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Development and Conflict in the 21st Century

Part of the Conflict and Development Series

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Development and Conflict in the 21st Century

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Otto F. von Feigenblatt, M.A.

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Chapter 1

Bridging the Theoretical Gap Separating International Development Studies and the field of Conflict Analysis & Resolution:
“All is one, and one is all”

Otto F. von Feigenblatt, M.A., F.R.A.S. 1

Two growing fields in the social sciences are Conflict Analysis & Resolution and International Development Studies. New programs concentrating on development or conflict are launched every year in universities all over the world. Hundreds of academic journals and trade magazines are devoted to research conducted in the previously mentioned subfields. The recent growth in the two fields has brought many benefits to the study of conflict and development such as the development of more nuanced theories explaining important factors influencing international development and conflict in addition to a growing number of highly trained scholars and practitioners with in depth training in one of the two subfields.

Nevertheless, there are also costs involved with the increasing differentiation between the two budding subfields. One of the most obvious ones is the sacrifice of breadth for depth. Concentrating on a single subfield allows both scholars and practitioners to narrow in on important previously unexplored phenomena from the point of view of a single subfield. The disadvantage of this approach is that the resulting theory/understanding explains only one aspect of the entire socio-political field. Gone are the days when a scholar could submit a paper dealing with middle theories to one of the dominant journals in the fields of political science and international relations and have any hope of having it accepted for publication. Young scholars are encouraged to “specialize”, to concentrate on “manageable issues”, and to support obvious conclusions through the tedious measurement and identification of meaningless correlations. Greater understanding of each subfield is important but understanding the connection between the two and their relationship to the world “out there” is even more important.

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The result of this trend has been the unnecessary estrangement of two kinds of scholars. One group of scholars has accepted the increasing specialization of the two subfields and concentrated on gathering evidence to support the theories of the great men of the past. Another group has rejected parts or the entirety of the lessons taught by the orthodoxy in favor of the establishment of a plethora of “alternative” subfields. This polarization has been caused in part by the attempted forced assimilation of young scholars into a positivist straight jacket. The painful process has two possible outcomes, either the young scholar is “broken” and becomes a new submissive member of the orthodoxy or the young scholar rebels and flees to a more open subfield. This explains the large proportion of young scholars, originally from narrow subfields, who have joined broad research projects such as area studies, international studies, and cultural studies, *inter alia*.

Polarization and estrangement are unnecessary and ultimately weaken both international development studies and conflict analysis & resolution. While specialized research should continue it is also important to encourage interdisciplinary theory building so as to make the resulting insights more applicable for practitioners and policymakers working outside of the ivory tower (Eckl, 2008). Conflict and Development are two sides of the same coin and neither one can be dealt with appropriately without taking the other one into consideration (Peou, 2009). It is indicative of the state of the art in the two disciplines that the most active scholars attempting to bridge the theoretical gap identify themselves as members of one of the many “alternative” subfields (Battersby & Siracusa, 2009; Brunnee & Toope, 2006; Kolodziej, 2005; Tadjbakhsh & Chenoy, 2007). Alternative development includes aspects of conflict at the micro level while alternative security studies includes socio-economic development and even cultural conflict as part of its purview.

The previous assertions about polarization appear to be contradicted by the prominent roles of famous scholars such as Amartya Sen and Johann Galtung in the effort to bridge the gap between the two subfields (Galtung, 1969; Sen, 1999). Nevertheless they are the exception that proves the rule. Their stature insulates them from the criticism of the cynical masses of the orthodoxy and following their steps can be easily discouraged by asking the young scholar “are you Amartya Sen?” or “do you have two hundred publications in peer reviewed journals and a full professorship?.” Thus the young scholar is convinced that unless you are incredibly old and wildly famous you cannot do anything else other than find a correlation that supports one application of an obscure theory. The sad part is that the young scholar will inevitably age, will publish many papers, but most likely will never become as wildly famous and respected as one of the “exceptions”. During the process the scholar will forget his or her youthful eagerness to deal with the big issues, and to tackle both conflict and development. This will possibly lead to increased cynicism and the once open minded young scholar will become the next middle aged member of the orthodoxy attempting to “break” the next generation. Closing the minds of those who are supposed to be trained to view the world as a treasure chest of puzzles
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waiting to be solved will not lead to greater understanding but rather to the slow decay of the sub disciplines into irrelevance. As any young Buddhist novice knows “all is one, and one is all”.

References


Chapter 2

Rethinking How We Channel Relief Assistance to Internally Displaced Communities in Mindanao, Philippines

Al Fuertes, Ph.D. 1

Abstract: This article will highlight the role non-government organizations, the central government, including the international community play in channeling relief assistance and humanitarian services to internally displaced communities particularly in Mindanao, Philippines. Special attention is given to constructive mechanisms in reaching out displaced communities against the backdrop of the 3Ds, namely: donor-led definition, donor-led agenda, and donor-led strategies. Results of my field work with the internally displaced persons in Mindanao suggest that the 3D approach represses individual and societal resilience, and goes against displaced people’s hopes and aspirations for empowerment and capacity-building. Hence, constructive mechanisms must be developed and employed, creating a more sustainable community development program in partnership between displaced communities and the international community, together with non-government organizations and local government units.

It was in the early 1990s, I was working in a war-affected area in Mindanao, Philippines, when I started asking relief-assistance-related questions to different organizations that were trying to help internally displaced persons or IDPs. The reason was that most assistance that were extended to war-affected communities were being done mostly in terms of the 3Ds: donor-led definitions, donor-led agenda and donor-led strategies. There was that prevailing notion that NGOs know better than local people, particularly displaced communities, who were directly affected in terms of what and how best to address their situation; and that NGO workers and representatives are the experts in terms of what local people should do to address the effects of war. One of the remarks outsiders usually say is, “Well, what can displaced people do: they are uprooted from their home communities and means of livelihood, they don’t have income, no food, no clothing supplies, not even a roof to cover themselves under the heat of the sun and the coldness of the night, not to mention family members being separated from one another?” Such a statement presupposes that displaced people do depend and rely on outside help for their survival; that there is no way they can stand on their own given their situation. That is true; displaced people rely so much on other people for emergency help and in their daily sustenance

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until they are safe and secure to return to their respective communities and reestablish their lives. And so, assistance such as food, housing, clothing, medical, educational supplies are given as dole outs, simply because the displaced people have no control over their situation. As much as they would want to farm on their own and work for a living so they will once again be self sufficient like they used to before becoming displaced, the situation just does not give them such opportunities. However, and this is my point, this does not mean that displaced people are not capable of envisioning, meaning-making, and taking an active role in addressing their situation. Based on my field experience with IDPs in Mindanao, there are certain things displaced people feel they need to observe as a way to maintain their cultural traditions, which many consider as part of their social healing, but they do not have the opportunity nor does the system either in the evacuation centers or at the refugee camp allow them to do so.

The 3D framework does not take into consideration the possible contributions displaced people can have towards their own healing nor does it give people the chance to become active participants in their own healing and in the rebuilding of their local communities. I know there are exceptions to this observation. I know of some organizations, for example, that try to make their programs relevant and responsive to the needs and aspirations of displaced communities.

This article comprises two major parts. Part One deals with NGOs, local and international, and other important considerations in light of displacement issues. Part Two explores some initial thoughts on the role of the international community, together with the central government of the Republic of the Philippines, in addressing the impact or effects of war among displaced communities. I shall be using the terms ‘displaced people’ and ‘displaced communities’ interchangeably throughout the article.

Definition of Internally Displaced Persons (IDPs)

Internally displaced persons (IDPs), as the Guiding Principles on Internal Displacement defines them are “…persons or groups who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.” This definition of IDP is a descriptive term and not a legal definition conferring special status in the same way the Refugee Convention assigns special status to refugees. Walter Kalin (2002) explains this difference in his annotations to the Principles: “In international law, refugees are granted a special legal status because they have lost the protection of their own country and, therefore, are in need of international protection not necessary for those who do not cross international borders. Internally displaced persons do not need such a substitute protection. Rather, as human beings who are in a situation of vulnerability they are entitled to the enjoyment of all relevant guarantees of human rights and humanitarian law, including those that are of special importance to them.” However, the reality suggests otherwise. In Mindanao, for example, IDPs do not usually get the kind of protection they are supposed to receive from their own government especially that it is their very own government that wages war against its own people or other armed opposition groups. Also, IDPs do not usually get the kind of international attention that refugees do such as pressuring the national government.
to address problems related to internal displacement. One reason is that internal displacement is considered mostly as a national problem that must be addressed by the national government or by the host country alone. IDPs generally receive very limited supplies of food, clothing, housing, medicines and other daily necessities in order to survive, since they rely solely on their own government for sustenance, which is already ravaged by internal strife of all sorts. Hence, they do not feel safe and secure living even in their home country.

My work with the IDPs in this article started in 2004, with the help of the Catholic Relief Services – Mindanao (CRS-Mindanao) and its partner organizations that work directly with IDPs, namely: the Culture of Peace Program of the Immaculate Conception Parish in Pikit, Cotabato and the Nasavakan Tarigunay’t Bukidnon du’t Kalindaan Federation, Inc (NATABUK FED Inc., also called the Cultural Solidarity of Indigenous Peoples) in Bukidnon. Through their program staff, these organizations are responsible in establishing direct contacts with community leaders and in providing my host families in actual relocation sites where IDPs are temporarily located. They also provide me company as I visit and stay in different evacuation centers, together with my interpreters.

**Mindanao and the Different Categories of IDPs**

Mindanao is situated in the southernmost section of the Philippine archipelago, with a land area of 102,043 square kilometers. It is strategically located within the East Asian region, almost equidistant to the eastern sections of Indonesia, Malaysia and Brunei Darussalam (MEDCo, 2004). Eighteen point one million people or a quarter of the Philippines’ total population reside in Mindanao (2) of which 64% are Christians, 23% Muslims and 18% Lumads (Global IDP Database, 2005).

In a nutshell, the armed conflicts in Mindanao co-exist with the phenomenon of poverty, inequality and injustice (Quitoriano, 2004), a perspective many local community leaders in Cotabato and Bukidnon provinces that I have talked to share. They are rooted in the general underdevelopment of the region, the unequal distribution of wealth, and the lack of sufficient effort by the central Philippine government to integrate the Muslim population into the political and institutional fabric of the country (Global IDP Database, 2005). The ethno-religious dynamics of the tri-people, particularly the migration of Christian settlers to the region in light of the rich reserves of untapped natural resources and raw materials of Mindanao, in particular in the Muslim or Moro areas, are an added factor in the government’s fight against Muslim secessionist movements in the island since the 1970’s (Quitoriano, 2004).

The wars of 1997, 2000-2001 and the first quarter of 2003 between the Philippine government security forces and various armed resistance groups such as the Moro Islamic Liberation Front (MILF), the Moro National Liberation Front (MNLF), the so called Pentagon Gang (Bukidnon-Cotabato Lumad IDPs Peace Summit, 2003) on the southern island of Mindanao, had once again displaced more than 400,000 civilians (Global IDP Project, 2005). Local residents were forced to leave their homes and livelihoods for fear of getting killed. However, the absence of any major clashes since May 2003 has paved the way to a gradual return of the
majority of the displaced to their homes. By the time my field work among IDPs in Bukidnon and Cotabato provinces was conducted, still a significant number of them – estimated at 60,000 - remain displaced throughout the island (Global IDP Project, 2005). Most are reluctant to return to their homes. The continued presence of armed opposition groups or government forces in communities of origin, traumatic memories of the violence the displaced people have witnessed or endured, lack of basic social services and limited housing possibilities are among the reasons for not returning. These are compounded by the absence of any peace agreement between the warring groups, which creates a feeling of insecurity among those displaced. Some live in what have become permanent evacuation centers or stay with friends and relatives. Others have established new livelihoods in their area of displacement and do not wish to be relocated again (Global IDP Project, 2005). I would like to emphasize that several IDPs are often forced from their homes for the second, third or fourth time; and are also generally moved from one evacuation center to another before reaching their final relocation site. Carolyn Arguillas explains that during the 2003 war, for example, the same people who were just starting to recover from the 1997, 2000-2001 wars, were now rushing back to the evacuation centers or relocation sites (Layson, 2003); the same faces of children, the same faces of mothers, fathers and elderly, and the same evacuation centers (Fr. Layson, Interview, 11/13/4). For those who return to their home communities, they struggle for their daily survival in an environment of economic depression where there are few opportunities for earning a living.

Part One: Role of NGOs and other important considerations.

While there are a few organizations that work on people’s empowerment, capacity-building, solidarity movements, as well as sustainable development in war-affected communities yet, the framework which governs other existing relationships between many NGOs and the displaced people is that of a “donor-recipient” kind of relationship. Assistance on the basis of this rationale may impose severe constraints not only in empowering people and building their capacity as active participants in their own healing and community building, but also on the relationship between them and the organizations. Treating displaced people properly with respect and dignity is vital to their own psycho-emotional well being. To me, this is about relationship building. Giving food, clothing, housing and medical supplies to people affected by war is important; people need these things. However, it is not enough. It is equally important that whoever is helping displaced people must also take time to cultivate and nurture relationships with them.

Before discussing the impact of the 3Ds, I would like to emphasize that in situations like displacement, where people are being uprooted from their local communities and stripped off all their belongings and means of livelihood, shattering their notions of safety and security partly because of the attacks on their villages, the disintegration of family bonding and the separation of loved ones; some went missing while others were killed; in this kind of a situation, becoming dependent on organizations for daily assistance is one of war’s far reaching consequences. Involuntary dependency in order to survive is how displaced people describe their situation in relation to the organizations that are helping them. While many welcome
the assistance, others resent and resist the idea, especially those who are not used to always be on the receiving end because of the implications it brings on their sense of identity. For some, it brings shame and embarrassment, especially for many fathers and/or husbands who use to be the bread winners or income providers for their families before displacement. But whether they like it or not, the only way to survive and live is to accept whatever assistance is given to them which begins by acknowledging their new status as internally displaced. Displaced people consider openness and willingness to receive assistance from outside sources as one reason why they survive.

It is on the context described above that I ask the question, “How can non-government organizations facilitate the helping process in a way that would bring out the strengths and capacities of the displaced people instead of reinforcing the notion that they are passive victims and therefore, in need of help from outside experts who define the problems for them and prescribe the cure?”

