDPs are those who left their home for safe areas but live elsewhere other their homes within their country. These groups of people cut across different ages and because of war situation may stay for a long time away before retuning back to their country and home respectively. Most probably, this group of people may fall within 20-39 age groups – typically a period of one's life that is quite demanding in terms of balancing occupational obligations and family responsibilities. If they fail to utilize this period to acquire the required education, by the time they finally return home; it might be pretty difficult to cultivate the idea of returning back to school.

But to be more useful and contribute their necessary quotas to the development of their communities after the war, they do not need to stop their education. They should take advantage of ODL as a field of education that focuses on teaching/learning methods and technology with the aim of fostering teaching and learning processes, to students who are not physically present in a traditional educational setting such as a classroom. ODL is a process that creates and provides free access to electronic learning resources when the source of information and the learners are separated by time and distance, or both. Recently, because of the Boko Haram uprising, many students of National Open University of Nigeria (NOUN) who were displaced in the northeastern part of Nigeria had their examinations rescheduled. This was made possible because of the flexible nature of ODL system which might be impossible in a conventional educational system.

### **Domestic Workers**

Another set of people which can benefit from ODL are domestic servants who for one reason or the other could not successfully complete their education in the conventional system. Many of them fall within those who not only cannot afford the condition of payment in the conventional educational system but also because of time and space cannot be in the classroom.

The need to change the perception of domestic workers has attracted the attention of the international community. In particular, attention has been drawn to the vast human rights abuses that occur within this sphere, and to transform the conditions of life and work for domestic workers for the better. Ending violence, respecting their rights and promoting decent work are key if they are to have the freedom and space to pursue their wide-ranging aspirations (Megha :2015). These domestic workers can only contribute to this debate if well educated and ODL is the best opportunity for them to attain such level of education judging its flexibility. ODL can also assist them to complete their education and belong to professionals who hold stakes in affairs of their communities and at the international level where they can participate in peacebuilding, peacemaking and conflict resolution process.

### **Women in Purdah**

Open and Distance Learning (ODL) has also been helpful to the women in Purdah. Purdah is the strict enforcement of seclusion rules upon (typically) married Muslim women. They are expected to remain indoors, except in extreme cases such as to receive medical treatment or to attend marriages and funerals subject to their husbands' permission. If women do venture out, they need to be completely covered by a hijab, and in some instances also escorted. Violating these regulations may result in accusation of promiscuity or even divorce (Vereecke, 1993: 217).

Historically, the practice was said to have originated in the Persian culture and to have been acquired by the Muslims during the Arab conquest of what is now Iraq in the 7<sup>th</sup> century. However, the practice took root in Nigeria as part of Islamic traditions upon the conquest of the Northern part of Nigeria by Jihadist Othman dan Fodio in 18<sup>th</sup> Century (<http://berkleycenter.georgetown.edu>).

This Islamic practice precludes many women from benefiting from school instructions. They are also confronted with other social challenges such as their personal care, medical, social and economic activities outside their immediate homes. Other challenges this group of women face is that they are not exposed to sex education or AIDS awareness programmes. They are often only aware of their HIV status while they cannot ascertain the status of their husbands.

This is so because they are denied access to formal education and practical training provided by schools and colleges because of their adherence to the Islamic practice of Purdah. Many who ought to have belonged to professional bodies such as nursing, pharmacy, medical, even lawyers and judges to be able to assist their fellow women and communities cannot do so. However, ODL is an opportunity for this category of women to secure access to qualitative education at safe distance from the instructors. Another striking benefit of ODL to this category of women is that, it trains and gives them opportunity to contribute their quota to national development without violating any of the injunctions of Islam. ODL is seen as an alternative that affords this group of women access to quality study materials in any field of their choice without any of the barriers associated with the conventional system and their religious dedication.

### **Illiterate Women**

The best way of empowering human being is to educate him/her. There is palpably a deluge of illiteracy problem besetting women. The root of this problem is the degree of importance women attached to education. In other words, illiteracy remains at the centre of women empowerment problems across the globe. Majority of the womenfolk and a large number of girls are still grappling with the problems of basic reading and writing skills (UNICEF 2003). A huge number of these women believe that life of a successful woman revolves around her children, her husband and domestic chores. This lack of personal ambition prevents her from thinking about pursuing educational goals, which may have great influence on her life. According to UNESCO, a huge number of women are part of over 880 million illiterate adults in the world who have been deprived access to education, because they are required to be present in the four walls of a conventional class room before they can gain access to quality education (UNESCO 2002). The gross enrolment rate indicated that 71 percent of out-of-school children are girls (Gross Enrolment Rate, 2003). In the same vein, the Human Development Report (2002), published by the United Nations Development Programme (UNDP) puts the statistics of illiterate women at 57 percent as against male's 43 percent.

However, these women can benefit from ODL in a number of ways. Being a flexible programme, ODL provides them with requisite education, relevant to their needs and environment. This will make them to become more visible and recognized in the mainstream of activities both at home and in the society at large.

A study of enrolment in the Zimbabwe Open University shows that there is quite a fair percentage of women participating in university education in the country. The statistics shows a significant improvement in 2005 in the number of women accessing higher education through ODL as compared to 23.76% in the early 90s. From 2005, there has been a steady increase in women participating in ODL from 41.4% to 43.4% (Gudhlanga et al 2012). This is a demonstration that ODL can assist in improving the educational standard of poor women all over the world.

### **Prison Inmates**

The prison is a place for reformation and ODL is an opportunity to make the prison thoroughly so. ODL gives prisoners positive student identity, resilience and high hope for a better, crime-free life on release. These qualities help them to tackle the immense challenges facing ex-prisoners on release. If they are also able to continue studying after being released, they are better placed to fully integrate into the society.

In a study in England and Wales, Schuller (2009:5) observed that there are about 4000 inmates (out of which over 30 percent are women) studying through distance learning. As a way of improving their plight, prison-based Higher Level Distance Learning (PHDL) is offered in most prisons in England and Wales. The Open University is the largest provider of PHDL, with approximately 1600 students across most prisons in the United Kingdom (UK in 2011) and funding for an initial access course is partially subsidized by the government (McNeill, 2012:18-36).

Studies have also revealed that the National Open University of Nigeria (NOUN) has provided educational opportunities for a number of female prison inmates in Nigeria. It all started in 2009 when the idea to establish Special Study Centres of the NOUN in



Nigerian Prisons Service. The first Special Prison Study Centre (SPSC) was established at the Maximum Security Prison, Kirikiri, Lagos. At present, there are four Special Study Centres of the NOUN viz: The Maximum Security Prison, Lagos, Enugu Prison, Enugu State, Awka Prison, Anambra State and Port Harcourt, River State.

Reports have shown that over two hundred female prison inmates are pursuing Degree and Post-Graduate courses in these centres while more are waiting registration. Through these efforts, NOUN has extended educational opportunities to these female inmates who would not have had the opportunity to study in the conventional universities (Afujue, 2014). Additional advantage that women inmates could gain having attained sound education through ODL is being bold to fight for their right. Majority of these women inmates are jailed on flimsy reasons which would not have been the case if they had had good education to expose them to fight for their rights.

### **Women in Abject Poverty**

Research has shown that poverty is an integral part of a huge number of women around the globe. Nearly six in ten poor adults are women, and nearly six in ten poor children live in families headed by women. Poverty rates are especially high for single mothers, and elderly women living alone (Poverty and Income Support, National Women's Law Centre, 2014). Most women in rural areas must labor not only with this burden, but the burden of being the backbone of the rural economies, farming small plots, selling fruits and vegetables and providing the basic necessities for their families. A number of them often travel long distances to the markets via dirt roads that are largely impassable, especially during long rainy seasons. Closely related to this, the poverty rates for women remained at historically high levels in 2013, according to United States' (US) Census Bureau (2014) data released in September 2014.

However, ODL provides skills to enhance women's capacity for poverty reduction. It also provides girls and women with equitable access to education, particularly vocational training and apprenticeship. ODL creates policies and strategies that promote opportunities for women and girls and also create an enabling environment to support their self-determination and economic empowerment which will in turn enable them participate constructively in the process of peacebuilding.

### **Conclusion**

Education has become prominent among the various strategies for promoting women's empowerment. By its nature of overcoming time and space and meeting the learning styles of women who play triple roles (reproductive, productive and societal/communal responsibilities) in society, open and distance learning is a sure way of making education accessible to women no matter their location, status or situation.

As a result of ODL, women have become more visible and recognized in the mainstream of activities, both at home and in the society at large. A number of women such as full time house wives, women in Purdah, inmates, women in abject poverty, illiterate women, and sexually assaulted women, amongst others have benefitted from the ODL.

It is expedient for all and sundry to encourage open and distance learning in its efforts to enhance women capacity. It would lead to the encouragement and the promotion of women's involvement and leadership in the prevention, management and resolution of conflicts through engagement with the UN, NGOs and other multilateral organizations for and in the development of best practice guidance. Women should be protected from stereotyping and marginalization in the society.

There is also the need to advocate for wider interaction and support of women's groups and the use of gender-based indicators, helping women to identify a range of indicators that highlight trends in the society. It is also significant to consult with women's groups regularly to learn about conflict trends at the community level, their impact on women and women's potential roles in mitigating violence.



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## *The Issue of Women Poverty in Turkey in the Context of Capability Approach*

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### **Abstract**

The main purpose of this study is to present a detailed picture of women's poverty in Turkey in the context of capability approach. Poverty is not considered only as lack of income. Lack of income may be considered as one of the reasons for poverty but it is not sufficient in itself to examine poverty thoroughly. Therefore, this study deals with the question of "what women are able to do" and "what women are able to be" rather than women's level of income. Thus, poverty is defined as capability deprivation in this study. From this perspective, poverty is being deprived of capabilities such as being healthy, participation in social life, participating in political decision-making processes, receiving education, using and producing information, working in a paid job, travelling from one place to another, and participating in recreational activities.

The target population of this study that is carried out in Turkey is women aged 18 and over. As a result of the survey study administered to 741 women from 7 cities (Istanbul, Ankara, Izmir, Van, Adana, Sanliurfa) that represent 7 geographical regions of Turkey, it is seen that regional differences diversify women's level of deprivation of capacities stated above. Therefore, it can be claimed that taking regional differences into consideration, rather than making generalizations, when women's level of deprivation in Turkey is handled from the perspective of capability approach would provide a more beneficial stance to understand the issue and produce a solution.

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[1] This study is compiled from the partial results of the Research Project no. 113K634 titled "The Issue of Women's Poverty and Women's Freedom in Turkey in the Context of Capability Approach" granted by TÜBİTAK. As the Project is still ongoing, results presented here are preliminary

## **Introduction**

In this study, poverty is taken as not being able to realize one's capacities; in other words, from the perspective of "capability deprivation" defined by Amartya Sen. It has to be stated that Sen's capability approach provides a basis for the UNPD's human poverty definition. Therefore, there is a connection between the concepts of human poverty and capability deprivation and how these concepts are encountered in our daily lives. In other words, the concepts of human development and human poverty basically are based on Amartya Sen's "Capability Approach" (Sam, 2008).

In this context, first the concepts of capability, poverty, and deprivation are addressed from Amartya Sen's perspective in this study. In the following section, method used, data, and findings of the field study that dealt with the issue of women's poverty in Turkey from the perspective of capability deprivation are addressed. Evaluation of the findings is presented in the last section.

## **The Concepts of Capability, Poverty and Deprivation in the Context of Amartya Sen's Perspective**

Capability is the ability/capability of doing something (Cambridge Dictionaries Online). According to Amartya Sen, capability is "the ability to achieve valued functionings" (Sen, 1992).

Capability approach defines human development as the expansion process of a person's "functionings and capability". While functionings include various things a person may value enough to "do" or to "be", capability involves functioning compounds a person can possibly realize. In this case, capability can be defined as a basic freedom required for someone to achieve things that s/he values enough, as possible alternatives to each other, to do and to be (Sen, 2004). After all, capability approach presents a multi-dimensional point of view for human welfare. The approach focuses on what people "can do" and "can be" effectively instead of dealing with their income and expenses (Nussbaum, 2005; Robeyns, 2005). In other words, it is emphasized in the capability approach that it is more important to achieve all or a certain level of essential human functionings than to have a certain level of wealth (Ackerman, 1997).

In this context, poverty is defined as "lack of capability"; in other words, as "lack of feasibility". Feasibility can be stated as being physically healthy and pursuing a life of normal length, physical integrity and being safe, taking part in social life, giving and receiving social support, participating in political decision-making mechanisms and having an equal voice in decisions, having the right to education, using and producing knowledge, working at a paid job, benefiting from nursing facilities, living in a secure and pleasing environment, traveling from one place to another, joining in entertainment and recreation activities, being respected, and etc. (Robeyns, 2003).

In order to support his approach regarding poverty, Sen presents following arguments:

- 1) Capabilities emphasize deprivations that are, by nature, significant instead of emphasizing income that is only instrumentally important;
- 2) There are a few factors that explain capability deprivation; low level of income is just one of the many determinants;
- 3) The relation between low level of income and low capability depends on the difference between societies, families, and individuals (Mowafi, 2014).

Therefore, capability approach does not consider poverty as inadequacy of income depending on the standard poverty criterion but it does not mean to ignore the relation between low level of income and capability deprivation. Inadequacy of income may



present itself as the main reason of a person's capability deprivation from time to time. However, income is not the only instrument that reveals capability. Therefore, capability deprivation approach focuses on deprivations, not on low level of income that is only instrumentally meaningful. Because the instrumental relation between low level of income and low capability may vary among different societies, even between different families and different individuals (Sen, 2004). A person's age, social gender and social roles, where s/he lives, and the like may affect the relation between capability and income (Sen, 1999). Therefore, the capability approach directs attention from instruments to goals people wish to achieve and to freedoms required to achieve those goals (Sen, 1999, 2004).

However, in analyses of poverty based on gender difference, accepting income as the basic determinant of poverty, especially for women, is insufficient to consider the most meaningful dimensions of poverty; that is, being deprived of resources, opportunities, and freedoms (Chant, 2009). In other words, statistics on women's low level of income is insufficient to tell the complete story of women's poverty (Townson, 2000) and to analyze poverty in the context of being deprived of capabilities. Thus, it creates deficiencies to fully set forth different patterns and areas of women poverty.

At this point, it has to be stated that it is possible only with capability approach to include the relation between social gender inequality and poverty into the analysis (Sen, 1992).

According to Sen, there is a direct connection between capability and freedom. That is, the increase in capability increases freedoms and increase in freedoms increases capability. Freedoms, basically, are important to the degree that they increase instruments (Sen, 1999).

Sen mentions 5 basic instrumental freedoms that are important to increase an individual's capabilities/abilities. These are, in order, economic opportunities, political freedoms, social opportunities, transparency assurance, and protective security. If we are to explain these concepts (Sen, 1999);

Economic opportunities refer to individual's use of economic resources and his/her capability of getting into the market to receive income intended for consumption, production, or change.

Political freedoms refer to opportunities, in a broad sense, such as (including freedoms like civil rights) people deciding who would govern them and on what terms, monitoring and criticizing authorities, having the freedom to express their political ideas, having a free press, and having the freedom to choose among different political parties.

Social opportunities refer to regulations that society makes for education, health services, and the like. These affect a basic freedom that is the freedom of living better. These opportunities affect not only individual's private life but also his/her social life due to decreasing level of illnesses and death rates. At the same time, it affects individual's capability of joining effectively in other areas that include society's economic and political activities by increasing individual's literacy and awareness levels.

Transparency assurance makes a reference to the confidence level in the society. It is individual's interacting with institutions and the state to establish a complete system where all individuals can join and invest their capital (human and material) to realize development with assurance that activities are carried out honestly and transparently.

At last, protective security acknowledges that there might be more vulnerable groups during economic distress even in democratic systems. The freedom of protective security provides a social protection net that improves the condition of the most vulnerable and that prevents them from a humiliating poverty.

### **Women Poverty**

It is an undeniable fact that women are among the poorest people in our day. This can be seen more clearly when the unequal distribution of sources, opportunities, and power; capability of women to control their own lives; and opportunities that women have are examined. Data showing this condition in daily life can be examined from different standpoints: education, reproduction, sexual health, access to basic rights, employment, political contribution, violence against women, and such (Bhat, 2002; Vicente, 2005).

Actually, women's poverty is a multidimensional matter. Women experience poverty in different forms, at different times, and in different places. Structural inequalities between societies differentiate how poverty is experienced on the personal level between women and men and among women and makes the feminization of poverty relative (Bradshaw & Linneker, 2003).

In this context, poverty, as stated above, is generally being deprived of sources, opportunities, and/or freedoms entitled as dimensions of poverty. The concept of women's poverty refers to the change based on gender bias when it comes to having sources, opportunities, and freedoms (Medeiros & Costa, 2008). In other words, women's poverty refers to a relative perspective based on the comparison between women and men. The key point here is always the difference between women and men. As perspective is based on "relativity", women's poverty basically depends on two unacceptable phenomenon: "poverty" and "gender differences" (Medeiros & Costa, 2008).

In this study, the issue of women's poverty in Turkey is addressed in the context of Amartya Sen's capability deprivation. As stated above, the relation between the social gender inequality and poverty can be analyzed with capability approach. It will be possible to do the most meaningful evaluation when, in the context of social gender, women and men roles, women and men's places in social life, and their state of deprivation are analyzed with capability approach. In this study, it is focused on what women in Turkey can do and be without ignoring their level of income and expenses.

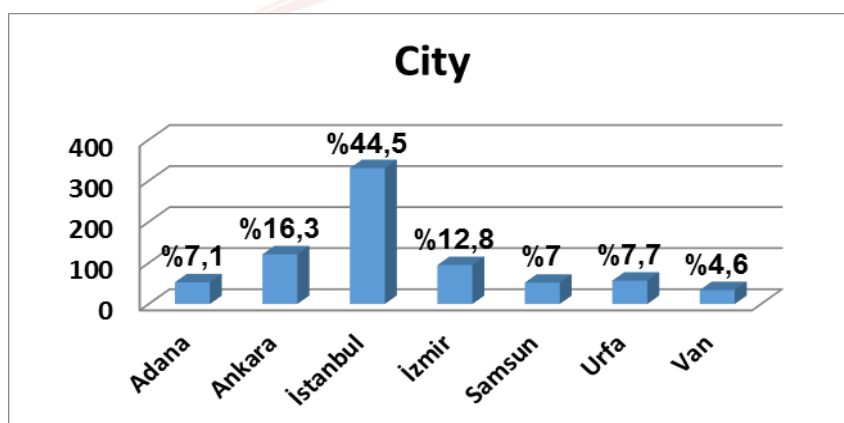
### **Data and Methodology**

In this study, a quantitative and descriptive research design was created. Therefore, secondary written and visual data on women's poverty, capability approach, and freedom were collected and analyzed at first. Then, a survey was administered in order to obtain primary data. Data was collected by conducting face-to-face survey between September 2014 and April 2015 from 7 cities (Istanbul, Ankara, Izmir, Adana, Sanliurfa, Samsun, and Van).

The main population of this study conducted within the scale of Turkey is comprised of women aged 18 and over.

When selected, participants for the survey are distributed according to regions and cities. Therefore, cities from 7 different geographical regions of Turkey that are accepted as representatives of the region and that have the highest population are selected as the field of application by using judgmental sampling method in order to provide diversity. These cities are Istanbul, Ankara, Izmir, Adana, Sanliurfa, Samsun, and Van. When it is determined that women aged 18 and over are over 10 million according to the population register system, minimum sampling size to represent the main population for the survey study is 384 (Payne & McMorris, 1967). However, sampling size is calculated as 682 for this study that is conducted in the scale of Turkey as it is accepted that 384 surveys are not sufficient to represent the main population. Although, 741 valid surveys are obtained at the end of the field work.

The distribution of participants according to the cities, by taking the abovementioned criteria into consideration, is shown in the table below.



Graph 1: Distribution of the sample according to cities

44,5% of the participants are from Istanbul, 16,3% from Ankara, 12,8% from Izmir, 7,7% from Urfa, 7,1% from Adana, 7% from Samsun, and 4,6% from Van.

In this study that aims to reveal a detailed picture of poverty and freedom states of women in Turkey within the context of capability approach, women's poverty and freedom states are measured according to Amartya Sen's capability approach within the context of five basic instrumental freedoms a person needs to have to increase his/her capability or abilities.

Instrumental freedoms are classified as:

- Economic opportunities,
- Political freedoms,
- Social opportunities,
- Protective security opportunities, and
- Transparency assurance.

Data regarding this classification and data regarding the state where women are exposed to social gender discrimination during this process are gathered by using the survey method. In this context, 5-point Likert type scale, which is designed with questions prepared within the axis of these five main categories and in line with the literature, is used in order to measure poverty as capability deprivation. The scale is defined as 1. Strongly agree, 2. Agree, 3. Neither agree or disagree, 4. Disagree, and 5. Strongly disagree.

All of the surveys obtained at the end of the field study are coded after the first control and data are transferred to Microsoft Excel and then to SPSS packet program. In the survey study, evaluation is done on the basis of answers given to each question by first having the percentages of answers to each question and then their graphic representation. In addition, in line with the purposes of the study, sub-factors of instrumental freedoms are formed by grouping the scale definitions according to the literature. t-test and One-Way Anova are used to determine whether these factors differentiate according to the demographic characteristics of the participants.

### **Findings**

Demographic features of participants are below:



Table 1: Demographic Features of Participants

	Variable	Frequency	Percent		Variable	Frequency	Percent
Age	18-28	194	26,2	Profession	Housewife	225	30,4
	29-39	213	28,7		Worker	52	7,0
	40-50	195	26,3		Civil servant	35	4,7
	51-61	104	14,0		Engineer	18	2,4
	62 and up	35	4,7		Teacher	93	12,6
	Total	741	100,0		Self-employment	34	4,6
Marital Status	Married	439	59,2	Have Regular Income	Other <sup>1</sup>	282	38,2
	Single	237	32,0		Total	739	100,0
	Other <sup>2</sup>	65	8,8		Yes	363	49,5
	Total	741	100,0		No	370	50,5
Social Security	Social Security Foundation	640	82,2	Type of Employment	Total	733	100,0
	Individual Retirement	28	3,6		Full Time	268	63,1
	Health Insurance	30	3,9		Part Time	69	16,2
	No Social Security	56	7,2		Seasonal	13	3,1
	Other <sup>3</sup>	25	3,2		Daily	19	4,5
	Total	779	100,0		Retired	41	9,6
Level of Education	Illiterate	48	6,5	Personal Income	Other	15	3,5
	Primary School	150	20,2		Total	425	100,0
	High School	160	21,6		0-500 TL	242	33,7
	College	59	8,0		501-1000 TL	121	16,8
	Undergraduate	263	35,5		1001-1500 TL	97	13,5
	Graduate	40	5,4		1501-2500 TL	131	18,2
	Other <sup>4</sup>	21	2,8		2501-3000 TL	65	9,0
	Total	741	100,0		3001 TL and higher	63	8,8
Personal	0-500 TL	491	66,8	Total	719	100,0	

<sup>1</sup> retired, student, doctor, bank employer, accountant, nurse, lawyer, secretary, etc.<sup>2</sup> divorced, widow, living apart from her spouse, living with a man without marriage.<sup>3</sup> Green card and other social security groups<sup>4</sup> Literate, doctorate

Expenditure	501-1000 TL	128	17,4	Source of Personal Income <sup>5</sup>	Job	387	53,4
	1001-1500 TL	55	7,5		Investments	17	2,3
	1501-2500 TL	36	4,9		Social Support Funds	11	1,5
	2501 TL and higher	25	3,4		Other	310	42,8
	Total	735	100,0		Total	725	100,0

### Participants' Perceptions Regarding Instrumental Freedoms

Table 2: Results of the Test (Independent Sample t-Test) Measuring Difference in Participants' Perception Regarding Instrumental Freedoms Depending Whether They Have a Regular Job

Political Freedoms	Yes	363	,9265	-6,159	,000
	No	370	1,0687		
Economic Opportunities	Yes	363	,8849	-8,867	,000
	No	370	1,1049		
Protective Security	Yes	363	,9806	-1,586	,113
	No	370	1,0115		
Transparency Assurance	Yes	363	1,0191	2,247	,025
	No	370	,9834		
Social Opportunities	Yes	363	,9910	-,834	,404
	No	370	1,0124		

In Table 2, it is examined if participants evaluate instrumental freedoms differently depending whether they work at a regular job or not. Accordingly, there are statistically meaningful differences between women who work and women who do not regarding their perceptions on Political Freedoms ( $t=-6159$ ;  $p=0,000$ ), Economic Opportunities ( $t=-8,867$ ;  $p=0,000$ ), and Transparency Assurance ( $t=2,247$ ;  $p=0,025$ ). Thus, women who work have the perception that they have more political freedoms and economic opportunities than women who do not while women who do not work have the perception that they have more transparency assurance than women who do.

<sup>5</sup> retirement, pocket money, financial support from her family, scholarship

Table 3: ANOVA Test Results on the Differences in Perception Regarding Political Freedoms According to Participants' Demographic Characteristics

Variables	Groups	N	Mean	F	Sig.
Age	18-28	194	1,0175	7,211	0,000
	29-39	213	0,9679		
	40-50	195	0,9902		
	51-61	104	0,9591		
	62 and over	35	1,2633		
Marital Status	Married	439	1,0228	6,851	0,001
	Single	237	0,9383		
	Other	65	1,0647		
Level of Education	Illiterate	48	1,5574	45,847	0,000
	Primary	99	1,1422		
	Secondary	51	1,0628		
	High School	160	0,948		
	College	59	0,8716		
	University (Undergrad)	263	0,8843		
	Graduate School	40	0,9254		
	Other	21	1,2333		
Personal Income	0-500 TL	242	1,1666	25,034	0,000
	501-1000 TL	121	0,9992		
	1001-1500 TL	97	0,9078		
	1501-2500 TL	131	0,8982		
	2501-3000 TL	65	0,8754		
	3001 TL or more	63	0,8578		
Household Income	0-1000 TL	119	1,205	25,897	0,000
	1001-2000 TL	181	1,1013		
	2001-3000 TL	166	0,9504		
	3001-4000 TL	83	0,893		
	4001-5000 TL	83	0,8787		
	5001 TL or more	96	0,8515		

The results of the ANOVA test on whether the participants evaluate political freedoms differently depending on their age, marital status, level of education, personal income, and household income are given in Table 3. Accordingly, there are statistically meaningful differences ( $p > 0,05$ ) in all the aforementioned variables among women regarding their access to political freedoms. According to the results of the Post Hoc (Tukey) test that was conducted to determine between which age groups differences exist, it is seen that women who are 62 and older have the perception that they have less political freedoms than women in other age groups. It is seen in the results of the Post Hoc (Tukey) test conducted on the women's marital status that women who are single have the perception that they have more political freedoms

than women who are married and women who are in the other group. According to the results of the Post Hoc (Tukey) test conducted on the level of education variable, it is determined that women who are illiterate than women in other groups, women who graduated from primary and secondary schools than women who graduated from college, university and graduate schools, women who graduated from high school than women who graduated from university have the perception that they have less political rights. In terms of personal income, it is determined that women who have 500 TL or less personal income than women in other groups, women who have 501-1000 TL personal income than women who have 3000 TL and more personal income have the perception that they have less political rights. When it comes to the Post Hoc (Tukey) test on household income, it is determined that women who have less than 1000 TL household income than women in other income groups and women who have 1001 TL- 2000 TL household income than women who have more have the perception that they have less political rights.





Table 4: ANOVA Test Results on the Differences in Perception Regarding Economic Opportunities According to Participants' Demographic Characteristics

Variables	Groups	N	Mean	F	Sig.
Age	18-28	194	1,0014	4,337	0,002
	29-39	213	0,9633		
	40-50	195	0,995		
	51-61	104	0,9806		
	62 and over	35	1,2273		
Marital Status	Married	439	1,0285	7,454	0,001
	Single	237	0,9243		
	Other	65	1,0439		
Level of Education	Illiterate	48	1,601	56,352	0,000
	Primary	99	1,2148		
	Secondary	51	1,0938		
	High School	160	0,9682		
	College	59	0,8722		
	University	263	0,8366		
	Graduate School	40	0,8438		
	Other	21	1,2074		
Personal Income	0-500 TL	242	1,2178	43,66	0,000
	501-1000 TL	121	1,0268		
	1001-1500 TL	97	0,8609		
	1501-2500 TL	131	0,8615		
	2501-3000 TL	65	0,8396		
	3001TL or more	63	0,76		
Household Income	0-1000 TL	119	1,2477	41,679	0,000
	1001-2000 TL	181	1,1458		
	2001-3000 TL	166	0,939		
	3001-4000 TL	83	0,8676		
	4001-5000 TL	83	0,8201		
	5001TL or more	96	0,7807		

The results of the ANOVA test on whether the participants evaluate their access to economic opportunities differently depending on their age, marital status, level of education, personal income, and household income are given in Table 4. Accordingly, there are statistically meaningful differences ( $p > 0,05$ ) in all the aforementioned variables among women regarding their access to economic opportunities. According to the results of the Post Hoc (Tukey) test that was conducted to determine between which age groups differences exist, it is seen that women how are 62 and older have the perception that they have less economic opportunities than women in other groups. It is determined in the results of the Post Hoc (Tukey) test conducted on participants' marital status that women who are single have the perception that they have more economic opportunities than women who are married and women in the

other group. It is seen in the Post Hoc (Tukey) test results conducted on the level of education variable that women who are illiterate than women in other education level groups; women who graduated from primary and secondary schools than women who graduated from high school, college, university, and graduate school; women who graduated from high school than women who graduated from university have the perception that they have less economic opportunities. However, women who graduated from high school have the perception that they have more economic opportunities than women who are in the other group.

When it comes to personal income, it is determined that women who have 500 TL or below personal income and women who have 501-1000 TL personal income have the perception that they have less economic opportunities than women in other income groups. It is seen in the Post Hoc (t-Tukey) test results on household income that women who have less than 1000 TL or 1001-2000 TL household income have the perception that they have less economic opportunities than women who have 2001 TL or more household income. Moreover, it is determined that women who have 2001-3000 TL household income have the perception that they have less economic opportunities than women who have 5000 TL or more household income.

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Table 5: ANOVA Test Results on the Differences in Perception Regarding Protective Security Services According to Participants' Demographic Characteristics

Variables	Groups	N	Mean	F	Sig.
Age	18-28	194	0,9834	1,794	0,128
	29-39	213	0,9866		
	40-50	195	0,9866		
	51-61	104	1,0551		
	62 and over	35	1,0409		
Marital Status	Married	439	1,0131	2,126	0,120
	Single	237	0,9693		
	Other	65	1,0001		
Level of Education	Illiterate	48	1,0107	1,17	0,318
	Primary	99	1,0572		
	Secondary	51	0,9957		
	High School	160	1,0107		
	College	59	0,9801		
	University	263	0,976		
	Graduate School	40	0,9744		
	Other	21	0,9665		
Personal Income	0-500 TL	242	1,0254	3,092	0,009
	501-1000 TL	121	1,0541		
	1001-1500 TL	97	0,9795		
	1501-2500 TL	131	0,9577		
	2501-3000 TL	65	0,9372		
	3001 TL or more	63	1,0203		
Household Income	0-1000 TL	119	1,0365	1,571	0,166
	1001-2000 TL	181	1,0123		
	2001-3000 TL	166	0,975		
	3001-4000 TL	83	1,0312		
	4001-5000 TL	83	0,9691		
	5001 TL or more	96	0,9693		

The results of the ANOVA test on whether the participants evaluate benefiting from protective security services provided by the state differently depending on their age, marital status, level of education, personal income, and household income are given in Table 5. According to the results obtained, there are no statistically meaningful differences ( $p < 0,05$ ) in any of the aforementioned variables except personal income variable among women regarding benefiting from the protective security services provided by the state. According to the Post Hoc (Tukey) test results conducted to determine among which groups there are differences in terms of personal income, it is determined that women who have 501-1000 TL personal income per month have the perception that they benefit less from the protective security services than women who have 1501-2500 TL and who have 2501-3000 TL personal income.

Table 6: ANOVA Test Results on the Differences in Perception Regarding Transparency Assurance According to Participants' Demographic Characteristics

Variables	Groups	N	Mean	F	Sig.
Age	18-28	194	0,9747	2,066	0,084
	29-39	213	1,0008		
	40-50	195	1,0144		
	51-61	104	0,9941		
	62 and over	35	1,0782		
Marital Status	Married	439	0,9955	1,125	0,325
	Single	237	0,9986		
	Other	65	1,0383		
Level of Education	Illiterate	48	1,038	1,123	0,347
	Primary	99	0,9653		
	Secondary	51	0,9738		
	High School	160	1,0021		
	College	59	1,028		
	University	263	0,9959		
	Graduate School	40	1,0453		
	Other	21	1,0198		
Personal Income	0-500 TL	242	0,9848	1,394	0,224
	501-1000 TL	121	1,0072		
	1001-1500 TL	97	1,026		
	1501-2500 TL	131	1,0346		
	2501-3000 TL	65	0,9862		
	3001 or more	63	0,9805		
Household Income	0-1000 TL	119	1,0016	0,18	0,970
	1001-2000 TL	181	1,0088		
	2001-3000 TL	166	0,9947		
	3001-4000 TL	83	1,0001		
	4001-5000 TL	83	0,9875		
	5001 or more	96	1,0107		

The results of the ANOVA test on whether the participants' perceptions on transparency assurance differ depending on their age, marital status, level of education, personal income, and household income are given in Table 6. According to the results obtained, women do not evaluate transparency assurance differently according to their age, marital status, level of education, personal income, and household income.

Table 7: ANOVA Test Results on the Differences in Perception Regarding Social Opportunities According to Participants' Demographic Characteristics

Variables	Groups	N	Mean	F	Sig.
Age	18-28	194	1,023	1,211	0,305
	29-39	213	1,0006		
	40-50	195	0,9862		
	51-61	104	0,9556		
	62 and over	35	1,0833		
Marital Status	Married	439	0,9826	2,07	0,127
	Single	237	1,0137		
	Other	65	1,0706		
Level of Education	Illiterate	48	1,1637	3,139	0,003
	Primary	99	1,0258		
	Secondary	51	1,0782		
	High School	160	1,0054		
	College	59	0,9952		
	University	263	0,9421		
	Graduate School	40	1,0302		
	Other	21	0,9633		
Personal Income	0-500 TL	242	1,054	4,217	0,001
	501-1000 TL	121	1,0562		
	1001-1500 TL	97	0,9944		
	1501-2500 TL	131	0,9772		
	2501-3000 TL	65	0,9034		
	3001 or more	63	0,8903		
Household Income	0-1000 TL	119	1,0974	5,307	0,000
	1001-2000 TL	181	1,0645		
	2001-3000 TL	166	0,9777		
	3001-4000 TL	83	0,9505		
	4001-5000 TL	83	0,9302		
	5001 or more	96	0,9218		

The results of the ANOVA test on whether participants' perceptions on benefiting from social opportunities differ depending on their age, marital status, level of education, personal income, and household income are given in Table 7. According to the results obtained, women do not evaluate social opportunities differently in terms of their age and marital status; however, there is a statistically meaningful difference ( $p < 0,005$ ) in terms of their personal income and household income. According to the results of the Post Hoc (Tukey) test that was conducted to determine between which education levels differences exist, it is seen that women who are illiterate have the perception that they have less social opportunities than women who graduated from university. It is determined that women who have 0-500 TL and who have 501-1000 TL personal income have the perception that they have less social opportunities than women who have 2501-3000 TL and who have more than 3000 TL personal income. Moreover, women who have 0-1000 TL household income together with women who

have 1001-2000 TL household income have the perception that they have less social opportunities than women who have 2001 TL and more household income.

### **Discussion and Results**

When an evaluation is done on having five basic instrumental freedoms based on whether participants work or not, it is seen that women who work have a perception that they have more political freedom and economic opportunities than those who do not. Thus, it is possible to say that women who work have the perception that they can become a member of and a candidate from a political party, have the right to decide which political party they would vote for, go out alone whenever they want, live alone separated from family, apply to authorities on their own to protect their rights, decide solely on their own whom to marry, travel alone without facing any difficulties, express their thoughts freely in every situation, have property and an equal share from the inheritance. In addition, they have the perception that they are free to work at a paid job, have the freedom to decide which job they will have, can start a business on their own, will have no difficulty in finding a job because of their gender, would have equal income with men, and have the right to save money as they wish from the income they earn.

When it comes to transparency assurance, it is seen that perception of women who do not work is more positive than of women who do. In this context, it is possible to say women who do not work has a perception that they have a transparent state which answers her citizens regarding any issue, that they can easily access any decision which the state makes concerning women, that the state sufficiently monitors the activities of institutions and organizations which affect the society, that employment processes in the public sector and private sector are carried out honestly and transparently.

When political freedoms are evaluated, it is seen that women at the age of 62 and older than women in other age groups; women graduated from elementary and primary school than those graduated from high school, college, university, and graduate school; women graduated from high school than those graduated from university; women who have a personal income of 500 TL or below per month than those in other income groups; women who have an income of 501-1000 TL than those who have an income of 3000 TL and above; women who have less than 1000 TL household income than those in other income groups and women who have 1001-2000 TL household income than those who have more household income have the perception that they have less political freedom. It is concluded that the less education women receive and the less they have household and personal income, the less political freedom they have. For that, it is possible to say that women in this category have the perception that they cannot become a member of and a candidate from a political party, do not have the right to decide which political party they would vote for, cannot go out alone whenever they want, cannot live alone separated from family, cannot apply to authorities on their own to protect their rights, cannot decide solely on their own whom to marry, cannot travel alone without facing any difficulties, cannot express their thoughts freely in every situation, cannot have property and an equal share from the inheritance. It is seen in analyses of political freedoms that single women have more political freedom than married women or the ones in the other category. It can be said at this point that married, divorced, or widow women have less political freedom than single women and that being single makes women more

free to have a voice about their lives, make political decisions as they wish, and live their life as they would like.

When it comes to economic opportunities, it is seen that it is harder for women at the age of 62 and older than women in other age groups; women who are illiterate than women in other groups; women graduated from elementary and primary school than those graduated from high school, college, university, and graduate school; women graduated from high school than those graduated from university; women who have less than 1000 TL personal income than those in other income groups; women who have 2000 TL or below household income per month than those who have 2001 TL and above; and finally women who have 2001-3000 TL household income than those who have 5000 TL or above to access economic opportunities. The basic conclusion that can be drawn from these results is that the less education women have and the less they have personal and household income, the less economic opportunities they have. Therefore, it can be said that women in this category have the perception that they are not free to work at a paid job, do not have the freedom to decide which job they will have, cannot start a business on their own, will have difficulty in finding a job because of their gender, would not have equal income with men, and do not have the right to save money as they wish from the income they earn.

It is seen in analyses of economic opportunities that single women have more economic opportunities than married women or women in other categories. It can be stated at this point that married, divorced, or widow women have less economic opportunities and being single makes women act more freely in terms of economic activities and; thus, makes them free economically. For example, single women have the perception that they are free whether to work at a paid job or not and to decide which job they will have. In addition, single women also have the perception that they have the right to save money as they wish from the income they earn.

When an evaluation is done from the perspective of protective security, it is determined that women who have less than 1000 TL personal income per month can benefit less from the protective security services than women who have 1000-3000 TL personal income per month. Therefore, women who have less than 1000 TL personal income per month have the perception that the state does not help women in economically hard conditions enough and that they cannot benefit from state's aid opportunities whenever they need. As stated above, by acknowledging that there might be more vulnerable groups during economic distress, protective security provides a social protection net that improves the condition of the ones in hard conditions and prevents them from poverty. It can be stated at this point that the perception of women in the low-level income category that they cannot benefit enough from the state's protective security measures causes a view that the state is insufficient in the services of social security.

When transparency assurance is evaluated, the basic conclusion drawn is that women did not consider transparency assurance differently according to age, marital status, level of education, personal income, and household income. Only working or not working makes a difference in the perception of transparency assurance. It is seen that women who do not work have a more positive perception of transparency assurance than women who do. In contrast, women who work have a negative perception of transparency assurance than women who do not. In this context, it can be said that women who work have the perception that they do not have a transparent state which

answers her citizens regarding any issue, that they cannot access any decision which the state makes concerning women, that the state does not sufficiently monitor the activities of institutions and organizations which affect the society, that employment processes in the public sector and private sector are not carried out honestly and transparently. It can be accepted as normal that women who work have a different perception than women who do not and that differences in transparency assurance perceptions depend on the fact that whether the women work or not because working women's experience in the employment processes both in public and private sectors and knowledge about how public and private institutions and organizations that they are in connection with in working life function and about their activities increase their level of experience regarding the activities that take place in this area.

When it comes to social opportunities, it is determined that women who are illiterate than women graduated from university, women who have 1000 TL or below personal income than women who have 2500 TL or above personal income per month, women who have 2000 TL or below household income than women who have 2001 TL or above household income per month have less social opportunities. Moreover, illiterate women, women who have less than 1000 TL personal income per month and women who have less than 2000 TL household income per month have the perception that they cannot benefit from state's free health and education services like every other citizen and that they do not have enough infrastructure, transportation, security, street lighting, and etc. services in the areas where they live.

The logo for the International Association for Frontiers of Research (iafor) is centered on the page. It features the word "iafor" in a light blue, lowercase, sans-serif font. The text is surrounded by several overlapping, semi-transparent circular arcs in shades of blue and red, creating a dynamic, circular graphic effect.



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***Language as a Discourse of Legitimate Power: Bengali-Muslim Political and Cultural Consciousness and the Idea of East Pakistan 1911-1952***

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**Abstract:**

Every state must legitimize itself with a discourse of legitimate power. The state of Pakistan was originally imagined as a homeland for the Muslims of India. Religion, thus, served as the discourse of legitimacy for this state. However, its Bengali speaking eastern wing – East Pakistan – soon grew restive as Urdu was declared the sole official language of the state. The discontented East Pakistanis were never completely reconciled to West Pakistan. They eventually seceded in 1971 and thus was born the sovereign state of Bangladesh.

I seek to argue in my paper that the dissolution of bicephalous Pakistan was inevitable. This because, the Bengali-Muslim political elite had already crafted a discourse of legitimate power – one which combined religion *and* language – in 1947. East Pakistan had been imagined as a *sovereign* entity where the Bengali language and the cultural complex surrounding it will be supreme, albeit in an Islamicate framework. It came to take shape as a hitherto dominant Persianised elite yielded ground to a new Bengali-Muslim politician. Fazlul Haq, a typical representative of this new political leadership, stood up against the Muslim League high command and, probably, sought to build a movement for a sovereign *Bangistan* as early as 1942.

My objective is to study the evolution of the Bengali-Muslim political and cultural consciousness over a four decade period – from the annulment of the partition of Bengal in 1911 till the beginning of the language movement in East Pakistan in 1952. I will begin by attempting to understand the cultural aspirations that the state of East Pakistan represented in the eyes of the Bengali-Muslim political class and intelligentsia immediately prior to and after partition. They were, as we will go on to see, staunchly unwilling to compromise on the paramountcy of Bangla in East Pakistan. As they saw it, Bangla was necessary if the Bengali-Muslim society was to realize its full potential. Moreover, in their understanding, the Lahore Resolution entitled every unit of Pakistan to autonomously choose its official language. So, East Pakistan had every right to make Bangla the language of law courts and education. Bangla was also necessary if Islamic sentiments were to be transmitted to the masses. The East Pakistanis, however, were soon left very disgruntled as their aspirations ran into a dead wall of apathy. The Urdu speaking Punjabi elite which came to dominate Pakistan refused to yield to them.

The outbreak of discontent in East Pakistan immediately after partition, I seek to argue, was because the original vision of East Pakistan had not been realized in 1947. From the very beginning, East Pakistan had been imagined as a *sovereign* entity where the Bangla language and the cultural complex surrounding it will be supreme, albeit in an Islamicate framework. The second part of my research, thus, will be a study of Bengali-Muslim politics from the 1910s till the 1940s and the various articulations of this very specific imagining of East Pakistan. It came to take shape as the Persianised *ashraf*, the class that had traditionally dominated institutional politics in Bengal, yielded ground to a new Bengali-Muslim politician who was very rooted in the Bengali cultural milieu. Fazlul Haq, a typical representative of this new political leadership, stood up against the Muslim League high command and, probably, sought to build a movement for a sovereign *Bangistan* as early as 1942. Again, in 1943, Haq stressed the need to “modify the Pakistan idea so as to enable the Muslims of Bengal also to assert their self-determination along with the Muslims of other provinces.”<sup>1</sup> Around the same time, we also see the Bengali-Muslim intelligentsia organising in bodies such as the *Purba-Pakistan Renaissance Society* and *Purba-Pakistan Sahitya Sangsad* in order to lend more cogency to the vision of East Pakistan with a definite literary and cultural programme. In 1944, we see the Bengal Provincial Muslim League broaching the idea of the *Confederacy of East Pakistan and Adibasistan*. This proposed sovereign entity was to include the provinces of Bengal and Assam and the tribal districts of south Bihar which today form the state of Jharkhand. Along with Premier Suhrawardy and the younger members of the Bengal Provincial Muslim League, the chief architect of the CEPA plan was Abul Hashim. A close associate of Suhrawardy, Hashim never made any attempt to hide his Bengali nationalism. In the Lahore Resolution, thus, he saw his “complete independence as a Muslim and a Bengali.”<sup>2</sup> In April 1947, when partition was but months away, Suhrawardy, along with Sarat Bose, gave the call for a United and Sovereign Bengal. Partition of Bengal was not a viable option because, Suhrawardy said to the *Star of India* on 7 May 1947, “Bengalees are one race and have one language.” Further, a United Independent Bengal, Hashim said to the *Star of India* on 5 June 1947 was in perfect order with the

<sup>1</sup> See Amalendu Dey, *Islam in Modern India*, Maya Prakashan, Calcutta, 1982, p.172.

<sup>2</sup> See Harun-or-Rashid, *The Foreshadowing of Bangladesh: Bengal Muslim League Muslim Politics. 1936-1947*, Asiatic Society of Bangladesh, 1987, p.190.

Lahore Resolution as it “never contemplated the creation of an Akhand Muslim state.”<sup>3</sup>

What lent the Pakistan idea in Bengal its specificity? The third and final of my research objectives is to seek an answer to this question by studying a definite trend among the Bengali-Muslim litterateurs and intelligentsia. From the 1920s till the partition of Bengal in 1947, they articulated and also shaped a cultural discourse which reconciled the Bengali and Muslim halves of the Bengali-Muslim identity. They frequently resorted to rationalist critiques of religion and also urged their co-religionists to lay claim upon the Bangla language and create in it a literature which genuinely articulates their identity and aspirations as Muslims. The politics which sought to make of Bengal a sovereign entity, we suggest, would not have been possible without this intellectual and cultural discourse being in operation. In the following pages I briefly lay out the schema of this proposed research project along with some preliminary findings.

### **East Pakistan: The Contrarian Newborn**

The partition of the Indian Subcontinent in 1947 bequeathed the territories of the British Indian Empire upon the two successor states of India and Pakistan. The predominantly Muslim north-western and eastern flanks of the subcontinent now came to be delimited as West Pakistan and East Pakistan. However, it was soon apparent that, religious affinity notwithstanding, the relationship between the two far flung bits of Pakistan will be uneasy at best. The spanner in the works, keeping the post-partition Pakistani national project from progressing smoothly, was language. Or, rather, the passionate attachment the East Pakistanis felt for their language – Bangla.

As a matter of fact, there were auguries of trouble even before East and West Pakistan came to grace the map of the world. After the Mountbatten plan was unveiled in June 1947, certain left leaning workers of the Bengal chapter of the Muslim League formed a small organisation called the *Gana Ājādi League* (গন আজাদি লীগ) in Dhaka in July.<sup>4</sup> From its very inception, the organization took a very unequivocal stand on what should be the status of Bangla in the soon to be formed East Pakistan. It declared:

Bangla is our mother tongue. Every arrangement should be made to make this language suitably useful for the country. Bangla must be the national language of East Pakistan.

[বাংলা আমাদের মাতৃভাষা। এই ভাষাকে দেশের যথোপযোগী করবার জন্য সর্বপ্রকার ব্যবস্থা করিতে হইবে। বাংলা হইবে পূর্ব-পাকিস্তানের রাষ্ট্রভাষা।]<sup>5</sup>

The protagonists of Urdu, on the other hand, were convinced that it must be the sole official language of Pakistan. In July 1947, Dr. Ziauddin Ahmed, the Vice Chancellor of the Aligarh Muslim University, argued that Urdu ought to be the national language of Pakistan as Hindi is of India. Apparently in agreement with it, no one in the Muslim League opposed the idea. However, Dr. Mohammad Shahidullah<sup>6</sup> critiqued it scathingly in an essay entitled *Pākistāner Rāstrabhāṣā Samasyā*

<sup>3</sup> Ibid., p.299.

<sup>4</sup> See Badruddin Umar, *Purba Bānglār Bhāṣā Āndolan o Tatkālin Rājniti, Pratham Khanda* [পূর্ব বাংলার ভাষা আন্দোলন ও তৎকালীন রাজনীতি (প্রথম খন্ড)], Anandadhara Prakashan, Calcutta, 1970, p.1. All translations, unless specified, are mine.

<sup>5</sup> Ibid., p.3.

<sup>6</sup> (1885-1969), noted Bengali writer, educationist and linguist.

(পাকিস্তানের রাষ্ট্রভাষা সমস্যা). It was published in a daily called the *Ājād* (আজাদ). Shahidullah wrote:

If, in emulation of the Hindi decided upon by the Congress, Urdu comes to be regarded the sole national language of East Pakistan, it will be a retreat...The only logic cited against English is that it is not the language of the natives of any province of the Pakistan dominion. But the same logic applies against Urdu. The mother tongues of the natives of the various regions of the Pakistan dominion are Pushtu, Baluchi, Punjabi, Sindhi and Bangla, but Urdu is not in use as the mother tongue of any region of Pakistan. If English is abandoned as a foreign language, then there is no rationale against not accepting Bangla as the national language of Pakistan. If some other language is to be adopted in place of Bangla, then the claim of Urdu may be considered.

...  
If Urdu or Hindi is adopted in the courts and universities of Bengal in place of Bangla, it will be but a form of political subordination. We strongly protest against the opinion that Dr. Ziauddin Ahmed has expressed in favour of Urdu against the regional languages of Pakistan as vehicles of education in the Pakistani provinces. Not only is this against scientific education and justice, it is an infringement of the provincial rights of autonomy and self rule.

[কংগ্রেসের নির্দিষ্ট হিন্দীর অনুকরণে উর্দু পাকিস্তানের এক মাত্র রাষ্ট্রভাষা-রূপে গন্য হইলে তাহা শুধু পশ্চাদ গমনই হইবে। ...ইংরেজী ভাষার বিরুদ্ধে এক মাত্র যুক্তি এই যে ইহা পাকিস্তান ডোমিনিয়নের কোনো প্রদেশের অধিবাসীরই মাতৃভাষা নয়। উর্দুর বিপক্ষেও একই যুক্তি প্রযোজ্য। পাকিস্তান ডোমিনিয়নের বিভিন্ন অঞ্চলের অধিবাসীদের মাতৃভাষা বিভিন্ন যেমন – পুশতু, বেলুচী, পাঞ্জাবী, সিন্ধী, এবং বাংলা; কিন্তু উর্দু পাকিস্তানের কোনো অঞ্চলেই মাতৃভাষারূপে চালু নয়। ...যদি বিদেশী ভাষা বলিয়া ইংরেজী ভাষা পরিত্যক্ত হয়, তবে বাংলাকে পাকিস্তানের রাষ্ট্রভাষারূপে গ্রহণ না করার পক্ষে কোনো যুক্তি নাই। যদি বাংলা ভাষার অতিরিক্ত কোনো দ্বিতীয় রাষ্ট্রভাষা গ্রহণ করতে হয়, তবে উর্দু ভাষার দাবী বিবেচনা করা কর্তব্য।

...  
বাংলা দেশের কোর্ট ও বিশ্ববিদ্যালয়ে বাংলা ভাষার পরিবর্তে উর্দু বা হিন্দী ভাষা গ্রহণ করা হইলে ইহা রাজনৈতিক পরাধীনতারই নামান্তর হইবে। ডাঃ জিয়াউদ্দিন আহমেদ পাকিস্তানের প্রদেশ সমূহের বিদ্যালয়ে শিক্ষার বাহনরূপে প্রাদেশিক ভাষার পরিবর্তে উর্দু ভাষার সপক্ষে যে অভিমত প্রকাশ করিয়াছেন উহার তির প্রতিবাদ জানাইতেছি। ইহা কেবলমাত্র বৈজ্ঞানিক শিক্ষা ও নীতি বিরোধীই নয়, প্রাদেশিক স্বায়ত্বশাসন ও আত্মনিয়ন্ত্রণ অধিকারের নীতি বিগর্হিতও বটে।<sup>7</sup>

Not the just the intellectual, but the political activist too now began to rally around the standard of Bangla. On 7 September 1947, within three weeks of the creation of Pakistan, the *Purba Pākistān Karmi Sammelan* (পূর্ব পাকিস্তান কর্মী সম্মেলন) adopted the following resolution in its first meeting:

<sup>7</sup> *Purba Bānglār Bhāṣā Āndolan o Tatkālin Rājniti*, p.4.

The *Purba Pakistan Karmi Sammelan* proposes that the Bangla language be made the vehicle of education and the language of the courts of law in East Pakistan. It should be left to the masses to decide what should be the national language of all of Pakistan and their decision should be accepted as final in the matter.

[পূর্ব পাকিস্তান কর্মি সম্মেলন প্রস্তাব করিতেছে যে, বাংলা ভাষাকে পূর্ব পাকিস্তানের শিক্ষার বাহন ও আইন আদালতের ভাষা করা হউক। সমগ্র পাকিস্তানের রাষ্ট্রভাষা কি হইবে তৎ সম্পর্কে আলাপ-আলোচনা ও সিদ্ধান্ত গ্রহণের ভার জনসাধারণের ওপর ছাড়িয়া দেয়া হউক এবং জনগণের সিদ্ধান্তই চূড়ান্ত বলিয়া গ্রহীত হউক।]<sup>8</sup>

Earlier, certain teachers and students of the University of Dhaka had founded a cultural body called the *Tamaddun Majlis* (তমদুন মজলিস) on 1 September 1947. A fortnight later, on 15 September, the Majlis released a booklet entitled *Pākistāner Rāstra-Bhāsā - Bānglā nā Urdu?* (পাকিস্তানের রাষ্ট্র-ভাষা বাংলা – না উর্দু?) Authored by Abul Kasem, the booklet passionately argued the case of Bangla. It pointed out that as per the provisions of the Lahore Resolution every constituent unit of Pakistan has the right to choose, what Kasem rather clumsily called, its “regional national language” (*prādeśik rāstrabhāṣā*):

In the Lahore resolution too, every unit of Pakistan has been granted the right to sovereignty and freedom. Hence, every unit [of Pakistan] must be allowed the freedom to decide what would be its regional national language.

[লাহোর প্রস্তাবেও পাকিস্তানের প্রত্যেক ইউনিটকে সার্বভৌমত্ব ও স্বাধীনতার অধিকার দেওয়া হয়েছে। কাজেই প্রত্যেক ইউনিটকে তাদের স্ব স্ব প্রাদেশিক রাষ্ট্রভাষা কি হবে তা নির্ধারণ করবার স্বাধীনতা দিতে হবে।]<sup>9</sup>

Kasem also decried the extravagant respect that some Bengali-Muslims had for Urdu. He demanded that the Bangla language be now made fit to articulate the Islamic cultural universe. Apparently, the concern for Bangla was tied to a concern for the fate of Islam in Bengali-Muslim society:

I do not disparage or show disrespect towards Urdu, but I regard the Bengali Muslims’ infatuation for Urdu truly dangerous. When I see that upon hearing even a bawdy love song in Urdu, the average Bengali *bhadralok* is overwhelmed imagining that it is the glories of Allah which are being described, while even some wonderful *brāhmosangeet* composed in Bangla is denigrated as *hārām*, then I realise that all this senseless devotion or disparagement holds no true value.

...

All these days, Muslims have put the blame upon Hindus’ shoulders and said with a comfortable certainty that Hindus have filled the Bangla language with *Hinduāni* sentiments. However, this won’t do in East Pakistan. Here primarily Muslim litterateurs will have to bear the responsibility of presenting the Islamic heritage. Thus, the time is nigh that the erudite Muslims create a literature as good and akin to the *punthi* literature and acquaint their country people with Muslim civilization and culture. Only then will the mother tongue be fully enriched and Islamic sentiments will genuinely be the equipment of the

<sup>8</sup> Ibid., p.12.

<sup>9</sup> Ibid., p.15.

spirits of the masses and remedy their poverty and inferiority. We will never genuinely benefit by being petitioners at the doors of Urdu.

[আমি উর্দু ভাষাকে নিন্দা বা অশ্রদ্ধা করিনা, কিন্তু বাঙালী মুসলমানের উর্দুর মোহকে সত্যসত্যই মারাত্মক মনে করি। যখন দেখি, উর্দু ভাষায় একটা অশ্লিল প্রেমের গান শুনতে বাঙালী সাধারণ ভদ্রলোক আল্লেহের মহিমা বর্ণিত হচ্ছে মনে ক'রে ভাবে মাতোয়ারা, অথবা বাংলা ভাষায় রচিত উৎকৃষ্ট ব্রহ্মসঙ্গীতও হারাম বলে নিন্দিত, তখনই বুঝি এই সব অবোধ ভক্তি বা অবোধ নিন্দার প্রকৃত মূল্য কিছুই নাই।

...

এতদিন মুসলমান কেবল হিন্দুর ঘাড়ে দোষ চাপিয়ে নিশ্চিন্তে আরামে বসে বলেছেন যে হিন্দুরা বাংলা ভাষাকে হিন্দুয়ানীভাবে ভরে দিয়েছে, কিন্তু পূর্ব পাকিস্তানে ত তা চলবে না। এখানে ইসলামী ঐতিহ্য পরিবেশন করার দায়িত্ব মুখ্যতঃ মুসলমান সাহিত্যিকদেরই বহন করতে হবে। তাই আজ সময় এসেছে, মুসলমান বিদ্বজ্জন পুঁথি-সাহিত্যের স্বল বর্তী বাংলা সুসাহিত্য সৃষ্টি করে মুসলিম সভ্যতা ও সংস্কৃতির সঙ্গে দেশবাসীর পরিচয় স্থাপন করবেন; তবেই মাতৃভাষা সম্পূর্ণ সমৃদ্ধ হবে এবং ইসলামী ভাব ধারা যথার্থভাবে জনসাধারণের প্রানের সামগ্রী হয়ে তাদের দৈন্য ও হীনতা বোধ দূর করবে। উর্দুর দুয়ারে ধর্না দিয়ে আমাদের কোনো কালেই যথার্থ লাভ হবে না।<sup>10</sup>

Dominated by the Punjabis, the Pakistani ruling elite remained unmoved by the concerns of their Bengali speaking co-religionists. Displaying some wanton insensitivity towards them, it made Urdu the sole official language of Pakistan in 1948. It was precisely the provocation the growing resentment in East Pakistan did not need. By the turn of the 1950s, the anger among the intelligentsia and students of East Pakistan had reached a fever pitch. On 21 February 1952, the students of the University of Dhaka organised a protest demonstration against the imposition of Urdu on East Pakistan. As they marched down the streets of Dhaka, they were shot at by the police. Several students died. The fate of bicephalous Pakistan was sealed.

### **East Pakistan: A Unique Vision**

As we saw above, in the days leading to and in the immediate aftermath of partition, there was no doubt in the minds of the Bengali-Muslim intelligentsia and politicians as regards the status of Bangla in East Pakistan. As far as they saw, only Bangla, the language in which the Bengali-Muslim expressed his “fears and loves,” could be the official language of the new state. This certitude, however, did not develop overnight. It will be erroneous to assume that it emerged of a sudden in the aftermath of partition in response to the Pakistani ruling elite’s efforts to make the Bengali-Muslims learn Urdu. For the previous many decades the Bengali-Muslim litterateurs and public intellectuals were engaged in a strenuous project – one of resolving the contradiction between their Bengali and Muslim identities. The intention of this research project is to establish that by the time partition occurred in 1947 this resolution had already been done. We will argue that, over the 1920s and 30s, as this resolution reached fruition, the two constituent halves of Bengali-Muslim identity – Islam and the Bangla language – came to reinforce each other. This, in turn, resulted in East Pakistan being imagined in a distinct way – as a state in which the Bangla language and its attendant cultural complex will reign supreme, albeit in a properly Islamised incarnation. This unique imagining of East Pakistan began to cohere as the Muslims of Bengal ceased

<sup>10</sup> Ibid., p.16.



to look up to the Persian speaking *ashraf* for political leadership and produced a new politician who proudly wore his Bengaliness on his sleeves.

A typical example of this new Bengali-Muslim politician was Fazlul Haq who was, in his own words, “proud of Bengal, proud of its culture.”<sup>11</sup> Thus, in 1937, when the Muslim League adopted Urdu as its official language in its Lucknow session, Haq led the opposition of the Bengali-Muslim delegates against the decision. Haq and his fellow dissenters argued that the adoption of Urdu would hamper the League’s popularity with the Bengali-Muslims. In 1941, when Haq had a brief spat with Jinnah, we once again find him posing as the guardian of the interests of the Bengali-Muslims vis-à-vis the Muslim League High Command. In a letter Haq wrote to Liaquat Ali Khan around the time, he declared that he will “never allow the interest of 33 millions of the Muslims of Bengal to be put under the dominance of any outside authority.”<sup>12</sup> It is likely that Haq had already begun to toy with the idea of Bengal as a sovereign entity in the foreseeable future. *Searchlight*, a daily published from Patna, reported in 1942 that “Fazlul Haq, Premier of Bengal, is seriously contemplating the starting of a Bangistan Movement for the recognition of Bengal as a separate state.”<sup>13</sup> In 1943, Haq stressed the need to “modify the Pakistan idea so as to enable the Muslims of Bengal also to assert their self-determination along with the Muslims of other provinces.”<sup>14</sup> There was, he believed, no use “hoodwinking the Muslims of Bengal that the formula which may hold good in the Punjab will also hold good in Bengal.”<sup>15</sup> Seemingly, Haq’s demands were but a reflection of the very particular form the Pakistan movement had taken in Bengal. This meant that, as pointed out by Sheila Sen, the majority of Bengali-Muslims,

were also not thinking of sharing power with Muslims from other parts of India. The Pakistan movement in Bengal during the period 1943-45, therefore, *aimed at achieving an independent state comprising Bengal and Assam* and at democratising and making the party (League) broad based so that the aristocratic leadership did not control the destiny of the Muslim masses in the region at the time of the establishment of Pakistan.<sup>16</sup>

Apparently, a politician like Haq was expressing and striving to realise a distinct conception of East Pakistan that was taking shape in the minds of the Bengali-Muslim intelligentsia. This is, for example, underlined by what Zahur Hussain, a Bengali-Muslim writer, argued in an article entitled *Pakistan and Soviet Union*:

That the Musalman Chasi (Muslim peasant) of Bengal can make friendship with ‘Kabuli Mahajan’ (moneylender from Kabul) can only be imagined by those who do not have any connection with the soil of the country. Some time it is said that Urdu is the mother-language of the Indian Musalmans. But the leaders of Pakistan movement in Bengal have clearly said that the state language of ‘Purba-Pakistan’ will be Bengali and not Urdu. *That Peshawar and Chittagong cannot be brought under one state, Pakistan idea accepts this truth only.*<sup>17</sup>

<sup>11</sup> See *The Foreshadowing of Bangladesh*, p.117.