**Impact of Help or Assistance on Donor-Recipient Relationships**

In this article, I am using the term, “donor” to refer to organizations, mostly regional or local organizations that are directly helping displaced people. In this setting, assistance provided on the basis of the donor-recipient rationale may impose severe constraints on the relationship between organizations through their field representatives and the displaced people. Its impact, outlines David Wright (1994), may include the following:

**Donor-led Definitions**

This suggests that organizations that are helping displaced people provide the assumed standards by which to define acceptable conditions for human life. In other words, organizations and the displaced people are locked into donor-led definitions (definitions as prescribed by the helping organizations) of what constitutes “the good life.”

**Donor-led Agenda**

Here, both the organizations and the displaced people are likewise locked into donor-conceived agenda for change. Recipients, in this case, the displaced people,

submit to donor-defined conceptions of help and progress or development.

Donors designate those areas of local and even national economies and political structures, and even cultural lifestyles that must be “develop.” This suggests an imposition of how personal and community life is supposed to be lived.
Donor-led Strategies

Under this dynamic, both the organizations and the displaced people operate on the basis of donor-initiated strategies for change. Having defined what constitutes development and designated areas for specific attention, organizations dominate the initiation of strategies by which “progress” however they define it, is expected to be made.

Implications of the 3Ds

The discussion presented above may have the following implications:

The Pitfall of Out-Of-Context Standards

There are others who would argue that in situations like displacement, there is no such term as “out-of-context help,” especially when we are talking about the survival of displaced communities. ‘Anything goes,” they say, “displaced people will understand… in fact they should be grateful that they are being helped. They should not be complaining.”

The above statement, however, that anything goes when it comes to helping displaced people, is just not true. One example is giving the IDPs out-dated goods and spoiled rice or providing them with overly used or unusable clothes by no other than the Department of Social Welfare and Services (DSWD), a government agency tasked in delivering assistance to people affected by war and other disasters. IDPs themselves believe they deserve better quality relief assistance. “Yes, we are IDPs, there is no question about that; but we are also human,” (Participants, Workshop 2). For IDPs, this is part of treating them fairly and with dignity. These are two examples of out-of-context assistance because agencies that are reaching out displaced communities do not take into consideration the value of what displaced people deserve to receive.

The Pitfall of the Bureaucratization of Help

The bureaucratization of help usually happens when assistance, especially those in the form of goods and services are done through official channels. In this way, the help becomes bureaucratized and takes on a life of its own. The result is that either there is a delay in the distribution of assistance or that assistance will never reach the intended or the target group, in this case the displaced people; but will only go to the pockets of NGO and/or government leaders. One major resentment among IDPs is that while most of the goods and rice they receive are out-dated and poor quality, local government leaders, on the other hand, are storing for themselves the good quality goods that were supposed to go to the IDPs. The problem in this case is that assistance is channeled by funding organizations through local government leaders. In
some cases, local NGOs whose task is to help distribute such assistance do not even have access to the goods. What happens is that in the bureaucratization of assistance, rather than being a spontaneous expression of understanding and regard, assistance becomes an institutional tool. It becomes politicized. It becomes a means of self-promotion (Fuertes, 1997). Here, corruption is most likely to happen.

The Pitfall of Denied Mutuality

Under the 3D framework, displaced people usually have little or no actual bargaining power at all over what is offered and how assistance will be implemented. Mutuality is often times denied in donor-recipient relationships. Most often, displaced people are not consulted on matters pertaining living condition and the availability or non-availability of material resources and support system. Hence, genuine and meaningful interaction between helping organizations and displaced people is absent.

One possible consequence when displaced people do not have the opportunity to become active participants in addressing their present situation is dependency, a growing concern among many IDP parents, for their children whose life has always been on the run. Many have never learned the value of self-sufficiency and human labor such as farm work because basic necessities are being provided for.

The issue of dependency can be illustrated by that of a teacher-student relationship. When a learner is defined by the knowledge and power of a domineering teacher, the teacher keeps the learner dependent on the teacher’s information, learning processes, tools and skills. In order to receive high grades, students must follow the teacher’s every direction and use only the teacher’s resources. For this reason, Malcolm Knowles describes the contrast between learning which is dependent, transmissive, directed, and subject-centered with that which is independent, exploratory, mutual, and student-centered (Everist, 1989). Bringing this into the context of displacement, some organizations work from a position of political and economic advantage and the assumption of superiority with regard to local traditions and people’s immediate interests. The dynamics in this kind of relationship, according to C. Rene Padilla (1979), where organizations use domination in extending relief assistance and humanitarian services reveals that those bigger and stronger have a great deal at stake in keeping others small and continue to be needy. In this context, domination courts dependency. One such pattern of dependency that I would like to highlight is ‘paternalism.’

Paternalism, as sociologist Richard Sennett notes, is “an authority of false love,” distorting the genuine impulse to provide and protect…: “I will take care of your needs. All I ask in return is that you remain dependent on me” (Whitehead, 1991). Larry Keyes contends that if a local community becomes dependent upon outside assistance, it remains subordinate and limited (Downes, 1992). So, what needs to be done?
Response: A Transformative Approach

I believe a transformative approach in reaching out displaced communities is crucial for genuine development to take place. There are at least, five guidelines (there may be more) that I think NGOs, including the international community and government units, need to take into consideration in a transformative approach.

Sustainable community development. The way I understand this principle is that genuine development comes only when people in local communities, in this case, displaced communities, have a voice and decision-making capacity in terms of how they want to address the effects of war, in particular and in improving their community or country in general. It suggests a participatory approach to healing and community-building where local people are given the chance to name their needs, problems and are enabled to collectively find ways to deal with some of the major causes of their problems towards improvement of quality of life: healing and recovery, rebuilding of socio-economic structures, better access to basic social services, and others.

Theory of Literacy. According to Freire (2000), every human being no matter how “ignorant” or submerged in the “culture of silence” he or she may be, is capable of looking critically at the world in a dialogical encounter with others. Provided with the proper tools for such encounter, the individual can gradually perceive personal and social reality as well as the contradictions in it, becomes conscious of his or her own perception of that reality, and deal critically with it. “People educate each other through the mediation of the world” (32).

One basic assumption of the theory suggests that a persons’ ontological vocation, as Freire calls it, is to be a Subject who acts upon and transforms his/her world, and in so doing moves toward ever new possibilities of fuller and richer life individually and collectively. This world to which he/she relates is not a static and closed order – a given reality which a person must accept and to which he/she must adjust; rather, it is a problem to be worked on and solved, that is, a reality in the process of transformation. It is the material used by a person to create history, a task which he/she perform as he/she overcomes that which is dehumanizing (and devastating) at any particular time and place and dares to create the qualitatively new. Organizations that are helping displaced people must acquire, therefore, an ever-present curiosity about the focus of their program, as concretized in the experiences of people affected by war. This process is never an end in itself but a means to develop a better comprehension and understanding about the nature and focus of their work helping displaced people.

Related to the theory of literacy is a person-centered approach in helping displaced communities. The assumption under this approach suggests that human development is seen as an ongoing process. Individuals belonging to a community, for example, continually change and adapt to meet the demands of their environment. This means that people have the capacity to learn from experience … to change and grow through creativity and openness to experience. NGOs should take advantage of this possibility.
**Group theory via cooperation.** This theory suggests that people come together and help each other in pursuit of a common goal or interest. It is the awareness of needs that enable them to come together as a group or as a community. Its underlying premise suggests that people are very much aware of their desire to live and the importance of their interconnectedness. They are aware of how difficult life is and that by working together as a group would help them live through. When they come together, they support each other through the sharing of their stories/narratives, through community rituals and also in finding ways to address their immediate situation such as creating various livelihood programs for daily sustenance. In terms of capacity building and empowering displaced people, NGOs should maximize local initiatives where people come together as part of their social activity.

**Environmental Scanning.** Linda Agerbak (1996) argues that NGOs must also make an effort to analyze the roots of the conflict and the problems it creates for those affected, and from this to identify the NGOs’ most effective role, with a coherent programme that addresses the key issues. Such an analysis, Agerback explains, cannot take place without a working knowledge of the culture and a good grasp of political, social, and economic factors. Long-term objectives developing from this analysis, she says, may include securing the food supply, enabling economic, social and environment recovery, supporting the efforts of the displaced to return home, opposing abuses of human rights, empowering communities to resist repression, affirming their cultural identity, (and healing social fragmentation), addressing the need for peace, or campaigning against certain official policies. On this regard, one option for NGOs, according to Agerbak, may be to work with various branches of government to strengthen their capacity for good governance.

The first four guidelines are what I would propose NGOs to be more constantly aware of as they embark on short and long term programs in reaching out to people displaced by war, especially in terms of the latter’s individual and social dynamics within their immediate socio-cultural, economic and political context. The fifth guideline refers to how NGOs would apply or put into action such knowledge or awareness generated from the first four guidelines. Based on my experience, the guidelines mentioned above must go hand in hand as that which would embody the program design and program implementation by NGOs.

**Characteristics of a transformative approach in reaching our displaced communities**

Frank M. Alton (1991), a community work coordinator based in Mexico City suggests, at least five adjectives that describe transformation. I find Alton’s descriptions useful in bringing home my point, especially in helping displaced communities heal and rebuild.
Mutual

The “mutual” dimension of a transformative approach in extending relief assistance and social services suggests that NGOs and the displaced people need to recognize what both of them can offer to each other. NGOs, for example, need to be aware of resiliency which enables displaced people to survive despite hardships and pain; and also the fact that before they became displaced, they were already an established community that has its own system of governance in terms of handling cultural, economic and political affairs. At the same time, displaced people also need to be aware that NGOs and their representatives may need guidance in terms of how best to relate to the displaced people in a more beneficial way. They may also need suggestions from the displaced people themselves in terms of better systems in reaching out to local communities and in extending relief assistance and other basic social services.

Open

According to Alton, the tendency to judge a particular group by one’s own cultural criteria is strong. Even within one’s society, Alton says, it is easy to marginalize persons or groups who do not conform to the majority. A transformative model affirms that a situation of marginality says as much about those at the center as it does about those on the margins, and that the appropriate response will be discovered in community rather than by maintaining separate groups.

Integrative

While the developmental model in helping displaced communities is not inherently disintegrative, when it is applied within the outsiders’ or organizations’ categories it tends to treat problems in a disintegrative fashion, Alton contends. A transformative approach takes into account the whole range of human needs as indicated in people’s warviews and under the chapter on Identity. In this context, organizations that are helping displaced people need to enter into on-going relationship, sharing each other’s strengths and needs. NGOs need to redirect their work to be attuned to the displaced people’s expressed needs in terms of their own perceptions of their survival and healing.

Adaptive

Alton argues that transformation does not have a predetermined model to impose on local communities, especially with the displaced people. The relationship to the given culture, Alton says, is one of respect. Any approach to changing something in another setting, including the setting of poverty (and deprivation) as the case of the displaced people suggests, must take cultural relativity into account.

Consistent with human experience

One particular philosophy of life, which could well be summarized in the motto, “In Technology we trust,” has, as Padilla (1979) contends, materialized in an unjust world system, in which the distribution of goods and services is made, not according to the needs of the whole human experience, but according to wealth. A transformative approach in helping displaced communities must conform to integrated human experience. What does human experience tell us about how people change? In this context, organizations, including displaced people themselves, need to understand
the unique process their local community is following in order to assess where the community actually is at any point.

How do the guidelines that Alton identifies above translate into practical approaches in reaching out to the displaced people?

**Some Practical Suggestions**

Wessels (1999) makes some practical suggestions in terms of how best NGOs can help people displaced by war that is transformative. They are in random order:

- Analyze your own preconceptions and stereotypes about the context you are entering.

- Recognise that your knowledge, values, methods and approach are culture-bound.

- Respect local people’s knowledge about survival and resilience.

- Listen and learn from key informants from local communities (e.g., elders, tribal council, healers…)

- Invite for discussion and sharing of local beliefs and practices.

- Center programs around local healers and community-based healing approaches (e.g. rituals, social celebrations…)

- Situate the current problem in a historical context, connecting psychological issues with political/economic issues, especially when the conflict is about war and other forms of protracted conflict and its effects (macro: colonialism, poverty, racism)

- Be conscious of your own power as a representative of a profession or organization.

- Analyze the impact of your personal characteristics (e.g., gender, ethnicity, religion, social class, nationality …)

- Understand the diversity and dynamics of the local community and culture – it is not only one thing.

- Ask on a continual basis “who benefits” and “who is excluded” in the project work.

- Work with different subgroups building bridges as much as possible.

- Support the use of local resources wherever possible.

- Remember that when you enter a war zone it is in itself a political act.
- Study the culture and history of an area before you visit.
- Collaborate with other NGOs, government agencies, and network with people from various disciplines.

Personal Response

NGOs do have specific program emphases and functions. Some combine different aspects of needs and priorities of displaced communities. There are NGOs, for example, whose work is on direct material services. They provide the basic needs and relief goods, such as food, shelter, housing, clothing and medical supplies. Others focus on community development and capacity-building initiatives involving displaced people and local government leaders in the planning and implementation of community-based projects; while some work on strengthening support groups and/or networks, which includes, among others, recreational or educational activities. For some, their programs revolve around counseling and psycho-social interventions; while others function in terms of creating and re-establishing social institutions like school and libraries for education; religious and/or symbolic places for worship; and initiate the holding of community celebrations. There are those that work closely with government and international bodies at creating socio-economic and livelihood programs to improve the quality of life among displaced people; and also do advocacy work and lobbying to influence government leaders and policy makers to pay more attention to the plight of the internally displaced persons and refugees.

Because NGOs work on different aspects of people’s problems and needs towards rebuilding, they need to work in collaboration and in partnership with other organizations and local communities as a way to:

Consolidate various programs. Several IDPs, for example, have expressed what I call a sense of “psycho-emotional exhaustion” responding to various organizations that are asking them the same set of questions over and over again as part of these organizations’ needs assessment. For many organizations, their programs overlap, making a toll on displaced individuals, knowing that they are a captive audience or beneficiary.

Maximize material and human resources. When programs of NGOs are well consolidated, there is most likely a maximization or full utilization of material and human resources. Programs do not overlap because every organization has its own program of activities. Should two NGOs share the same, if not similar, program of activities, they need to work as allies or partners. After all, it is the same groups of people they are working for. Also, when material and human resources are maximized, displaced communities’ initiatives can be harnessed and utilized as well. The process will help build people’s capacity as active participants in their own healing and community building.

Come up with a more holistic, comprehensive and integrative approach in addressing the problems and needs of displaced people both immediate and long term. When organizations collaborate, they are able to come up with a more holistic, comprehensive and integrative approach in addressing displaced
people’s problems and needs, even if program implantation is done separately or individually. This can be done in two ways: a) by establishing a network of NGOs like a consortium, which will include in the process, people’s initiatives; and b) for the government to possibly spearhead the coming together of these NGOs under one umbrella.

The Agong Peace Network

The Agong Peace Network in Mindanao is a good example of a consortium where NGOs and people’s initiatives work as partners. The network has over twenty members, which include NGOs, people’s organizations, academe and individuals who are involved in different levels of peacebuilding. They come together regularly to learn collectively and share gains and the pains of working in peacebuilding.

Agong envisions a Mindanao where the tri-people, namely: Muslims, Lumad or Indigenous peoples, and Christian settlers live and enjoy growth and equity; respect for human rights, self-determination, religious freedom, justice and protection of the life-giving environment. Its members, who are mostly community-based peace educators, commit themselves to promoting the Culture of Peace (COP), strategies of non-violence and dialogue to foster communities where the tri-people live together peacefully and harmoniously under the guidance of the one Almighty (website 2007). Agong has the following objectives:

To strengthen interrelationship, solidarity and cooperation among tri-people in Mindanao towards peacebuilding.

To enhance and establish sustainable mechanisms for people’s participation in peace and development processes.

To develop and provide literature and other related educational materials for Agong members and other peace groups.

To undertake continuing peace education and training to enhance peacebuilding practices among member organizations; and

To facilitate the promotion of a Culture of Peace in the respective communities, this making COP and essential element for organizing.

As a way to exemplify its desired objectives, the following constitute Agong’s programs and services:

PET – Peace Education and Training, which includes, among others: developing and production of traditional and/or contemporary peacebuilding materials and models; conducting Peacebuilding trainings and workshops.

CaB – Capacity Building for all Agong members.

ComMed-CR – Community Mediation-Conflict Resolution. Agong initiates in having mediation services be made available to local communities, which includes training local facilitators.

PeRAD – Peace Research and Documentation.

Part Two: Role of the National Government and the International Community.

1. The Philippine government:

The wars that the administration of the former president Ejercito Estrada waged against the MILF and other Muslim-affiliated opposition groups through its total war policy resulted to massive displacement in Mindanao. Estrada’s wars, as others would call them, only exacerbate the ongoing issue of displacement which has already affected hundreds of thousands of civilians in various local communities in Mindanao for several years now. This made it difficult for those internally displaced to trust and put their confidence back on the government. Therefore, part of the role the Philippine government plays in reaching out the IDPs is to win them back. Even though the Philippine government acknowledges its responsibility towards the IDPs and has assisted them through the various stages of displacement, yet, on the part of those who are affected, such acknowledgment and assistance by the government are always met with suspicion and skepticism, especially by the fact that it is the very same government that is trying to help them, wages the wars, causing massive displacement and trauma among its very own people.

The Bantay Ceasefire Investigative Mission (2003) identifies, at least, four major areas where the Philippine government plays a vital role in addressing the problems and needs of displaced communities. This is in addition to the government’s lead role in initiating and sustaining peace processes among various political parties in conflict, including the psycho-social, counseling and other forms of therapies.

a) Human Security

According to the Bantay Ceasefire Investigative Mission (2003), IDPs who returned to their home barangays or villages find themselves living side by side with military troops whose camps were put up within the barangays. Members of the Investigative Mission, for example, saw that Marine camps are approximately located from 50 to 100 meters from the core shelters built by the government. My experience visiting Sitio Tokod attests to this finding. While some returnees feel safe knowing that a few meters away from their houses are the camps of military troops, yet given this proximity, it is very likely that civilians will be caught in a crossfire in the event of armed clashes with the MILF and other warring groups.
Therefore, in the interest of human security for the civilian population, the Bantay Ceasefire Investigative Mission (BCIM) strongly recommends that the military reposition its camps to the highways to provide a normal and secure living condition for evacuees who have returned and to convince those who are still in the evacuation centers to finally return (18). Other suggestions made by the BCIM include the following:

- That core shelters constructed by the government must be re-clustered and transferred to the original homes and farm lots of the IDPs. At the least, residents must be given an option between staying in the clustered core shelters or going back to their original communities (18).

- Mine clearing operations should be undertaken in the affected areas for unexploded bombs, landmines, ordnance and booby traps that could endanger returning civilians. Both the MILF and the government should cooperate in this clearing operation for the benefit of the people they both avow to protect.

Note:

When I started working with the IDPS in 2004 many returnees find themselves still living side by side with military troops whose camps were put up just 50 to 100 meters away from the core shelters built by the government for them. As mentioned above, Sitio Tokod in Bukidnon is one example. Local residents have mixed feelings about it. Some feel secure that because the military troops camp is just in close proximity to their sitio that they enemy will not attack. Others, however, feel unsafe. They feel that should an impending attack happen, they would become the target, if not, be held hostage by the enemy.

b) Education

When it comes to education, the following are what BCMI sees as the role of the government:

To do immediate repair of damaged schools so they can be re-opened and the children can go back to school.

To encourage private institutions, groups and individuals to “adopt” schools.

To request the Department of Education to keep the military away from schools. It has been noted that in some areas, military are using schools as part of their temporary detachments.

To continue the psycho-social programs for children through local government units and agencies.
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c) Livelihood

Because IDPs lost their means of livelihood, BCMI sees it as the government’s role the following:

To continue the distribution of food assistance, clothing, housing, and medical supplies until IDPs are able to return home.

To provide returnees with bancas, fishing gear, fishnets, farm equipment to help them start anew.

To distribute more disaster funds to areas affected by war.

d) Public Health

Part of the role of the Philippine government on the aspect of public health, according to the BCMI includes the following:

For the Department of Health (DOH) to prioritize the construction of potable water systems in areas affected by war (and also right in evacuation centers or relocation sites).

To involve local government officials in installing water system.

To conduct a series of education and orientation campaign on public hygiene (for children, parents, community leaders)

Note: In some of the evacuation centers and barangays/sitios that I have visited, IDPs and those who have returned home had to fetch water in the river or stream where water safety is not guaranteed. There were cases when the nearest water supply is 150 – 200 meters away from the core shelters that were built by the government for them.

Response from the Government

The Global IDP Project of the Norwegian Refugee Council (2004) reports that the Philippine government is helping the IDPs mainly through the National Disaster Coordinating Council (NDCC), which coordinates the actions of the Department of Social Welfare and Development (DSWD), the Office of Civil Defense (OCD), the National Red Cross (NRC) and local governments. At the provincial level, relief efforts are being coordinated by the provincial office of the DSWD, and at the local level by the Municipal Social Welfare and Development Office (MSWDO). The local government units (LGUs), based on the report, generally facilitate and coordinate the response to IDPs and formulate disaster management plans with the active
participation of the Municipal Disaster Coordinating Council (MDCC), which is composed of the different agencies and NGOs that are responding to the needs of the IDPs. What this report provides is a mechanism in terms of the organizational structure by which the government is able to reach out to the internally displaced.

There are, however, gaps between the government’s intentions and the statements it made on behalf of the internally displaced such as the government’s strong desire to provide people displaced by war with basic and other relief services, including the promise of an early return to their home communities; AND the actual implementation of the program, as well as the exemplification of such statements. These shortcomings, according to the Global IDP Project report, result from the following:

- Lack of capacity of national and local institutions to effectively deal with the scale of displacement and from lack of adequate funding, which makes local authorities, especially in many poor areas in Mindanao, become overly dependent on external aid to assist the displaced.

- LGUs often have very limited means in dealing with the scale of displacements and have to rely on the assistance provided by local and international NGOs. It has been noted that in many cases, the assistance provided is short term, temporary and inadequate to meet the needs of those displaced by war.

- Lack of coordination and information sharing between key aid organizations like the National Economic and Development Authority (NEDA), the Department of Environment and Natural Resources (DENR), the Armed Forces of the Philippines (AFP), to name a few, and the LGUs.

- Poor coordination between the central government of the Philippines and the regional autonomous government in Mindanao.

- Other causes of shortcomings include the cyclical nature of war and displacement, which according to the report, renders rehabilitation efforts unsuccessful; and the limited coverage of government-assistance programs such as the core shelter assistance where many IDPs did not benefit from.

2. Part of the response of the international community

One of the main contributions of the international community to the plight of the IDPs in Mindanao, according to the Global IDP Project of (2004), has been through a government-United Nations Multi-Donor Programme, an undertaking of the Philippine government, the United Nations and the governments of Australia, New Zealand, the Netherlands and Spain. Other countries involved in the assistance and rehabilitation of the IDPs in Mindanao also include countries like Japan and the United States.
It was in the wake of the 1996 Peace Agreement between the Government of the Republic of the Philippines (GRP) and the Moro National Liberation Front (MNLF) when the government of the Philippines – UN Multi Donor Programme (MDP) started to implement its programme. According to the Global IDP Project report, its main objective is to assist the realization of the peace agreement between the Philippine government and the MNLF mainly through development-oriented programmes, the rehabilitation of tens of thousands of MNLF combatants and their families; and peace building activities. Throughout its successive phases, the MDP has included a relief and rehabilitation component in order to address the immediate needs of the civilian population affected by the wars. The program also provides government leaders both at the national and local levels with assistance to deal with humanitarian emergencies. There are other international aid organizations that are involved in this programme, namely: the ICRC, Oxfam-Great Britain, CRS, Save the Children, VSO-UK, Accion Contra el Hambre (ACF Spain), World Vision and Movimondo-Italy, to name a few.

In 2004 the UNMDP was already on its third phase of its program implementation. There have been problems and shortcomings encountered in its implementation. Some of which include the following (Global IDP Project, 2004):

- Assistance provided by many organizations has often not been sustained after the initial period. Local NGOs working with the affected population or local government agencies like DSWD were preferred by displaced people to outsiders who just come and go.

- Uneven distribution of funds or assistance. Some groups are perceived to have received more and adequate assistance than others, which left many displaced people frustrated, cynical, and angry. It creates a divisive impact on many local communities.

- In some cases, assistance promised was not delivered or did not reach the intended target groups. This reminds me of the deep sentiments expressed by many IDPs about the poor quality of goods and relief assistance that were distributed to them by the DSWD while government officials enjoy what was supposed to go to the displaced communities in terms of better quality of rice and goods, including financial assistance for rehabilitation.

**Personal Response**

In light of the problems and shortcomings that the UNMDP has encountered in its program implementation, it is imperative that the international community, in this case, the UNMDP needs to work collaboratively not only with the central government of the Philippines through its elected officials but more so with various local NGOs that have direct contact with the IDPs and the IDPs themselves through their representatives. It is equally important that the international community through the Philippine government will be mindful of the practical suggestions that Wessels proposes. As expressed by the IDPs themselves, healing is not just about giving relief...
assistance; healing also encompasses a more comprehensive approach in rehabilitation which includes not only the material or the physical aspect of community life but also those humanitarian services that are geared towards empowerment and capacity-building of both the individuals and the community as a whole.

It is for the above reason that a coalition of peace groups in Mindanao, known as the Mindanao Peaceweavers, has asked the peace panels of the Philippine government and the MILF to allow representatives from the tri-people as participants in the duration of the peace negotiations. …”the representatives will serve as process observers who will represent the Lumad, Bangsamoro civil society, displaced communities, women and peace and human rights advocates in Mindanao (Mindanews, 2004).This is a way to bring the peace process to the grassroots level through public consultation and other forms of information dissemination.

Summary

Based on the discussion above there is a strong demand for NGO’s and the governments of the Philippines as well as the international community to work hand-in-hand in order to address the complexity of the needs and problems facing the IDPs in Mindanao towards healing and the rebuilding of their communities. It is not only the displaced people who need healing but their respective villages and the entire country as well. This implies just how broad and encompassing the task of healing vis-av-s peacebuilding can be.

Internally displaced persons have demonstrated for several years now their individual and societal resiliency which enables them to survive and move on with their lives; now, the NGOs, the Philippine government, including its opposition groups with the support of the international community must demonstrate in the presence of the IDPs their strong commitment through genuine collaborative efforts in an attempt to help facilitate the healing and the rebuilding process of the people and their communities. To reiterate, working in collaboration with all agencies and organizations involved, both government and non-government, is important for the following reasons:

1. As a way to consolidate various programs

2. As a way to maximize material and human resources; and

3. As a way to come up with a more holistic, comprehensive and integrative approach in addressing the problems and needs of displaced people both immediate and long term.

Unless, the government of the Philippines is open and willing to cooperate and do its share, no amount of relief assistance and humanitarian services by NGOs and even by the international community can fully facilitate the rebuilding of displaced communities.
And, as further indicated by the IDPs in Mindanao in terms of how best to channel and bring such relief assistance and humanitarian services to displaced local communities, NGOs, the Philippine government, and the international community through their representatives must be consultative in addressing local priorities and needs of displaced people. Again, building rapport and establishing relationships with IDPs is vital.

The following is a summary in terms of how best NGOs, the government of the Philippines and the international community can collaborate with each other in light of displaced people’s needs and aspirations. I highlight below forms of relief assistance and humanitarian services as one of the many other elements in post conflict reconstruction and rehabilitation of displaced communities.

A. Relief assistance/humanitarian services: food, housing, clothing, medical/health and education/school supplies; livelihood resources.

B. Economic and Political stability (security issues) by way of Peace Negotiations, Multi-party Dialogues towards Forging Peace Agreements and Creating Zones of Peace and the possibility for National Reconciliation.

C. Lobbying/Advocacy: Encouraging government leaders and representatives of government establishments: local, national, international – to support the needs and aspirations of displaced people by affecting some changes in government policies, budget and program emphases towards social healing vis-a-vis post conflict reconstruction.

D. Psycho-social programs; psycho therapies, counseling services; reintegration of members to their society; increasing solidarity among people affected by war, particularly the displaced, family reunification programs; religious and spiritual services.

E. Education and trainings/seminars/ workshops on capacity building, means of livelihood, trauma healing, human rights, justice and peace among others.