<sup>12</sup> *Ibid.*, p.134.

<sup>13</sup> *Ibid.*, p.150.

<sup>14</sup> See Amalendu Dey, *Islam in Modern India*, Maya Prakashan, Calcutta, 1982, p.172.

<sup>15</sup> *Ibid.*

<sup>16</sup> See *Muslim Politics In Bengal. 1937-47*, Impex India, New Delhi, 1976, pp.175-176. Emphasis added.

<sup>17</sup> *Ibid.* Emphasis added.

We also see the Bengali-Muslim intelligentsia organising in bodies such as the *Purba-Pakistan Renaissance Society* and *Purba-Pakistan Sahitya Sangsad* in order to lend more cogency to the vision of East Pakistan with a definite literary and cultural programme. Abul Mansur Ahmed, an intellectual associated with these organisations, emphasised the distinctness of the Bengali-Muslims with the following argument:

Religion and culture are not the same thing. Religion transgresses the geographical boundary but ‘tamaddun’ (culture) cannot go beyond the geographical boundary. Rather flourishes within depending on that ‘sima’ (geographical limit).

Here only lies the difference between Purba-Pakistan and Pakistan. *For this reason the people of Purba-Pakistan are a different nation from the people of other provinces of India and the ‘religious brothers’ of Pakistan.*<sup>18</sup>

It seems that by the middle of the 1940s, along with the Bengali-Muslim intellectuals, a majority of the Bengali-Muslims political leaders too were convinced that the Bangla speaking Muslims form a distinct nation and are entitled to their own state. Thus, we see the Bengal Provincial Muslim League broaching the idea of the *Confederacy of East Pakistan and Adibasistan* in 1944. This proposed sovereign entity was to include the provinces of Bengal and Assam and the tribal districts of south Bihar which today form the state of Jharkhand. Along with Premier Suhrawardy and the younger members of the BPML, the chief architect of the CEPA plan was Abul Hashim. A close associate of Suhrawardy, Hashim never made any attempt to hide his Bengali nationalism. In the Lahore Resolution, thus, he saw his “complete independence as a Muslim and a Bengali.”<sup>19</sup>

In April 1947, when partition was but months away, Suhrawardy, along with Sarat Bose, gave the call for a United and Sovereign Bengal. Partition of Bengal was not a viable option because, Suhrawardy said to the *Star of India* on 7 May 1947, “Bengalees are one race and have one language.” Further, a United Independent Bengal, Hashim said to the *Star of India* on 5 June 1947 was in perfect order with the Lahore Resolution as it “never contemplated the creation of an Akhand Muslim state.”<sup>20</sup> Besides, said Hashim at another place,

If a united sovereign Egypt, where there is a mixed population of Muslims, Jews, Christians and others, can be a Pakistan, if a united sovereign Iran can be a Pakistan, I fail to understand why united and sovereign Bengal, where the Muslims are in a majority, will be anti-Pakistan, I wonder what sort of Pakistan a crippled and partitioned Bengal can be.<sup>21</sup>

It appears that for Hashim ‘Pakistan’ suggested not a state but a cultural order and every Muslim majority country which upheld a cultural matrix broadly derived from Islam could be and was ‘Pakistan’. So, indeed, Bengal with its Muslim majority could be ‘Pakistan’ too without needing to be a part of the state that was about to be created in the north-west of India.

<sup>18</sup> Ibid. Emphasis added.

<sup>19</sup> See *The Foreshadowing of Bangladesh*, p.190.

<sup>20</sup> Ibid., p.299.

<sup>21</sup> *Statesman*, May 17, 1947.

*The Effect of Poverty on Women's Health in Khewra City, Pakistan*

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**Abstract**

Poverty increased in Pakistan since the 1990s, after decline within the previous two decades. However, Pakistan is bearing an alarmingly high burden of communicable diseases which are mostly related to poverty. These diseases are mostly exacerbated by malnutrition and maternal risks. The present study attempts to find out the impact and effect of poverty on the health of women. Present study was conducted in the District Khewra. Three localities (low, medium and high social class) were selected for data collection. A multi-stage sampling techniques were be applied for data collection. At the first stage three localities low, medium and high social class i.e. Dandot, PMDC and ICI Colony were selected randomly from the selected Khewra city, at the second stage six Mohalas (two from each locality) were selected randomly and the third stage 120 respondents (20 from each mohala) were selected randomly. A well-designed schedule interviews to collect information and data collection was developed for the purpose. Collected information were analyzed by using descriptive and inferential statistics. It was found the health facilities were available in Khewra city. Majority of the respondents i.e. 62.5 percent were unexpectedly satisfied to some degree with facilities related to health, while 47.5 percent of the women faced problems related to health. The first child was delivered at home by 58.3% of the respondents. Only 15.8 percent of the respondents used contraceptive methods. A major number i.e. 70.0 percent of the respondents had the opinion that they did not face any miscarriage in their life. It was found that there is a positive and significant relation among education level & income of the respondents with their health status. It is recommended that education level should be increase among women, because educated women have more awareness about their health and protective measures and more economic opportunities should be arrange for women.

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## **Introduction**

Health is the complete absence of disease or abnormality and it refers to physical, mental and social well-being of individuals. Women's health, their emotional, social and physical needs improvement and political, social and economic context of their lives, is determined by their biological traits. To achieve the highest achievable standard of health for women and there is difference among men and women for the social classes, geographical locations, ethnic groups and the indigenous groups. An inequality exists there among both the genders (FWCW, 1995).

Being a man or a woman, both biological and gender differences as a result has a significant impact on a person's health. In many societies, it is observed that, they are facing troubles due to discrimination in socio-cultural factors, due to the reason that the health of women and girls is a basic concern. This discrimination has deep roots in the society. For example, women and girls with HIV / AIDS face increased risk of abnormalities in their lives (WHO, 2010).

In recent decades, women's health issues and high international exposure gained renewed political commitment. Targeted policies and programs are being implemented to enable women to live more healthy lives, however significant gender-related health disparities still remain in many countries. There is a very limited access to education or employment but there are no very high levels of literacy and health improvement for women (van der Kwaak, 1991).

Some of the socio-cultural factors that are responsible for preventing women and girls to benefit themselves from quality health services and attaining the best possible levels of health include:

- unequal power relationship and affiliations among both the genders;
- social norms and culture that inhibit education and paid employment opportunities;
- an extra focus on women's reproductive roles; and
- Capabilities or real experiences of emotional, physical and gender related violence.

Poverty for both the genders is a key obstacle to positive health outcomes, fuel poverty, unsafe cooking practices (malnutrition) and use of unhealthy feed, due to a high burden on the health of women and girls (WHO, 2010).

Income has an impact on almost all aspects of our lives, it ranges from the place we live to what food we eat, from what clothes are worn to the selection of transport. Less access to the income refers to doing each and everything in the hard manner. The examples may include buying groceries or washing clothes, travelling in the city, using pay phones at homes, reading a variety of books and newspapers at library. The main health obstacles faced by low income people are:

- Improper living pattern, lack of ventilation, poor quality of air and water, unavailability of hygienic water for drinking purpose, inadequate clothing for saving from cold weather;
- Limited accessibility to the supermarket or sources of nutrition, low cost foods like fresh fruits and vegetables, good quality beef, mutton and chicken with low prices.
- Limited accessibility to medications which are non-insured.

- restricted approach to the sources and channels of communication (such as phone or Internet);
- Limited accessibility to quality education heading towards low health literacy, less job opportunities.
- societal isolation;
- Restricted number of resources which help to handle the crisis and problems e.g., knowledge, access to experts and professionals, time etc.
- Enhanced levels of tension because of less leisure time and greater financial pressures (CWHN, 2007).

A disproportionate share of the poverty load on women's shoulders rests, and harms their health. Among 1.2 billion people living in poverty, 70 percent are women. The remote causes of poverty and five million women are exacerbated by hurdles, pregnancy-related complications every year die in vain. On average, than women to overcome poverty, which makes it even more difficult task than, for 30-40% less than men are being paid. Both genders may be poor and near poor, diseases which can lead to economic disaster. Domestic violence is often a contributing factor to poverty with stress and depression in women is a major factor (WHO, 2002).

- United Nations Population Fund (UNFPA) 99 percent of maternal deaths from pregnancy-related issues causes than a woman still dies every minute who are usually treatable. Family and society, not only on the economy but also on the impact of this loss. UNFPA report that reproductive health and gender equality, development and investment in sustainable development may be encouraged (UNFPA, 2005).
- Childbearing age (15-49 years), as many as 20 to 30 as an unsafe abortions for every 1,000 women, and most of them are in developing countries. Abortion-related deaths, particularly in Asia and Africa, are therefore common in developing countries. Pregnant woman in a poor developing country into a rich developed country is up to 500 times higher than its counterpart runs the risk of death, and the pathological sequel of maternal death suffering from lasting for at least 20 are women. Unfortunately, this ill-health as "poor obstetric pathology"(Aleem, 1993).
- Pakistan health status of women and women's low social standing has a very direct relationship. For example, in Balochistan, the rural maternal mortality rate is 800 deaths per 100,000 live births. At the end of the strikes on children's health as well as the national economy is on the negative ratio. The health status of women and men, but the differences among them can not only Pakistani politics. Poor women's health as much as it is medically necessary is a social plight. Women's health needs due to lack of awareness, low literacy rate, low social status of women and civil limiting factors such as the health standard for women in Pakistan are responsible. Both men and women in family planning poorly affect the health of the mother and child is taught about. Maybe as a woman to understand the economy of a country house and the biggest loss is the glory of all that is created (Kazmi, 2008).
- However, Pakistan exacerbated by poverty, malnutrition and maternal risks related to communicable diseases, gives a high load to the women. Life expectancy is 62 years, and public health services, resulting in continuous use, many Pakistanis are considered incapable of reaching the life expectancy. Where services exist, through appropriate interventions, socio-economic and cultural barriers to access is required to remove the inappropriateness in services. More access to health services for mother

and child health as a whole decreased 30 percent to 55 percent of the population as was estimated. About 57% of the routine immunization of children and pregnant mothers as only 1% of 40%, for example, are vaccinated against tetanus. Health services more than 15 years of age and 43 percent of reproductive age (15-49) in women with almost 46 percent of the population, the demographic pattern is likely to be challenged (UN, 2003).

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The main task the maintenance of pregnancy, sexually transmitted diseases, digestive disorders, pneumonia and tuberculosis are being made to improve the sector. The main objective of the current study in Khewra is the effect of poverty on women's health.

### **OBJECTIVES**

- To find out the socio-economic characteristics of the women of Khewra.
- To find out the factors affecting women's health in Khewra.
- To find out the relationship among women socioeconomic characteristics and their health status.

To suggest some policy measure for improvement the women's health.

### **REVIEW OF LITERATURE**

Review the previous work done in the field of literature and previous studies by pointing out the weakness of the scientific design of the study does provide a guideline. This chapter reviews some of the relevant literature.

Metress and Metress (1990) reported that ill health in Northern Ireland has contributed to the quality of the production that features a combination of poverty inspected, and military occupation posed some unique tension will be logged. In doing so, the social environment in which women must work to provide an overview. It's a great toll on women's physical and emotional well-being, with the ability to receive an environment.

Kwaak (1991) illustrated women's health concerns in current eras, high universal coverage and extended transformed political assurance. Directed strategies and packages to qualify women to live improved lives, though momentous gender-based health discrepancies persist in various countries. Through restricted admittance to schooling or occupation, high illiteracy rates and poverty levels are very hard for women health development. Continuing health experiments. Women's health recognized in recent decades, many of the noteworthy assistances from the hazard or combat, financial uncertainty and the HIV / AIDS pandemic have been upturned. Prime health care, family planning and obstetric facilities are vital for women - hitherto he was not accessible to millions. Gender-equitable methodology to health scheduling and provision of health services to enable full contribution of women in necessity. Families and populations are linked to the health of women's health - ailment or death of a woman, her children, family and community health are severe and far-reaching concerns. The slogan, "Healthy Women, Healthy World" as guardians of family health, women's health and maintain well-being of their communities play an important role.

NCW (1992) argues that poverty had the greatest impact on children of the relationship among poverty and poor health, having said. Families interested in the overall health of Family Physicians most devastating effects of poverty on women, one of which must be acknowledged that inter-ethnic one.6 children live in.

Cohen (1994) illustrated that the women and children struggle daily with poverty and therefore all of our communities, better health can not be stated that that should be recognized. Women's health status in which they live, cultural, political, and socio-economic context is reflected, and the challenge to change discriminatory practices and gender discrimination of women in poverty as a result of all those factors change advocates and encouraging women in leadership positions must be taken.

Sathar (1996) reported that child survival in any society is a matter of great interest, but it's a big part of the total deaths every year where Pakistan claims, a pro-nationalist society is particularly important in that report. One reason for the concern that with the death of each human life and emotional harm reduction is. Another reason at least partially from high levels of infant and child mortality, which is attributed to persistently high levels of fertility, is. This situation with the health of the mother with infant health study of the factors determining demand immediately. Infant mortality in the country's socio-economic conditions is one of the most sensitive barometers, and local legislative activities of the cost of health services at the same time.

Oxaal and Kick (1998) examined the health effects of interaction among gender and poverty concerns most clearly more work, hazardous work, and that is seen in terms of poor nutrition observed. Due to the health problems of poverty and gender, mental illness, violence, vulnerability, and stigma is the main contacts. Nutrition combined effects of poverty, gender inequality and pregnant or lactating women undernourishment / more work through ill-health for women and girls can be, and the generation transmission of poverty production is a key area. Furthermore, poor health conditions of ill health and to recognize the importance of the cycle of poverty, pointing to women's social exclusion and poverty may lead to a result. However, women's health and access to health care by poverty, but by gender inequality affects not only is important to recognize that. Studies in behavioral health care, poverty and gender barriers that poor women (and girls) to access appropriate care and treatment are less likely to suggest that this means that . Poor range of factors which limit access for women to time constraints, intra-household resource allocation and decision-making related to health, social, legal and cultural obstacles include. Health policy, financing and service delivery issues, particularly budgetary allocations, user fees impact on poor women, and the quality of care, which merit further research on key gender issues in all aspects is.

Firth's *et al.*, (2000) described that societal exemplary of health care, social and economic position of women / well in relation to their experience of ill health was taken into account that the demand be implemented. The health status of the quality of life with good health is linked to medical evidence that was given. So poor housing, helplessness and a location in which lived the experience of ill health in women can contribute as follows. A key indicator of the health consequences of deprivation becomes: Firth says, "a more important predictor of mortality among women of the house was inequality in general social benefit.

Pena's Leon, Nicaragua *et al.*, (2000) testified that 15 to 49 years old in a demonstrative trial of 10,867 women of propagative history, based on the examination of a depending of newborn persistence, was held. A total of 7073 infants were considered; 342 years of newborn deaths happened through the follow-up to 6394's. Consequences procedures the infant mortality rate (IMR) and for diverse assemblies had comparative dangers of deaths. The infant mortality rate was 50 per 1000 live births. (; 95% confidence interval [CI] = 1.15, 1.92 attuned relative risk [RR] = 1.49) poverty, augmented the risk of death of children, as

the home unsatisfied basic needs (UBN) expressed. (; 95% CI = 1.12, 2.71 adjusted RR = 1.74), social inequality, and increases the risk of domestic UBN and neighborhood expressed as a contrast among the UBN. A protective effect of mother's education level was seen only in poor households. It's the absolute level of poverty, social inequality and child mortality in low-income countries may be an independent risk factor that was concluded. In poor households, women's education plays an important role in preventing child deaths could. The link among poverty and poor health is well established and common sense. Medicines such as affordable housing, transportation, food and non-insured health benefits, including access to poverty reduction, which can lead to poor health, there are many ways.

(2000) Pharnal health of the population adversely affected by inequality in the country was noted. Being the most vulnerable women and children were the most affected. Children under the age of five protein energy malnutrition (PEM) coverage is 51 percent. Per capita availability of food is more than enough food shortages in a country where such a magnitude, inequality within countries were at the root of the problem is indicated by the fact. Poor health affects income access, use and quality of health care malnutrition, gender, urban-rural divide was not only predictor. Moreover, such a patriarchal system with deep cultural literacy, healthy behavior, women's lack of decision-making power about the mother's ignorance, as there were some fundamental factors. This malnutrition are some of the biological factors, was due to a multitude of was concluded that, among others, environmental, cultural or socio were. The children and family caregivers hidden half of the population, education, to alleviate this problem is a key strategy.

The Lancet (2001) many women, running a home and raising children, caring for elderly relatives, as well as working outside the home, can influence their physical and mental well-being is detected. Ensuring good nutrition and a healthy lifestyle throughout their lives can contribute to women's health. Adolescence, menstruation and the demands of pregnancy and lactation Rapid growth during the iron, folic acid and calcium as an increased risk of low levels of nutrients can result. Surveys of nutritional status frequently but not in the first year after a woman's life, not only through the expansion, chronic shortages of these nutrients showed. Low-energy diets, slimming to re gimes, eating disorders and the increasing number of vegetarians to nutritional inadequacies make women even more vulnerable. Women of childbearing age have increased iron needs and hence are at risk of iron deficiency anemia. Hemoglobin in the meat and meat products, the haem iron, is well absorbed. Sources of non-haem iron green vegetables, baked beans, peanuts and fortified breakfast cereals are included. Because they improve the absorption of non-haem iron dietary sources of vitamin C are also important.

Donner (2002) concluded that poverty is the most subtle discriminatory way. For example, women who were poor and their children, which contributes to ill health, were more likely to be socially isolated. Still fully in our society, which led to ill health in low income and income inequality did not understand all of the ways. But on the whole, still working to improve the health of these procedures did not need to understand. The link among income and health was a particular significance for women. (As in the rest of Canada) Manitoba, poverty much more often and more severely than men kill women, exhibits discriminatory practices. This study suggested that income inequality and how inequality of women living in poverty, but of every member of the society not only appears to affect health.



Brown *et al.*, (2002) said that the women often have limited access to their own income. On average, their incomes were too low compared to men. Their care role and status places them in a weak economy. They remain the biggest group who experience poverty.

WHO (2002) argued that women of poor families have increased the burden of reproductive and care which are rich people, found that there are larger. Teenage pregnancy was higher in poor families. Domestic violence is often a contributing factor to poverty, stress and depression in women was a major factor behind. Nearly 1.2 billion people living in poverty, 70 per cent were women. A direct result of poverty, malnutrition and iron deficiency anemia, which was double the number of women affected than men. In many parts of the world social and economic change and the role of job loss for men. Fast women and their household breadwinners in addition to caring role was, they were likely to be low income, and child care, but often suffers as poverty, the samples were easily. Where conventional medicine or doctors were available, many women cost, convenience, and comfort of the reasons for the selection of these systems. Often, these methods did not work and could lead to further health complications.

Alexander (2002) reported that a relatively low number of physical disorders, unique for women are more prevalent or serious in women, or women specialized in prevention or intervention strategies that have been described. Arthritis, diabetes, lupus and erythematosus, gallstones, and osteoporosis are other diseases in this category. Reproductive health, women's health concerns are a major focus. Pregnancy-related maternal mortality reduction in the times of the century, is one of the major public health achievements. Despite effective contraception, unintended pregnancy in this country more than half; thus, infertility and problems related to unintended fertility research priorities. Especially to reduce the rate of prematurity, pregnancy outcomes improve, increasing attention is required.

Laughlin (2003) illustrated that the women living in poverty for long periods of time were more likely to have stated that. And when they were old. highlighting the extent to which women were dependent% were women showed that due to their greater longevity benefits and hardships and poverty of different experiments (data sourced from the Department of Work and Pensions). Poverty also affects women in gender-specific ways to "lower social class effects such as depression for non-mental health problems was particularly evident.

Johnston *et al.*, (2003) Rural women working at different levels of the health of a web of interconnected factors result in the compromise that was found. Asian population in rural poverty has a devastating impact on the health of rural women. Poverty is a condition that has reached the most important stage in achieving the appropriate health services can cause delays. A role in poverty rural women for HIV and other STIs increase the visibility of their activities that are being forced to take part in plays. In the Philippines, for example, to save their families from starvation as a measure of farming women engaged in the sex industry were reported. Reduce rural women's literacy and education play a role in health status.

Thaver and Bhatta (2003) said that in Pakistan poor are not only deprived of the financial resources that have been described, such as the education, health, clean drinking water and education, health and nutrition, limited access to adequate sanitation lack of access to basic needs as undermining their capabilities, making them vulnerable during the marketing exogenous shocks, gainful employment, and income poverty and social exclusion limits the ability to save the results. This poverty in Pakistan in 1989-99 to 32.2 per cent in 1993-94 to 29.3 per cent, 1990s has remained fairly stable over that was described. Children and with the

sole earning member of a number of poor households are more likely to be poor, have a high dependency ratio. A poor average number of births by women (married and age of 15-49) for a poor woman than four, almost five. Poor sanitation infrastructure such precision relatively low penetration, are characterized by. Compared to 53 percent of non-poor households with flush toilet with 76% of the poor live while. Even relatively poor communities and health facilities for immunization coverage seem to have less access, poor children aged 1-5 years 45% Fully 58% of non-poor households have been vaccinated against.

Arif (2004) examined the weight for age and height for age measured by two important indicators, morbidity and malnutrition using checking the health status of the children. The demand for medical services has also been identified. The main data source used in this study child health and poverty provides sufficient information on the socio-economic survey of Pakistan 2000-01 (enterprises), is. And immunization during the first 4-5 months of life, both exclusive breastfeeding significantly smaller children (0-5 months) among the occurrence of the disease that can help control the results of the study show. The child's health (nutritional status) in the production of strengthening the role of mother's education. The role of the mother's education than non-poor families, poor families are found to be more clear. Since the mid-1990s, poverty has negatively affected the nutritional status of children. The main problem is to reduce household food insecurity is about. The benefits of recent high GDP growth has been slow in the past decade in the job, you can move through the poor. Poor and vulnerable segments of the population's real incomes rise in food prices must also be protected against. At present, the health and nutrition sector to GDP is only 0.7 percent. Health care facilities in the country are curative in nature, and diagnosis and treatment, not in favor of preventive aspects of health care are heavily Bangalore. Preventive aspects of health care resources should be made available to. Child immunization coverage should be increased, and the provision of safe drinkingwater social sector policies can be more preferred.

Yasin *et al.*, (2004) the city of Multan, Pakistan, mother and child health in socio-economic factors affecting the investigation. Neglected areas, namely Sameejabad a colony, was selected for data collection. A total of 993 married women were interviewed by door-to-door survey. The literacy level of maternal and infant vaccination was found that both had a strong bond. Whose husbands were educated women, which was higher than the annual income for themselves and their children had higher percentage of vaccination. Mother's occupation is concerned, it did not prove a good indication. The present study maternal and child vaccination in Multan city affecting the social and economic factors is an attempt to identify. This study illiterate and the majority of mothers were working as house wives that is found. Vaccination of mothers, literacy levels, but only the mother of the children was found to be highly relevant for vaccination. Such a high percentage of mothers and vaccination of children vaccinated because their husbands were educated mothers, whose vaccination seemed to have a positive effect. Mother and child health household income also proved to be a good indication. Mothers whose household income, not just themselves but also their infants than were vaccinated got the vaccine. Mother's occupation was concerned, as it will be a good indicator of the vaccination, but vaccination of children was not a good sign as it was.

Bamji *et al.*, (2004) improved rural health care outreach, an experiment in Andhra Pradesh (AP) Narsapur mandal of Medak district of the five non-Integrated Child Development Scheme (ICDS) Villages (population 4400) in was. With the seventh-grade level of education equivalent to a local women (one per village), preventive and curative health care, and had been trained in aspects of nutrition. The women's health, nutrition, hygiene and family planning, the community, especially women advice. All pregnant women, prenatal check-ups, iron folic acid tablets, to ensure compliance record blood pressure in pregnant women identified risk and pays community, which for the treatment of minor ailments Login. Birth weight (wherever possible) with age and cause deaths, and births records are maintained. Both groups of women can work in tandem so that 'dais' (traditional birth attendants) also being trained. A monthly allowance is paid, the daily wages of Rs.5 / training and small incentive money is given for days - for each reported event. After three years positive results were significant improvements in nutritional knowledge of mothers, and mothers' behaviors related to food, and infant feeding, increasing institutional delivery; PERINATAL and child mortality, (child After three years of decline and even death), and the reduction in morbidity and loss in preschool children (Bitot spots) Vitamin events. Only minor improvements in child nutrition, and around 20% in the incidence of low birthweight who had no improvement.

Kaplan's *et al.*, (2004) identified a breast abnormality in the low-income women to determine what factors affect the follow-up care. 535 respondents, 8.6% received no follow-up care. With follow-up care of those, 29.4% poor maintenance (not start-up in a timely manner or did not complete the recommended method) achieved. Factors affecting the recovery of any follow up a CHC vs. a hospital (or 2.79, CI 1.20-6.50), where to get care uncertainty about the patient (or 0.24, CI 0.07-0.77), and recommended Index care visit included a clinical breast examination having (CBE) (OR 0.12, CI 0.04-0.40) or a mammogram 6 months (OR 0.11, 0.04-0.31 CI) vs. a first follow-up procedures of a diagnostic mammogram. Factors affecting the realization of appropriate follow-up being white, a hospital vs CHC (or 1.90, CI 1.13-3.20) included in the index visit Care / Other Asian Pacific Islander / vs Latina (OR 5.33, CI 1.71- 16.68), a diagnostic mammogram (OR 0.06, CI 0.02-0.14), and breast cancer (OR 0.44, CI 0.22-0.89), a family history versus a mammogram recommend 6 months. Low-income women with a breast abnormality maximum return for follow-up, clear information for patients, especially in hospital settings, where to get the care that should be provided about the concluded was. In particular the importance of full and timely follow-up care or clinical breast exams and referrals for mammograms with 6 months, should be emphasized. CASW (2006) illustrated how and why the health of their income on such transactions in Canada, poor, low-income women reflected on life experiences. The effects of pregnancy on the health of a growing fetus begin considering. This will raise the child properly, or learn how to get pregnant out of wedlock, and what could not be considered. How will open, so you experience anger. If such an experience can bring a little way into the depths of despair. The hatred of your family, or perhaps even a child can mean so much for being unwilling, to provide you with health care doctors and nurses. If you are an unmarried woman, sex before marriage is still a stigma, you may encounter a community of hate.

Astbury (2006) added that postpartum depression (PPD) are important consequences for both the mother and the family can have a serious mental health problem. For mothers, PPD's ability to function in everyday life affect and anxiety, cognitive impairment, guilt, fear, sleep

disturbance increases their risk for, thoughts of hurting yourself and your child can be. Furthermore, infants develop PPD to provide proper care can lead to trouble. As a result, children of mothers with PPD, cognitive, social and emotional development and the problems experienced anxiety disorder and major depression in childhood and adolescence may be more at risk. APA means of PPD, the differences among racial and ethnic groups, and treatment and NIMH supports research and cooperation on this issue with NICHD finding opportunities to encourage ORWH.

Alexander *et al.*, (2007) said that the health needs of women in mid-life change concluded that entering. And knowledge of cancer, diabetes and other health conditions as the screening of a number of cardiovascular and other chronic diseases management, is necessary. During a woman's age, mental health services, many of womanhood overall health during later years, as well as prescription drugs, long-term care facilities, and community-based care services affecting access. He strongly involved in their health and wellness education for women to support efforts, holistically the emotional, social, environmental, physical, mental and spiritual realms wellness defined to include. Violence against women through research and intervention that demands our attention has become a global social epidemic that was found. Gender-based violence affects women more than the physical, mental, and reproductive risk factor for psychosomatic disorders indicates that there is a growing body of evidence. The results of physical illness, injuries, pregnancy, injuries, and risk are included. The psychological consequences of suicide, depression, anxiety, posttraumatic stress disorder, eating disorders, ranging from chemical dependency, are serious.

The logo for 'iafor' is centered on the page. It consists of the lowercase letters 'iafor' in a light blue, sans-serif font. The text is enclosed within a circular graphic composed of two overlapping, semi-transparent arcs: a larger light blue arc and a smaller, slightly offset pinkish-red arc.

### **Main Findings**

- Majority i.e. 54.2% had upto Rs. 10000 family monthly income.
- A huge majority i.e. 88.3% used pipe water (WASA).
- Majority i.e. 61.7% of the respondents were drinking milk daily, a major proportion i.e. 40.8% of them were eating ruit on daily basis, little less than half i.e. 49.2% of the respondents were eating vegetable on daily basis. 40.8% were eating chicken twice a week, 40.0% o them were eating chicken weekly.
- A vast majority i.e. 89.2% of the respondents reported that health facilities were present in their locality.
- About 36.7% of the respondents got medicine from specialist doctors, while a major proportion i.e. 43.3% reported that they get medicine from MBBS doctors.
- All of those respondents (90.0%) who had child, completed health department's injection course for their child.
- The bi-variate analysis shows that there is significant association between different independent variables i.e., age, education of the respondents, family income, water quality, health facility in the locality and visit of health center and dependent variable which is the health status of women.

### **Recommendations**

It is recommended that women should make aware about the effects of using good quality water and availing health facilities available in the locality. It is also argued that the economic and educational opportunities should also be provided to enhance their socio-economic and reproductive health status.

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***Cognitive Psychology as the Background of Behavioural Strategies: Prolegomena on Theoretical Underpinnings***

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**Abstract**

The paper content is embedded in both management science, especially strategic management and cognitive psychology – mainly in terms of mental systems, processes, models, mental processes representations, and cognitive styles. It has been envisaged that a behavioural strategy constitutes the strategy of an organization described from the managerial perspective and in terms of socio-psychological determinants.

Moreover, the paper concerns the *micro-foundations* concept that frequently constitute theoretical explanation of phenomena at higher epistemological levels using constructs of lower epistemological levels. Considering behavioural strategies as being determined by psycho-social imponderables of managers (i.e. mental processes), they might be regarded in the context of the micro-foundation in strategic management.

The purpose of the paper is to present a theoretical framework ordering various perception effects regarding the influence of cognitive psychology phenomena on managers' decisions.

Consequently, the most important research questions are as follows: a) do really mental processes influence a behavioural strategy phenomenon?, and b) which are the associations between mental processes and behavioural strategies' elements, including potential moderators and mediators?

The most general key finding and contribution of the theoretical framework presented is that the cognitive psychology phenomena constitute the antecedents of behavioural strategies that influence managers' decisions as well as it is still worth considering them and incorporating in behavioural strategies research.