The five components mentioned above also address the different levels of program implementation, namely: the individual level, family level, local or the immediate community level (evacuation centers or relocation sites) and the national level, respectively.

End Notes

1 Its website explains that the agong is a brass percussion instrument commonly used by the indigenous peoples of Mindanao. In ancient days, the agong was used to gather the members of the clan or tribe for meetings and festivities. In times of distress and emergency, its ringing sound would call in the people. The Catholic Relief Services (CRS) based in Davao City, Mindanao, is one of Agong Peace Network’s founding members. See Peace in MindanaNOW (accessed online 7/16/2007). <http://www.mindanaopeaceweavers.org/index.php?option=com_content&task=view&id=2...>

2 The Agong Peace Network, according to its website (above), was first known as the Mindanao Peace and Reconciliation Group. Then numbering only eight organizations, the group was established after a training on Culture of Peace in Cagayan de Oro City, Philippines in 1997. Subsequently, at its
third meeting in Lake Sebu, the group’s name was changed to Agong to reflect the Mindanao character of the group.


4 Mindanews Group wants Lumads, IDPs, as observers in GRP-MILF talks,” 29 February 2004.

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Chapter 3

Land Acquisition for Industrialization in India: Displacement of People and the Role of the State

Bhaskar Majumder, Ph.D. 1

Abstract: This paper deals with the dilemma in development through industrialization that often becomes forced in nature because of acquisition of agricultural land by the state in lieu of compensation for setting up of industries. In an attempt to catch up by common single indicator of development, namely industrialization, the countries like India by being a late starter on the trajectory of industrialization, get trapped in ‘forced industrialization’. In the same process it displaces people from the land that earlier provided them livelihood. The paper focuses on some recent evidences on acquisition of agricultural land for industrial purposes in the state of Uttar Pradesh in India and offers suggestions for acquisition as it should be.

The core of industrialization lies in conscious application of advanced technologies that enhance human productivity, lessen the limitations imposed by nature, and raise standards of living (Magill, 1997, Vol. I: 721). The origin of industrialization is located in pre-history but the fundamental changes associated with industrialization are usually derived from the industrial revolution in Great Britain that began in the late 18th century and subsequently spread to other countries and continents (Deane, 1984). Between 1870 and 1914, more than fifty million people left land scarce Europe for land abundant Americas, Australia, New Zealand, and South Africa for resettlement after being displaced from agriculture (Nayyar, 2002:145). In Russia planned industrialization after the 1917 Revolution led to millions of peasants removed forcibly from land and shunted into urban industries, mining, hydroelectric projects, collective farms (kolkhozy), and state farms (sovkhozy). In Japan the path of industrialization based on the Post-Meiji Restorations in 1868 ended Japanese feudalism (Magill, 1997: 723-724). The percentage of population working on land

gradually declined not only in the UK and the US but also in Japan and China, particularly since the days of the first industrial revolution. Around 1600 AD 2.76 per cent of the total land was enclosed and 50,000 persons out of a total population of around four million (that is, 1.25 per cent) were forcefully evicted in UK. In China since the 1950s around ten million people have been displaced due to hydraulic and hydroelectric projects alone (Sarkar, 2007: 1436).

We accept industrialization as an inescapable avenue for development. Though it is not mono-avenue, for the post-Second World War decolonized countries it is the avenue shown by the industrial revolution in the UK. Moving on the avenue the workers get united as a working class to come out from their earlier local economy based inertia and start realizing their own strength leading to an ‘enduring improvement in their social position’ (Plum, 1977: 68). In the economic history of India, modern industry was supposed to dissolve the hereditary division of labour based on the Indian castes and hence remove the ‘decisive impediments to Indian progress and Indian power’. Industrialization was seen as a step forward in breaking the ‘self-sufficient inertia of the villages’ prevailing in India (Marx, 2006). We accept that this avenue inflicts pain on people who get delinked from the means of production and disempowered by dispossession of means of production like land.

Any path of development will carry with it unequal consequences for people located at different layers of the society. The impact of industrialization is no exception (Flow Chart 1).

**Flow Chart 1: Unequal Impact of Industrialization**
The paper will focus on the questions of displacement of people following acquisition of land by the state for industrialization. As an immediate effect, land acquisition displaces people from the land without their ‘prior informed consent’ that earlier provided them sustainable livelihood (Majumder, 2007). Two examples of land acquisition of the recent past for industrialization in India will be cited in this paper. The role of the state will be juxtaposed in the light of that ground reality to focus on what is required to be done for ensuring the livelihood of the displaced people.

The rest of the paper is structured as follows. Section I presents India as an example of a late starter in industrialization. Section II deals with delayed acquisition of agricultural land for industrialization in India. Section III shows the displacement of the land-dependent working population because of land acquisition for industrialization in India. Section IV presents the new law on land acquisition in India and examines the role of the state. Finally, in Section V we offer suggestions for land acquisition for industrialization.

I. India as an Example of a Late Starter in Industrialization

In India, while the absolute number of population working on land increased, the percentage of population remained static during the post-independence sixty years. Its agriculture is characterized by a monotonically declining land-man ratio, low labour productivity measured by money value of product and declining share of agriculture in national income over time. This gets reflected in low purchasing power of the people dependent on agriculture and hence low size of rural market for industrial goods. During the early decades of planning, the Indian economy opted for heavy industrialization based on capital-goods industries and distanced itself from the final consumption point of the people living at the bottom of the economic ladder. The production structure was dependent on import of technology for producing goods for consumption by the economic elite that left little scope by being capital-intensive for employment of the workers who could have been released from agriculture. Thus, the physical capital accumulation-led industrialization via release of surplus labourers from agriculture for absorption in industry did not work. Because of agri-local confinement, a more efficient utilization of working hands that could have been achieved in non-agriculture during these years also did not happen. This delayed the journey by India on the trajectory of industrialization-led development relative to the countries already industrialized. In addition to attachment to land, the limited not-much-relevant skill of the workers prolonged the limited role of industries for labour employment.

Development became production-centered by transformation of natural resources. At the early stage of human civilization nature provided enough resources to fulfill the basic needs of life. Later unequal physical power, private appropriation in the collective consumption basket and increasing control over nature led to discontinuation of collection as the dominant mode of fulfilling needs. The forest mode of living did not resist the emerging agriculture mode of living in spite of deforestation. The production and processing of raw materials led to the setting up of industries aimed to add value in goods. Gradually agriculture and industry became the two pillars of the economy. Since the scope for agriculture is limited by the size of land and its uses by type and frequency, the question arose about setting up of industries by location and time. As opposed to limited flexibility in locating agricultural practices, industrial set up has higher flexibility by its location and
change. Generally the determinants for setting up of industries are the availability of raw materials, market size-cum-access, transport and communication, and availability of electricity and other physical infrastructure, cluster of firms for externality advantages and inter-industry linkages (Bandyopadhyay, 2007:4). Disappearance of agricultural land and displacement of agriculturists are natural corollaries.

With the urban boundaries expanding to grab rural areas that circumscribe cities, agricultural land shrinks by area. This may lead to reduction in total agricultural output because of shrinkage in total cultivable land unless compensated by intensive farming or increasing returns. India has now limited non-cultivated residue cultivable land. This may invoke contradictions and imbalances in relations between agriculture and industry at least for two compelling reasons, one being that agriculture has to be developed enough to ensure food self-sufficiency for industry to be fed on a sustained basis, the other being that agriculture has to leave space for industries to be set up. If the second one is to be satisfied by land acquisition, the first one will fail and vice versa.

Territorial specialization explains the locations of industries. The chosen location is usually near the market (by space/region) with ready physical infrastructure and communications if the product is transformation-based or around the raw materials if the product is extraction-based. However, the issue associated with setting up of industries through land acquisition is not technology in the main but is more social-cultural since the local people who learnt over time to live with nature are forced to leave their natural habitat when the area is enclosed for the industry to be set up. Hence, conversion of agricultural land for industrial purposes will lead not only to rootlessness of the people based on land but will also show ruthless development by displacement.

II. Delayed Acquisition of Agricultural Land for Industrialization in India

Late starting countries like India in industrialization relative to the path traversed by the countries called industrialized today face several economic problems due to the falling carrying capacity of land. The size of population in India in 1951 was more than that of any country in the world, excepting China, in 2001. The land-man ratio in India is declining fast because of, apart from the natural increase in population, service sector-led urbanization for both private and public purposes and conversion of agricultural land for industrial purposes. This may lead to food insecurity unless compensated by increasing productivity or by imports. Agriculture-industry linkages often work in favour of the latter during industrialization which is reflected by declining relative share of agriculture in national income and hence reducing per capita income for people by static percentage of rising population settled in agriculture. People settled in the rural regions have a history of moving out because of various push and pull factors. For example, in addition to distress sale of land, absence of local wage work drives people out. In a caste-based rural society as in most regions in India, private agricultural land is often sold out when the owner opts for urban anonymity-cum-liberty. This is in spite of the fact that the land that he owned would have made him better off relative to being an urban industrial proletariat even in a condition of the subsistence farming that he was practicing was technologically inferior to ‘could be’ capitalist farming. Oppressive rural social identity for persons aspiring to move up the economic ladder relative to liberating urban economic identity perhaps shows the difference. Extension of urban boundary also often snatches the little land that the income-asset poor had. Apart from the
natural shift of agricultural land to non-agricultural purposes, there is the state-sponsored shift empowered by the 1894 Land Acquisition Act formulated and implemented during the colonial rule. This Act empowers the state Government to acquire any land from private hands for public purposes decided implicitly by the state (GOI, The Land Acquisition Act, 1894). Development thus has a tendency to displace the people at the bottom from the trajectory of development.

Acquisition of agricultural land for industrial purposes in India is not new. Since independence, the state has been chalking out the policy of development following a ‘top down’ approach and executing the policy by setting up large industries and projects like mines, dams, ports, plants and expansion of road and rail network, each of which displaced people. Heavy industrialization was at the core of India’s planned development and hence large areas had to be acquired. The state of Orissa used 40,000 hectares of land for industry between 1951 and 1995. The state of West Bengal used two million hectares of land between 1947 and 2000 for industry. The private sector has been targeting mining land in the states of Orissa, Jharkhand and Chhattisgarh. Mostly the mineral-rich as well as government land-abundant backward states are being targeted for acquisition of land. Land is being acquired all over India for industry in addition to other purposes of modernization by global parameters. Construction of dams to feed drought-prone areas, of which the Narmada Dam Project is notoriously known for the disputes around the Narmada River that flows into the Arabian Sea after passing through the states of Madhya Pradesh, Gujarat and Maharashtra, led to displacement of people. On December 12, 1979, following the Narmada Water Disputes Tribunal’s decision, 30 major, 135 medium, and 3000 small dams, were granted approval. The Tribunal also approved raising the height of Sardar Sarovar Dam (SSD) (TISS, 2007). There occurred displacement of settled people following land acquisition for projects like the Gobind Sagar Reservoir and the Rihand Dam in the 1960s for purposes of setting up of NTPC and NCL in the 1980s on the borders of Uttar Pradesh and Madhya Pradesh. Not only the acquisition of land for public sector units but also for the private corporate sector like Reliance, ESSAR, Jaypee for both power generation and mining that inescapably displace people (Sharma and Singh, 2009: 62, 64-66). Displacement by declaration and payment of money compensation does not make it voluntary.

III. Land Acquisition for Industrialization in India: Displacement of the Land-Dependent Working Population

Land was never thought to be a factor of production in industry, either because land was abundant in supply relative to what was required or because the required land area was insignificant relative to the available land area of any particular economy. The relatively less area required for setting up of industries was also because of the technique of production in industries that moves far away from dependence on land by area.

Large-scale displacement of settled people occurs when the large-scale industries enter into the land market. This is because these industries plan to set up new plants or expand old plant near the market by region with already available physical infrastructure. This ensures cluster benefits by external economies and linkage effects. The proximity to market-cum-physical infrastructure means simultaneous existence of settled population by housing. Land acquisition actually implies acquisition of a physical area that covers cultivable soil area, plus plantations, water bodies, residential buildings, animal sheds and many other productive assets.
that ‘land by area and volume’ carry. These are very significant for the livelihood of the people dependent on land. We assume that land is not only a means of production but is also a base for the land-dependent people to exercise other opportunities like creating working hours that shows the base of livelihood in rural India.

Compensation synonymous to money payment made equivalent to agricultural land acquired by prevailing market price by the state for industrialization rejects ‘human rights’ of the owner of land by lost identity of the person forced to give up land for ‘elite public purposes’. Land acquisition is involuntary in a condition of unpreparedness of the land owner. Landless people working as tenants and wage-workers settled in the rural economy are deprived twice, once by not getting the opportunity to work on land owned by others and the other by not having enough economic support to migrate. They are also not compensated in any way, either by land for land or by cash for land. Obviously the landless people dependent mainly on Common Property Resources (CPRs) are outside the purview of compensation of any type.

The first victims in the forward movement of technology are the people at the bottom of the socio-economic ladder who get easily displaced by execution of any infrastructure development projects which are usually state-sponsored and capital-based. These sections lack the capacity to be a part of the decision-making processes of mega development projects planned by the ruling elite for various reasons including multiple boundaries erected against them by literacy and education, elite language (English by colonial inheritance), caste, community, height-weight-colour of the person, gender, access to institutions, and holding powerful posts by which they are obstructed from entering into the domain of privileges. The additional factors that perpetuate vulnerability of these sections are ignorance, low mobility and perpetual tradition-custom-belief. As a corollary, these people at the bottom of the power structure fail to calculate the way they should withstand the pressure of change. In the same process often they symbolize anti-change. What they fail to communicate is that the impact of change planned by the state is not uniform or equal; it benefits those who are at the doorsteps to welcome change, that is, the already privileged by the power of the purse, education and free walk on the corridors of power; it goes against those who are rooted, tradition-bound, and localized. Change and relocation go together.

The alternative perspectives on land acquisition for industrialization in India are presented in Flow Chart 2.
The World Commission on Dams (WCD) estimated that between 40 and 80 million people had been displaced worldwide only because of large dams (WCD, 2000: 1). Since independence around sixty million persons have been victims of forced displacement in India (Fernandes, 2007). Because of the expansion of the core sectors like power, mining, irrigation and other heavy industries, between 30 and 50 million people had been displaced, as estimated by Action Aid. Displacement is seen as the side effect of capitalist development (Chakrabarti and Dhar, 2010: 3). This side-effect may bring about disaster for the displaced.