The method that has been used is the critical comparable analysis of literature studies and scholars' research, and interfering is deductive.

Keywords: behavioural strategy, cognitive psychology, mental processes, mental models, cognitive styles.

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## Introduction

*‘Deduction is that mode of reasoning which examines the state of things asserted in the premises, forms a diagram of that state of things, perceives in the parts of the diagram relations not explicitly mentioned in the premises, satisfies itself by mental experiments upon the diagram that these relations would always subsist, or at least would do so in a certain proportion of cases, and concludes their necessary, or probable, truth’ (Pierce, 1931-1958)*

The paper is embedded in strategic management, especially behavioural strategies concept emerging from behavioural economics’ fields (Figure 1) like, inter alia, some streams in cognitive psychology (Piórkowska, 2015). Those behavioural economics’ fields are attempted to be incorporated into strategic management.

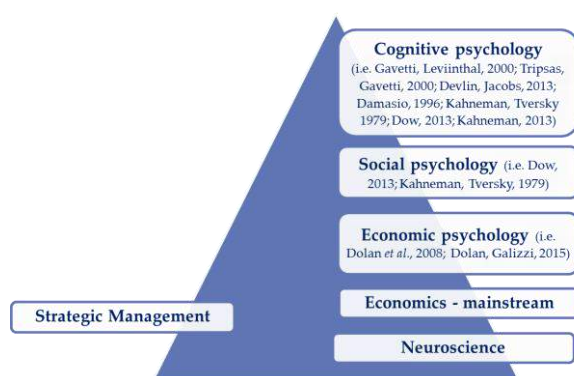


Figure 1: Behavioural strategies – background.

Hence, a behavioural strategy concept seems to live at the crossroads of i.e. social psychology, cognitive psychology, economic psychology, neuroeconomics, neuroscience, and even economics – mainstream. According to the paper content, it has been envisaged that a behavioural strategy constitutes the strategy of an organization described from the managerial perspective and in terms of socio-psychological determinants as well as under uncertainty (Piórkowska, 2014). Consequently, it is a strategy (a way of making decisions so as to adapt to environmental uncertain conditions) of a manager expressed by his/her attitude and/or behaviour, especially in the socio-psychological context.

Theoretical underpinnings of cognitive psychology phenomena, in general, encompass a) cognitive systems and processes (i.e. Kahneman, 2003; Kahneman & Tversky, 2000; Kahneman & Tversky, 1973; Kahneman *et al.*, 1990; Simon, 1979; Frederick, 2002; Gigerenzer & Todd, 1999; Gigerenzer & Reinhard 2002; Kahneman & Shane, 2002; March & Herbert, 1958; Slovic *et al.*, 2002), b) mental processes representations (i.e. Johnson-Laird, 1983; Gilbert *et al.*, 1998; Churchland, 1995; Feldman, 2006; Stanovich & West, 2000; Evans & Stanovich, 2013), c) cognitive styles (i.e. Goldstein & Blackman, 1978; Nosal, 1990; Kogan, 1983; Messer, 1976;



Witkin *et al.*, 1971; Witkin & Goodenough, 1977, 1981; Sternberger & Grigorenko, 1997).

Simultaneously, the paper content concerns the concept of micro-foundations in strategic management explaining phenomena ranging from the micro to macro levels of organizational analysis, taking the links between micro- and macro-level into consideration (i.e. Schelling, 1978; Felin & Foss, 2005; Felin & Foss, 2006; Foss, 2010), especially in terms of the behavioural strategies.

The motivation has been the attempt to systematise a behavioural strategy phenomenon in terms of its antecedents in a plausible way owing to very limited and fragmented treatment of that issue in the literature.

The purpose of the paper is to present a theoretical framework ordering various perception effects regarding the influence of cognitive psychology phenomena on managers' decisions.

The aim of the paper has been realized attempting to find the answer for the following conceptual research questions: RQ1. Do really cognitive psychology's phenomena influence a behavioural strategy phenomenon?, RQ2. Which are the associations between cognitive psychology's phenomena and behavioural strategies' content including potential moderators and mediators?

The paper is conceptual and its content is exploratory so as to enhance the state of the art in the field of behavioural strategies concept and its antecedents.

Additionally, the structure of the paper is as follows. The first section presents theoretical underpinnings of cognitive psychology's selected phenomena: mental systems and processes including (ir)reasoning, consciousness, and affected by heuristics and biases, mental processes representations, and cognitive styles. It has led to the section emphasizing the associations between behavioural strategy concept and cognitive psychology phenomena. Finally, chief conclusions have been highlighted.

### Selected phenomena of cognitive psychology - theoretical underpinnings

#### *Mental systems and processes*

In general, mental systems and processes are said to be divided into three areas: perception, intuition, and reasoning (Figure 2).

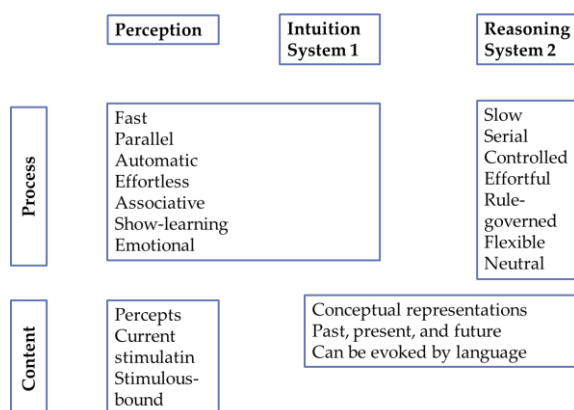


Figure 2: Cognitive systems (Kahneman, 2003).

The judgments that people express, the actions they take, and the mistakes they commit depend on the monitoring and corrective functions of System 2, as well as on the impressions and tendencies generated by System 1 (Kahneman, 2003).

Since the overall capacity for mental effort is limited, effortful processes tend to disrupt each other, whereas effortless processes neither cause nor suffer much interference when combined with other tasks.

A defining property of intuitive thoughts is that they come to mind spontaneously, like percepts. The technical term for the ease with which mental contents come to mind is accessibility (Higgins, 1996; Eitam & Higgins, 2010).

Conversely, the facility of System 2 is positively correlated with intelligence (Gilovich *et al.*, 2002), with the trait that psychologists have labelled 'need for cognition' (which is roughly whether people find thinking fun) (Shafir & LeBoeuf, 2002), and with exposure to statistical thinking (Nisbett *et al.*, 1983; Agnoli & Krantz, 1989; Agnoli, 1991).

Individuals employ heuristics in order to cope with cognitive limitations (Tversky & Kahneman, 1974) – yet, heuristics lead to systematic errors. The authors paid attention into cognitive biases that stem from the reliance on judgemental heuristics and they described three heuristics employed to evaluate probabilities and to predict values as well as biases to which those heuristics lead. The first heuristic is called the representativeness one – probabilities are evaluated by the degree to which A is a representative of B. The representativeness heuristic is also included in a broader class of prototype heuristics, which share a common psychological mechanism of the representation of categories by their prototypes and a remarkably consistent pattern of biases (Kahneman, 2003, p. 1463). The second (availability heuristic) helps assess the frequency of a class or the probability of an event by the ease with which instances or occurrences can be brought to mind. The availability heuristic leads to the following biases: biases due to the retrievability of instances, biases due to the effectiveness of a search set, and biases of imaginability. The last Tversky & Kahnemann's heuristic is connected with adjustment and anchoring – people make estimates by starting from an initial value that is adjusted to yield the final answer. This heuristic leads to the biases in the evaluating conjunctive and disjunctive events.

Judgment heuristics are applied in a wide variety of domains and share a common process of attribute substitution in which difficult judgments are made by substituting conceptually or semantically related assessments that are more simply and more readily accessible (Kahneman & Frederick, 2005).

As a consequence, intuition and accessibility to certain thoughts are salient, and even if they produce judgmental biases, they show how some decision-making processes arise from pre-analytical mechanisms.

Mental systems and processes have impact on creating so-called mental models and mental processes representations.

#### *Mental processes representations*

Mental processes representations reflect psychological impression about representations of real, hypothetical or imagined situations produced by human

thinking techniques (i.e. Johnson-Laird, 1983; Gilbert *et al.*, 1998; Churchland, 1995; Feldman, 2006; Stanovich & West, 2000; Evans & Stanovich, 2013). The representations produced by the techniques of human thinking on specific issues have been called, for instance: a) concept maps (Bilal & Wang, 2005; Carvalho *et al.*, 2001; Craik, 1943; Freeman, 2004; Novak, 1998), b) mind maps (Buzan, 1995), c) cognitive maps (Chown, 1999; Eden & Ackerman, 1998; Kearney & Kaplan, 1997; Peruch *et al.*, 2000), d) mental models (Craik, 1943; Johnson-Laird, 1989; Jonassen, 2004), and e) the other labels: cognitive models, mental maps, conceptual graphs, knowledge maps, knowledge visualizations, semantic networks, semantic webs, and topic maps (Cole *et al.*, 2007). The difference between mental models and the other names is that mental models exist inside individuals and reflect their mental systems and processes, while the other concepts refer to particular techniques, which through codes represent human mental processes. In analysing mental models, the characteristics, categories and classification schemes ought to be established. Nevertheless, there is a limited literature (i.e. in education, information science, chemistry (Cole *et al.*, 2007; Dayana *et al.*, 2013)) on ascertaining mental model characteristics (i.e. directions: horizontal, vertical, or equal) and categories or on the ways of categorizing mental models, concept maps, and the other notions.

Barsalou (1999) as well as Markman & Dietrich (2000) regard that cognitive science ought to eschew abstract representations in favour of representations rooted in perception.

It is regarded that mental processes and systems as well as mental models and mental processes representations determine the ability to apply a particular cognitive style.

### *Cognitive styles*

Cognitive styles constitute the phenomenon in cognitive psychology and refer to the individually dependent and preferred ways of operating that people are disposed to select from the repertoire of cognitive behaviour possessed. The 'cognitive style' notion is related to the notion 'cognition' that is an assembly of mental processes that includes awareness, perception, reasoning, and judgment. Jung (1923) postulated that personality comprised of three facets each with a continuum description: attitude, perception, and judgment. Undoubtedly, the prominent initiators of cognitive styles are also Holzman (1960) and Scheerer (1953) who were describing so-called cognitive controls as the expression of personality in the cognitive sphere operating as peculiar tools to realize basic personality tendencies and to mediate between an individual and external environment. In a similar vein, Goldstein & Blackman (1978, p. 4) define a cognitive style as 'a hypothetical construct that has been developed to explain the process of mediation between stimuli and responses. The term cognitive style refers to characteristic ways in which individuals conceptually organize the environment'.

The scholars have examined a great many dimensions (variables) describing cognitive preferences, i.e. conceptual differentiation (Gardner, 1953; Gardner & Schoen, 1962) determining an equivalence range and illustrating adaptive functions of cognitive regulators as the personality tools, levelling – sharpening, extensiveness of scanning, constricted – flexible control, or tolerance for unrealistic experience (Nosal, 1990). What is crucial, a cognitive style has polar nature and the dimensions used for describing it are bipolar.

The paper is focused mainly on the four dimensions of a cognitive style: reflection – impulsivity, field dependence – independence, holist – serialist (abstract – concrete), and deep-level/surface-level processing. Impulsivity is a tendency to give fast answers and make many mistakes. In contrary, reflection means a tendency to long thinking and making fewer mistakes. The dimension reflection-impulsivity is also called ‘conceptual tempo’ (Kogan, 1983; Messer, 1976). It is worth mentioning that there is some hesitation whether that style applies in only high-uncertainty situations (Sternberger & Grigorenko, 1997). It is also important to note that impulsivity, as a cognitive style, is not the same as possessing impulsive personality traits (Sternberger & Grigorenko, 1997). The dimension field dependence – independence reflects the extent to which perception is determined by general perceptual field organization (Witkin *et al.*, 1971; Witkin & Goodenough, 1977, 1981; Witkin, 1978; Witkin *et al.*, 1977). Most people are on a continuum between being completely field dependent or field independent. According to Witkin *et al.* (1977, p. 8), ‘the individual, who, in perception, cannot keep an item separate from the surrounding field – in other words, who is relatively field dependent – is likely to have difficulty with that class of problems...where the solution depends on taking some critical element out of the context in which it is presented and restructuring the problem material so that the item is now used in a different context’. That dimension constitutes also a cognitive component of psychological differentiation.

The holistic – serialistic cognitive style was examined by Pask (1976). Holists tend to attempt to understand the overall principles and will develop and test multiple hypotheses at one time. By contrasts, serialists, or operation learners, proceeds with one hypothesis at a time and tend not to think about a larger global view of the problem. The holist – serialistic dimension of a cognitive style is congruent with the dimension called abstract – concrete (Goldstein & Scheerer, 1941) determining preferences concerning the generality level of used cognitive categories (visualizers *versus* verbalizers). Similar to the holist – serialists distinction is also Marton and Säljö’s deep-level/surface-level cognitive style research (Marton & Säljö, 1976). Deep-level processors, like holists, tend to quickly grasp the overall concepts and are rather intrinsically motivated, yet they might sometimes miss the details (globetrotting). Likewise, surface-level processors, like serialists, are concentrated on the details, require extrinsic motivation, and might sometimes miss the global view of a problem (improvidence).

Obviously, there are some inconsistencies present in the scholars’ debates on cognitive styles research that have not been taken into account in above considerations, for instance, the associations between particular cognitive styles’ dimensions and intelligence (i.e. Ridding & Cheema, 1991), either personality, or the connections between cognitive styles and learning styles or strategies (i.e. Entwistle, 1981; Roberts & Newton, 2000), however, those issues do not constitute direct interest of the paper.

## **Cognitive psychology and behavioural strategies – forwarding the debate**

The literature review implies a brief discussion concerning how mental processes, systems, models, and their representations influenced by heuristics and cognitive biases as well as cognitive styles might relate to behavioural strategies concept. Mental systems and processes (perception processes, intuition, and reasoning) influence the employment of mental models and mental processes representations. On the other hand, cognitive and mental mechanisms and systems are under impact of cognitive limitations that lead to various heuristics and those, then, to particular biases. Those processes, mechanisms, and representations determine the type and character of cognitive styles usually implemented by individuals in a particular context. In recognition of those facts, it is proposed to elicit how cognitive psychology phenomena described might be associated with behavioural strategies understood, in general, as managerial attitude/behaviour invading formal strategies in the enterprise. Hence, the following presumptions have been made:

*Presumption 1:* Mental systems and processes influence mental models and mental processes representations.

*Presumption 2:* Cognitive limitations affect cognitive and mental processes, models and their representations as well as create heuristics leading to biases.

*Presumption 3:* Mental systems, processes, models, their representations have direct or indirect impact on cognitive styles.

*Presumption 4:* Cognitive styles influence the character of behavioural strategies.

Those four presumptions deductively lead to the following conceptual proposals:

*Proposal 1:* Envisaging that a behavioural strategy in terms of managerial particular attitudes/behaviour under uncertainty constitutes an independent variable in the potential research framework, mental and cognitive processes, systems, models and their representations might constitute a dependent variable.

*Proposal 2:* Envisaging that a behavioural strategy in terms of managerial particular attitudes/behaviour under uncertainty constitutes an independent variable in the potential research framework as well as that mental and cognitive processes, systems, models and their representations constitute a dependent variable, heuristics and biases could be insinuated as potential mediators.

*Proposal 3:* Envisaging that a behavioural strategy in terms of managerial particular attitudes/behaviour under uncertainty constitutes an independent variable in the potential research framework as well as that mental and cognitive processes, systems, models and their representations constitute a dependent variable, cognitive styles might be encompassed as potential moderators.

The potential associations between cognitive styles and behavioural strategies are presented in the table 1.

Table 1. Cognitive styles and behavioural strategies.

Dimensions	Cognitive style	Individual contextual (managerial) attitude/behaviour
Reflection - Impulsivity	Reflective	Convergent, intolerant to cognitive risk, systemic, controllability, preferring strong reinforcement – even deferred in time
	Impulsive	Divergent, tolerant to cognitive risk, preferring fast reinforcement, not systemic
Field dependence – Independence	Field dependent	Subordinate, cooperative, global, conformity
	Field independent	Selective, analytical, anti/non-conformity
Holist – Serialist (abstract – concrete)	Abstract	Complex, ambiguous, flexibility, independence
	Concrete	Simple, unambiguous, inflexibility, dependence
Deep-level/Surface - level processing	Deep processing	Complex, ambiguous
	Surface processing	Simple, unambiguous

Bipolar dimensions of cognitive styles and their characteristics involve particular contextual type of the individual attitude/behaviour – a behavioural strategy. Undoubtedly, it merits further exploration and requires deepened studies in that field. Summarizing, these implicitly delineated important potential *explanans* of behavioural strategies ought to be untangled in the further research.

## Conclusion

The paper content proceeds from the behavioural strategy concept in strategic management and cognitive psychology phenomena as well as constitutes the prolegomena on theoretical underpinnings in terms of cognitive psychology as the background of behavioural strategies. The exploratory literature studies have examined and unveiled some cognitive psychology phenomena that might influence a behavioural strategy.

Referring to the conceptual research questions revealed in the paper, the following ascertainment have been made.

*Ascertainment 1.* Cognitive psychology's phenomena influence a behavioural strategy phenomenon.

*Ascertainment 2.* The cognitive psychology phenomena, by those managers are affected, like mental processes, systems, models, their representations, heuristics, biases, cognitive styles, etc. might constitute the antecedents of selected managers' attitudes/behaviour that influence managers' decisions.

It is worth being alluded that the cognitive psychology methodology gives the methodological directions for researching behavioural strategies in terms of combining quantitative methods and qualitative ones and could be partially incorporated into examining behavioural strategies. Nonetheless, there is a challenge to scrutinize and operationalize all dimensions and variables.

There are limitations of combining cognitive psychology and behavioural strategies since it is difficult to distinguish between *stricte* behavioural and more 'rational' explanations. Finally, there is a problem in attempting to incorporate models of irrational behaviour into general deductivist framework, however, researching behavioural strategies in the context of, inter alia, cognitive psychology might contribute to the development of the emerging field in strategic management dubbed – a behavioural strategy.

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*Community Empowerment to Enhance Demographic Awareness:  
An Educational Approach from Indonesia*

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**Abstract**

The study implemented 'operation research' aimed to enhance demographic awareness through educational approach that emphasized community empowerment. The study was conducted in two phases – Mapping and Intervention. Firstly, the mapping phase data was collected using an observation and a survey technique upon people living at Village Sungaitohor, Meranti Island, Riau Province, Indonesia. We identified five aspects related to demographic awareness: Knowledge on demography, Availability of data about demography, Family empowerment, Health behavior, and Social aspects. Accordingly, this mapping phase has resulted the new model to community empowerment constructed on the basis of educational approach. Secondly, at the Intervention phase we conducted the new model by implementing programs associated with education, training, and counseling. We concluded that demographic awareness of people involved in this study have enhanced.

Keywords: Indonesia, education, community, empowerment, demographic awareness

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## **Introduction**

This paper is about using ‘operation research’. As its name implies, operations research involves ‘research on operations’ that is applied to problems concerned on how to conduct the operations. Operation research attempts to search for a best solution for the model that represents the problem under consideration. (Hillier, F.S. and Lieberman, G.J, 2010). Additionally, two other characteristics of operation research are: implement the scientific method and requires a group of individuals having diverse backgrounds and skills using a team approach.

In this study, the idea of ‘operation research’ initially proposed by the The National Population and Family Planning Board (BKKBN) that stands for Badan Kependudukan dan Keluarga Berencana Nasional. The BKKBN is a government body committed to the five missions, two of them are: to mainstreaming population-based development, and to facilitate the family development. The BKKBN implements its programmes through partnerships regionally and globally with any potential reputable organization, including higher education institution.

In Riau Province, representative BKKBN has long been maintained active partnerships with University of Riau (UR). This current ‘operation research’ was one of several collaboration between the two institutions. The intention of the ‘operation research’ was to build the community that could become a best practice in term of demographic awareness. To build is meant to enhance demographic awareness of targeted community using educational approach that emphasized community empowerment. To meet this intention we, the BKKBN Riau Province and the Center for Women's Studies at University of Riau, ought to determine an eligible community that represent Riau condition geographically and socially.

The term of demographic awareness came up as an undeniable topic discussion lined with the issue of population growth. Commonly, demographics can be interpreted as text or picture of the population. Moreover, demographic can be discussed from both point of views – in numbers quantitatively and descriptive qualitatively.

Malthus (1766-1834) argues that population growth will outstrip the food supply. As a result, at some point there will be a large difference between the population and the necessities of life. Additionally, there are number of events that could inhibit the rate of population growth. He distinguishes between events that are beyond human power (positive checks) such as natural disasters and infectious disease; and things that can be cultivated by man himself (preventive checks) such as delaying marriage and birth control. However, Malthus was not sure about the results of preventive checks because only effective in countries that have not developed.

Along the population growth, there are two sides opinion from Malthus theory. The first critics, Malthus did not take in to account the advancement in technology, especially in Agriculture sector. New technologies allow massive increase in food productions. This critics was in line with Tiffen and Mortimore (1994) in Malthus controverted: The Role of Capital and Technology in Growth and Environment Recovery in Kenya.

On the other hand, John S. Mill, an English academics and economist, excepted Malthus argument. He agreed that when numbers of population were not handled seriously, it would more beyond the meals availability. He added with the axiom that on an certain situation, population (in group or individually) might influenced their demographic behavior. For example, people with high productivity tended to receive idea of small family, therefore lower fertility. High or low of fertility level was determined by people them self. In conclusion, it was an urgent to increase social economic status to poor people by education.

Mill's argument was the base for us to manage the program set for rural community in Riau Province. Our concern was not the quantity of the population rather to the social aspect, to encourage healthy lifestyles, nutrition and social interaction

Currently, Indonesia has been attention to 'demographic bonus' or 'demographic dividend'. It describes to the case where the age structure is characterized by a high proportion of people in the working ages compared to the non-working ages. Hayes, Adrian and Setyonaluri (2015) quoted from Mason (2005) who argued that "Countries with heavy concentrations of populations in the working ages have an inherent advantage to produce high levels of per capita income". On the contrary, worse situation might occur if the said population are unmanageable by an unavailability of jobs or inadequate educational institution. This scenario become our main concern.

The above dilemma was the basis of our research and to find out the best practical guideline for this 'operation research' on demographic awareness. In term of demographic awareness, first we defined a population as the total number of persons inhabiting a country, city, or any district or area. Moreover, referring to Legislation on Population Growth and Family Development issued by Indonesian government, NO: 52/2009, the term of demographic awareness refers to, level of knowledge and behavior of certain people on demographic information and issues, including structure, growth, deployment, mobility, welfare, concerning politics, economic, social, cultural, environmental as well as locals. Accordingly, to attain the main purpose of the 'operation research', we suggested two guidelines, educational approach and community empowerment. We explain the above guideline:

The first guideline was educational approach. When the focus is directed to adult, this is known as Andragogi. Acording to Pannen (1997), Andragogi is a process to encourage people's curiosity and lifelong learning (Suprijanto, 2009). Education process for adult can only work when there is a motivation, ability to make a decision and mature psychologically (Pannen, Paulina, dan Ida, 1997).

The second guideline was community empowerment. As defined by Rappaport (1984), empowerment is a 'process by which individual, communities and organization gain mastery over their lives (Castro-Palaganas, 2014). Castro quoted Lather (1986) and Grace (1991, to mention that empowerment is a process that occurs on many levels. Of utmost importance is the concept that empowerment is not simply an individual act, rather, it is fundamentally a process of collective reflection and action, in which previously isolated of individuals become protagonists in shaping society according to their shared interest. Empowerment involved analyzing ideas about the causes of powerlessness, recognizing systematic oppressive forces, and acting both individually and collectively to change the condition of life.

This outline highlighted us to determine the indicator of community empowerment for this current 'operation research' as a process of activities to attain community enhancement on demographic awareness on the basis of educational approach. Our next subject was how to deal with the challenges to achieve the main objectives of this current study. The following is our explanation.

### **Research Method**

The research was taken at the Village of Sungaitohor, Riau Province, Indonesia. Where and Why Village Sungaitohor?. Indonesia is a developing country located in south east Asia and close to Singapore and Malaysia. As a typical archipelago country, Indonesia has five big islands. One of them is Sumatera. Sumatra also known as the sixth largest island in the world. Sumatera itself has 10 provinces; and one of them is Riau Province. To be detailed, Riau Province has 12 regions, and one of them is the Region of Kepulauan Meranti where Village Sungaitohor is located. The village is a typically island surrounding by archipelago area with a unique community in term of demographic awareness. It is the youngest island in Riau formed in December 2008 right after forming the extended Region of Kepulauan Meranti or Meranti archipelago.

Sungaitohor geographically is a remote coastal area, however, its reputation was not parallel to its isolated location. Many good things have been achieved and been performed well at last five years. Women here are very active involved and contributed to the family income. Almost every house has a hand wash basin in front of the house. This is a physical evidences reflected health behavior as well as reflected certain level of demographic awareness in Village Sungaitohor. This is the reason why Village Sungaitohor was selected.

This study took a form of Operation Research (OR) that applied the method Participatory Rural Appraisal (PRA). The OR approach emphasized the answer to the problem based on the new model-constructed prior to the intervene. Practically, this study was conducted in more than a year, started from October 2013 until February 2015, with (2) major phases – Mapping phase and Intervention phase.

In mapping phase, data was collected using observation as well as survey techniques obtained from people living at Village Sungaitohor, conducted at the first 5-month. Research population was all residents of Village Sungaitohor. We applied total sampling technique. The survey stuff designed based on five aspects related to identify the existing demographic awareness: (1) Knowledge on demography, (2) Availability data about demography, (3) Family empowerment, (4) Health behavior, and (5) Social aspects.

Data gathered earlier from survey technique then was reviewed through observation technique, and finally was discussed in many FGDs (Focus Group Discussion) stage. Last stage in this mapping phase has resulted a new Model to Community Empowerment that intended became a guidance to the next phase – the phase of Intervene.



The FGDs were conducted by involving several parties, including the National Population and Family Planning Board (BKKBN) Riau Province, experts from Center for Women Studies UR, Local government in various sector, Leaders of Village Sungaitohor, local community cadres, and other potential persons. The second phase is the intervene action based on the model designed. Intervention phase was conducted by implementing programs associated with education, training, and counseling. This point where an education approach was took important part.

## Result and Discussion

Community living in Village Sungaithor was represent people of coastal communities, living with highly dependence on natural (land, forest, and river/sea); therefore their social structure was supported by the local culture, namely Malay culture, and physically live in waters with a fairly difficult accessibility.

The following is Table.1 that presented existing condition data over 5 aspects of demographic awareness.

**Table 1 Indicators and Level of Demographic Awareness**

Aspects	Indicators	Level of Demographic Awareness
Knowledge on demography	(1) Knowledge on issues and information of population	Moderate
	(2) Productive age	Moderate
	(3) Attitude on awareness in protecting green environment	Good
Availability of data about demography	(1) Availability data and mapping of Life-being family	(Not available)
	(2) Monogafi Program of Family Planning	(Available but not updated)
	(3) Availability data and family of Micro Family	
Family empowerment	(1) Participation on the Family with Toddlers Counseling Program	Moderate
	(2) Participation on the Family with Teenagers Counseling Program	Moderate
	(3) Participation on the Family with Elderly Counseling Program	Moderate
	(4) Toddler participation within the Health Centre activities	Moderate
	(5) Participation within UPPKS - activities to increase income to gain life-being family	Good
Health behaviour	(1) Implementing health behavior dally	Excellent
	(2) Monitoring pregnancy regularly	Excellent
	(3) Health insurance for poverty family	Excellent

	(4) Health monitoring and services for toddler organizing by health centre	Good
	(5) Health monitoring and services for elderly organizing by health centre	Excellent
Social aspects	(1) Adequate health house	Excellent
	(2) Neighborhood–watch security system	Excellent
	(3) Social charity activities	Excellent

#### Note for planned action

Excellent : Keep on/continue with guidance

Good : Intervention with guidance

Moderate : Intervention with guidance, counseling, & training in a certain period

From Table 1 we could highlight three potential variables. First is Knowledge which resulted at moderate level. Second is Availability data which resulted at moderate for data not available or available but not updated speedily. Third is Family empowerment which resulted mostly on moderate level. In the meantime, the level of excellent mostly marked by aspects of Health behavior and Social aspect. Therefore, an early conclusion could be drawn that three aspects indicated level of demographic awareness of people in Village Sungaitohor ought to be followed by necessarily actions and two others would be handled by remedial action, such as consultation. Following is some notes for planned action. An ‘excellent’ category meant that the level of demographic awareness has indicated with self-governance, most people identify fit with indicators, and values has embedded within their daily life. Such particular level might just need to be kept on and continue with open communication among community and local government. A ‘good’ category meant that the level of demographic awareness has conducted partly satisfactorily, therefore this level should be intervened by action plan such as counseling and guiding. The ‘moderate’ one explained that level of demographic awareness lead to low satisfactorily which was recommended by action plan including training, visiting, and counseling.

In addition, the Availability data on demographic was expected being processing periodically at any time. This unfavorable data were not supported by well information system. Information systems in Village supposedly function electronically at all levels of sub-district, district, provincial and national.

Starting from those existing data displayed on Table 1, we then carried out some FGDs to produce a New Model of Community Empowerment on the basis on educational approach and community empowerment. Look at Figure 1.

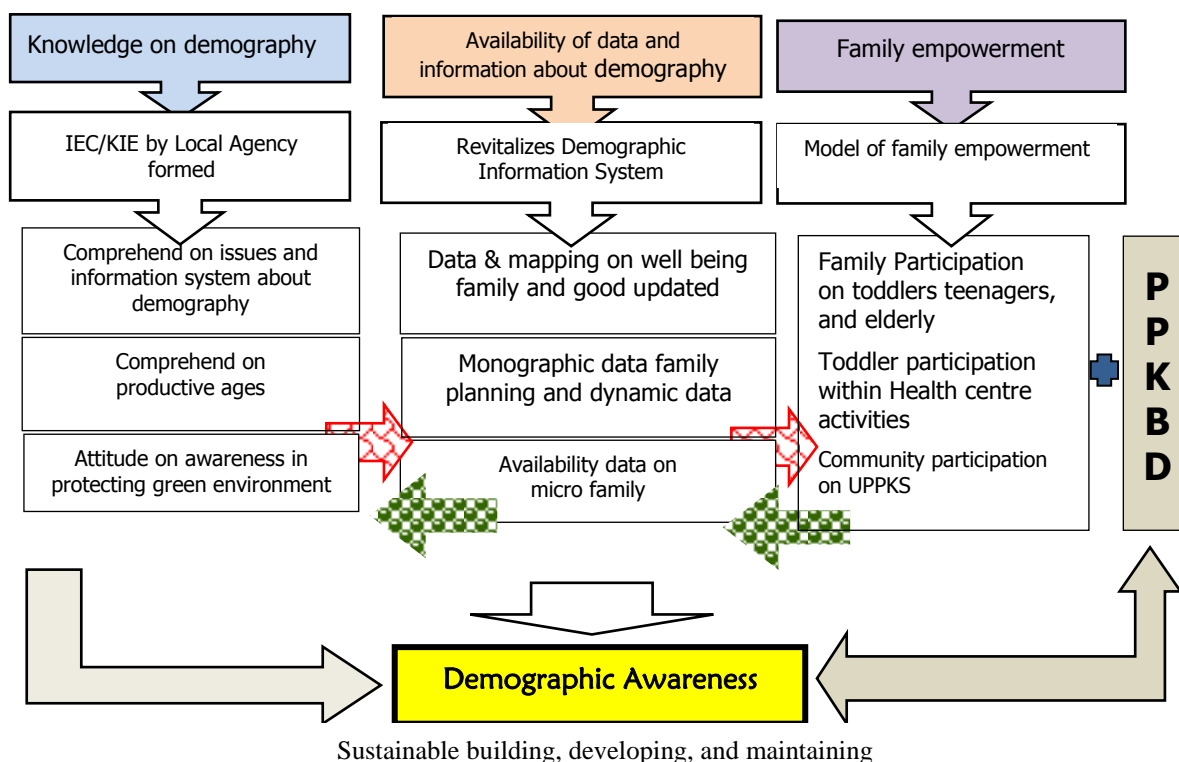


Figure 1 Model to Community Empowerment on Demographic Awareness at Village Sungaitohor, Riau Province Indonesia

The Fig.1 is a grand thought to conduct programs of enhancing demographic awareness to people in Village Sungaitohor. The essence of this strategy was initiated a process of community empowerment that require based on continuous self-reliance. The model of intervention we designed or re-construct in this study was the model based on family empowerment emphasized on education, training, and counseling. In short, empowering community with educational approach should be simultaneously and integrated approach. Later, action would be conducted by implementing programs highlighted to certain targeted community.