Displacement due to war, partition, ethnic conflicts, drought, flood, and earthquake are exogenous in nature. Endogenous factors that displace people are development projects. The world’s two most populous countries, China and India, have built around 57.0 per cent of the world’s large dams and account for the largest number of people displaced. In India, estimates of the total number of people displaced due to large dams vary from 16 to 38 million (WCD, 2000). Development projects like dams and canals displaced 70.9 per cent of all the people displaced in India by state-led development projects up to 1989. For industrial set up it was 6.5 per cent (Table 1).
Table 1: Displacement by Land Acquisition in India, 1947-1989

<table>
<thead>
<tr>
<th>Rank (By No. of Displaced Persons)</th>
<th>No. of Persons Displaced</th>
<th>Rehabilitation (%)</th>
<th>Purpose/Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1,10,00,000 (71.0%)</td>
<td>25.0</td>
<td>Dams and Canals</td>
</tr>
<tr>
<td>2</td>
<td>17,00,000 (11.0%)</td>
<td>26.5</td>
<td>Coal and Other Mines</td>
</tr>
<tr>
<td>3</td>
<td>10,00,000 (6.5%)</td>
<td>30.0</td>
<td>Industries</td>
</tr>
<tr>
<td>4</td>
<td>6,00,000 (3.9%)</td>
<td>25.0</td>
<td>Sanctuaries and Parks</td>
</tr>
<tr>
<td>---</td>
<td>12,00,000 (7.7%)</td>
<td>25.0</td>
<td>Others</td>
</tr>
<tr>
<td>---</td>
<td>1,55,000,000 (100.0%)</td>
<td>25.5</td>
<td>Total</td>
</tr>
</tbody>
</table>


Displacement of population, because of acquisition of land by the state, is directly proportional to the area of land acquired, given the region-specific density of population. The land area required, in turn, is directly proportional to the type of projects undertaken. We cite here two recent examples of land acquisition in Uttar Pradesh (UP), one for National Thermal Power Corporation (NTPC) representing the public sector and the other for Reliance Energy Limited (REL) in the private sector, both for generation of electricity.

**Example I: Displacement for NTPC, Meja, District Allahabad, UP**

In the power sector, the NTPC Ltd. and Uttar Pradesh Rajya Vidyut Nigam Ltd. (UPRVUNL) on the 22nd of November, 2007 signed a Memorandum of Understanding (MoU) to set up a thermal power plant of 1,320 MW at Kohraghat of Meja tehsil in Allahabad District of east UP. The Government of UP acquired a total land area of 2500 acres for setting up the plant covering seven villages, namely, Kohrar, Bhagdeva, Esauta, Mai Khurd, Salaiya Kala, Salaiya Khurd, and Patai Dandi. This adversely affected the livelihood of settled households (Majumder, 2009). The displacement had an adverse impact on community support-cum-social integration in addition to loss of cultivable land, houses, wells, common grazing land, fruit trees and timber trees. This adversely affected agricultural output and food security. Keeping domestic animals for economic support had no meaning when the keepers themselves were displaced. Loss of CPR led to loss of fodder and fuel. The worst hit in the stony area were the landless stone quarry workers living in the lowest rank of social hierarchy like the Nishads, Mushahars, Kols, Chamars, Pasis, Dhaikars, Domars, Pals, and Muslims, who will have no entitlement to compensation and will be robbed off their only source of livelihood.

The major reasons for pending or delayed payment of compensation were court cases, ‘speed money’ demanded by the Lekhpal, disputes related to canal, outstanding bank loans of the displaced persons, errors in name by spelling written on the bank cheque book, expiry of date shown on the bank cheque book, objection raised by the displaced person to compensation money, disputes between Treasury and SLRO, official apathy, and family disputes. The loss of Common Property Resources (CPRs) remains unaddressed perhaps because it is owned by no single individual. Most of the households to-be-displaced by land acquisition await
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rehabilitation in areas of their choice revealed as caste-based clusters and compensation.

Example II: Displacement for REL, Dadri, District Ghaziabad, UP

To set up the 3500 MW gas-based power plant with an estimated project cost of Rs. 25,000 cr. in Dadri region in Ghaziabad district, Hapur tehsil, in western UP, the Government of Uttar Pradesh (UP) acquired about 1,011 hectare of land in 2004 in seven villages for Reliance Energy Ltd. (REL). The villages were Dehra, Jadopur, Bajhera Khurd, Kakrana, and Dhaulana. The other two affected villages, namely, Nandlalpur and Baharmandpur, were found to be un-inhabited. Most of the land acquired was earlier used for agricultural purposes. Pasture or common grazing land was not acquired. The major assets covered in land acquisition were canals, ponds and wells. On July 13, 2007 the Government of India (GOI) gave environmental clearance to the project.

Land acquisition in Dadri was estimated to have led to displacement of over 6,000 families. The rate of compensation was fixed at Rs. 150 per square yard that was more than the maximum market rate prevailing there before land acquisition. The market rate immediately after land acquisition was Rs. 300 at the minimum and Rs. 400 at the maximum. The loss to the cultivators for surrendering product value per year was enormous while revenue loss on account of land rent was marginal. Combined together, the loss because of land acquisition for the cultivators and government was significant (Majumder, 2008: 1006-1007).

The farmers alleged that the government did not perform its duties regarding displacement and acquisition. The unorganized farmers formed an association called Maharana Pratap Sangram Sangharsh Samiti to protest against the announcement and claimed a compensation of Rs. 500 per sq. metre. They also staged a demonstration in front of the Collectorate in August 2004. On 3 January 2006 the farmers lodged their protest against the amount of compensation but the ADM turned it down. The farmers organized a second Maha Panchayat and tried to rope in more people. On 30th December, Reliance Energy Ltd. decided to start the construction work by digging the fields of Sripal Singh in Jadopur village. The farmers protested against it but the administration ignored the protest and ordered for demolition of existing structure. A battle started between the farmers and the police. The farmers burnt down the machines and the police registered criminal cases against the farmers. Following the protests by the affected persons, the Allahabad High Court Division Bench comprising Mr. Justice Ashok Bhushan and Mr. Justice Sudhir Agarwal, on the 4th of December 2009, cancelled the acquisition of land of 2,500 acres quashing of urgency powers to acquire land exercised by the-then government. It passed order acting on group of writ petitions filed by the farmers and the former Prime Minister, late Mr. V.P. Singh, claiming that the petitioners were forced to sign on documents and accept the meager compensation offered by the Collector. The Court gave the verdict that the farmers had the option to refund the compensation received.

The central point is that such displacements will have adverse impact on social relations, will impose social Darwinism by the state, will empower industrial capitalists by enhancing their unhindered access to natural resources, convert marginal/small landowners into manual labour-based casual wage workers, expand labour size in informal sector, impose forced migration to urban areas, and slumization. Fixing and paying cash as compensation to the displaced is a non-substitute of life-saving land for the land-dependents. Urban-type resettlement of
Chapter 3, Bhaskar Majumder, Ph.D.

...villagers, as the displaceable people reported, does not help because the domestic animals that they have need common space (CPRs) for grazing. Since village space is horizontal while urban space is vertical, the former for low population density and the latter for high population density, hence urbanization does not help the people accustomed with village mode of living of the recent past. The task thus would be either to recreate similar village life elsewhere by rehabilitation of the displaced or to rob the villagers of their earlier living pattern. Nearby rehabilitation could be the solution but not bankable because of further expansion of the industrial plant. The once displaced people remain vulnerable by ‘future’ unanticipated displacement.

IV. New Law on Land Acquisition in India: Role of the State

Article 31 Section A of the Constitution of India (Compulsory Acquisition of Property) empowers the State to acquire land based on payment of compensation at a rate which shall not be less than the market value prevailing (The Constitution of India: 14). The announcement of the New Economic Policy by the Government of India in 1991 opened the gate for large scale investments including foreign investments. This led to the requirement of increasing space and hence the need for acquisition of land for mega projects. Nearly after a century, the first Land Acquisition Act 1894 was comprehensively amended in 1984. The Conference of the Revenue Secretaries of states followed in July 1989 that endorsed the major provisions of the 1984 amendment. The principle that continued to govern land acquisition till then was that compensation alone was ‘payable in lieu of deprivation’. The Draft National Policy for Rehabilitation of Persons (1996) of the Ministry of Rural Development, GOI, however, acknowledged that cash compensation was not an acceptable proposition for most of the tribal people. The 1996 Draft also observed that ‘majority of our mineral resources, including coal, iron ore, and manganese reserves are located in the remote and backward regions mostly inhabited by tribals’ (Report, EPW, 1996). After a decade, the Government of India approved the National Policy on Rehabilitation and Resettlement, 2007, replacing the earlier National Policy on Resettlement and Rehabilitation for Project Affected Families, 2003 (Chakrabarty and Dhar, 2010: 4).

The Government of India introduced The Land Acquisition (Amendment) Bill, 2007 in the Lok Sabha (Lower House of Indian Parliament) on 30th November 2007 duly signed by the Minister of Rural Development, Sri Raghuvansh Prasad Singh, that was a Bill ‘further to amend the Land Acquisition Act, 1894’ (Source: Bill No. 97 of 2007, Lok Sabha, website). Once passed, it will be called the Land Acquisition (Amendment) Act, 2007.

The Bill 2007 acknowledges that ‘acquisition of land leads to displacement of people, depriving them of their livelihood and shelter, restricting access to their traditional resource base, and uprooting them from their socio-cultural environment. These have traumatic, psychological and socio-cultural consequences for the affected population, which call for protecting their rights, including those of the weaker sections of the society, particularly tribals, and tenants. Rehabilitation and resettlement of the persons and families affected by involuntary acquisition of private land and immovable property is of paramount importance’. The Bill 2007 expands the ‘public purpose’ relative to the principal Act (1894) clause (f) to include

(i) the provision of land for strategic purposes relating to naval, military and air force works or any other work vital to the State;
(ii) the provision of land for infrastructure projects of the appropriate Government, where the benefits accrue to the general public; and...
As proposed, the expression “infrastructure project” shall include—

(i) any project relating to generation, transmission or supply of electricity;

(ii) construction of roads, highways, bridges, airports, ports, rail systems or mining activities;

(iii) water supply project, irrigation project, sanitation and sewerage system; or

(iv) any other public facility as may be notified in this regard by the Central Government in the Official Gazette.

The Bill 2007 mentions that the land acquisition by the appropriate Government for public purpose has to follow a notification in the Official Gazette and in two daily newspapers being in circulation in that locality of which at least one shall be in the regional language. The Bill says that the State Government shall establish, by notification in the Official Gazette, the State Land Acquisition Compensation Disputes Settlement Authority to exercise the authority conferred on it by this Act with regard to acquisition of land by the State Government.

The Bill 2007 mentions that the market value of land being acquired will include ‘the market value of the buildings and other immovable property or assets attached to the land or building which are to be acquired’, ‘the value of trees and plants’, ‘the value of the standing crops damaged during the process of land acquisition proceedings’. The Collector has to ensure that physical possession of the land is taken over and the amount of compensation is paid within a period of sixty days commencing from the date of the award.

The ‘person interested’ may raise objections regarding ‘the true area of the land’ that is being or has been acquired and the compensation associated with it. The expression “person interested” in the principal Act (1894) is proposed to be expanded in the new Act (2007) ‘to include tribals and other traditional forest dwellers, who have lost any traditional rights recognized under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 …’ and expanded to include ‘persons having tenancy rights under the relevant State laws …’. The 2007 Bill suggests that the Collector shall enquire into these and arrive at correct measurement and value of land. In case the person ‘interested’ is not satisfied, may take judicial course. The proposed 2007 Act says that in determining the amount of compensation, the Court shall take into consideration the market-value of the land at the date of the publication of the notification. In addition, the Court shall in every case award a sum of thirty per centum on such market-value, in consideration of the compulsory nature of the acquisition. The amount of compensation awarded by the Court shall not be less than the amount awarded by the Collector.

Following the proposed Act 2007 the state (of India) owns the responsibility of land acquisition for which the catalyst is the District Collector and the Disputes Settlement body is the Court. The role of the Judiciary is limited by the guidelines provided by the proposed Act. By regulating market value of land for ‘the compulsory nature of the acquisition’, by guiding the Judiciary in determining compensation, the state drives development.

A Critique

The catalyst in land acquisition is the state in India. The ‘person interested’ in the context of land acquisition by the state de facto includes all those going to be affected by land acquisition of a particular locality. In particular, the ‘person interested’ is really the tribals, the original settlers on land who generally do not
possess any land records (even many of them being not at all aware of any such needed records), the small and marginal farmers, the tenants and sharecroppers, the agricultural wage-workers (settled in the locality and migrants). These persons generally do not express their interests. While the migrant agricultural workers living on the bottommost plank of the society is disempowered by the new Bill by not being allowed to ask the District Collector for payment of any compensation when his employer’s plot of land is lost by acquisition for purposes other than agriculture, the employer by being a small farmer is disempowered by being on the queue to receive compensation, the time distance between acquisition and compensation being sixty days. It is beyond the capacity of tribals and dalits (socio-economically downtrodden in Indian society), unless politically mobilized, to raise voice for a compensation equal to 30.0 per cent markup of prevailing market rate. The small and marginal farmers may feel shaky to move the Court and remain happy with whatever cash compensation they are offered. Judiciary by its cobweb nature may itself be a trap for them. Fear factor works for the holders of petty property lest it is also lost in the process of bargaining with the administrative authority. ‘Public purpose’ as interpreted by the state generally goes against the underprivileged public in the operational domain. The trade-off between interests of the lightweight large public and heavyweight few elite gets natural expression in favour of the latter.

People solely dependent on land-based low-yield occupations often feel alienated from the state. They are not part of the mainstream education system and hence have reasons not to understand the language of the judiciary that served the British colonial administration in India. Land acquisition by the state from the possession of these people thus is one-sided. In first appearance the landowner in villages is ‘money compensated’ by the state, but then he is deprived of future opportunities and uprooted from his culture. The ultimate looser is the land-dependent rural population.

For launching projects in cities, the state aims for vertical measures like constructing flyovers for surface transport, tunnels underground for metro rail and tube rail so that buildings and other assets possessed by the urban civil society, both public and private, are not affected; however, when it comes to rural areas the state targets horizontal expansion by acquisition of private and collective cultivable land and hence eviction of vulnerable people. It is arguable that the state followed similar measures for conversion of rural areas into urban areas in India and abroad in a time-neutral manner. But time of 21\textsuperscript{st} century by reaction of people and civil society is sharply different from earlier centuries by size and density of population, democracy and voice of people. The question of ‘prior informed consent’ thus becomes relevant now that might have been irrelevant earlier. The state takes pre-emptive measures by ‘inclusion’ in the safety net those who the state threw out of the development trajectory. Since high growth is urgent for trickle down, the state first evicts people from land by its acquisition, makes them expendable and then catches them in the safety net. The objects caught in the net are never asked if they had the right to self-determination in the development map. The map is drawn and guarded by the state.

It takes more than a generation for households to find out a region to get settled by developing social relations. This inter-generational social identity is destroyed by one stroke of land acquisition. Such lands are often under multi-cropping. By acquiring such fertile land the development strategy of the state shows ‘rural displacement-led urban slumization’. Extension of the urban boundary by such acquisition subsidizes the better off by assured supply of cheap labour from the urban boundary.
‘newly displaced’ villagers converted urban slum dwellers. Both land and necessary labour thus are curved out by land acquisition for the industry-cum-urban economy.

The concern of the state and the concern of the society are not necessarily synonymous. State represents only the dominant political society and camouflages it by an all encompassing behaviour. The state-representing political society is propertied-cum-civil and settled as opposed to the vulgar one that is roaming-illegal-doubtful citizens. Civil society operates within the frame of colonially inherited institutions and corporate capital (Chatterjee, 2008:12). When the ruling state elite dictates terms of development, acquisition of agricultural land for industrial purposes is a corollary. This is because the life-saving foodgrains can not for long satisfy the appetite of the section that is well ahead of thinking about fulfillment of basic needs.

State is strong internally by monopoly power over laws it formulates. State is supposed to protect forests and land. The state allows private capital to convert natural resources into consumable goods. The nature-dependent people are the tribals and the dalits who distanced themselves from private property understood by ‘excludability’. These people are now evicted who protected these resources over time immemorial not backed by any state laws but as a natural practice in life. By acquisition of land by the state in a top down approach, collective ownership-cum-use is surrendered – what gets supreme is state authority.

Land carries dual meaning by uses by the people. Land essentially has precautionary value as opposed to immediate exchange value to its holders. For the state, land is a resource for conversion into gross domestic product. The ultimate decision-maker is the state that calculates the costs and benefits of land acquisition. State is the ultimate protector of the valid citizens. Hence, forced injustice is ruled out from the action-plan of the state.

V. Suggesstions for Land Acquisition for Industrialization

In keeping with the basic assumption that industrialization is inescapable and hence land acquisition becomes a compulsion particularly at a late stage of industrialization as in India, we offer the following suggestions for land acquisition for industrialization in India:

- The 1894 Land Acquisition Act should be repealed because it was enacted in the interest of the colonial government.
- The farmers whose self-consumption is more than 50.0 per cent of self-production of the foodgrains should be exempted from surrendering land under distress, violation of which will lead to farmers being compelled to become net buyers of foodgrains at market price higher than the initial ex-farm price.
- The target for land acquisition by the state has to be the absentee landlords, the land owners with ‘distress free’ double settlement and the big landowners. The land that remains idle as estate and ‘benami’ (fictitious name) should be acquired.
- The solution for industrialization would be to acquire that plot of land that is barren, fallow, and far from human settlement.
- The people of the affected locality have to be drawn as equal partners in the decision-making processes right from the time of proposal from the state, pre-notification, for acquiring land for industrialization if it is in ‘public interest’.
- Even if local people gives consent to give up land, it is to be examined by an autonomous body if the future of the nation will be endangered by deforestation, diminishing water table, emission of gas and other health hazards. It is also to be
examined if the local people gave consent out of fear and political pressure or for temporary urgency to get lump sum money as so-called compensation.

- The real resource of a country is not the factory as such but the land, the rivers, the mines, the forests, the coastal belt, and above all the people. A national policy needs to be formulated by the Parliament to preserve these resources.
- Paying one-time money compensation is no solution for the people who live with land, domestic animals, water, hills and forests. The people settled in the rural region should be economically accommodated in the same region through employment programmes.
- There has to be national level land census on a regular basis. All land records have to be computerized and put on website.
- There has to be an autonomous Land Rights Commission to advice the government on land acquisition.
- The compensation for land acquisition has to cover land price post-acquisition (based on the assumption that at least the individual has ownership over saleable land in the adjoining area) plus the cost of surrendering domestic animals and other productive assets (including plantations, ponds, well etc) plus the cost for surrendered opportunity to have access to common space (CPR) plus the cost for security loss (based on the assumption that village security in livelihood is preferred to that in cities and other difficult areas). While the prevailing price in the land market in the sub-urban areas may work as a proxy for post-acquisition of land, it becomes extremely difficult to suggest valuation for security loss.
- At least 50.0 per cent of India’s total non-water non-forest surface area has to remain reserved for agriculture for food sovereignty.

For the persons who are displaced by land acquisition, the government should
- ensure food security by provision of BPL cards as a component of India’s general food security policy,
- develop and encourage budding indigenous technology and link them with the capacity reorientation of the newly displaced for their productive absorption,
- provide micro-finance to the displaced households with no property mortgage,
- set up institutions for vocational education and training for the displaced youth before acquisition of private agricultural land for industrial purposes,
- provide low cost rural housing to the displaced and link them with rural development schemes,
- promote local rural resources for repetitive, durable and multiple uses particularly for development of agro-industries.

The suggested measures need to be components of National Policy of the Government of India.

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Chapter 4

The Psychological Consequences of State Corruption:
A Research Agenda

William W. Bostock, Ph.D. 1

Abstract: State corruption is defined and the magnitude of its consequences for living standard, health and wellbeing is assessed. Once in place, a corrupt state is a self-sustaining system, maintained by the costs of reform being much higher than tolerance. However, there are also heavy psychological costs that come with tolerance. After each new incident of manifest corruption within a state, a psychological dynamic comes into play, very similar to the well-known stages of grief. A community will pass through these stages, or become fixated at one or more of them, until a resolution of the original manifestation of corruption has occurred, for better or worse. The need for instruments to measure psychological stages within a corrupt state so that outcomes can be predicted is thus a major imperative.

Introduction

Corruption has been described as the largest obstacle to economic and social development (Jain, 2001: 71). The word corrupt comes from the Latin com together, and rumpere, to break, meaning evil, harmful, depraved, of broken or compromised integrity, or susceptible to bribes, and can also refer to something as damaged or even destroyed, as in a corrupted computer file. At the level of the state, it refers to bribery, nepotism, favouritism, fraud, embezzlement and theft. This can occur at a political level affecting the formulation of laws, regulations and policies, or the administrative level of the granting of licenses, approval and monopolies. In a word, a corrupt state is a broken state.

Corruption reduces the wealth of countries by imposing extra costs on business and government, so that countries with high levels of corruption can have per capita income three times lower than in similar but less corrupt countries, as in for example Ukraine and the Czech Republic, Indonesia and South Korea, Nicaragua and El Salvador, or Chad and Namibia (World Bank, 2010: 8). In addition, corruption distorts and reduces the provision of resources in health, education, public works, police forces and other facilities so that infant mortality rates are about three times higher and literacy rates 25 percentage points lower in high corruption countries than in countries with low to medium levels of corruption (World Bank, 2010: 9). In a badly corrupted state, vitally needed funds can be diverted overseas. For example, in Nigeria between 1960 and 1999, more than $380 billion was diverted overseas from the nation’s wealth (Revenue Watch Institute, 2007: 1).

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Various scales of corruption have been developed, the most salient being Transparency International (TI), whose Corruption Perception Index has been published since 1995. While acknowledging that corruption is notoriously difficult to measure, TI has based its index on human perceptions of corruption (http://www.transparency.org/). All of the indexes of corruption have an implicit recognition that there is a subjective component in the perception of corruption, and in fact it often happens that a practice that is perfectly legal in one country, such as the granting of gifts to political parties, can be quite corrupt in another.

The causes of corruption are diverse. Among factors that have been identified are religious and cultural tradition, possible colonial experience, level of economic development including level of imports, tradition of law, and federal or unitary system of government (Treisman, 2000). Whatever the mix of causes, once a system of corruption is in place, reform will be very difficult, as much so as with any other aspect of a way of life that has become embedded in a culture. Among the crises besetting human societies, such as pestilence, war, famine and death—the four horsemen of the Apocalypse of Christian theology—corruption in a society can appear to be a fairly minor state of inconvenience. However, if corruption reaches a certain level, it can bring into being pestilence, war (including civil war), famine and death.

As well as being a way of life, corruption is sometimes defended as being positive in its effect, by “greasing-the-wheels-of-bureaucracy”. However, the additional costs of corruption must always be passed on to end-users, so that corruption can also be viewed as “sand-in-the-machine”. (Jain, 2001: 92-93).

Corruption as a Self-sustaining System

Once in place, a corrupted system of government will tend to remain in place for a very long time. This is because the cost of paying the bribe will be less than the cost of non-payment and any attempt at system reform, rebellion or even information leakage will be extremely costly to the reformer, possibly at the cost of life itself. In addition, an unsuccessful attempt at reform will result in an augmentation of deep-seated fear and therefore the further reinforcement of the system. As has been observed in psychological research, people will go to great lengths to avoid losses (Darley, 2005: 1187). Even so, the costs of maintaining a corrupt state can become so immense that the pressure for reform can lead to rebellion, revolution, civil war or other overthrow, though not necessarily for the better.

Corruption is rarely a single action or activity by an individual or group, it is more usually a pattern of behavior within a group into which neophytes are gently introduced through a series of incremental stages in a process culminating in a new sense of identity (Darley, 2005: 1179). Corruption is thus a political, administrative and economic activity which also takes place at a psychological level, and it is the psychological dynamic of gain, loss and fear which keeps it in place.

Corruption at the Psychological Level

The life of a community takes place at many levels: the physical, the social, the economic, the political but also a psychological level of group consciousness. The psychological level of functioning for both the individual and society generates motivation and response as they seek to survive within an environment, and the condition of consciousness at any time can be called the mental state. In psychiatry,
the mental state of an individual is an assessment made in terms of the symptomatology of disorder or disease (Puri, Laking and Treasaden, 1996: 60-72), while in everyday life, it is a much more general description based on whatever analysis (such as insight) for whatever purpose. Collective mental state is a quality of a group, and groups can emerge with seemingly a life of their own, and, seemingly, a mind of their own.

The performance of the individual or community in the task of surviving will involve an interaction between many activities and the mental state. This requires the maintaining of a sense of coherence (Antonovksky, 1980) which is vital to the task of survival, that is, coherent social functioning, though the difficulty of obtaining and maintaining the sense of coherence can be made much harder when a state is badly corrupted.

The distinctive long term continuing aspects of the individual or group’s mental state of consciousness can be called a sense of identity (from the Latin idem, the same). When Marx wrote of class consciousness, he was using a form of identity theory, but the main impetus has come from psychoanalysis where it is seen as being at the basis of the socialization process by which societies are created: "Identification is known to psychoanalysis as the earliest expression of an emotional tie with another person..." (Freud, 1955, 105). To Freud, identification was a mechanism by which a child would recognize himself or herself through interaction with a parent.

Erikson saw a strong sense of identity as a necessary condition for both a successfully functioning individual and for a society and who discussed at length the dysfunctional states of confusion, crisis and panic of identity. A strong sense of identity is a generator of energy and a weak or confused sense of identity as a source of decline. As a crisis of identity develops, powerful negative identity factors are produced (Erikson, 1968, 62).

Three functions of identity at the national level have been proposed. Firstly, national identity provides a satisfying answer to the fear of personal oblivion, through identification with a "nation". Secondly, national identity offers personal renewal and dignity by becoming part of a political "super family", and thirdly it enables the realization of feelings of fraternity, especially through the use of symbols and ceremony (Smith, 1991, 160-162).

It is important to note that identity is not a monolithic entity, but rather a work in progress. Castells has observed that as identity is constructed, three categories can be recognized: (1) legitimizing identity, in which the dominant aspects of society are recreated (2) resistance identity, in which marginalized groups develop an identity and (3) project identity, in which new identities are created and which can in turn influence a dominant identity (Castells, 1997: 8).

Identity can thus be seen as part of a collective mental state that is a necessary condition for survival, but one that can become severely disordered by deep and systemic corruption, through a distorted sense of coherence, and resultant identification by self and others as part of a corrupt or broken state.

The Psychological Dynamics of Corruption

The realization that an individual or group or whole state has become known as corrupt can severely distort the sense of coherence of identity that is vital to survival, as it is with any other loss. Here it is possible to use the well-known stages of grief of Kubler-Ross as a template. Kubler-Ross recognized grief as a process
involving five stages in the journey from initial shock to successful adjustment and survival. The stages are: denial, anger, bargaining, depression and acceptance (Kubler-Ross, 1969). This schema can be adapted to cover the psychological stages of adjustment by a society to a new and significant revelation of overt corruption:

1. Denial, by perpetrators and victims
2. Anger and fear of violent reprisal for involvement in the revelation, often known as whistleblowing
3. Bargaining, which may involve an offer of public contrition by the perpetrator(s) which can be negotiated with the host society
4. Depression, or a generalized state of despondency and gloom, resulting in widespread demotivation and apathy
5. Acceptance and apathy, that after the depression has exhausted itself has given way to the widespread feeling that nothing can be done to restore the precorrupted situation
6. Humiliation, or an awareness that among the community of nations that the reputation of one’s collectivity is lacking in dignity and is therefore deserving of contempt
7. Rebirth, the sense that a new order will be born, where the old and corrupt ways of a regime can hopefully be left behind forever. The rebirth may include posttraumatic growth (Tedeshi & Calhoun, 2004), which is a positive psychological change that could have come about as a result of the challenge of surviving within a broken system.

It must be emphasized that a collective mental state desirous of rebirth is not a sufficient condition to bring about major system replacement; the actual process may well require conquest or defeat in war or civil war, violent revolution or other major cataclysmic event such as natural disaster, and will often involve the turning to a new leader of messianic reputation, a step which in itself is fraught with danger, (but that is the subject of a separate study).