The thought started by given a focus on three aspects at the first layer – Knowledge, Data availability, and Family empowerment. The second layer is the ideas of solution that later would present at Figure 2. The next layers reflected ideas of detailed operational programs based on educational approach and community empowerment. This layer should be understood and be done in a circle orientation. At any program constructed should be carried out side by side likely a cycle and not any program justify better or more significant than other. By considering and implementing all parts within the grand design we then forward to the main propose of ‘demographic awareness’.

Following is the Figure 2 that present how the second layer at Fig. 1 was conducted.

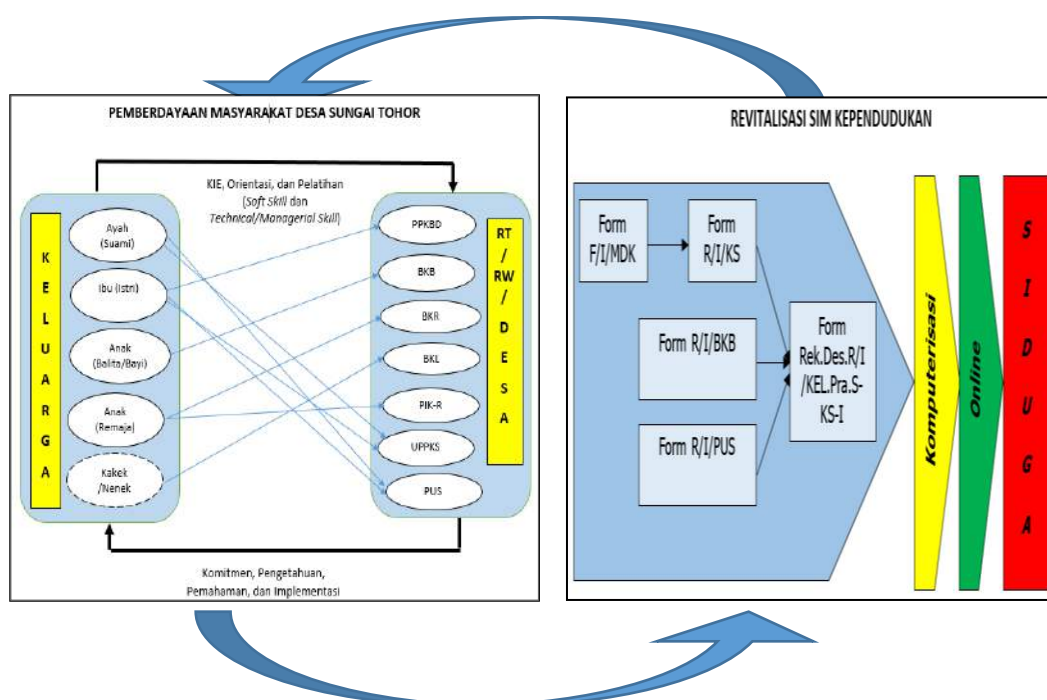


Figure 2 Community Empowerment on Aspect of Availability of Demographic Data for Community at Village Sungaitohor, Riau Province Indonesia

Referring to Fig. 2, there are two boxes – left and right. The left box focused on human development which consisted two components: a KELUARGA means a family and a RT/RW/DESA means a society organization. These is a typical Indonesian situation. The Family component encompasses individual members, while the Society organization encompasses units that support community activities such as PUS for potential/productive couple, PIK-R for information and counseling centers for youth, BKB for Support program for family with toddlers, and BKL for Support program for family with elderly. To create program with educational approach, these elements of two components within a left box should be integrated each other that eventually would build community empowerment.

The right box called Information revitalization. The aim is improving the availability of data and information on population in the Village Sungaitohor. Taking into consideration for long usefulness is to build a system of SIDUGA, stands for an Information System for Population and Family. The availability of data and information should be in computerized form to be able provide data for the regional, national, and internationally. It was clear that information system on demographic practically was carried out by special person, on the other side, community empowerment efforts must be done essentially by empowering all components of villagers at Village Sungaitohor, starting from the smallest unit, the family, both nuclear and extended families. They all were expected to participate provide any information such as movement of their members' family.

Accordingly, how to make them 'powerful', was done by the term of Information, Education and Communication (IEC), orientation and training in order to equip them with the knowledge and expertise related to the development of rural communities pertaining to the population.

The IEC, orientation and training was one of the main forms of capacity building which aimed to enable each individual in accordance with the position and function of each in the family level. For example, the mother who also has role as the wife has morale responsibility to engage in social activities. Those multiple role of the mother reflect her existing as well as at the organization at the concept of a support program for family. The concept of support program for family, moreover, mother with toddler(s) was required to engage as health volunteer for the community as an unpaid assistant. On the other side, in her capacity as a wife, then she was required to comprehend as well as choosing and precise in choosing a contraceptive mode truthfully, numbers of children consider good for the family about an ideal of child birth pause. Therefore she must be active in the program that was driven by local agency for family planning.

Such above illustration on a higher level could become a highlight as well as justification why each component of families member should be empowered through IEC (KIE), orientation, and training, namely capacity building. The vehicle of capacity building initially would foster and/or increase their commitment, knowledge and understanding. Furthermore, those efforts in turn would make each individual were able to initiate and create progress idea and concrete steps in accordance with their own capacities and capabilities.

Implementing the model of community empowerment displayed could be taken together and parallel. While the community empowerment steps and measure were carried out in conjunction with steps and measures as well to revitalize the management information system (MIS) of demography that has not been built yet at Village Sungaitohor. This step was philosophically adapting the concept of empowerment was based on the independence of information. The rest issue on how to recreate the data recording mechanism and demographic information that serves as an input in the process of formulating a wide range of policies, both at the village, district, county, was strongly seriously taken higher consideration by autonomy at the provincial level. For example, the remedy for the aspect of Availability of data about demography should be performed as a cycle. Not only transfer knowledge needed, it need orientation and training which would involved other parties especially local government at any business sectors. The community empowerment in term of information system should be revitalized and proceed continuously and interrelated.

Educational approach lead several programs associated with education, training, and counseling. Most enhancement programs were connected each other, and programs listed below was grouped orderly chronologically.

1. Formed community unit. Forming a community unit is a requirement step to facilitate the operation research. There was a community unit has formed, namely: PPKBD, a local development centre for family planning. This unit lead by the lady of village leader. Meanwhile, other community units have been established already previously, such as a PIK-R for Information and Counseling Centers for youth, and a BKB for Support program for family with toddlers, as written at the left box at

- the Fig. 2. It was done on the basis of KIE concept – or IEC Information, Education, and Communication.
2. Doing transfer knowledge and information periodically, related to knowledge on demography, infant care, building independence to elderly, participating family with toddler, teenagers, and elderly, and others. The subjects are individually as well as group interest basis. Part of this number was a training to practice filling out forms relating to population records. Next training topics would be on computerized outline.
  3. A visiting program. It is a comparative programs to a better or a running well community unit located outside Village Sungaitohor, jointly by cadre represent a three support programs – BKB for toddlers, BKR for teenagers, and BKL for elderly.
  4. Program of guiding and consultation for units. To improve participation of family member as well as community units, we created the programs of mentoring. This is a kind of capacity building goal. We encourage each unit, as well as community in large, to construct some agendas and implement them under our mentoring. Some programs created were a visiting program for elderly and pregnant women, and a competition program amongst health infant and toddlers.
  5. Establish collaboration between local community units with autonomy regionally such as government as well as inter-sector unit/organization related. The main is to build governance collaboration and maximize the purpose of the study. This program in the future should be a priority agenda to solve some obstacles occurred during implementation.

### **Conclusion**

There was an enhance level of demographic awareness for community in Village Sungaitohor on some particular aspects. Education approach that was suggested in this ‘operation research’ was appropriate and much beneficial. However, we had to realize that enhancement was not an easy to achieve in practice. Some reasons to say that any programs of community empowerment should be followed by action plans, monitoring them as a never ending process and scheduled for long term. In addition, since the community development was not a quick fix for day-to-day operation, it is necessary to educate people with the purpose of self-empowerment.

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*European Enlargement and Women: An Analysis on Turkey*

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**Abstract**

The EU's recent economic and political stalemate has found its most obvious reflection in the European Commission's new president Mr. Jean-Claude Juncker's statement on halting further enlargements during his presidency. Those who are fighting for better democratic standards in Turkey are certainly disappointed with Mr. Juncker's mission letters, although the relations between Turkey and the EU was at a virtual freeze in the past years. This paper will focus on the reforms made for ensuring women's human rights since accession negotiations began with Turkey, and how women's achievements might relapse once the EU membership carrot disappears. Although legislation and action plans are adopted and implemented in the field of women's human rights and gender equality; there might be fall backs in women's access to education and the labour market, political representation, combatting violence against women, honour killings and the issue of early and forced marriages, all of which remain a serious concern in the Progress Reports. Press news indicate that 853 women were killed by their male family members in 2010-2013, and none of the government ministers have any remarks on the issue. This paper will analyze the ups and downs of women's achievements in the period of 2005-2014 by looking at the legislative reforms, implementation of the new laws and regulations and their reflections in the society. What might be lost with the postponing of enlargement or rejection of Turkey's membership will be speculated based on past implementation.

Keywords: Enlargement of the European Union, Political Conditionality, Turkey, Women's Human Rights

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## **Introduction**

The European Union (EU), the outcome of the dream to stop wars in the European continent by economic integration, successfully integrated 28 European states and more than 500 million European citizens in the past 65 years of its foundation. Having started as an economic integration movement, it is now a huge body that is active in various policy fields from agriculture to fisheries, social policy to environmental policy, transportation to foreign relations. It is a sui generis organization, one of its kind, combining supranational and intergovernmental characteristics in certain policy areas.

However, the European integration movement did not only result in bringing together various European states under an economic roof. The EU has also created European values, and the idea of what being European is. Therefore, the EU is a norm creator, and has developed, in the course of time, the European identity and the criteria to be fulfilled in order to be defined as a European country.

EU's identity is a collective one and is forged, as Bretherton and Vogler (2004: 6) put it, by 'shared understandings, both within the EU and among third parties, about what the EU is, in terms of its character and its values, and what it should (or should not) do, in terms of its external policies and actions. Identity is, thus, an important aspect of the Union's international presence', where presence 'combines understandings concerning the fundamental nature, or identity, of the EU and the external consequences of the Union's internal priorities and policies'.

The sui generis character of the EU is an important factor in formulating its distinctive collective identity. This point is closely related with Turkey's membership attempts in the European Union. Turkey's candidacy is a challenge, not only for Turkey, but also for the EU as Turkey's membership attempts are raising questions on what being European is. Turkey is the longest waiting candidate for membership, applied for membership to the European Economic Community in 1959, the Agreement Establishing and Association between the European Economic Community and Turkey (Ankara Agreement) was signed in 1963, and a Customs Union was established between the contracting parties in 1995. Turkey applied for full membership to the European Community in 1987, and was rejected in 1989. The Commission's opinion on Turkey's accession was negative, not because of civilizational or 'inherent' differences, but because the EC was not ready to accept new members mainly due to "new ambitions of European integration resulting from the Single Act" which would prevent the Community from accepting new member states before 1993, and Turkey's geographical, demographic, economic and political conditions (Commission Opinion on Turkey's Request for Accession to the Community, December 20, 1989). Throughout the 1990s, Turkey's relationship with the EU was a complicated one. In 1995, Turkey and the European Union established a Customs Union. In 1997, right after the 1997 Luxembourg Summit, the keenness of the EU in responding to the membership demands of the newly independent Central and Eastern European countries and its ongoing hesitation towards Turkey's inclusion resulted in Turkey's breaking off political dialogue with the EU. Soon afterwards, Presidency Conclusions of the Helsinki Summit of 1999 declared that Turkey was 'a candidate country destined to join the Union on the basis of the same criteria as applied to the other candidate states'. Welcoming the 'recent positive developments in

Turkey', the EU pointed out the problematic areas that Turkey has to improve in order to realize her prospect of full membership. Further, it is stated that Turkey, like other candidate countries, would benefit from a pre-accession strategy to stimulate and support its reforms.'

The reasons behind this problematic relationship between the parties are not the topic of this article. However, it is worth mentioning that one of the problematic areas persistently brought up by the EU was the human rights record of Turkey. The 1999 Helsinki Summit, where Turkey was given a perspective for candidacy, was a turning point for the relations and Turkey's attachment to Europe. With the rising hopes for membership, Turkey started a comprehensive reform process, including major changes in the legislation concerning human rights, which in turn, triggered reforms in gender equality. The purpose of this article is to point out the reforms made during the candidacy process and show how influential they are in creating a gender equality regime in Turkey. In order to do that, the article will firstly focus on what being European is and how the EU defines, shapes and reshapes this definition. Secondly, Turkey's alignment with the EU *acquis* and thirdly, achievements on gender equality legislation will be summarized. Lastly, the article will speculate about what might be at stake if the membership perspective is lost.

### **Being European: Political Conditionality**

The EU creates European values by a typical carrot and stick policy, called "political conditionality". Political conditionality is a foreign policy tool "aimed to promote democracy and respect for human rights through the attachment of these ideals to mostly economic relations" (Usul, 2011: 30). Political conditionality works in every aspect of the Union's external relations, from its relations with the third countries to the setting of criteria for membership for those who would like to be EU members. The EU uses several tools, such as trade agreements, financial assistance and the prospect for membership in order to induce change in third countries.

In terms of candidacy for EU membership, conditionality works in terms of the requirements to be fulfilled before accession. These requirements were vaguely defined firstly in the Treaty of Rome of 1957, which states that 'any European country may apply to be a member of the Community' (Article 237). In 1962, the Birkelbach Report prepared by the European Parliament further added that: "Only states which guarantee on their territories truly democratic practices and respect for fundamental rights and freedoms can become members of our Union" (Pridham, 1991:215). Political conditionality was put into practice for the first time during the Mediterranean Enlargement in which Greece, Portugal and Spain joined the European Community after dictatorships were abolished in these countries. The democratic conditions were kept at a minimum, though, such as holding fair and free elections, and having a democratic constitution and political party system.

With the end of the Cold War, the EU needed to redefine its identity clearly, as the EU needed to formulate a new security policy towards the Central and Eastern European countries. This policy resulted in a new wave of enlargement, and as a precondition for candidacy, the membership criteria were defined in the Presidency Conclusions of the European Council in Copenhagen in June 1993 (a.k.a. the Copenhagen Criteria) for those countries aspiring membership to the European club.

The Copenhagen Criteria were necessitating, firstly, the stability of institutions consisting of democracy, rule of law, human rights, and respect for and protection of minorities. The second criteria were economic, necessitating a functioning market economy and capacity to cope with competitive pressure and market forces within the European Union. Thirdly, the adoption of the *acquis communautaire* was required (Madrid European Council in 1995 added the need for “expansion of administrative structures for effective adoption of the *acquis*”, as the *acquis* will not only be adopted but needs effective implementation once the country is in the Union). The Union's capacity to absorb new members is also mentioned as an important consideration in deciding on future enlargements.

Conditionality was put into practice for the first time during the 2004 enlargement, as candidates' performance in meeting the criteria was monitored for the first time (Kochenov, 2008: 39). The mechanisms employed in the EU's political conditionality process were introduced in the 1997 Luxembourg Summit. These are the Accession Partnership Document (a basic road map for candidate states which lists the steps to be taken for membership as under the headings of Copenhagen Criteria and updated regularly due to the candidate country's progress), National Programme (prepared by the candidate country indicating its commitment to the process and shows the methods for fulfilling the priorities set in the Accession Partnership Document), Progress Reports (an annual assessment of the candidate country by the European Commission on the basis of its progress in realizing the priorities set in the Accession Partnership Document), and the opportunity to participate in the EU Agencies and Programmes. These mechanisms were introduced for preparing the candidate states for integration. It was also concluded in the Luxembourg Summit that compliance with Copenhagen political criteria was a prerequisite for the opening of accession negotiations. The 1999 Helsinki Summit further added that compliance with the Copenhagen political criteria was a prerequisite for the opening of accession negotiations whereas compliance with the entire Copenhagen criteria was required for accession to the EU.

By establishing criteria for conducting and deepening relations with a certain country, the EU is setting the criteria, and therefore, establishing asymmetrical relations in which it sets the rules. The candidate countries for EU membership have to meet the requirements if they would like to join the club. This asymmetrical nature of the relations further allows the EU to threaten to leave the countries out of the enlargement process if they do not comply with the norms (Usul, 2011: 64). Therefore, the political conditionality of the EU is a very important factor for political transformation in the countries wishing to join the EU. Turkey, as the country that has been waiting for membership for over 50 years, has been imposed to the political conditionality of the EU, and the EU has been very influential in promoting political change and democratic reforms in Turkey. The EU has increasingly been the main motor behind the adoption of norms of liberal democracy and reforms on human rights in Turkey as the EU membership perspective became clearer for Turkey and as it became obvious that accession negotiations with the EU could not begin unless Turkey fulfilled the Copenhagen Criteria (Müftüler-Bac, 2005: 17).

## **The Impact of Political Conditionality on Turkey**

The Ottoman Empire was engaged in a long process of Westernization/Europeanization during the last two centuries of its rule, but it was Mustafa Kemal Atatürk who really went into a deep process of 'Westernization' by founding the modern Turkish Republic. Atatürk's main aim was to change the perceptions of the West about Turkey.

“The project of modernization in a Muslim country takes a very different turn from Western modernity in that it imposes a political will to ‘westernize’ the cultural code, modes of life and gender identities” (Göle, 1995, 21). Indeed, the Kemalist revolution created a new gender regime by introducing a secular system and Westernized modes of conduct. The new nation-building model emphasized the “new-women”, who were publicly visible and educated and equal to the men (in the public sphere at least), in contrast to the women who were confined to the private sphere in the old regime. Thus, the image of women represented the rupture between the old Islamic/Ottoman past and the modern, new, westernized Turkish Republic.

Kemalist reforms were comprehensive. The sultanate was abolished in 1922 and the caliphate in 1924. The new education law secularized the education system and made primary education mandatory for everyone, both boys and girls. The Latin alphabet was adopted in 1928. In 1926, the Swiss Civil Code was adopted and therefore, marriage and divorce were secularized, and monogamy was established and women were given the same inheritance rights as men. In 1930, women's suffrage was recognized in local elections, and in 1934, women's suffrage was extended to nationwide elections. Islamic veil was not officially banned, but women were encouraged to take off their veils (Arat, 1998).

It is also worth mentioning that the Europeanization/Westernization efforts did not target to eliminate patriarchy (and perhaps it would be naïve to expect them to do so). Patriarchal morality and social codes on women's behaviour were hard to eliminate, and kept their hegemony. Religious ceremonies of marriage, child marriages and polygyny continued especially in the Eastern and South Eastern parts of Turkey and among families within the lower socio-economic classes. Reforms and state's laws on gender equality could not penetrate into women's daily lives, and women's statuses were primarily determined by religious and traditional rules rather than state laws. It was not until the 1980s that Turkish women would indulge in a new wave of feminism and address their own problems such as domestic violence, harassment, honour killings, virginity examinations, family-oriented gender rules and the patriarchal power of men over women.

The Kemalist modernization established a secular state with a parliamentary democracy and a significant level of industrialization. Meanwhile, the main motivation behind Turkish foreign policy has been, since then, the desire to be accepted as an equal European state in the European states' system. As Müftüler-Bac points out, ‘Turkey's membership in various European organizations and its association with the EU should be analysed within this perspective: as a bid towards gaining the status of a European state’ (Müftüler-Bac, 1997: 3). Indeed, after the Second World War, Turkey became a member of major Western organizations; the OECD in 1948, the Council of Europe in 1949, and NATO in 1952, all of which were

interpreted by Turkish policy makers and Turkish public in general as the acceptance of Turkey's identity as a modern, secular European country by the (West) European states.

The Cold War years witnessed the redefinition of European identity. During this period, identities were associated with the 'blocs' and their corresponding ways of life. European identity, thus, came to reflect the European way of life, and defined in terms of 'Western European security interests. The security considerations during this period were legitimized under the 'Western security community' and its peculiar 'strategic culture', where this strategic culture is defined 'in terms of defence and security provided by a military structure, which acquires legitimacy as the provider of a 'way of life'' (Klein, 1988: 136). The social, historical, religious, and civilization oriented components were less important in the definition of European identity in this period, because European identity is defined now in terms of security and military components against the adversarial 'other', and this adversarial 'other' was also defined in terms of a military threat. Western Europe during the Cold War, thus, based its identity on this Western strategic culture. Turkey found its place in this Western strategic culture by its acceptance to the Western security organizations which were formed against the common threat of Soviet expansion and communism, and held a crucial position since she was 'one of the two countries which Soviet armies could have entered directly'. Moreover, because she was the only secular and democratic but dominantly Muslim society, Turkey had a crucial role to play in the region against Soviet plans in the Middle East (Klein, 1988: 131).

The Cold War years were not non-problematic for Turkey's European credentials, though. The establishment of the multiparty system in 1946 and the following electoral success of the centre-right Democratic Party (DP) in 1950 reflected the uneasy fit of the modernization attempts. Several reforms were taken back by the DP administration. The result was the stepping in of the military into political life and closure of the DP in 1960 for its religious tendencies which were undermining the secular state. However, successive centre-right parties having similar tendencies with the DP came to power in the following years which continued to use "religious symbols, idioms, and practices as part of a new style of political communication and propaganda" (Ayata, 1996: 44). This emphasis on religion was seen as a method to fight communism, and as a result, Turkey was stuck into a loop where the military intervened into political life when either the religious or leftist tendencies got too far. These interventions and growing religious tendencies in Turkish politics did not constitute a major problem for Turkey's European identity during the Cold War.

In the meantime, the EU's (EEC then) conditionality was not political, but mostly technical, commercial or economic. Relations between the parties were based on the 1963 Ankara Agreement and its Additional Protocol that outlined the legal framework of the association relationship governing the technical issues concerning free movement of production factors. After the 1980 military coup, the EU preferred to monitor the developments in Turkey rather than suspending the relations. The relations began to normalize in 1986, and the Government applied to the European Communities for full membership on 14 April 1987. After this application, Turkey faced the EU's political conditionality for the first time. Before the 1999 Helsinki Summit, it was the European Parliament (EP) that was handling the mechanism for political conditionality and criticizing Turkey in many aspects ranging from torture to

the Kurdish issue. In many decisions of the Parliament, Turkey was called for improvement in human rights practices, and was warned that otherwise it should “bear the consequences” (Erdenir, 2012: 140). With the EP’s pressure, Turkey granted the right to individual petition to the European Court of Human Rights (ECHR) in 1987, recognized the compulsory jurisdiction of the Court in 1989 and signed the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment in 1989.

With the end of the Cold War, Turkey’s strategic importance declined and the returning of the newly independent Eastern and Central European Countries to Europe was a more important target for the EU. There was an increasing emphasis on liberal values and therefore, the political conditionality mechanisms on Turkey were becoming stricter. A striking example can be found in the words of the leader of the Socialist Group in the European Parliament, Pauline Green, as she explained the reason for supporting the Customs Union: “By using the Trade Agreement, we demonstrated our leverage power in the field of democracy and human rights” (Turkish Daily News, 30 December 1995; Erdenir, 2012: 142). In 1995, the EP was demanding the release of the imprisoned members of the Turkish Parliament and amendment of several articles of the Turkish Constitution and the Penal Code that were restricting freedom of thought. The EP made it clear that it was connecting its approval for the establishment of the Customs Union to the aforementioned conditions. When the Turkish Government amended the legislation, the European Parliament gave its approval to the Customs Union.

Even though Turkey was not given a prospect to start accession negotiations at the Luxembourg Summit of 1997 and Turkey suspended its relations with the Union, at the 1999 Helsinki Summit Turkey was granted candidate status, and a new period began. From December 1999 when Turkey was granted the candidate status until October 2005 when the accession negotiations began, the EU’s political conditionality was most effective on Turkey’s political reform process. One-third of the Constitution and 218 articles of 53 laws were amended during this period. Radical decisions ranging from the transformation of civilian-military relations to broadcasting in Kurdish, from the abolishment of death penalty and the State Security Courts to the termination of state of emergency were brought to life during that period (Erdenir, 2012. 151).

### **Political Conditionality and Gender Equality Reforms**

The most important legal changes regarding gender equality are amendments in the Constitution, the new Civil, Penal Codes and the Labour Act, establishment of Family Courts and Juvenile Courts, Law on the Protection of the Family, and the approval of the optional protocol of the Convention on the Elimination of All Forms of Discrimination Against Women. It is worth mentioning that, one of the most patriarchal aspects of the Turkish legal system, the articles of the Penal Code that relate to violence against women were not strongly raised by the European Commission’s Progress Reports, or in the various meetings held between the Turkish and European officials until 2003 (Muftuler-Bac, 2005, 21). Although the 2003 Report points out that more than half the female population are subject to physical and psychological forms of violence within the family environment, the issue of honour crimes and violence against women is raised only in two paragraphs in the report,

whereas 12–13 pages are dedicated to minority rights (Regular Report on Turkey's Progress Towards Accession, 2003: 36).

With the constitutional amendments in 2001 and 2004 to the Turkish Constitution, some gender equality provisions were established. In the 2001 amendment, Article 41 of the Constitution was amended as “The family is the foundation of the Turkish society and based on the equality between the spouses.” With a series of amendments in 2004, Article 10 was amended as “[...]Men and women have equal rights. The State shall have the obligation to ensure that this equality exists in practice”, and Article 90 was amended as “International agreements duly put into effect bear the force of law. In the case of a conflict between international agreements in the area of fundamental rights and freedoms duly put into effect and the domestic laws due to differences in provisions on the same matter, the provisions of international agreements shall prevail.” According to this statement in Article 90, the provisions of international agreements that Turkey is a signatory (such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) or the Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)) will bear the force of law, and in case of a conflict between domestic law and a provision of an international treaty that Turkey is a signatory, Turkey has to follow the provisions of the international agreement.

In November 2001, a new Civil Code was adopted and became operational in January 2002. The New Civil Code established the legal marriage age as seventeen for both men and women. (However, considering the fact that the age of majority is eighteen, that every human being is considered a child up to the age of eighteen under the UN Convention on the Rights of the Child, and that CEDAW recommends eighteen as the minimum age of marriage, it becomes clear that this situation contradicts the international treaties Turkey signed and that these are child marriages thereunder). Pursuant to this law, the judge may allow the marriage of men and women who reach the age of sixteen under extraordinary circumstances or on account of very important reasons. The new Civil Code established that no one can be forced to marry. It also abolished the concept of men being the “head of family”, granted women the right to use their own last names along with their husbands’, established that spouses need not obtain each other’s permission to work, and granted equal rights to spouses with regards to selection of the residence, matters concerning children, and distribution of property in case of divorce. It is worth mentioning that while Civil Code was negotiated in the Turkish Parliament, there was serious opposition to these clauses, particularly from the nationalist-Islamist male parliamentarians. It should be noted that given the new Civil code is a major breakthrough in terms of gender equality and was realized with the EU’s leverage.

The Turkish Penal Code had serious breaches of gender equality such as allowing rapists to go free if they agreed to marry the woman they raped. Men killing their female family members in the name of honour (“honour crimes”) had reductions in their penalties. If the rapists could prove that sexual intercourse with a child was with the ‘child’s consent’, the penalty was to be reduced. During the discussions for the revisions to the Turkish Penal Code were discussed in the Justice Commission of the Turkish Parliament the government party’s parliamentarians, backed by the then Prime Minister Recep Tayyip Erdogan, wanted to insert a clause that would criminalize adultery, although adultery has not been a criminal act since 1998. As a



result of the reactions by the European Union, the proposal was taken back, but still reflects the importance of EU leverage. With the New Penal Code which took effect in 2005, sexual crimes were considered crimes against individuals and their penalty was aggravated; the woman/girl distinction was abolished; with regards to sexual abuse of children, those under the age of fifteen were considered children; rape for the purpose of marriage was considered a crime; polygamy was forbidden; criminal sanctions were brought against those who practices religious marriage ceremony without an official marriage first; the practice of cancelling the penalty in case the abductee and the abductor gets married was abolished; aggravated life imprisonment was brought for honour killings. However, when interpreting the new Penal Code, judges frequently abated the penalties of the perpetrators of honour killings claiming that the murders were committed under instigation or that the suspect demonstrated good conduct. The Code does not eliminate this practice.

Under the Labour Law which entered into force in 2003, no discrimination based on sex or similar reasons is permissible in the employment relationship; the principle of equal pay for equal jobs has been adopted; it was also established that female employees cannot be dismissed due to pregnancy or birth and nursing leaves. Maternity leave was increased to sixteen weeks, which is the standard in EU. Thus, new arrangements were introduced to prevent the violation of women's rights which are prevalent in the working life, and to increase women's participation in the workforce.

In December 2004, at the 2004 Brussels Summit, Presidency Conclusions stated that Turkey satisfactorily fulfilled Copenhagen political criteria, and that the negotiations would be started on 3 October 2005. There was an expectation that the EU's democratic conditionality would continue to affect the political reform process. Accession negotiations with Turkey officially launched on October 3, 2005, and Turkey's Negotiating Framework Document was approved. The document stresses that the shared objective of the negotiations is accession, however, this is "an open-ended process", the outcome of which could not be guaranteed beforehand. It is further stated that if Turkey is not in a position to assume all the obligations of membership, "it must be ensured that Turkey is fully anchored in the European structures through the strongest possible bond". In addition, it was stressed that in case of a serious and persistent breach in Turkey of the principles of liberty, democracy, respect for human rights and fundamental freedoms and the rule of law on which the Union was founded, the Commission would, on its own initiative or on the request of one-third of the Member States, recommend "the suspension of negotiations".