Three Historical Cases of Corruption

It is useful here to examine the psychological conditions within states experiencing large-scale corruption: specifically three, a colonial state, a pseudo-state created by dictatorship, and a proxy state created voluntarily.

The French Concession, Shanghai, China 1920s – 1930s

Throughout its long history, China has been the subject of a number of invasions and wars, including two Opium Wars with Britain, after which China was made to produce, trade and consume opium, but never fully conquered. In 1912, a Republic of China was established under the Guomindang party but with colonial powers keeping foreign concessions or enclaves. The French Concession in Shanghai was infamous for its level of corruption. During the 1920s and 1930s Shanghai was under the influence of the Green Gang, an organization of one hundred thousand or so gangsters who controlled gambling, prostitution, kidnapping, extortion, labor contracts and the supply of drugs (Martin, 1995: 64-65). The Green Gang produced so much heroin in the 1930s that it became a major exporter to Europe and the United States, routing its heroin through the French Concession, which was under the civil and police administration of France (Block, 1989: 329-330). However, France was not alone in condoning the heroin trade, as some sixty other nations and colonies were
involved (Block, 1989: 322); moreover opium was used as a currency throughout China (Block, 1989: 329). By the late 1920s, a strong relationship had developed between Chief of Police in the French Concession, Huang Jinrong, the leader of the Green Gang, Du Yuesheng, and the leadership of the Guomindang (Martin, 1995: 64-66). This close interaction between colonial police, national government and organized crime resulted in a level of corruption that was described as “massive” (Wakeman, 1995: 38).

The mental state resulting from this situation of massive corruption, along with a legacy of colonialism and turbulence, can only be hypothesized, but scholars have suggested humiliation: Pye asserted that “(t)here is no reason to doubt the genuineness of Chinese feelings of humiliation…a flawed, and in modern terms, a disgraced China.” (Pye, 1992: 114). From this sense of humiliation, China moved to a stage of rebirth, through civil war, war with Japan, and resumed civil war. As Wakeman observed, “…the sum effect of this political and social corruption within China’s metropolis was to help bring about the deligitimation of the Guomindang (ruling Nationalist Party), whose rule was compromised…” (Wakeman, 1995: 22). (Parenthesis added). In 1949, the Nationalists were defeated by the Communists, leaving China to be reborn as the People’s Republic. The new regime took steps to abolish corruption, but was also to see war and famine on a massive scale (Becker, 1996).

The Ghetto at Lodz 1940 – 1944

In 1939 Lodz, the second city of Poland, had a large Jewish population and a large ethnic German population, as well as its indigenous Polish population, and in it was created Europe's second largest ghetto exceeded only by that of Warsaw. At its maximum, 200,000 people were crammed into the ghetto, which consisted of the old quarter of Stary Miasto and the slum quarter of Baluty, an area amounting to only six square kilometers. Its main function was that of a holding centre for Jews from Germany, Luxembourg, Czechoslovakia and Austria, some 7,000 Roma and about 25 Christians, mostly married to Jews. Of that population, 130,000 were deported and exterminated, mostly at Chelmno or Auschwitz, some 60,000 died in the ghetto through starvation, disease, hypothermia, suicide or execution and about 10,000 survived through interruption to their deportation by the ending of the war (Adelson, in Adelson and Lapides 1989:493-4). Another 877 survived by hiding inside the ghetto until its guards fled before the arrival of Soviet troops (Dobroszycki 1984:lxv).

Sealed off from the rest of the city, and surrounded by the mainly hostile inhabitants of the incorporated Reich, opportunities for the illegal movement of persons in or out, the smuggling of food, supplies or even letters, were virtually non-existent in the ghetto at Lodz or Litzmanstadt, as it was renamed by the Germans. The Lodz ghetto was thus sealed hermetically for a period of over four years which was also the longest period of survival of any ghetto in the Third Reich.

In order to facilitate the administration of the ghetto, the Germans created a pseudo-state with an illusion of self-government, with one of its own members, Mordechai Chaim Rumkowski, appointed as Elder of the Jews or ruler of the ghetto (Bloom, 1949). As his strategy for survival, Rumkowski turned it into a major manufacturing center. Rumkowski was encouraged to create a dictatorship within the ghetto, which became noted for the corruption of its administration, though there is controversy over whether Rumkowski was himself corrupt (Szulman, in Adelson and Lapides 1989: 88). The subjects of corruption were principally the allocation of food
under conditions of extreme starvation, and the avoidance of selection for transportation from the ghetto to unspecified destinations (which were not at the time known to be the death camps of Chelmno and Auschwitz).

If one passes over the corruption that was indeed a factor in the ghetto and the relatively generous rations allocated to those at the top of the Jewish administration, most privileges came down to the number of additional grams of bread or sugar a day. (Dobroszycki 1984: xlvi).

With regard to the deportations, it has been claimed that Rumkowski had a policy of using Nazi deportation quotas to remove people he called “troublemakers” (Adelson, 1996: 88n).

The prevailing mental state in the pseudo-state of the ghetto under conditions where food rationing and non-selection for deportation were known to be corrupt, could not have been other than severe depression and a tragic sense of acceptance, as testified by all of the witnesses who recorded their feelings. In the words of Oskar Rosenfeld “We are lepers, outcasts, common thieves, people without music, without earth, without beds, without a world.” (Rosenfeld, in Adelson and Lapides 1989: xv), or Jakub Szulman, “(p)eople who couldn’t lift themselves up fell ever lower, sank ever deeper.” (Szulman, in Adelson and Lapides 1989: 83).

Unlike the ghetto at Warsaw, the Lodz ghetto did not have an uprising, though it had several industrial stoppages notably in July 1942. For most of period of the ghetto, Rumkowski was severely depressed, and for a considerable period in the autumn of 1942, when his bargaining with the Germans over the names and numbers of deportees was at its most critical, was suicidal (Dobroszycki 1984:li). However, he did not commit suicide, as did some ghetto leaders such as Adam Czerniakow, leader of the Warsaw ghetto (Hilberg 1961:319); instead he perished with his wife at Auschwitz.

The Lodz ghetto was thus fixated at the stages of bargaining and depression as its leadership and membership attempted to deal with the hopeless situation of their imposed corrupt pseudo-state. There were also expressing feelings of imminent rebirth which grew as the war reached its closing stages, and also the possibility of posttraumatic growth. As one of the detainees, Dawid Sierakowiak, was to write

A few friends and I spoke a lot about the future, and we have come to the conclusion that if we survive the ghetto, we’ll certainly experience a richness of life that we wouldn’t have appreciated otherwise. (Adelson, 1996:209).

The People’s Temple 1955-1978

The People’s Temple was a religious community with political overtones created in 1955 (under a different name) by the Reverend Jim Jones (1931-1978). After founding its own quasi state of Jonestown in Guyana in 1973, the community was destroyed in a disaster involving the murder of Congressman Leo Ryan and four members of his investigating group, the mass suicide and murder of over 900 of its members (including Jones) himself, in November 1978. Throughout its short history, the People’s Temple was a highly corrupt institution, due to the manipulation of its founder, but not its members who were mostly characterized by naivety, and who were in denial of allegations of corruption even as they began to surface in the media in the early 1970’s. The organization was indeed corrupt and its activities included the theft of US$26 million and manipulation of local government elections in San Francisco (Schepper, 1999: 26).
The members of the church were drawn from disadvantaged groups in American society whom Jones manipulated through language at the level of emotion, as can be seen in the documentary film *Jonestown, The Life and Death or People's Temple* (Nelson, 2006). Invoking collective memory of the humiliation and suffering of his mostly African-American parishioners, and referring on a number of occasions to the Bible as "the black book used to repress black people", Jones operated a system of suggestion and thought control to carry out large-scale social engineering in his church. This took the form of a highly distorted sense of coherence backed up with the threat of severe punishment, both psychic and physical, including beatings and non-consensual sex (Harray, 1992: 65). As a result, contagion with fear became a characteristic of life in the People's Temple, but also brainwashing (Barker, 1986). Jones accurately diagnosed a state of wounded identity, from which he offered the healing experience of a new life in Jonestown, a proxy-state granted land in Guyana by the Guyanan government in 1973. In this way, Jonestown became an example of a human society that entered a period of extreme collective mental disorder, undergoing large-scale organised violence that quickly led to major human catastrophe. Given that Jones had become a pathological leader, the previously moderately well adjusted collective mental state of the People’s Temple lost its immunity from the extreme forms of behaviour that involved violence.

Most witnesses and commentators seem to agree that in the final stages of his rule, Jones was suffering severe drug-induced mental illness of a paranoid type (Ulman and Abse, 1983: 653) (Cain, 1988: 22). Ulman and Abse also refer to the “collective madness” of the community (Ulman and Abse, 1983: 658). Although it is unlikely that anyone would have accurately predicted the tragic end to Jonestown, many were deeply troubled, leading to the investigatory mission of Congressman Ryan. Among the disturbing indications were the enacting of "white nights" or exercises in simulated mass suicide. (Some accounts give two or three of these simulations, but Nelson only refers to one) (Nelson, 2006).

Jones was able to seize absolute power and translate his intentions into actions, many of which were highly corrupt, through fear. As Harray observed in relation to Jonestown,

> When applied in various combinations, fear of being rejected, of doing or saying something wrong that will blow the whole illusion wide open; being punished and degraded, subjected to physical threats, unprovoked violence and sexual abuse; fear of never amounting to anything; and the fear of returning to an old self associated almost exclusively with feelings of loneliness and lack of meaning will confuse almost anyone. …So (it) did all the members of the People’s Temple. (Harray, 1992: 65).

These patterns of behavior were also a common feature in the early and later stages of many other corrupt regimes, which have imposed and maintained rule by threat of violence. In the case of Jonestown, the outcome was catastrophic, being also the largest single loss of civilian American life up to September 11, 2001. The fact that it was probably more mass suicide than mass murder, conspiracy theories notwithstanding (Moore, 2002), does not lessen its impact. In the Jonestown experience, the psychological responses to the corruption of the regime of the proxy-state were denial, fear and anger, and then briefly through other stages to the desire for rebirth in the Promised Land of life after death.
Chapter 4, William W. Bostock, Ph.D.

Conclusion

Corruption in states creates an immense burden that must be paid for in reduced living standard, health and wellbeing, but once in place, a corrupt state is a self-sustaining system, maintained by the costs of reform being much higher than tolerance. However, there are also heavy psychological costs that come with tolerance. After each new incident of manifest corruption within a state, a psychological dynamic comes into play, very similar to the well-known stages of grief. A community will pass through, or become fixated, at the stages of denial, as in the Peoples’ Temple at Jonestown, of anger and fear, also as at Jonestown, of bargaining, as in the Lodz Ghetto, of depression, also as in the Lodz Ghetto, of acceptance and apathy, also as in the Lodz Ghetto, of humiliation, as in the French Concession in Shanghai, spreading to the whole of China, and of rebirth, as in China, or until there is some kind of resolution of the original manifestation of corruption, for better or worse. There is therefore a vital need to develop instruments to measure psychological stages within a corrupt state so that outcomes can be predicted and human and other costs minimized.

References


Chapter 5

The Customer Relationship Management Practice of Information and Communication Technology Public Listed Companies in Thailand

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Abstract: Nowadays, Customer Relationship Management (CRM) is a major focus for business while the worldwide Information and Communication Technology (ICT) sector is also changing radically, and many research evidence shows that ICT companies fail to make their CRM effort to pay off. Therefore, this qualitative study aimed to identify the influential success factors of CRM practice of ICT public listed companies in Thailand. The finding of this study may be developed as a guideline to maximizing CRM practice for the company who have been installed or exercised CRM in their organization. The study found that CRM practice can increase the company’s sustainability and competitive advantages in ICT business sector. With the empirical evidences gained from in-depth interviews of ICT public listed company’s managers in Thailand, the finding has shown that Computer Self-Efficacy, CRM Mindset, Information Technology and Business Culture Gap and CRM Software Utilization play as the significance factor to the success of CRM practice of ICT public listed companies in Thailand.

Introduction

Nowadays, Customer Relationship Management (CRM) is a major focus for business because the goals of acquiring, developing and retaining customers in a profitable and timeless manner (Thompson, 2009). It has become a necessity for the company’s survival (Rootman et al, 2008). Good CRM means the difference between success and failure (Gorder, 1991). CRM has provided companies with increasingly detailed insights into the profitability of their individual-level customer relationships (Haenlein & Kaplan, 2009), and likely to increase customer satisfaction which is the greatest concern of every business organization (Agboola & Salawu, 2008). If the organization has failing to meet customer expectations, it represent the entire organization’s level of quality (Cravenho & Cosgrove, 1993). Therefore it is a critical factor to a level of company success and it must become an integral part of organization’s daily business activities and whole organization must be involved in CRM practice (Schrandt, 1992).

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Moreover, CRM also allows creative marketing people to gain insights from information for new product ideas or new promotional campaigns and turn them into profits (Chatranon et al, 2005) and results in business relationships that lead to sustainable competitive advantages (Kale, 2004), increased revenue, lower costs, higher returns on investment and improved competitive strength, from these advantages many organizations are highly entrenched in their CRM efforts and continue to spend a great deal of time and money to leverage its greatest benefits (William, 2006). But CRM is not just only install CRM software, its require the strategic fundamental which induces an often substantial redefinition of general business and marketing processes as well as underlying organization structure (Wehmeyer, 2005). To implement CRM successfully, firms must combine physical resources, information resource and organization resource including both human and non-human resources to achieve the firm’s competitive position (Foss et al, 2008).

According to the Optimize Research, 200 companies have been surveyed on the businesses technology professionals responsible for their CRM decisions, the result shown that CRM can help the company better meet customer demand and create or maintain competitive advantages, also bring the company to have greater personalization of product offerings, 72% of the respondents show that CRM improve customer satisfaction, 55% of the respondents show that CRM increase in customer loyalty, while 50% of the respondents believe CRM can reduce operating costs, create or maintain competitive advantage and meet customer demand (Smith, 2005). In the year 2001, The End Records adopt Netsuite’s CRM system to integrated their customer data and order processing system. Therefore it does not have to reenter, thus the information in each process when customers order the product. They can process a lot more orders in about half time, also allow the management less focus on the internal process concerns and more on growth. As a result the amount of orders processes has increased to the tune of 100 percent for each of the past three years (Baillor, 2005).