The negotiation process also suffered because of the accession of Cyprus to the EU. Turkey does not recognize Cyprus, however, needs to extend the Ankara Agreement to all new members that joined in 2004. It was decided that Turkey was going to negotiate the 35 chapters of the EU acquis for full membership. However, the Council decided on December 2006 that Turkey failed to fulfil its commitments under the Additional Protocol to the Ankara Agreement, and therefore, the opening of eight chapters with Turkey was suspended. The decision went further, claiming that that no chapter would be closed although there is full alignment in its contents. In 2007, France announced that it unilaterally blocked five chapters on the grounds that they were "directly related to membership". In 2009, Cyprus unilaterally declared that it

linked progress in six chapters to the condition of normalization of relations between Turkey and Cyprus. As a result, since October 2005, only 14 chapters could be opened for negotiations, one is provisionally closed, and no new chapters could be opened since 2013. Turkey fulfils the opening criteria of the Chapter titled “Social Policy and Employment”, which includes comprehensive legislation on gender equality, however does not want to open the chapter without a membership perspective. Meanwhile, as the European Commission’s President Mr. Jean-Claude Juncker’s stated that there will be no further enlargements during his term in Office, the EU has clearly lost its leverage on Turkey.

## **Conclusion**

So far, this article has shown that Turkey’s candidacy for EU membership has given the EU an important chance to force Turkey towards political reforms. Turkey has been committed to many reforms especially on human rights, including gender policies. However, as can be seen from the resistance to reforms in the Civil and the Penal Codes, patriarchy is still strong in Turkey, and the EU’s leverage is necessary at this point.

Several developments in the field of gender equality since the slowing down of the EU reforms are striking. In 2012, with a new regulation in the education system, the 8 year compulsory education was increased to 12 years, however, divided into three 4 year period. This means that, a student can leave school after 4 years of the first period or second, can marry, and return to school later. This is a problematic approach given the high instance of child marriages in Turkey.

Secondly, the ruling elite had some remarks on women’s social status. Recep Tayyip Erdogan, President of the Republic of Turkey, claimed that women and men cannot be equal because it is against the laws of nature, and “our religion has defined a position for women: motherhood. Some people can understand this, while others can’t. You cannot explain this to feminists because they don’t accept the concept of motherhood.” He went on to say that women and men could not be treated equally “because it goes against the laws of nature”.

(<http://www.theguardian.com/world/2014/nov/24/turkeys-president-recep-tayyip-erdogan-women-not-equal-men> )

In 2012, in the closing session of the Parliamentarians' Conference of the UN Population Fund (UNFPA), held in Istanbul, Recep Tayyip Erdogan, then the Prime Minister of Turkey claimed that abortion is murder, and thus is totally unacceptable. He added that he was also personally against Cesarean deliveries. (<http://www.bbc.com/news/world-europe-18297760>)

The deputy prime minister, Bülent Arinc, claimed in 2014 that women should not laugh loudly in front of all the world and should preserve her decency at all times. In July 2015, he said to a female MP: "Madam be quiet! You as a woman, be quiet!" (<http://www.telegraph.co.uk/news/worldnews/europe/turkey/11771966/Turkish-deputy-PM-embroiled-in-new-sexism-row-after-saying-As-a-woman-be-quiet.html>)

Thirdly, in its ruling in May 2015, the Turkish Constitutional Court has legalized the right to be religiously married without obtaining a civil marriage; which is in contrast

with the Civil Code of 2001, which was adopted with the EU's support. Meanwhile, as it reflects to the media, at least 1134 women were killed by their male family members in the last 5 years (<https://bianet.org/bianet/erkek-siddeti/161582-erkek-siddetinin-2014-grafigi> ).

In conclusion, it can be stated that the reform process is at a halt due to the technical problems raised by the Cyprus issue and the reluctance of the European political leaders. However, it the EU's political conditionality has proved itself as a useful tool in producing change in Turkey's human rights record. Without a prospect for membership, it seems that gender equality reforms will not be carried out by the conservative government of Turkey, which usually refers to the religion and traditions for female conduct.

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*Reinvigorating Urban Nodes and Spatial Growth in Akure, Nigeria*

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**Abstract**

Rapid urbanization in developing nations of the world is quite obvious. In Nigeria, the uncontrolled intensification of land use at the designated business cores of its urban centres (nodes) is now an issue of serious planning and management concerns. Governments at various levels are currently facing the daunting challenge of controlling these urban physical and social problems of almost defied solution which planners are striving to address with planning-driven strategies. The interest in Akure for this research is because it is an urban centre and the administrative capital of Ondo State that has witnessed immense development and growth in commercial activities with incidents of multiple dysfunctional nodes. This paper disaggregates Akure into the specific neighbourhoods with nodes using remotely sensed and demographic data for analysis of relationship between planned and unplanned nodes in the city viz-a-viz the effect on spatial interaction. This will help to generate effective business core and management toolkits for urban planners, environmental managers and students/researchers while representing advisory mechanism to government and non-governmental organisations.

**Keywords:** Urban centres, urban nodes, neighbourhood, business cores, land use, spatial growth, reinvigorating, planning, management, Akure.

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## **1.0 Introduction**

Urban business cores or nodes have become increasingly important as cities continue to grow and the spatial structure transforms into many problems with the poor development policies particularly in the developing nations. Cities are locations of high level of accumulation and concentration of economic activities and complex spatial structure that are supported by transport system (Protibha, 2010). The transport network in most cases, connects urban nodes, thus maximises the efficiency of urban and extra-urban space, allowing clients to visit businesses, customers to reach retail establishments and local residents to improve their mobility while undertaking economic and social activities.

The process of outward expansion of cities is a function of a number of interconnected alterations in economic, transportation, demographic, political, industrial and social specialities. These determine the land use activities and their spatial interaction. The increase in spatial interaction between the various land uses which results from increasing economic growth and urbanization as currently witnessed in major urban centres now becomes a great challenge. This is because the movements generated within and between the land uses produce conflicts along major traffic corridors and activity centres (Akhuewu, 2010). Commercial activities, for instance, are noted for their intensity, but there is limited amount of land “space” within most commercial business districts (CBD) of the urban centres where there are severed and varied demands for the little available space.

The expansion of the city and the complexity of the total environment lead to further development of multiple nodes at the periphery. These nodes increase as the existing ones are absorbed for others to emerge at the outer zone, thus, giving a perspective of development from the spatial realm. Interestingly, the diverse characteristics and uniqueness of these districts (business cores) make them attractive to both the inhabitants of and the visitors to these cities (Hidalgo et al, 2005; Carr and Servon, 2009). However, as the existing physical, social and economic conditions of these areas fail to satisfy the contemporary needs of urban dwellers, many inner-city inhabitants and activities have to relocate closer to the contemporary facilities of sub-urban settlements (Pojani, 2008; Vehbi and Hoskara, 2009).

In recent years, there have been many debates in the worldwide literature about how vitality and liveability in historic commercial districts in city centres can be improved in a sustainable manner (Balsas, 2000; Ribeiro, 2008). This study, therefore, aims at reinvigorating the urban nodes and spatial growth in Akure, Nigeria. The precise objectives are, to: (i)examine the urban growth pattern; (ii) identify the existing nodes and the associated land use problems; and (iii) regulate the use of land to achieve an optional coordination of different human activities for the improvement of the quality of life.

## **2.0 Review of Literature**

Diverse approaches exist for urban land use planning and development. Onibokun (1985) opines that urban and regional planning or simply town planning, is a systematic assessment of ... alternative pattern of land use and other physical, social and economic conditions in such a way to encourage land user to adopt options that increase productivity and meet societal needs in a sustainable manner. To attain sustainable planning, however, requires an overhauling of environmental, economic

and social justices that uphold adequate and well managed infrastructural facilities for city dwellers, as well as “behavioural and structural changes that guarantee social equities between and within cities needs” (Odufunwa et al, 2012). In most parts of Asia and Africa countries, these cities remain the heart of a fast changing global economy and world economic growth with increasing urbanization growth and activities (UN World Urbanization Prospect Report, 2005).

Nigeria as Africa nation has been experiencing an accelerated shift of her populations from rural to urban areas. This rate of urbanization has engendered several challenges and problems similar to situations in other parts of the world (Muta’ aHellandendu, 2012). As observed by Gharkhlu and Zanganeh Shahraki (2009), the investigation of growth stages and formal development of cities all over the world indicates that recent technological changes especially those in transportation, contribute to the rapid physical growth of cities and the change in their patterns. The established transport routes usually connect the urban nodes and facilitate movement to the commercial business districts for enhancement of economic activities and social interactions. What is apparent in the current urban scenario is that these nodes are being threatened and physically degraded by the impact of urbanization.

Vidinha and Faria (2007) highlight some problems causing loss of attraction of the city centres to include: the rise of new attraction centres in the suburbs; increased insecurity, the high cost and difficulties of accessibility and parking; the lack of leisure or entertainment facilities; changes of consumption and buying habits; and growing competition among the different forms of commerce. Reinvigorating these nodes involves “removal of the physical fabric and the active economic use or utilization of buildings and spaces with the support of three courses of actions’ demolition and redevelopment; refurbishment and conversion for a new use” (Tiesdel et al, 1998)

Remarkably, urban node reinvigoration in the form of urban revitalisation programme has been applied in the United States Main Street Programme and the United Kingdom Town Centre Management scheme as an economic restructuring aimed at strengthening the economic base on downtown areas (Listokin, et al; 1998; Reeve, 2004). The Han District of Bursa had similar experience being a large city in Turkey located in north western Anatolia within the Marmara region. From theoretical perspective, this is accompanied by economic revitalisation, the main three principles which Vehbi and Hoskara (2009) describe as; “encouraging, having mixed land uses, tourism and high-income people with job opportunities, fulfilment of human needs and improvement in living conditions.

To achieve the above principles, Tiesdel et al (1998) suggest three different types of strategic approaches to restoring the economic viability of the commercial districts in the long term (Tulin et al, 2011). These are functional restructuring (new uses or activities replacing the former ones), functional regeneration (maintaining and improving the competitiveness of the area’s existing retail concentrations) and functional diversification (new uses that synchronise and support the area’s economic base). Urban planning generally is concerned with the organisation of urban space and ensuring orderly development of settlement and communities. Urban planning either in the form of designing new urban settlement, promoting urban growth or as a regulation of urban development is an old and constantly evolving science with its

basic purpose of ensuring healthy, safe and efficient urban environment for people to live in and execute their various activities. (Mngutyo and Ogwuche, 2013).

### 3.0 Materials and Method

#### 3.1 Research Locale

Akure is an urban centre in Yoruba region of Ondo State in the South Western part of Nigeria. It became the provincial headquarters of Ondo Province in 1939 but now doubles as the capital city of Ondo State and Akure Local Government headquarters since 1976. These dual political roles of Akure have attracted people to the city and have changed its economic, social and physical structures. Akure locates at appropriately 700kilometers South West of Abuja, the Federal Capital of Nigeria and about 350kilometers to Lagos (the former capital of Nigeria). It lies on latitude  $7^{\circ} 5'$  North of the Equator and longitude  $5^{\circ} 15'$  East of the Greenwich meridian. It stands on the altitude of about 370 meters above the sea level (Ondo State Government Agro-climatological and Ecological Monitoring Unit, 2007). It shares geographical boundary with Akure North and Ifedore Local Government Area in the North, and Idanre Local Government Area in the south.

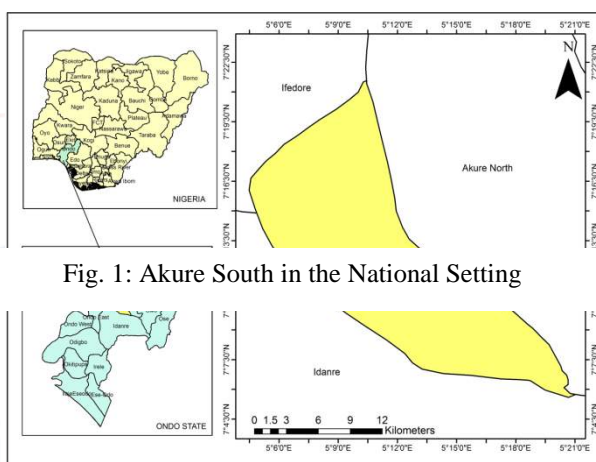


Fig. 1: Akure South in the National Setting

#### 3.2 Method

With the aid of satellite imagery of Akure obtained via Google Earth ([www.googleearth.com](http://www.googleearth.com)) coupled with reconnaissance survey, the number of existing nodes in Akure was determined to represent the research spots. The google earth imagery and the global positioning system (GPS) were used to validate the co-ordinates of the nodes in Akure. The street guide map of the city was saved in an image-exchange format and plotted out in ARCGIS 10 software. Subsequently, a buffer was carved out as service or patronage area of each node after contacting the residents in the area. Other required data on spatial interaction were collected through literature search, master plans, field observation, discussion with focal groups and Heads of Urban and Regional Planning Unit, Ondo State Ministry of Housing and Urban Development as well as the Akure South Local Government secretariat.

### 4.0 The Spatial Growth of Akure

The city's morphology has changed over time to assume its present status. The growth is in the form of a dual process of external expansion and physical or internal growth and reorganisation. The presence of government seat in Akure, job opportunities, provision of community facilities (road, water, etc) and social facilities (hospitals, schools, markets etc) precipitated the migration of youths from the surrounding towns/settlements for job opportunities among others, leading to increase in population (Okoko, 2002). In 1952, Akure had a population of 38,852 which



increased to 71,106 in 1963 at a growth rate of 5.5% per annum. The city population has been growing sporadically since the creation of Ondo State in 1976. It was estimated as 164,000 in 1984 and 239,124 in 1991 (NPC, 1991). This figure was projected to 269,207 by the National Census Board in 1996 and put at about 353,211 by the Federal Bureau of Statistics in 2006.

The city accommodates quite a number of Federal, State and Local Government establishments (ministries, industries, administrative, educational/research etc.) trade centres, statutory co-operations and quasi-governmental institutions, thus attracting large spectrum of immigrants. It has witnessed remarkable growth in its organisation in recent years and its population in the past few decades has more than tripled (Ifeoluwa et al, 2011). The resultant effect is rapid growth of the built-up areas of the city which has made it one of the fastest growing metropolitan centres in south-western Nigeria. Geographically, Akure is compact; of about 8-kilometer radius from the city centre and contains roughly 730 residential family and public layouts as well as administrative quarters served with about six notable nodes along the six major roads. Major private and public land uses along the routes were examined to ascertain the complementary roles played in attracting population to boost trading at the nodes.

**Table1: Major land uses along the main routes in Akure**

S/N	Route	Node	Major Landuse
1.	Oba-Adesida	King's (Central) Market	(i) King's Palace (ii) Town Hall (iii) Museum (iv) Central Mosque (v) Shopping Complex (vi) Sacred-Heart Cathedral (vii) Post Office (viii) Democracy Park (ix) Petrol Station (x) Banks
2.	Ondo Road	Isikan Market	(i) Army Barracks (ii) Prison (iii) Police Station (iv) Schools (v) Warehouse (vi) Radio Station (vii) Television Station (viii) Coca-Cola Depot (ix) Motor Park
3.	Arakale/Ode/Igbatoro	NEPA Market	(i) School of Nursing (ii) Federal Secretariat (iii) State House Of Assembly (iv) Governor's House (v) School Of Health Technology (vi) Investment Holdings (vii) Maternity Centre (viii) Hotels (ix) Old National Electric Power Authority (NEPA) office.
4.	Aule	Mojere Market	(i) Pharmaceutical Shop (ii)

				Automobile Workshops (iii) Schools (iv) Petrol Stations (v) Churches (vi) Hospital
5	Oke-Aro	Idanre Market	Garage	(i) National Open University of Nigeria (NOUN) (ii) Motor Park (iii) Police Station (iv) Banks (v) Event Centres (vi) Churches (vii) Ware Houses (viii) Housing Estates
6.	Ilesha/Benin	Onyarugbulem Market		(i) Federal University of Technology (ii) Nigeria National Petroleum Company Depot (iii) Cocoa Refinery (iv) Automobile Market (v) Federal Road Safety Corps Office (vi) Nigeria Union of Teachers Secretariat (vii) Hotels (viii) Petrol Stations (ix) Federal Government Housing Estate (Shagari Estate)

Source: Author's findings, 2015

## 5.0 Features of the Urban Nodes

### 5.1 Physical Planning

Apart from the central market (King's market), none of these nodes was initially planned as a district or neighbourhood centre. In the recent state government urban renewal approach, Nodes 1, 2 and 3 were planned and redesigned; comprising open and lock-up stalls with parking spaces to improve the architectural outlook and attract patronage. However, the existing physical condition of the nodes cannot satisfy the contemporary needs of the urban dwellers. First, there is arbitrary demarcation of family lands in these areas, houses and compounds are developed without reference to any specific system of layout, thus, complicating the physical landscape. Second, traffic problems have been aggravated by newly constructed shopping malls and

transport infrastructure to improve accessibility. This in turn pushes out the low-income inhabitants from the node and increases interaction between land use and transport or communication. Consequently, there is the difficulty of adequate parking and lack of diversity of uses such as leisure activities to attract different age groups and new expectations for the nodes. The town-centres atmosphere lack pleasant

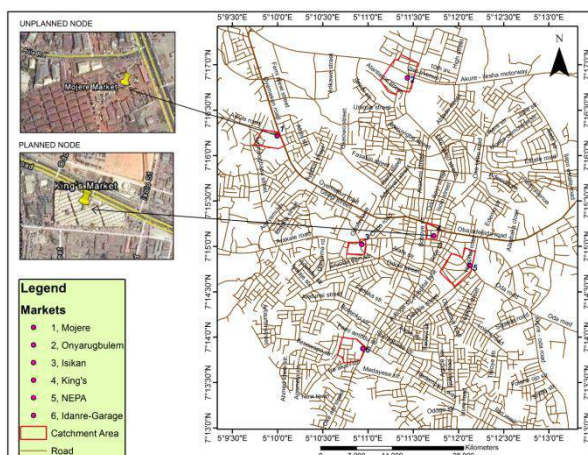


Fig 2. The Urban Nodes in Akure Street Guide

environment that can encourage shoppers to relax, socialise and enjoy the shopping experience. Most shoppers now desire unique shopping places that reflect the characteristics of the locality and prefer more natural environments where there is a feeling of contact with the outside world. (Coleman, 2006).

## 5.2 Sanitation

Sanitation continues to be of central concern at Akure urban nodes with respect to the manner in which the environmental quality is distorted. Predominantly, the solid wastes generated by the inhabitants of the nodes are disposed indiscriminately to constitute heaps of garbage/refuse overflowing onto major roads, thereby blocking drainages to result in flooding. The extant refuse collection bins cannot optimally cater for the volume of solid waste generated across the nodes, particularly at nodes 4 and 5. Other sanitation-related issues include: high occupancy ratios of 4 to 5 persons per room, traditional means of heating (such as the use of saw dust and firewood) and lack of toilet and bathroom facilities. The efficiency of the Ondo State Waste Management Board (OSWMB) is hindered by high urban agglomeration. In effect, the quality assurance of the nodes remains an assumption with profound risk on the environment and human health. As noted by Lawal (2014), the participation of the private sector is highly desirable if we must realise effective waste management and healthy environment for a productive living.

## 5.3 Security

Security is an important factor of node-visit frequency and determinant of consumers' convenience. No doubt, these nodes locate in major commercial axis incorporating the main market, wholesales or warehouses, private and government institutions. They are designated business cores of high intensity, where pressure from interest groups prompts many more development projects. The phenomena of illegal re-building, partitioning, attachments or building extensions and new constructions are pervasive throughout the nodes. Some other structures like kiosks, temporary sheds, etc are jam-packed with the unfenced (nodes 1, 4, 5 and 6) markets. This paves way for incessant night theft or burglary and fire outbreak resulting from unwieldy development and extensive high density growth. With security a node becomes more active and flourishing economically and commercially, as jobs and services are protected (Hillman, 1996).

## 5.4 One-Stop Shopping

The urban nodes are separate nuclei; quite similar but with specialized functions that make each a completely different order. In most cases, they are characterized by concentration of retail businesses, offices and lower-order service activities of unique accessibility and convenience to people. Most of these nodes offer temporary convenience to consumers through one-stop shopping. This patronage behaviour (often interpreted as a spatial factor) implies that, "all but the most esoteric of shopping needs can be satisfied in a single or one centre, all at a time" (Kaufman, 1996). Arentze et al (2005) argues that multi-purpose trips are increasingly undertaken by consumers. Research even reveals that multi-purpose shopping is becoming highly popular, accounting for up to half of all shopping trips (Cairns, 1995). It occurs when consumers are able to purchase both higher and lower-order goods in a single trip (Vaughan and Valerie, 2009).

### 5.5 Neglect

Many of the urban nodes have served as centres of trade for centuries. No doubt, they still accommodate some commercial buildings and other features of historical and cultural value; they are constantly neglected due to rapid urbanization. The rapid urban growth increases mobility and the rising attractiveness of suburbs settlements. With the main focus on the construction of inter-regional road types and hierarchies, channels of communication and interaction are established, thus, leading to the collapse of the city nodes.

### 6.0 Policy Issues and Conclusion

Urban planning is concerned with the organisation of space to ensure healthy, safe and efficient urban environment for people to live in and execute their various activities in the most convenient manner. Urban node, indeed, is a critical factor in the process of spatial development both at regional and local levels. In Akure, the rate of growth of the nodes is rapid, hence the need for their proper management to attain sustainable and systemic urban growth pattern. This paper has unveiled the challenges of these nodes, ranging from the unregulated spatial development to poor sanitation and security, one-stop shopping and neglect. The management of the nodes in a smart manner, therefore, is advocated. This requires a joint effort by the State Government and its Development and Property Corporation (OSDPC) in creating a range of housing opportunities and choices for prospective builders; fostering distinctive and attractive communities with a strong sense of place at the suburb; and preserving open spaces, natural beauty and critical environmental areas for recreation at the nodes. The OSWMB in collaboration with private organisations should make provision for adequate trash bins at the nodes for regular waste disposal.

Further efforts of the state government should concentrate on centralizing public facilities (markets, police post, fire station, multi-purpose shopping malls etc) in local communities or neighbourhoods with competitive capability as the current nodes. It should also encourage citizens (community and stakeholders) to participate in spatial development decisions particularly in providing a wide range of housing options for different classes of people under a public-private partnership (PPP) approach. All these promise to elevate quality of life, security, dynamism and support occupations and services at the nodes as Akure environment begins to witness functional restructuring, regeneration and diversification in its spatial growth.

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*Discretion in Public Policy in Indonesia*

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**Abstract**

In the perspective of governance, any agency or government official in carrying out its responsibilities shall implement the general principles of good governance. Among these principles is the most basic prohibition of the abuse of authority and the prohibition of arbitrary action. While on the other hand, the regulations authorize the government to act and make decisions that deviate from the principle of legality. Discretion in public policy might be interesting, therefore, the authors are trying to develop the concept of discretion in this paper which discusses the case of discretion in public policy in Indonesia. The paper consists of three sections: first, the introduction which explains what discretion is ; second, the discussion on the case of Indonesia, and third, the conclusion. Hopefully what is presented in this paper can be bring into a better understanding of discretion in public policy in Indonesia.

Keywords: Discretion, Policy, Public

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## **Introduction**

### **Discretion**

In the perspective of governance, any agency or government official in carrying out its responsibilities shall implement the general principles of good governance and it is expected that any measure taken by public officials can be run in accordance with existing laws corridor. Among the general principles of good governance is the most basic prohibition of abuse of authority and the prohibition of arbitrary action. While on the other hand, the regulations also authorize the government to act and make decisions that deviate from the principle of legality. This is then qualified as discretionary (German: Freies Ermessen). According to the Law Dictionary, discretion means the freedom to make decisions in any situation encountered in his opinion alone.

Oxford English Dictionary's defines discretion as the "liberty of deciding as one thinks fit, absolutely or within limits". Such limits are typically designed to ensure that decisions are principled rather than arbitrary, and that they respect human and civil rights. Kenneth Culp Davis, "A Public officer has discretion whenever the effective limits on his power leave him (or her) free to make a choice among possible courses of action or inaction".

There are several legal experts who provide such definition of discretion, defines S. Prajudi Atmosudirjo discretion, discretion (UK), discrétionnaire (France), Freies ermessen (Germany) as the freedom of action or decision of the competent state administration officials and authorities according to their own opinion . Moreover, discretion is needed as a complement of the principle of legality, which is the legal principle which states that every action or deed of the state administration must be submitted to the provisions of the Act. But in practice it is impossible for the Law to regulate everything in everyday life. Therefore, the need for freedom or discretion of the administration consists of free and bound discretion.

Indroharto defines discretionary authority as facultative authority, which does not require administrative official agency or state to impose its authority, instead provides a choice under certain conditions specified in the regulations. Sjachran Basah said that Freies ermessen is the freedom to act on their own initiative, but the actions of the state administration must be in accordance with the law, based on Pancasila. Diana Halim Koentjoro interprets Freies ermessen as the freedom of the administration or government (the executive) to act to resolve the problems arising in crunch, where the rules cannot solve the problem.

Esmi Warassih says that within the framework of the implementation of public policy, the bureaucrats can determine in its sole discretion to adjust to a situation where they are, especially with regard to the availability of resources such as information, funds, expertise, skilled personnel and the knowledge. That means, discretion is a phenomenon that is very important and fundamental, especially in the implementation of public policy. With the existence of this discretion it is expected that under the existing conditions a maximal result or goal can be achieved.

According to Saut P. Panjaitan, discretion is a form of deviation from the principle of legality. Meanwhile, according to Benjamin, discretion is defined as the freedom of officials to make decisions in its sole discretion. Furthermore Gaius T. Lumbuun defines discretion as follows :

"The policy of state officials from central to local public officials that essentially allow conduct a policy that violates the law, the three conditions. Namely, in the public interest, is still within the limits of jurisdiction, and does not violate the general principles of good governance (AUPB). "

Regarding the definition, T. Lumbuun Gaius explains that people who use discretion might be violating the principle of legality, but in theory the use of discretion does not violate the public interest and represents an instant decision (without a plan) therefore is not a criminal act.

Based on the above definitions, it can be concluded that the essence of discretion is the freedom of administrative agencies or officials of government to act or to make decisions according to their own opinion as a complement of the principle of legality when the law is not able to resolve certain problems that arise in emergency or in some critical situations and where the rules do not exist or the existing regulations are unclear.

According to Muchsan, implementation of discretion by government officials (executive) is restricted to 4 (four) things, namely :

1. In the event of a legal vacuum;
2. The freedom of interpretation;
3. The existence of legislative delegation;
4. For the sake of compliance with legal interest;

Based on the above, it can be concluded that the use of discretionary powers by the Board / administration Officers can only be done in certain cases where the legislation does not exist or because the existing regulations are unclear, in a state emergency / urgent public interest specified in the legislation.

According to Bagir Manan, the government authority establishes regulations for several reasons : first, to understand and to emphasize the difference between the division of powers and the separation of organ function, because the function of the establishment of the rules should not be separated from the function of governance. Second, the government welfare state requires a legal instrument to organize the general welfare. Third, to support the rapid changes in society, encouraging the state administration to play a greater role in the formation of legislation. There are several benefits from the use of discretion by government officials : Government policy contingency related to people's lives can be decided or imposed by the government although it is still debated in juridical or even in a legal vacuum. The Board or government officials are not stuck in legal formalism, assuming that there is no legal vacuum for every public policy insofar as it relates to the public interest or the public at large; The nature and the wheels of government have become more flexible, so that the public service sector more vibrant and development for improving the welfare of the people be not static in the sense remains dynamic.

## **Discussion**

### **Discretion in Public Policy in Indonesia**

The Law No. 30, 2014 states that discretion is the Decision and / or action determined and / or carried out by Government officials to address concrete problems encountered in the implementation of government that gives option in case of incomplete or unclear legislation, and / or the stagnation of government.

Discretion can only be done by authorized government officials. Discretion aims to: launch governance, fill a legal vacuum, provide legal certainty and overcome the stagnation of government under certain circumstances in order to respond to the public interest. Discretion does not conflict with the provisions of the legislation as long as it is based on objective reasons, does not give rise to a conflict of interest and is conducted in good faith.

Officials who are using discretion must describe the purpose, objectives, substance, as well as administrative and financial impact which potentially alter the State's financial burden and results. Then shall submit an application for approval in writing to the official boss. Within 5 (five) working days after the application file is received, Top officials set approval, repair instructions, or rejection. If the boss Officials denial, the official supervisor must give reasons for refusal in writing.

In free discretion, the Act only establishes the boundaries and the state administration is free to make any decision that does not exceed / violate the boundaries. Whereas in bound discretion, Act establishes administrative decision alternatives and the state administration is free to choose one of the alternatives provided by the Act.

Concrete examples of bound discretion is the provision of severe disciplinary punishment for the Civil Servants in the form of dismissal according to the Article 8 paragraph b of Government Regulation No. 32 of 1979 on Dismissal of Civil Servants. In the case of dismissal because sentenced to prison by a court decision that has had legal still, as intentionally committed a criminal offense which is punishable by a maximum of four (4) years, or threatened with a more severe punishment. In the explanation that the dismissal as mentioned in this article can be performed with respect or not with respect, one way or another depending on the consideration of the competent authority on heavy or light acts committed and large or small consequences caused by the act. Although the maximum criminal penalty for a criminal offense has been established, but the sentence imposed / decided by the judge of the type of criminal offense that can vary with respect to the severity of the criminal offense committed and the size or the consequences thereof.

So in considering whether civil servant who has a felony that will be laid off or not or whether it will be honorably discharged or not with respect must consider the factors that encourage civil servant who commits a criminal act it, and should be considered severity of court decisions handed down.

In this case, the competent authorities impose severe disciplinary punishment can define severe disciplinary action will be dropped if not honorable discharge at his own request or dishonorable discharge depends on the assessment of severity of violations committed by the Civil Service so if Servants Civil concerned deserve sentenced

disciplinary dismissal with respect not his own request or dishonorable discharge is bound discretion.

Executive level is very close to the public service function. One positive example of discretion committed by government officials is described as follows: "At an intersection, in a traffic jam condition, flow of direction A is too dense while the reverse direction (flow B) is empty. The policeman then gives instructions to the drivers to keep going despite the traffic light is red ". Using the example above, discretion can be used for the purpose of public interest. This indicates that the government should actively interfere with public service which means that the state administration should not refuse to make a decision or act because of the absence of legislation. Freedom of movement is given to the government ; a free hand called discretion.

Discretion as a freedom of action would be susceptible to the complexity of the problem because it deviates the principle of legality in the sense of "exception". When the implementation of discretion takes wrong direction that will cause a huge loss to the community. Experience indicates that many government officials use discretion not in accordance with predetermined rules. Discretion is frequently used as a mean for personal profit or for the benefit of a particular party. Therefore, it is necessary to set limits of tolerance for the use of discretion.

Restriction is necessary because the user's discretion ordinary man who can do no wrong at any time or mistaken. For example, a traffic policeman who orders cyclists, rickshaws, motorcycles, cars and others to pass when the traffic lights is red, giving signs that they may pass is using discretion for the public interest, public safety, public service smoothness, and others in accordance with Law No. 2 of 2000 on the right of the Police have to apply discretion in their duties.

Another example can be seen at the hospital and clinic waiting room where it is written on the board : "We serve patients by emergency nature of the illness, not on the basis of first come". This is different from the public service average where those who come first are the first to be served.

Users of public services there may flout the contents of the board and claim the right to demand the respect of the principle of excellent customer service, which is applied in other places. They may protest to public officials there because that is considered to be outside the norm. But otherwise, the doctor or nurse with the capacity to act as a public official in charge there, has the right to assert the authority to exercise discretion, which is located behind the task, to reflect the implementation of crisis management, under the responsibility of the profession.

When discretion is run in the public interest there is no problem, whereas it becomes a problem when it is used as a mean for other purposes. For example, the issue of traffic control by police, a police officer asks the drivers to keep passing though the light is red, or closes some roads and diverts them to other roads just because of laziness to move. Discretion that has been committed by the police is not appropriate, because the problem occurs only mere removal, remove congestion from which should be the responsibility, moved to another place in the hope that the perpetrators of discretion free from congestion problems.

Discretion will be related to the subject matter that has the authority to make discretionary, the subject is authorized to make a discretionary state administration within the meaning of the narrow sense, ie the executive. Simple forms of administrative decisions outside of legislation that can be seen in the example of everyday life such as a memo issued by the officials, announcements, decrees (SK), determination letters, and others.

Kebumen Regent discretion done by stopping M. Budi Waluyo, SE, Sri Budiarti, Sugiarti and Siti Jaimah as PD employees. BPR Market Bank Kebumen for allegedly involved in the case of fictitious credits that occurs in PD. BPR Market Bank Kebumen.

The authority to dismiss employees PD. BPR Market Bank Kebumen actually Directors, the Board of Directors has the authority to appoint and dismiss employees of the Regional Rural Banks in accordance with the Regulation of the Minister of the Interior No. 22 of 2006 Section 37 subsection b, as well as Kebumen District Regulation No. 2 of 2002 which states that the Board of Directors are lifted and dismiss an employee with the approval of the Supervisory Board of Regents through by legislation in force.

But because of an urgent situation occurs where the credit fictitious suspected adverse PD. BPR Bank Kebumen market worth more than 1.5 billion rupiah led to all the Members of the Board of Directors have also been dismissed in advance by the Regent of Kebumen, the Board of Directors is authorized to dismiss employees attributive PD. BPR Market Bank Kebumen, can not carry out their duties because at the time Plaintiff dismissed, at that time there was Acting Managing Director.

In such circumstances, Kebumen Regent has taken a policy decision to publish the dismissal of the plaintiff by basing on the Central Java Governor Decree No. 64/2002 dated May 13, 2002 which stated Acting (Acting), Acting Officer (Acting), Officer Daily Executive (Acting) and Officer Running Tasks (YMT) is not authorized to set policy such as setting binding decrees and imposition of disciplinary punishment.

PTUN Semarang in Decision Number. 48 / G / 2008 / PTUN.SMG, 49 / G / 2008 / PTUN.SMG, 50 / G / 2008 / PTUN.SMG, and 51 / G / 2008 / PTUN.SMG each April 2, 2009 has confirmed the action The Kebumen regent although attributive authority to dismiss employees PD. BPR Bank Kebumen market is in the hands of directors by reason of urgency and in the public interest and not competent Acting (PJS) Managing Director to dismiss employees PD. BPR Market Bank Kebumen.

Subang regent Eep Hidayat, be convicted in a corruption case collection costs land and building tax (PBB) Subang, the Supreme Court (MA) decided EEP guilty and should be jailed for five years, fined Rp 200 million and the subsidiary three months in prison and obliged to return state funds amounting to Rp 2,548 billion. The Supreme Court canceled the verdict of acquittal previously issued Bandung Corruption Court. Simply put, the regents levy property taxes to repair damaged roads, but not budgeted and set on the year. It can be illegal even if for public services.

Minister of Health, Siti Fadilah Supari became a suspect on suspicion of abuse of authority administration of corruption related to the procurement of goods by direct appointment of bird flu vaccine, which caused the state a loss of about USD 6 billion. Siti Fadilah Supari approved the appointment of direct procurement of medical equipment and hospital supplies to cope with an outbreak of bird flu. Time constraints make Siti Fadilah Supari must perform discretionary, but as a result he was made a suspect because it does not comply with the rules.

### **Conclusion**

Discretion is decisions and/or actions to address concrete problems encountered in the implementation of government where laws and regulations that provide choice, not regulate, in complete or unclear, or the stagnation of government. Discretion could have a positive or negative impact, although the discretionary nature of the move on powers is one of their advantages, misuse of that discretion has the potential to seriously undermine the objectives of the legislation and to damage public confidence in policing. The exercise of any governmental power – be it legislative, executive, or judicial in nature – necessarily involves the exercise with appropriate restraint and judges recognize that they must be constantly vigilant in this regard. It is therefore important that the exercise of discretion be properly managed in terms of being reasonable, bonafide, principled and consistent. That management will only come about with adequate training, clear guidelines and cultural awareness.

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**Regulation :**

Undang-Undang Republik Indonesia Nomor 30 Tahun 2014 tentang Pemerintahan Daerah.





*The Changing Perception of the Other in Europe in Post Cold War Period*

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Official Conference Proceedings

**Abstract**

In this study, nationalism and the perception of “the other” which are nowadays the most effective factors to the international system in the world, will be discussed. Before, during and after the Cold War the changing perception of “the other” especially in Europe; and during the Cold War, the changing perception of threat from red to green will be evaluated. Nationalism, identity and “the other” are the key concepts that we are going to deal with and how these concepts form the European identity will be discussed.

Key Words: nationalism, identity, fascism, “the other”, Cold War, red threat, green threat.

A large, faint watermark of the iafor logo is centered on the page. It consists of the lowercase letters 'iafor' in a light blue font, surrounded by a circular graphic element made of several overlapping, curved lines in shades of blue and red.

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## **Introduction**

By the end of Second World War, the world was divided into two blocs as East and West. Eastern Bloc was constructed under a socialist and communist ideological regime far away from nationalism under the leadership of USSR. And this unity was officially registered by Warsaw Pact. On the other side Western Bloc signed the North Atlantic Treaty Organization under the leadership of USA. Although each country which is a member of NATO has the concept of nationalism within its own scope, the concept of nationalism did not become a current issue as they prioritise social and economic development.

The Most dangerous threat for Western bloc at that time was Red Army. Boundless developments in communication and technology since 1980's, also started the nationalist and liberationist movements in USSR. As a result USSR was disintegrated and all communist regimes and Berlin Wall were collapsed. This was the end of Cold War. This also meant the end of red threat. This was in fact the beginning of the change of the "other" perception in Europe. Now, the new threat in other words, the new "other" was immigrants which were mostly Muslims. This major change caused mass immigrations from East to West during 1990's. In Eastern Bloc countries, life was becoming more difficult day by day, unemployment increased, and the feeling of backwardness and insecurity boosted many people to immigrate to West for better life conditions. Western European countries were relatively in a better situation. Eastern work force brought low-cost labor to West and caused a decline in wages. When compared to past, West European citizens became impoverished. As a result, insecurity environment shifted westwards and nationalist movements emerged. Unfortunately, immigrants in other words the "others" were held responsible for economical crisis and nationalist movements emerged in many Western European countries.

## **The Concept of Nationalism**

Nationalism is the total of values and feelings which are developed under the effects of natural, social, cultural, physical and genetic and that are common in a nation's individuals. These values and feelings are always reposed on personal benefits. (Dinç, 2004)

Nationalism was born from the ideologies of 1789 French Revolution. Although it has been somehow changed in time, it still has effects on nation states. According to Aydingun, when we investigate the oldest nation states in Europe, we came across two different models. The First model is based on land and citizenship and it accepts nation as a political community living on a prominent land under the control of substantial laws. Second model is accepted as constituents such as common roots, ancestry and cultural features that provide corporeity of a nation. (Aydingun, 2008: 7) It is possible to see the slow start of nationalist movements at the beginning of early 19th century. We call it "slow" as the biggest obstacles in front of nationalism were Ottoman Empire, Austarian Empire and Czarist Russia. These empires were reserving multi-nations, different ethnic and religious elements of these nations.

In 19th century, Hungarian people revolted against Austarian Empire, Greek people revolted against Ottoman Empire, Polish people revolted against Russian occupation and Germans revolted against Napoleon occupation. These riots were all examples of nationalist movemnets. When we mention nationalism, we also have to mention national identity. Anthony D. Smith describes the key features of national identity as;

- a) A historical land or a country;
- b) Common myths and a historical memory;
- c) A common mass public culture;
- d) Common legal rights and tasks that are valid for community's all individuals;
- e) A common economy that gives free action opportunity to individuals in their country. (Smith, 1999: 31-32)

In other words, nation is the name given to a national community who shares ahistorical land, a common culture, a common history, a mass public culture and a common economy. Nationalism, that creates a national community concept, declines monarchy and correlates between the governing and the governed. This connection must be both nationalist and democratic. Nationalism has three claims;

- a) An evident and unique nation;
- b) The values and benefits of this nation are superior to all other benefits and values;
- c) Nation should be independent as much as possible, this requires a recognition of its political sovereignty. (Breuilly, 1985)

Jean Leca grouped nationalism in three different regimes. The first one is, as in examples of England and USA, individualist, pluralist, libertarian and universalist nationalism. In these two countries, Irish people, slaves which are mainly African Americans and the actual owners of the new continet are ignored. Second one is emerged because of a common ressentiment to West as in the examples of Germany and Russia. This type of nationalism is collectivist, structural and most importantly it is ethnic. The first one develops patriotism, the second one develops ethnicity. The third group is both collectivist and relies on citizenship as it is in France. (Leca, 1996: 15)

Although, it may seem like the concepts of nationalism and citizenship has elements that complement each other, they have conradictory consequences while citizenship installs a mission to state of guaranteeing justice and equality for everyone, nationalism installs a mission to state of valueing national benefits above anything.

Elie Kedourie, defines nationalism as a doctrine which was produced in 19th century in Europe. This doctrine argues that people are naturally divided into nations, all nations are known with their discrete intelligible characteristics and the only legitimate governance system is a nation's self-governance. (Kedourie, 1994: 1) But defining nationalism just as a doctine can be characterized as narrowing this complex concept which can be assessed from different angels. Nationalism is not a mere doctrine, it is also an ideology and a way of thinking. It is may be a vanishing point or a way of ignorance to the people defined as the "other".

It is surprising that nationalism is perceived as an old concept. In fact, nationalism belongs to recent history. In modern age, we all have an image in our minds that the World is divided into various communitie. Whereas the earth is not like rag bag as wee in the atlases, the sharp borders drawn by bird's eye view technique belong to the modern age. (Calhoun, 2009: 18) Defining sharp borders was not the result of age of enlightenment, on the contrary it was reflecting the wish to Show the colonies on earth with sharper borders.

Calhoun unified the definition of nationalism by quoting from many different scholars. According to this comprehensive definition; nationalism is the result of ongoing existence of ethnic identities, political and cultural changes caused by industrialization, an integrated economy and separatist reaction against economical inequalities in states' peripheries; state anxieties and grudges of new elites; invention of an ideology devoted to legitimate the states in capitalist economical relations; centralization accompanying state building and efforts to secure uniformity. (Calhoun, 2009: 29)

As we mentioned before we can not define nationalism with just one definition. This merely narrows the meaning of it. Because nationalism is a complex phenomenon. The mentioned themes are not enough to explain nationalism solely. When we mention nationalism, we should also mention ethnic roots and ethnic nationalism. Anthony D. Smith defines the six main features of an ethnic community as;

- a) A collective special name;
- b) A common ancestry myth;
- c) Shared historical memories;
- d) One or more than one components that make a common culture different;
- e) A connection to a particular country;
- f) The solidarity feeling among population's important parts. (Smith, 1999: 42)

The stronger ethnic identity means the stronger probability of establishing a state. The exclusivist characteristic of ethnic identity is shown as the reason for nationalist movements. As a result, if ethnic nationalism is defined as having ethnic roots and common ancestry, it will easily exclude the people who have different ethnic origins; these communities will be named as the "other" and they will have no chance to gain their rights.

According to Neumann, integration and exclusion are two different sides of the same medallion. If integration is gained at the expense of exclusion, this means a heavy cost. The construction process of collective identities should contribute to teach us living with discrepancies, it should not cause the death of some because of being the "other". (Neumann, 1999:37) We can call, this kind of exclusion and hostility, pathological identity. Pathological identities reject communication among communities and they exclude the "others" by constantly alienating themselves. (Erdenir, 2006: 48)

Ultranationalist identities resort to the use of force during alienating process, they insult and exclude the communities that they called the "others". In contrast to strict identities, flexible identities have a reconciling attitude without overwhelming the community with rules and criterias. Although flexible identities are open to communication with the "others", their naming some communities as the "others" is the indicator of their discrimination. The communities which can not gain their rights and which are excluded, collect under their own national umbrella and cause to the emergence of national conflicts. At the present time, nationalist conflicts are caused by some ethnic groups who have desire to preserve and to prolong their ethnic roots, their common historical myths and their common culture.

Nationalism is directly related with culture. According to Ernest Gellner, nationalism is a cultural phenomenon and it requires marriage of culture and state. (Gellner, 1997: 50-51) Speaking the same language, having the same religious belief, having the same cultural elements and belonging to the same ethnic identity underlie the nationalist phenomenon in modern societies. According to Aydın, nationalism is an ideology that

have three objectives; the first one is, to create a national economy; secondly, to establish an autonomous executive organ and to gather all discriminative connections and relations under the supervision of this organ; third one is to create a national culture and correspondingly a national identification. (Aydın, 1993: 63)

Samuel P. Huntington asserts in his famous book *The Clash of Civilizations*, that the most important element of identity is religion and civilizations who are responsible for policy determination were established on religious constituents. These ideas define the vision of pan-nationalism underlying pan-european point of view. The World has experienced many events in recent history confirming Huntington's argument. The most striking evidence is that after the disintegration of Yugoslavia with deep grief, Russia and Greece supported Serbia as they are Orthodox but Turkey and other Muslim countries supported Bosnia.

European culture is the combination of three basic elements according to the classic pan-Europeanism's first definition emerged in 19th century Ancient Greek thinking, Roman law and Christianity. (Erdenir, 2006: 93) Communities which have different cultures gain European identity under the unifying force of religion. In this sense, when we mention national identity in Europe, we should mention the importance of Christianity more than race, language and culture.

### **The Evolution of Nationalism to Fascism Between Two World Wars**

In the second quarter of 20th century, while industrial revolution was rapidly ongoing in Europe, fascist governments acceded in Germany, Spain and Italy and nationalist movements reached the peak. Italian system became a model of fascism for many European countries. Besides Italy, Adolf Hitler's Nationalist Socialist Party acceded in Germany since 1933 and Francisco Franco in Spain acceded as a fascist dictator since 1939. These three leaders repudiate any other nation in Europe, they ensanguined whole Europe under the pretext of nationalism.

The most significant features of fascism can be defined as antidemocratic, extreme nationalism, anticapitalist and dictatorship. When it first burst out, fascism could be defined as Italian nationalism, in time the new political flows such as Nazism and Falanjizm contributed to Fascism and formed an integrity. Equality, priority to the benefits of the public always emphasized in fascism but when it rushed into extremes it caused racism such as Nazism. At this point, we can clearly see the difference between Italian fascism and German fascism. Hitler's fascism was racist and prioritized German race. Mussolini's fascism prioritized citizenship and nationalism. The most interesting side of Italian and German Fascism was that they acceded with democratic elections. It was surprising, for an ideology which acceded with democratic elections, to have a discourse containing violence, to aim to provoke public by the help of visual symbols, slogans and marches. (Örs, 2008: 495)

Fascism comes out as a reaction to modernization and enlightenment. Fascism prioritize benefits of community rather than benefits of individuals. In fact fascism as an ideology has contradictions in itself. According to Marxist writer Togliatti; fascism is the most reactionist, the most chauvinistic and the most colonialist elements of finance capital. (Togliatti, 2000: 15)

Fascist groups under the leadership of Mussolini mentioned the greatness of Italy; they aimed to prevent bad intentions of imperialist states and they aimed to draw borders from the Alps to Adriatic. It can be understood that the decisions made by Mussolini and his proponents, it showed that fascism was not a mere ideology, it was also a reaction. According to Otto Bauer, fascism can be explained as a result of interconnected three processes. The first one is; the war expelled large masses of people out to the bourgeois life and made them lost their class identity. This great number of people who could not get back their bourgeois life created fascist militia in company with a nationalist and antidemocratic military ideology after the war; the second one is people were getting poor because of the economical crisis and communities blame democratic system for this bad economic situation and they gathered around the nationalist-military militia. Third one is; the economy class wanted to finance the deficit caused by economical crisis. They also tried to increase the rate of exploitation and they were aware of the handicap that they could not reach their goals in frame of democratical rules so they used republicanist militia and fascist groups to scare the proletariat. This provided subversion of government to fascists in its last phase. (Bauer, 1999: 90)

In Germany, fascism started with Hitler's Nationalist Socialist Party's government. Hitler admired Mussolini and he gave great importance to his ideas and ideologies. He had great respect to Mussolini for his policies. This admiration between Hitler and Mussolini caused the close relations between fascism and national socialism. They have the same beliefs and same goals. The only difference between these two ideologies was Hitler's extreme anti-semitist ideas. Hitler revealed his ideas about Jews in his famous book "My Fight". According to him, Jewish people should be expelled or immigrated by force from Europe. He defined this race as an epidemic of plague and he said all military government forces should do anything to eradicate this race without feeling of compassion. (Hitler, 1933: 186)

The ideas defended by Nationalist Socialist Party aparted from nationalism is the point that they did not accept the nation as a divine value, they just used nationalism as a tool to reach their objectives. The main objective was establishing a new aristocratic order by disintegrating the nation state structure. (Breuer, 2010: 230) We can define this aristocratic order that gives political and social rights to the pure race, as race aristocracy.

The most important factors that define race are prominent physical and spiritual features which a group of people can transfer their genes to next generations. Breuer defines pure German race's view of Eastern people; according to this definition, Eastern people are sexually uncontrolled, absent minded, acquisitive and inadequate, moreover they are typical mass-people who do not have any interest in royal and divine issues, who rushed into daily and ordinary issues. In response to this, pure German race can be characterized with a light skin and long skull and defined as par-excellence "race which have adequacy of royalty". (Breuer, 2010: 233)

Hitler used the concepts, race and public in the same meaning, he excluded ones who were not from pure race, he did not accept them as a part of public in other words he "otherized" them.



### **The New “Other”: Red Threat**

European Union adhered into an integration processes by the end of Second World War. In 1952, Paris Treaty was signed and European Coal and Steel Community's foundation was laid. A supranationalist integration was preferred and a new era started.

In 1957, Rome Treaty was signed and integration process continued with expansion till 21st century. So what was the objective of this integration process? European integration aims to reunite nations who live in Europe under the concepts of peace and welfare on the other hand they “otherize” other nations. This “othering” involves racism and “otherizing” phenomenon in itself. Before the end of Second World War, in 1944, in Bretton Woods, USA, in the United Nations Money and Finance Conference, Bretton Woods system determined the rules in economic and commercial fields. This system leads construction of institutions such as International Monetary Fund and World Bank.

North Atlantic Treaty Organization (NATO) is an institution established by USA, West European States and Canada as a security organization against USSR. (Gözen, 2006: 173) At the beginning of Cold War, NATO was an organization for defense in order to be secure in case of a Soviet attack. In other words, the triggering idea for NATO was the fear of Red Threat.

During Second World War, USSR proved that it was powerful enough to rule many European countries with its communist ideology. USSR formed Eastern Bloc with its Marxist-Leninist ideology, USA formed Western Bloc with its liberal and democratic ideology. The reason for establishing NATO is not just to build up or to protect demolished Europe after the Second World War. USA wanted to be the only super power, the only boss of the world with its utilitarian intentions. To reach its goals, USA wanted to include USSR in Bretton Woods system. Its original purpose was to dissolve USSR in the capitalist system. But USSR did not give an inch to this and preferred to govern the states towards its own ideologies. (Gözen, 2006: 176)

According to Fukuyama, NATO is an organization of really independent states which have common commitments to liberal principles and these states can easily use military interventions to protect their own collective security against the threat which may burst out from anti-democratic side of the world. (Fukuyama, 2011: 358) At the beginning of Cold War period, in 1947, President Truman put into practice the Truman Doctrine and then Marshall Plan was made applicable targeting economical development. In 1948 OECC was founded. All these plans had one target, that was creating a powerful Europe against USSR. In 1949 Council of Europe, in 1952 European Coal and Steel Community, in 1957 European Economic Community were established, having the same objective, that was again providing a unified powerful Europe against red threat. In fact, USA was not just anxious about red threat, it was beware of the German problem. After the war, especially France strictly opposed to the armament of Germany. In this context NATO had three main objectives in Europe;

- a) Keeping USSR off the Europe and excluding USSR in other words “otherizing” USSR;
- b) Keeping Germany under control;
- c) Increasing USA's effectiveness over Europe.

In short: “Soviets out, Germans down, Americans in”. (Gözen, 2006: 179)

The effects of destruction caused by the war made Europeans adopt the idea of rasping extreme nationalism. In order to provide this, instead of nationalism and

nationality, supranationalism was driven forward. Instead of conflicting identities, developing the idea of consciousness of Europeanness was put forward. (Çalış, Bağcı, Kutlu, 2006: 219) Idea of formation of a European identity means “otherizing” the ones out of Europe. Until USSR was dissolved, the threat for West was Red, in other words, the threat was communist ideology and its unique leader, USSR. After the “Iron Curtain” was abolished, the “other” was no more there. Now, there is a need to find a new “other”. This new era’s “others” were chosen as immigrants from 3rd world countries and Muslims. Now they are in target of West Europe and USA as the most serious threat. (Erdenir, 2006: 79) In other words the colour of threat turned into green from red.

### **From Red Threat to Green Threat: The Differentiation of The “Other” in The Post Cold War Era**

Huntington, in his famous book “The Clash of Civilizations”, indicates that in this new century, conflicts among states would be replaced by conflicts among cultures. (Huntington, 1993: 22-49) According to Huntington, with modernization, identities will be lost and religion will fill this gap. He thinks the main problem is Islamic radicalism, re-islamization and the desire to convert the world in a non-western way. He defines Islam as a serious threat against West. (Huntington, 1993: 22-49) This opinion got inside the mind of Western people and made them believe that in future all Eastern states will come together and sweep over the West.

Like Huntington, Bernard Lewis has the same argument about an anti-Western Islamic world. Lewis indicated that in the post Cold War period, red threat replaced by green threat, and this fear will grow day by day and radical Islamism will be the greatest threat for Western World. (Lewis, 1990: 47-60) By reason of globalization, information media builds an image of Muslims as furious groups of scraggle people who are cloaked or veiled and who constantly performing the ritual prayers of Islam. So is Islam the only result of this dead end between East and West?

Europe began to search for integrity and identity in itself after the rise of nationalism in the post Cold War era in Europe. This time while seeking integrity, mostly Muslim immigrants were excluded as the “other”. Integration of Europe, lightened the traditional structure of identity on which nation states settled and it became a vote-hunting field for so-called nationalists. (Yılmaz, 2008: 54) In 1993, in France extreme nationalist parties defended the idea that all foreigners should be deported, race integration which is based on consanguinity should be provided and national consciousness should be indoctrinated. Because of globalization, borders have become more passable and multiculturalism started to threaten the concept nation state. All these reasons formed a basis for changing perception of immigrants as the “others”.

The extreme nationalist parties who also have some racist ideas, started to blame immigrants for any kind of problems in economical, cultural and social fields. European Union cooed to expand since its foundation to provide economical, political security and stability. Now it reached 28 members. The new members of the union that are mostly Eastern European countries, are also a threat for West Europe. An immigration flow or a social activism to the West is an uneasy situation for the union. According to Taş, in Europe extreme nationalist parties closed the way for integration of ethnic minorities, they trigger hostility to foreigners, they trigger anti-semitism and racism. This is the most dangerous attitude towards immigrants and foreigners. (Taş,

1999: 76) According to the Eurobarometer questionnaire made in 1997, European citizens who have racist feelings towards foreigners, have economical and social problems. They have the fear of losing their jobs because of immigration flows. ("Racism and Xenophobia in Europe", Eurobarometer Opinion Poll no:47, 1, Luxembourg, 18-19 December, 1997)

Islamophobia, which has been mostly discussed since the end of Cold War, dates back to the crusades. In 1529, when Turks came to the doors of Vienna, all Christians ran for help to save old world, this kind of mentality is still in the subconscious of Europe. (Lagendijk, Wiersma, 2009: 60) By the end of 1960's, model of nation state turns into a dominant code, on the other hand some political movements related to ethnicity and religion burst out. (Örs, 2008: 344) Until the end of Cold War, Muslims were not perceived as threat. The Cold War's ending means the disappearance of red threat. Now the new threat for Europe comes out as green threat in other words "Islam" and Muslim immigrants. Due to global economical crisis, European communities experienced a decrease in welfare, in Middle Age Jews were the scapegoat but in Modern Europe, Jews were replaced by Muslims. This caused a deepening gap between Muslims and Christians. Islamophobia is becoming a bigger problem day by day. (Aksoy, Çemrek, 2010: 45) This changing perception of threat caused many conservative parties in Europe to sharpen their discourses and pull more votes.

These unfair and "otherizing" discourses against Islam and immigrants made by politicians show its impact among public. In 2008, at the German Bielefeld University, at Interdisciplinary Pan-European Working Institute made a questionnaire to evaluate European citizens' point of views towards Islam and Muslims. According to the results of the research;

- a) Most Europeans consider Islam as an intolerant religion;
- b) Most Europeans believe that there are a lot of Muslims in their countries;
- c) Most Europeans believe that Islam as a overbearing and exclusivist on women;
- d) Most Europeans believe that Muslims support terrorism;
- e) Europeans feel free to put into words their negative attitude and ideas against Islam and immigrants. (Zick, 2011: 67-68)

Europeans' fears towards Islam and immigrants are increasing day by day. Prejudiced actions towards Muslims caused perception of immigrants as "others". In general, Europeans consider Muslims as people who have tendency to violence and terror so that they accept them as non-integrated individuals to the European community. Despite the fact that the main constituent of European identity is not reflected as a Christian community. In fact Europe is a Christian community and it is obvious that Christianity forms European Identity's culture and life style. Under these circumstances, the perception of Muslims as threats is an inevitable ending. In this respect, the polarization between Islamic and Christian worlds in 1990's takes the place of polarization between USA and USSR in Cold War period. The reasons for this polarization which was a result of "otherizing" of Muslims in Europe;

- Economical factors: unemployment and poverty which are increasing day by day among Muslims;
- Social factors: problems and inequality in Europe;
- Ideological factors: racism and xenophobia in Europe;
- Psychological factors: due to the factors mentioned above, muslims have a breakoff phenomenon and feeling of exclusion. (Ozlem, 2007: 205)

As we mentioned before, globalization, expansion and integration of Europe lead to immigration and security problems. Fear of loss of identity, fear of loss of supremacy in political fields, the fear of loss of cultural values made Europeans to “otherize” foreigners and to exclude them from society. Immigrants most of whom are Muslims are considered as people who are non-integrated to European culture, people who steal Europeans’ jobs and people who deenerated European identity and European values. Due to these prejudiced and unfair attitudes, Muslims are excluded from political and social life and they are condemned to live as “others”.

### **Conclusion**

According to Smith, nationalism can not be blamed as the factor which is responsible for instability, conflicts and terrorism in today’s world. But nationalism should be defined as one of the reasons which caused these difficulties mentioned above. (Smith, 1999: 270-71) After French Revolution in 1789, the identity concept came into prominence especially in West. Nationalist movements continued throughout 19th century and in the 20th century nationalism became the dominant understanding in the period between two world wars, such nationalist ideologies like fascism due to ethnicity burst out in Germany and in Italy. Two superpowers became dominant after Second World War and they polarized as East and West. In that period, communism was being accepted as a threat for Western World, in other words the name of the threat was “red threat” in accordance with this fear, an integration process started in Europe and a formation of European identity was experienced.

By the end of the Cold War, the red threat was no more a frightening factor for the West. Then, there was an ambiguity of definition of the concept of “other”. The most effective factors to explain the concept of “other” which was correlated with religion, ethnic identity and cultural differences were economical problems and expectations. The nation states which experienced loss of effectiveness, have new purposes such as creating a new enemy and “otherizing” the foreigner. Because of this reason, Europe has chosen Muslim immigrants as the new “others” and the colour of threat changed into “green” from “red” since 1990’s.

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***Baby Factories in Nigeria: Implications for Education and Women Empowerment***

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**Abstract**

The growth of Baby Factories has added a new dimension to the incidence of trafficking in persons in Nigeria. The main purpose of baby factories, also referred to as baby farming, baby harvesting and baby manufacturing is the production and sale of babies for commercial purposes. Because of poverty, illiteracy and stigmatization occasioned by unplanned/unwanted pregnancies, young women who are mostly school drop-outs are lured into baby factories, where they are made to give birth. Thereafter, their babies are taken away and sold. Some girls go through this vicious cycle of pregnancy - birth - baby sale, more than once. Because of the secrecy involved in the operations of baby factories, consideration is hardly given to the welfare, health concerns and psychological problems of the victims. The objectives of this study, which will take place in the South Eastern States of Nigeria, are to investigate the effects of baby factories on the lives of victims, find out the preventive measures instituted by communities to fight the scourge, as well as interventions put in place by government through education to help victims and their families. Both quantitative and qualitative methods will be employed for the study. A policy framework for education and empowerment of women and girls will be formulated as issues of baby factories have great psychological, social and physical impact on victims and families.

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## Introduction

The image of Nigeria as a nation has been battered by so many negative developments chief amongst which is corruption. Transparency International ranks Nigeria as the 8<sup>th</sup> most corrupt nation on earth, and the third most corrupt in Africa. Nigerians suffer a lot of indignities as a result of this negative perception brought about chiefly by the erosion of moral, ethical and social values for which the Nigerian nation was formally known. Before the 1980's, Nigerians cherished age old virtues of patriotism, honesty, respect for human life and dignity, hard work, truth, care for others especially the old, weak and needy. But with globalization, human rights and melting of cultures, most of the cherished values of the nation have been eroded. Emergency millionaires have become a new feature of our communities. These are people who make money through questionable means which include all forms of trafficking both human and non human. Human life which was once seen as sacred is no longer respected. There are rampant incidents of kidnapping and child trafficking where human beings are trapped like animals, dehumanized and sold either in whole or in parts. In all these, money remains the motivating factor.

Child abuse and trafficking is a worldwide evil that exists in most countries of the world. But Nigeria has carved out an unenviable niche for herself as the place where the most dehumanizing form of human abuse takes place. This new form of human trafficking is referred to as baby trafficking, baby factories/baby harvesting/baby farming/baby manufacturing. Baby farms/factories are places (any place) where women give birth and give up their babies for sale voluntarily or otherwise. Those involved in this business only want to make money. Children harvested/farmed from these homes are sold to childless couples as well as the highest bidders both within and outside the country with male babies costing more than female ones. Whereas the owners of these factories make huge sums from their customers, the mothers go away with paltry sums ranging from ₦50,000 to ₦150,000. Childless couples who reside outside the country patronize these homes/facilities and by so doing embolden the perpetrators. The owners of the homes/traffickers operate from orphanages, hospitals, clinics, homes, churches, mental institutions, factories. These places are situated in towns, villages, communities. There are three main categories of women/girls who are involved in this illicit trade.

- Those who have unplanned/unwanted pregnancies (whether inside or outside wedlock), are afraid of the cultural stigmatization associated with unwanted pregnancies and who do not want to bring shame upon themselves or families. These women/girls willfully seek out baby factories/farms where they hide their shame.
- Those who out of financial desperation decide to willfully go into the homes/factories where they lease out their wombs and are impregnated by males hired for the purpose, with promises of good money that will enable them lead the exciting life they crave. Among this group can be found young female school dropouts (especially those from polygamous homes) and petty business women who have fallen on hard times and seek avenues to inject money into their businesses.
- Those who are forced/kidnapped and forcefully taken into the factories/places where they are impregnated by unknown males and forced to give up their



children after birth. The unsuspecting females are later turned into baby making objects and forced to give birth over and over again. Some are fortunate to leave the places alive. The unfortunate once are never seen again.

The first official report of baby trafficking/harvesting/farming was made by United Nations Educational, Scientific and Cultural Organization (UNESCO) in 2006. The report stated that the abuse of young women/girls was taking place in orphanages, maternities and hospitals by doctors, nurses, midwives and other caregivers, States where the trafficking is prevalent according to the report are Abia, Lagos and Ebonyi States. Since then however, the incidence of baby factories has become a regular news feature in Nigeria. Earlier, Ahaoma (2004) had reported that a net work of baby factories masquerading as orphanages was discovered in Enugu State. According to Shikata (2013), a doctor at The Cross Foundation hospital in Aba in the Southeast State of Nigeria was arrested along with 32 pregnant teenage girls found in his clinic. The girls, aged between 15 and 17, told police they were offered about 25,000 naira (about US\$160) through infants are assumed to be sold for as much as 340,000 naira (about US\$2,200) to people who are desperate for babies. Recently, Madike (2013) also reported that the Imo State command recued over 17 pregnant girls from a baby factory. Ajayi (2014) reported also that eight pregnant girls were freed from a baby factory in Ogun state. These reports represent just a fraction of all the reports received. But despite the attention and condemnation by all and sundry, the businesses of baby factories has continued unabated. One wonders why agencies of government at the federal, state and local government levels are powerless to stop this scourge.



Nine pregnant girls rescued from ‘baby factory’ in Enugu. (Igata, 2015).

Police uncover baby factory in Anambra (Okonkwo, 2014).

There are often sensational reports on the discoveries of baby factories in the country’s clinics practicing baby factory. Few examples:

- **Police uncover baby factory in Anambra State** (Nwabueze, 2014).
- **Anambra ministry saves 30 babies from traffickers** (Nwanosike, 2011).
- **Parents beware: Baby thieves on the prowl ... 12 kids stolen in Onitsha** (Aloysius, 2012).
- **17 Pregnant teenagers arrested in Anambra baby factory** (Nwanosike, 2011).

Many reasons have been given for the increase of baby factories in Nigeria. Many believe that poverty is the primary motivation that propels the booming trade. The decline in the Nigeria’s economy and the near total collapse of all institutions of government have left citizens desperate. Unemployment is rampant and many young people are disillusioned and helpless. Out of desperation they resort to activities that will generate income for them. These include kidnapping, drug trafficking, armed

robbery, and other crimes. Moral, ethical and social values have been sacrificed on the altar of greed. Even religious organizations have failed to raise the moral standards of people, as some churches are alleged to be involved in the nefarious trade. The new wave of insecurity in Nigeria occasioned by factors such as Boko Haram insurgency, kidnapping, armed robbery etc have also contributed to the near total collapse of law and order. People now no longer look out for members of their families, friends and neighbours. This explains why a crime like baby trafficking can take place in towns, communities, villages without noticeable resistance from men and women around. Those who trade in human lives are known to their relations, friends and neighbors but the people choose to look the other way, some because they do not care and others because they do not want to disturb the relative peace in their communities. Nigerian societies are functional human communities which should operate with ethical values, principles, and rules that guide the social behaviour of citizens. But the cohesiveness of these communities has been shattered by the stark economic realities of the day.

The high rate of illiteracy among Nigerians especially females is another reason why this trade in humans thrives. Education is a basic human right and an instrument of national development and social change. Education enables men and women to develop self confidence and find self fulfillment that will enable them make informed choices about their lives and bodies. Young girls who are not able to control their own lives cannot be of benefit to themselves or their communities. Education which should empower men and women to find greater self confidence, fulfillment to enable them make informed choices about their lives and bodies has not achieved its purpose. Educational institutions seem to have woefully failed to deliver on their mandate. The curriculum of schools does not reflect present social challenges and realities like child trafficking and baby factories.

Children (girls) who come from polygamous homes are mostly at risk of being trafficked in Nigeria. Polygyny is an accepted way of life. As such men take many wives and produce many children, some of which they may be able to cater for. Such children, due to poverty resort to all manner of antics which may lead to unwanted pregnancies and prostitution. The females, to hide their shame and maintain family honour, patronize baby factories where they give away their babies after birth. The secrecy that surrounds the business of baby factories provides the impetus that enables the practice to thrive. Both the victims and perpetrators shroud their activities in secrecy. Even parents and relations of both traffickers and the trafficked, are usually reluctant to discuss this nefarious business. In some cases, law enforcement officers connive with traffickers to hide evidence.

Childlessness amongst married couples gives impetus to baby factories. Nigerians place high premium on biological children. Therefore infertile couples are seen as cursed. Infertility in Nigeria is not the concern of only the couple involved. Relations, friends and religious bodies put so much pressure on those who are not able to bear children that they resort to all avenues to 'possess' children. Though solutions exist in form of adoption and assisted human reproduction technologies, it is common knowledge that these procedures are too expensive and unreliable. It is quicker and easier to get a baby from the numerous factories around. The demand pushes the supply.

It is worrisome to note that in spite of the general discontent felt by all and sundry in Nigeria about this evil trade, there is not much that has been done by either the Federal, State or Local governments to check the incidence of baby farming/harvesting. Have baby farms in Nigeria become a way of life? Are these farms now seen as providing employment for the teeming youths? What intervention practices have government put up to protect the lives of the women and the babies they give birth to? What is the role of government agencies like NAPITIP (National Agency for the Prohibition of Trafficking in Persons) in Nigeria? What plans, policies and processes are in place to bring succor to the helpless, hopeless, poverty stricken girls who are the trafficked? What enlightenment programs are in place to educate citizens about the health hazards as well as the emotional and psychological trauma associated with patronizing baby factories?

### **Overview of Trafficking in Persons**

Trafficking in Persons (TIP) commonly referred to as human trafficking is a globalized and modernized form of slavery. The United Nations (UN) Convention against Transitional Organized Crime and its Protocol on Trafficking in Human Beings define human trafficking as “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation” (Ministry of Foreign Affairs 2003).

This is not limited to sexual abuse but applies to all forms of exploitation which often later include or turn into sexual exploitation. Trafficking has long been established in the country, but the manifestation of baby factories came into wider focus in Nigeria in 2011.

### **Factors in the Proliferation of Baby Factories**

Trafficking in human beings, which includes baby factories is a complex problem. Increasing numbers of girls are victims of baby factories. People become victims due to various reasons. This may include economic, socio-cultural, legal and political causes (Ministry of foreign Affairs 2003). According to Ezeilo (2005), in most traditional African countries the lives of women remain defined by traditional practices that endorse disempowerment and endorse unequal treatment. Because of low income resulting in poverty, families become increasingly vulnerable. Socio-cultural causes, include the oppression of women and girls within patriarchal families and social structures, in which women are subordinated to men and are objects of discriminating attitudes and oppression. Legal and political causes include lack of adequate legislation, viable administrative machinery and effective judiciary on the part of those who are trafficked. Subordination of women is even experienced in the baby factories where male children cost more than female ones.

### **Measures Taken by the Government to Check Baby Factories**

In Nigeria, the Federal Government has set up the National Agency for the Prohibition of Trafficking in Persons (NAPITIP) to deal with the problems of

trafficking in Nigeria. The agency works in close collaboration with the Federal Ministry of Women Affairs and Social Development. There are only nine (9) NAPTIP offices in Nigeria. The Nigerian Senate in an attempt to halt the increase in human trafficking sought capital punishment for human trafficking and baby factories in 2011. It urged the African Union (AU), United Nations (UN) and the Economic Community of West African States (ECOWAS) to strengthen cooperation among member states in a bid to combat the scourge of human trafficking. Some Senators even pushed for capital punishment for the offenders. Senate, however, mandated its Committee on Judiciary, Human Rights and Legal Matters to expedite further legislative action on the matter (Adetutu Folasade-Koyi, Daily Sun Newspaper, Wednesday October 5, 2011). While some states, like Enugu State have passed a law classifying kidnapping as a capital offence punishable by death, some other states are yet to pass such laws. This, notwithstanding, the crime of baby trafficking is still going on. Due to the increasing incidence of this crime, some state governments have even resorted to extra-judicial methods of demolishing houses and destroying the properties belonging to the perpetrator. The international and regional agreements which could help tackle the problem include: the UN Convention against Transitional Organised Crime and its protocol to prevent, suppress and punish trafficking in persons, especially women and children. This provides the first legally binding, comprehensive definition of trafficking in human beings to be agreed upon by the international community.

### **Theoretical Framework**

This study is anchored on the Political Economic Theory. The theory deals with the material conditions of people, social, economic, cultural, and educational, which manifests in disempowerment. People are disempowered due to the distribution of power and wealth, and the economic and political policies of the government. Thus, the people suffer poor income, unemployment and insecurity. These social conditions are responsible for the near collapse of moral and ethical values of people, leading to involvement in unspeakable crimes like armed robbery, kidnapping, rape and baby factories.

### **Statement of Problem**

The business of human trafficking in Nigeria has assumed a new dimension in the form of baby factories/baby harvesting and farming. This evil thrives in almost all neighborhoods and for some people has become a source of steady influx of funds. Children are regarded as a source of blessing in Africa and parents feel obligated to protect and care for their infants as they constitute the pride and joy of many families but the emergence of baby factories has devalued the value attached to lives in Nigeria. The purpose of baby factories is the production and sale of babies for commercial purposes. Due to poverty, greed, stigmatization and illiteracy, young women (mostly school drop outs) are lured into baby factories when they give birth. These babies are given away for paltry sums. Though many residents including parents and relations of the girls/women are aware of this evil trade, they watch helplessly as the little babies are sold to the highest bidders – mostly childless couples. The young girls, involved in this trade many of which are school dropouts suffer unspeakable indignation in the filthy factories disguised as hospitals, maternities and orphanages where they live in unhealthy crowded environments with very little

medical care. Communities seem at a loss about how best to tackle the evil. The government on its part also seems not to take sufficient interest in fishing out the victims or the perpetrators. This study therefore sets out to find out the factors that encourage baby factories, the government intervention policies that have been put in place to protect the victims of baby factories/farming and the implications of baby factories on women education and empowerment.

The objectives of this study are therefore: to find out the intervention strategies designed by government through education to curtail the growth of baby factories in Nigeria. The study also seeks to find out preventive measures put in place by communities to help victims of baby factories.

### **Research Questions:**

The following research questions guided the study.

- (1) To what extent are baby factories prevalent in South Eastern States of Nigeria?
- (2) What are the socio cultural factors that encourage baby factories in Nigeria?
- (3) What are the challenges to combating baby factories?
- (4) What intervention strategies have government and communities put in place to help victims?

### **Methodology**

The study employed the survey design. Area of the study is the south eastern states of Nigeria consisting of Abia, Anambra, Enugu, Ebonyi and Imo states. Two states – Abia and Enugu were randomly selected and used for the study. The five south eastern states are all of the Igbo speaking ethnic group and share common cultural characteristics. Baby factories are rampant in these five states. The population of the states according to census figure of 2006 are 2,833,999 from Abia and 3,257,298 from Enugu.

### **Sample and Sampling Procedure**

The sample consists of 800 respondents – 400 each from each of the two states of Enugu and Abia. To ensure equal representation, of the sexes equal number of males (200) and females (200) were selected from each state. Two Local Government Areas (LGAs) were randomly selected from each state for the study. In Enugu state, Enugu East and Udenu Local Government Areas were selected while Aba North and Osisioma Local Government Areas were selected from Abia State. 200 respondents from each of the four LGAs completed the questionnaire. They are made up of both males and females, married, unmarried and widowed of all income brackets and all religious affiliations. Staff of NAPTIP and those of some Non Governmental Organizations (NGOs) in the 2 states were also interviewed for the study.

### **Instruments for Data Collection**

The study employed both quantitative (questionnaire) and qualitative (interview) methods for data collection. The questionnaire was of two parts – Section A sought information about the personal characteristics (demographic variables) of respondents while section B sought answers to questions on issues of the study. The data from the

questionnaire were processed and analyzed using percentages and frequency distributions while qualitative (interview) data were analyzed based on themes/content of the questions.

### Presentation of Data

The responses from the eight hundred questionnaires administered were included in the analysis that follows below. This return rate may be attributed to the technique of administration, which was other-administered by the researchers and trained field assistants. Also integrated in the present analysis are qualitative data collected through in-depth interviews with staff of NAPTIP and Non-Governmental Organizations (NGO)

#### 4.1 Section A: Socio-demographic Characteristics of Respondents

**Table 1: Distribution of Respondents by Socio-demographic Characteristics**

<b>Location</b>	<b>Frequency</b>	<b>Percentage</b>
Enugu	400	50
Abia	400	50
<b>Total</b>	<b>800</b>	<b>100</b>
<b>Sex</b>	<b>Frequency</b>	<b>Percentage (%)</b>
Male	400	50
Female	400	50
<b>Total</b>	<b>800</b>	<b>100</b>
<b>Age Group</b>	<b>Frequency</b>	<b>Percentage (%)</b>
20 – 29	144	18
30 – 39	213	26.6
40 – 49	189	24
50 – 59	163	20.4
60 years and above	91	11
<b>Total</b>	<b>800</b>	<b>100</b>
<b>Level of education</b>	<b>Frequency</b>	<b>Percentage (%)</b>
Primary school	84	10.5
Secondary school	505	63.1
Tertiary	211	26.4
<b>Total</b>	<b>800</b>	<b>100</b>
<b>Income per month</b>	<b>Frequency</b>	<b>Percentage (%)</b>
Less than ₦10, 000 per month	284	35.5
₦11, 000 – ₦20, 000 per month	202	25.3
₦21, 000 – ₦30, 000 per month	86	10.8
₦31, 000 – ₦40, 000 per month	104	13.0
₦41, 000 - ₦50,000 per month	56	7.0
₦51,000 and above	68	8.5

<b>Total</b>	<b>800</b>	<b>100</b>
<b>Main Occupation</b>	<b>Frequency</b>	<b>Percentage (%)</b>
Business	244	30.5
Civil servants	146	18.3
Unemployed	161	20
Student	126	15.8
Artisan	123	15.4
<b>Total</b>	<b>800</b>	<b>100</b>
<b>Religious affiliation</b>	<b>Frequency</b>	<b>Percentage (%)</b>
Christianity	789	98.6
Islam	4	0.5
Traditional Religion	2	0.3
Others	5	0.6
<b>Total</b>	<b>800</b>	<b>100</b>
<b>Marital Status</b>	<b>Frequency</b>	<b>Percentage (%)</b>
Married	476	59.5
Single	240	30
Divorced	1	0.1
Separated	3	0.4
Widowed	80	10
<b>Total</b>	<b>800</b>	<b>100</b>

**Source:** Field Survey (2015)

Table 1 gives information about who the respondents were, their age, educational background, economic status, and activities as well as religious affiliation.

#### **4.2 Section B: Awareness and Knowledge of Baby Factories**

This section deals with the analysis of the respondents on their awareness of baby factories, reasons that encourage baby factories, the challenges encountered in combating baby factories, government intervention in curbing the malaise and suggestions for controlling baby factories.

#### **Distribution of Respondents on Awareness of Child Trafficking**

The focus is on awareness of child trafficking. Their responses are illustrated on figure 1 below.

**Table 2: Distribution of Respondents on Awareness of Child Trafficking**

<b>Ever heard about child trafficking</b>	<b>Frequency</b>	<b>Percentage (%)</b>
Yes	584	73
No	216	27
<b>Total</b>	<b>800</b>	<b>100</b>

**Source:** Field Survey (2015)

Table 2 above shows that 73% of respondents are aware of trafficking while 27% are not. For some of them who are aware, child trafficking means sale/abduction of children for money, while others say it is illegal movement of children from one country to another for child labour or prostitution.

**Table 3: Distribution of Respondents on how serious Baby Factories are**

<b>Seriousness of baby factories</b>	<b>Frequency</b>	<b>Percentage (%)</b>
Very serious	309	57.8
Serious	185	34.6
Not serious at all	41	7.7
<b>Total</b>	<b>535</b>	<b>100</b>

**Source:** Field Survey (2015)

Table 3 above indicates that majority of the respondents (57.8%) view baby factories as constituting a very serious problem, 34.6% do not. This view is supported by responses of those from the indepth interviews of officials of (NAPTIP) and NGOs in Aba and Enugu who view it as a very serious problem especially in the south-eastern states. There is only one NAPTIP office in Enugu for the entire eastern zone but staff there gave some instances of arrests by the police in Aba, of some doctors and matrons who own such baby factories camouflaged as maternity homes. Some of those reports were in the newspapers.

**Table 4: Distribution of Respondents views on those Reasons that Encourage Baby Factories (% in parenthesis)**

<b>Reasons that encourage baby factories</b>	<b>Mentioned</b>	<b>Not Mentioned</b>	<b>Total</b>
Infertility/need to have biological children	397 (49.6)	403 (50.4)	800(100)
Poverty/unemployment	703 (87.9)	97 (12.1)	800(100)
Cultural practice of ostracizing pregnant girls outside wedlock/marriage	457 (57.1)	343 (42.9)	800(100)
Poor regulation of orphanages	401 (50.1)	399 (49.9)	800(100)
Lack of/low levels of education	680 (85)	120 (15)	800(100)
Decaying moral and social values	696 (87)	104 (13)	800(100)
Complicity by those in authority/state actions	633 (79.1)	167 (20.9)	800(100)
High cost of fertility treatment for infertile women	612 (76.5)	188 (23.5)	800(100)
Desire to have male children	504 (63)	296 (37)	800(100)

**Source:** Field Survey (2015)

Table 4 above reveals that the most commonly mentioned reason that encourages baby factories in the view of the communities under study is poverty/unemployment as mentioned by 87.9% of the respondents followed by decaying morals and social values (87%) and lack/low level of education (85%). On the other hand, infertility/need to have ones biological children is the least mentioned reason that encourages baby factories as indicated by 49.6% of the respondents in the communities under study. Respondents also gave various categories of girls/women like young girls, uneducated girls, poor girls as well as women of reproductive age as those who patronize baby factories.



Data from the indepth interviews gave monetary gains (by the perpetrators), poverty and service to childless couples as the main reasons for high incidence of baby factories.

**Table 5: Distribution of Respondents view on challenges to combating this problem (% in parenthesis)**

<b>Challenges to combating this problem</b>	<b>Mentioned</b>	<b>Not Mentioned</b>	<b>Total</b>
Deficient legal system	617 (77.1)	183 (22.9)	800(100)
Parents/relatives of rescued pregnant prefer to settle out of court	505 (63.1)	295 (36.9)	800(100)
Reluctance of pregnant teenagers to present themselves in court as witness	319 (39.9)	481 (60.1)	800(100)
Interference of state actors/highly influential persons	548 (68.5)	252 (31.5)	800(100)
Poor records/data collection and analysis	587 (73.4)	213 (26.6)	800(100)
Corruption in the judicial and police system	653 (81.6)	147 (18.4)	800(100)
Relatives' wish to avoid publicity in order to protect their wards	528 (66)	272 (34)	800(100)
Lack of gainful employment for the girls	765 (95.6)	35 (4.4)	800(100)
Low level of education	739 (92.4)	61 (7.6)	800(100)

**Source:** Field Survey (2015)

Table 5 above shows that majority of the respondents (95.6%) mentioned lack of gainful employment for the girls as the greatest challenge encountered in combating baby factories, followed by low level of education 92.4% and corruption in the judicial and police system 81.6%, 77.1% indicated deficient legal system, 73.4% poor records/data collection and analysis while 68.5% indicated interference of state actors/highly influential persons. 66% mentioned relatives' wish to avoid publicity in order to protect their wards, preference of parents/relatives of rescued pregnant to settle out of court (63.2%) and reluctance of pregnant teenagers to present themselves in court as witnesses (39.9%). In terms of what their communities would do to eliminate baby factories, the respondents mentioned public sensitization, destruction of known baby factories/homes and reporting any incidence to law enforcement officials.

Interview with the officials of NAPTIP and NGOs shows that the challenges they face in dealing with this problem are: unwillingness of community members to expose their neighbours, fear of victimization from culprits, reluctance to be involved in police matters, inadequate infrastructure and inability to access some remote communities to monitor such activities.

**Table 6: Distribution of Respondents' views on the ways government should intervene to curb this malaise (% in parenthesis)**

<b>Ways government has intervened to curb this malaise</b>	<b>Mentioned</b>	<b>Not Mentioned</b>	<b>Total</b>
Introduction of poverty alleviation programmes	615 (76.9)	185 (23.1)	800(100)
Public enlightenment campaigns	724 (90.5)	76 (9.5)	800(100)
Strengthening of values and ethics education in schools	579 (72.4)	221 (2.6)	800(100)
Enforcement of free and compulsory education especially for girls	163 (20.4)	637 (79.6)	800(100)
Government to monitor the activities of baby factories	645 (80.6)	155 (19.4)	800(100)
Government to liaise with professional bodies like Nigerian Medical Association for strict compliance of members	548 (68.5)	252 (31.5)	800(100)

**Source:** Field Survey (2015)

Generally, a very high proportion (90.5%) of the respondents have the view that government has somewhat introduced public enlightenment campaigns to help solve the problem of baby factories in the communities studied. 80.6% are of the view that government should monitor the activities of baby factories in order to curb the malaise, 76.9% are of the opinion that government should monitor more closely the poverty alleviation programmes in a bid to create employment for youths, 72.4% are of the opinion that government should continue strengthening of values and ethics education in schools, 68.5% said that government should liaise with professional bodies like Nigerian Medical Association for strict compliance of members while 20.4% are of the view that enforcement of free and compulsory education especially for girls is another way government intervened to curb this problem.

In the opinion of IDI respondents, government efforts towards reduction of the incidence of baby factories should be in the area of public sensitization and sex education, legislation and strict enforcement of laws against trafficking, proper monitoring/regulation of orphanages, hospitals and maternity homes by health officials and professional bodies as well as prosecution of offenders.

**Table 7: Distribution of Respondents' suggestions for controlling this problem (% in parenthesis)**

<b>Suggestions for controlling this problem</b>	<b>Mentioned</b>	<b>Not Mentioned</b>	<b>Total</b>
Greater advocacy by civil society groups in order to promote awareness of the menace	609 (76.1)	191 (23.9)	800(100)
Proper implementation of poverty alleviation programmes	735 (91.9)	65 (8.1)	800(100)
Strict monitoring of orphanages and maternity homes	581 (72.6)	219 (27.4)	800(100)
Making education compulsory and available to all especially girls	512 (64)	288 (36)	800(100)
Subsidizing of fertility treatments to enable more women have their own children	639 (79.9)	161 (20.1)	800(100)

**Source:** Field Survey (2015)

Table 7 shows that majority of the respondents (91.9%) mentioned proper implementation of poverty alleviation programmes as a way by which baby factories can be controlled, followed by 79.9% who suggested subsidizing of fertility treatments to enable more women have their own children; 76.1% of the respondents mentioned greater advocacy by civil society groups in order to promote awareness of the menace; 72.6% mentioned strict monitoring of orphanages and maternity homes, while 64% suggested making education compulsory and available to all especially girls.

Officials of NAPTIP and NGOs made the following suggestions on how the communities on their own can help curb the incidence of baby factories: sensitization of community members by themselves; villagers should be on the alert for people who would engage in such a bad practice; such people should be sanctioned or the attention of law enforcement agencies should be drawn to their activities; local churches to be involved in sensitizing their members on the evil of baby sale; women leaders of associations to reconsider the practice of rejecting/ostracizing daughters who get pregnant outside wedlock and more NAPTIP offices to be setup to effectively monitor baby factories.

On their own part, these IDI participants made suggestions most of which are in line with earlier suggestions but also added proper girl-child and sex education, job creation and skill acquisition to empower young women and regulation of adoption laws. It is surprising that in spite of the public out cry on this evil business, a female official of an NGO insisted that a woman has the right to use her body the way she pleases.

## **Discussion, Summary and Conclusion**

### **Discussion**

In this section, the findings of the main research questions are brought together. Majority of the respondents had knowledge of the existence of child trafficking (73%), and were also aware of the problem of baby factories (66.8%). Most of those who were aware, perceived baby factories as a very serious problem.

In terms of the socio-cultural factors that encourage baby factories, nearly all the respondents (87%) mentioned poverty and unemployment as the major reasons for the existence of this problem. The same view was held by some staff of NAPTIP and some NGOs who added monetary gains by the owners (perpetrators) of baby factories as an incentive to carry on this trade.

On the category of girls/women who engage in baby factory business, about two-thirds (65%) were girls from poor families while 35% were girls from poor educational background. The major problems (challenges) faced in attempting to tackle the issue of baby factories were identified as lack of gainful employment for girls and low level/lack of education. Teenage pregnancy exposes girls to serious health problems which may lead to untimely death. Young girls who patronize baby factories mostly end up in prostitution. These girls mostly drop out never achieve their potentials and end up as outcasts in the various communities. In other words, without jobs and proper education, it is not easy getting girls out of this bad business. In addition, corruption in the judicial and police system and reluctance of relatives to expose their wards equally pose serious challenges in dealing with baby factory problem. Indeed, data from the indepth interviews equally supported the above views with the added information that community members were unwilling to expose their neighbours for fear of victimization from the culprits. To fight this scourge, respondents mentioned sensitization programmes to be carried out in the villages by the villagers themselves, involving the local churches, in addition to sex education and use of vigilante groups to fish out perpetrators.

The implication of baby factories for girls/women is that their lack of education or at best, low educational status, is the main reason for their impoverished status and their susceptibility to baby factory business. This is because education is a tool for empowerment. In effect, they have not been financially empowered to take care of their needs. Thus, when girls/women are educated to a reasonable level, they can complete for jobs, earn some reasonable income and be in a better position to take care of themselves, such that patronize baby factories will no longer be an attractive alternative for survival.

### **Summary and Conclusion**

This study investigated the emerging and increasing incidence of baby factories in Abia and Enugu States in the south east zone of Nigeria. It was noted that a number of factors are responsible for the scourge chief of which are poverty/unemployment and greed. This was the opinion of questionnaire and IDI respondents.

In conclusion, the phenomenon of baby factories will continue to be a feature in states and Nigeria in general, unless the issue of poverty is seriously addressed by the government.

### **Recommendations**

Some suggestions for dealing with the scourge include:

1. Government should ensure proper implementation of poverty alleviation programmes to enable the less privileged benefit from them.
2. Public sensitization of this evil business should be intensified.
3. Girl-child education should be made compulsory throughout the country.
4. Adoption laws should be regulated.
5. Orphanages and maternity homes should be strictly monitored by both government agencies and the relevant professional bodies.
6. The government through the school curriculum can institute educational programmes or strengthen the curriculum content in order to draw attention to the dangers of baby factories. The girls/women who patronize baby factories either as clients or as customers come from various communities. Many of them are unaware of the health dangers inherent in pregnancy and childbirth. The homes, maternities, hospitals, factories and churches where this evil is perpetrated are all found in communities not in forests and deserts. Members of the communities are aware of the activities of these baby merchants. But the host communities seem to be scared of those involved in the trade.
7. Finally, advocacy by civil society groups is also suggested to promote more awareness of the menace of baby factories.

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Newspaper quote:

Operatives of the 9<sup>th</sup> Mile Division of Enugu State Police Command raided a 'baby factory' located at Etiti in Amankwo-Ngwo Udi Local Government Area where they rescued nine pregnant girls. . . . We had strong intelligence about his activities. We had to put a tab on him for some time which eventually paid off. . . . Their names are....Francis Igata, Vanguard News, June 14, 2015.

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The logo for the International Association of African Researchers (iafor) is centered on the page. It consists of the lowercase letters 'iafor' in a light blue, sans-serif font. The text is enclosed within a circular graphic composed of two overlapping, semi-transparent arcs: a light blue one in the foreground and a light red one behind it, creating a sense of depth and movement.

## Appendix I

### Questionnaire on Baby Factories/Trafficking in South-eastern Nigeria

**Instructions:** Please take a few minutes to fill out this questionnaire. Your response would be highly appreciated. Please tick (✓) as applicable.

#### Section A

##### Personal Characteristics

- (1) Location: \_\_\_\_\_
- (2) Sex: Male      Female
- (3) Age: 20 years +      30 years +      40 years +      50 years +      60 years +
- (4) Highest educational qualification \_\_\_\_\_ -
- (5) Income per annum-How much do you earn per month  
\_\_\_\_\_
- (6) Occupation: Businessman      Salary Earner      Artisan      Student  
Unemployed Others
- (7) Religious Affiliation: Christianity      Islam      Traditional Religion      Others
- (8) Marital Status: Married      Single      Divorced      Separated      Widowed

#### Section B

- (9) Have you heard of child trafficking in Nigeria?  
Yes  No
- (10) If yes, what does it mean to you?
- (11) Have you heard of baby factories in your community?  
Yes      No
- (12) If yes, how serious is this problem in your community?  
(a) Very serious      (b) Serious      (c) Not serious at all      (d) Never heard of it
- (13) What are those reasons that encourage baby factories? (Please tick as many as appropriate)
  - (a) Infertility/need to have ones biological children
  - (b) Poverty/unemployment
  - (c) Cultural practice of ostracizing pregnancy outside wedlock/marriage
  - (d) Poor regulation of orphanage homes
  - (e) Lack of/low levels of education
  - (f) Decaying moral and social values
  - (g) Complicity by those in authority/state actions
  - (h) High cost of fertility treatment for infertile women
  - (i) Desire to have male children
- (14) What category of girls/women are involved in baby factories?
- (15) What are the challenges to combating this problem? (Please tick as many as appropriate)
  - (a) Deficient legal system
  - (b) Parents/relatives of rescued pregnant prefer to settle out of court



- (c) Reluctance of pregnant teenagers to present themselves in court as witness
  - (d) Interference of state actors/highly influential persons
  - (e) Poor records/data collection and analysis
  - (f) Corruption in the judicial and police system
  - (g) Relatives' wish to avoid publicity in order to protect their wards
  - (h) Lack of gainful employment for the girls
  - (i) Low level of education
- (16) What, in your opinion, has your community done to fight the scourge?
- (17) In what ways has government intervened to curb this malaise? (Please tick as many as appropriate)
- (a) Introduction of poverty alleviation programmes
  - (b) Public enlightenment campaigns
  - (c) Strengthening of values and ethics education in schools
  - (d) Enforcement of free and compulsory education especially for girls
  - (e) Government to monitor the activities of baby factories
  - (f) Government to liaise with professional bodies like Nigerian Medical Association for strict compliance of members
- (18) What are your suggestions for controlling this problem? (Please tick as many as appropriate)
- (a) Greater advocacy by civil society groups in order to promote awareness on the menace
  - (b) Proper implementation of poverty alleviation programmes
  - (c) Strict monitoring of orphanages and maternity homes
  - (d) Making education compulsory and available to all especially girls
  - (e) Subsidizing of fertility treatments to enable more women have their own children

## **Appendix II**

### **Indepth Interview (IDI) Guide for Officials of NAPTIP and NGOs**

1. In your opinion, what is the extent of (how widespread) baby factories in this area?
2. What are the reasons for the increasing incidence of baby factories in this area?
3. What challenges do you encounter in handling this problem of baby factories?
4. How can the incidence of baby factories be reduced by the government?
5. What role(s), do you think, the communities can play to eliminate or at least reduce baby factory incidence?
6. What are your own suggestions to curb this social malaise?





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