Afterward PR Newswire reported that ISS Belgium saved nearly 8 million Euros by reducing risk and improving customer service after implemented Microsoft Dynamics CRM in the year 2008. “Our implementation of Microsoft Dynamics CRM has made a significant impact on our business, such as reducing bill collection from 75 to 34 days, and helping improve customer retention to 90 percent,” said Bart Hermans, CRM manager at ISS Belgium (Microsoft Dynamic CRM, 2009).

In contrast, SalesPush reported that Printing and Publish Company (UPP) failed to adopt Salesforce CRM in the year 2008 as it was too complex for their user base. Salesforce CRM was simply too complex and too expensive to adapt to the requirement rapidly change of UPP. As a result, UPP decided to move away from Salesforce, and lost total of their CRM investment (NewswireToday, 2008). The study from the Petersen shows that organizations which fail to implement CRM productively lose on three fronts: (1) They waste resources on implementing technology, (2) They fail to leverage any benefits, and (3) They poison the will for future customer oriented initiatives (Petersen, 2004).

According to the Gartner Research, worldwide CRM market software had been exceeded to 7.1 Billion Dollars in the year 2007, which increased 14 percent from 2006, and it would rise by around 1 billion Dollar each year from 2007 to 2011 (Baker, 2007). In the year 2008, Worldwide CRM market revenue totaled 9.15 Billion Dollars, a 12.5 percent increase from 2007 (Mertz, 2009). While the Forrester forecasts suggested that worldwide revenues for CRM solution providers reached 8.4
Billion Dollars in 2006 and will grow steady to 10.9 Billion Dollars by 2010 (Band, 2007)

In The Asia Pacific, Gartner Research reported that CRM software investment grew 13% in 2006 reaching approximately $336 million and representing a 5.2% share of the total global CRM software market. While Frost & Sullivan Research firm projects that by 2009 CRM software investments in the Asia Pacific region will reach $408 million representing an 8% growth rate annually (CRM Forecast, 2009).

In Thailand CRM is classified as Information Technology investment in the Information and Communication Technology Sector. In 2007, National Statistical Office of Thailand reported that total investment on Information and Communication Technology goods and services in Thailand are 17 Billion Baht which include: computer hardware, computer software, computer maintainances, communication services and communication equipments (NSO, 2007).

Support from the study of Aruthari (2005) in Information Technology adoption by companies in Thailand: a study of enterprise resource planning system usage. The study shows that there are only 21.5% of the organizations in Thailand who initiate and practice CRM in their organization (Aruthari, 2005). If we take the above information to calculate the total CRM investment in Thailand, Thailand has already spent more than 3.6 Billion Baht on CRM project in the year 2005 and growth in every year (Aruthari, 2005; NSO, 2007; CRM Forecast, 2009)

From the above data, in the year 2011, Thailand is likely to reach the 4,944 Million Baht on CRM projects investment. However, the study from Mcconnell show the number that 84% of businesses still questions the degree to which a CRM solution can deliver the return on investment (Mcconnell, 2003).

The worldwide Information and Communication Technology (ICT) sector is changing radically, the change are driven by a combination of market, business and technological forces, customer awareness and knowledge is increasing, they want services that satisfy their unique needs and demand reliable service delivery at competitive price, while many research evidence shows that Information and Communication Technology (ICT) companies fail to make their CRM effort to pay off (Xevelonakis, 2005) and more than 80 percents of CRM implemented are located in the large corporations because CRM required a lot of time and money to implement (Bergeron, 2002). In the year 2008, Gartner Group estimated about 65% of worldwide CRM implementation resulted in either losses or not bottom-line improvement in organization performance. Also the survey of the Meta Group which suggested failure rates of between 55 to 70% of CRM projects fail and SalesPush Research Group reported failed CRM implementations costing business US$ 9.1 billion annually (NewswireToday, 2008). Support from the study of Dickie (2009), over 1,700 companies worldwide have been surveyed and the results show that only 16.1% of the firms who had implemented or exercised CRM system are reporting that system usage is resulting in increased revenues in the CRM installed companies because the majority of firms are underutilizing the CRM tools they have in place (Dickie, 2009).

While the recently study from Band (2009) reports that only about one-third of enterprise-class organizations agreed that the CRM application really improved the end users’ productivity and the major cause of CRM failure can be categorized into four main categories which are 33% of technology problems, 27% of business process, 22% of people in the organization and 18% of business strategy (Band, 2009).
If we take Gartner 65% failure rate to calculate total lost or under-utilization of CRM investment in Thailand, it is likely to reach 3.75 Billion Baht in the year 2011. Moreover, the information from the National Statistical Office of Thailand shows that there are only 20.7% of the total companies established in Thailand who gain benefit by adopt the Information and Communication Technology while 79.3% of the companies are lost or have the same revenue by adopt Information and Communication Technology (NSO, 2007).

Many companies think of CRM as primarily technology driven, and when they encounter the problems they tend to blame the systems and software, or maybe even the training of the sale force use of the new processes. The key issues are rarely technical with the software system. Almost always, the problem is people and people system (Megovern & Panaro, 2004). Technologies are only the instrument to automate sale process (Urbanskienè, Žostautienè, & Chreptavičienè, 2008). Therefore CRM program or server alone will not do the complete job; the keys are planning, customization, ongoing training and improvement (Ables, 2009). It is also related to the employee academic level, experience of Information System, position, training, motivation and culture; all of the factors above affect the success of CRM (Guido, Lelio & Pierluigi, 2007). In the early state, company has to dedicate the staff member with CRM experience form the business and Technology standpoint in order to get the full commitment the new system (Sablosky, 2005), cross-functional team must be involved (Rogers, 2003), while it is not surprising that the organizations have both IT and business cultures, and the differences or the gap between them create problems. IT and business people typically differ in several significant ways which are the kind of work they like to do, educations, work experiences, and loyalties, these differences shape their perceptions and behaviors. If the organization can bridge the gap between IT and business cultures thus it will greatly enhance their ability to develop application quickly and best Practice (Watson, 2009). Supported from the survey done by the PriceWaterhouse in 1992, Pre-existing structures and cultures may shape differing stakeholder perceptions regarding the new system and its implementation and performance, 57 percent of UK IT directors stating that their main problem was culture gap existing between IT and business professionals, with 56 percent believing that the culture gap was losing or seriously delaying IT opportunities for their company to gain competitive advantage (Finnegan & Willcocks, 2006). Many organizations focus only IT side, but the key to success is to balance between Business and IT, therefore an organization-wide effort is required (Johnson, 2004).

In Thailand, National Statistical Office shows data that the important barriers of Information and Communication Technology (ICT) Practice are expenditure too high, technology change too complicated, existing personal reluctant to use, lack of skills, difficult to recruit qualified personal and security concerns (NSO, 2006). Support from the finding of Buche, Davis and Vician (2007) that in the computing intensive organization impact individual’s level of computer anxiety, decrease in computer anxiety are most likely to have a positive effect on performance for each individual (Buche, Davis & Vician, 2007) and increased the level of computer self-efficacy (Perrewe & Thatcher, 2002). Also, computer self-efficacy is directly and positively associated with the Information Technology utilization in the organization (Bandy, Dishaw & Strong, 2006) which consists of security and risk, perceived of use, service and maintenance, system information and technical effectiveness have impact the success of organization performance in CRM system (Sang et al, 1998). However organization need to initiate the fundamental principles of Customer Relationship Management Mindset which are: customer-centric vision regarding to
customer relationship, top management support, end user buy-in and support, adequate end user training, change in business processes, measureable goal and continuously measurement and track results (Kale, 2004; Nolan, 2005 & Hasan, 2006) because even the best CRM system in the world will not be useful to the organization, if the process and tools around the system does not make sense (Slemmer, 2008)

The Concept of Customer Relationship Management

The related theories and past researches on Customer Relationship Management (CRM), Customer Relationship Management Practice have been reviewed to explain about the topic on Customer Relationship Management Practice of Information and Communication Technology public listed companies in Thailand.

Customer Relationship Management (CRM) was born around 1997 as a mean of redefining the customer relationship through computer-based tools. In theory, every customer interaction can be recorded, allowing a company to proactively provide the best customer service possible while creating a database of customer preferences that can be reviewed by sale, marketing and management, so it is likely to reduce costs and improve employee productivity for the organization (Bergeron, 2002).

The Gartner group defines CRM is an enterprise wide business strategy designed to optimize profitability, revenue and customer satisfaction by organizing an enterprise around customer segments, fostering customer-satisfying behaviors and linking processes from customers through suppliers. Moreover CRM technology investments provide better customer understanding, increased customer access, more-effective customer interactions and integration throughout all customer channels and back-office enterprise functions (Collins, 2001). The study of Lewis (2001) defines CRM as a core business strategy, driving success through the management of customer relationships, it involves personalized marketing and service, mass customization in manufacturing, and employees whose good judgment and attitude, assisted by Information Technology, also turn every customer experience into not just a pleasant interaction but part of an ongoing relationship both customers and businesses (Lewis, 2001). While the study of McConnell (2003) defined CRM as a strategy used to work out who customers are, what products they need, how much they spend and how frequently they shop, thus this information can be used by businesses to improve services, and enable businesses to strong customer relationship and brand loyalty (McConnell, 2003). CRM is also the combination of three primary business practices which are contact management, campaign management and decision making support (Campbell & Roberts, 2007).

Through many various aspect and definitions of CRM, the study of Baran, Galka and Strunk (2008) have grouped the definition of CRM into four main aspects as follow: (1) CRM as the software package, process and system or technology. (2) CRM as the focus on data storage and analysis. (3) CRM as a change in corporate culture from a transaction focus to a relationship of customer centric focus. (4) CRM as the concept of managing demand and new strategies focus on current customer. In every aspect of CRM can bring the company with the ability to identify prospects customer, acquiring customer, developing customer, cross-selling, up-selling, customer retaining and customer loyalty (Baran, Galka and Strunk, 2008). Not only the definitions, the type of the CRM software are also divided according to its functions support and organization business practices which are:

Firstly, Collaborative CRM which support for the communication channels between organization and customers. Normally it will provide the functions such as
Secondly, Operational CRM is the business strategy that focuses on the day-to-day management of the customer relationship across all points of customer contact and is enabled by sales and service technologies (Collins, 2001). It relies on software to automate selling, marketing and service processes, also includes salesforce automation, campaign management, event-based marketing, opportunity management, product configuration and contact management solutions which give both marketing and planning operations the information necessary to fulfill the organization’s mission and business objective (Paddison, 2004). Moreover, it can integrate internal process and functions and external networks to create and deliver value customers at a profit, it is grounded on high quality customer data and enabled by Information Technology (Ang & Buttle, 2006).

Thirdly, Analytical CRM is the part of the CRM business strategy that drives increased customer intelligence and makes information actionable across all touch points, from the technology perspective, analytical CRM encompasses a host of analytical tools (e.g., customer segmentation, customer profitability analysis, predictive modeling, “what if” analysis, real-time analytics and personalization) and marketing applications (e.g., database marketing, campaign management and relationship optimization) that enable financial institutions to develop greater customer intelligence that can be driven to the points of customer contact (Collins, 2001) and explores customer-related data to answer sophisticated question about customer (Ang & Buttle, 2006). A quality CRM system will offer the company with comprehensive summary reports on critical business information which useful for the manager in making decisions, also with the creative marketing, selling and management tools (Clements, 2006).

Nowadays, when we compare the different between CRM and ERP system, it can be said that both offer ways to automate processes and run the businesses more efficiently. These two systems are designed to provide different functions. While CRM is used to manage contacts, accounts, opportunities, activities, marketing, etc., ERP is designed to manage operations and business functions, such as product planning, purchasing, inventory, customer service, order tracking and other back-end business processes. However, after ERP vendors incorporated CRM functions into their software, and CRM vendors included ERP capabilities in their offerings, the difference between them started to blur. As a result, in the effort to streamline internal operations and customer activities, both industries are working to develop all-in-one applications (Maleki & Anand, 2008). CRM is the outcome of continuing evolution and integration of marketing ideas and newly available data, technologies and organizational forms (Boulding et al, 2005). The contemporary practice of CRM has been integrated into every step of marketing and business such as telemarketing, advertising, sale, service and survey (Baohong, 2006) Also with the advent of the internet, the idea of value-added CRM systems has been extended into a web-based business model that relies on the electronic business technologies to interact with, communicate to and collect the information from the customer, this model can use in the term of e-CRM or Electronic Customer Relationship Management (O’Reilly & Paper, 2009). e-CRM describe the board range of technologies used to support a company’s CRM strategy, it can be view as the consolidation of traditional CRM and e-business application use in the marketplace such as e-mail, World Wide Web, chat rooms, e-forum with a purpose of locate, build and improve long term of customer relationship with their customer (Kennedy, 2006). Also implementing CRM in a...
technology intensive environment would demand higher level of developmental efforts that a comparatively lower level of technology intensive environment (Agrawal & Berg, 2009).

The Benefits of good Customer Relationship Management Practice

While most of CRM practice companies are significant invest in their effort and resources, fewer take the time to determine whether they are getting the optimal return on their CRM practice which included the strategic, technical, organizational and business process review, these are the cost-effective way to identify and resolve issues that may be the obstacle of both user adoption and payback from resources allocated (Goldenberg, 2010). The potential measurable benefits of a CRM practice fall within the four categories which are: creating new demand, capture the market share, improving margins and lowering the cost of production (Leach, 2003). Thus, the companies who initiate a good Customer Relationship Management Practice will maximizing the potential of existing customers, acquiring new customers that are profitable or likely to have the potential and retaining customers who are profitable (Petersen, 2004) and enhance the firm performance (Boulding et al, 2005). The study from Aleric (2007) has proved a higher competitiveness of Information and Communication Technology service providers in Croatia who practiced CRM compare to the other service providers who did not, the result shows the advantages of having a good CRM practice on a stronger demand from customers, increased service competitiveness, long-lasting relationship, unique and recognizable, higher client loyalty and success rate in fulfilling its mission (Aleric, 2007). These benefits are succeed by the collection of quality customer information and sharing across all the organization, its encompasses both software application and business strategic that anticipate, interpret and response to the desire of current and prospective customer, these benefits provide the clear picture of the customer and more efficiently react to customer, therefore it will help the company to gain more customer satisfaction, customer loyalty and customer retention (Raisinghani et al, 2005), Moreover, a good CRM practice can integrated company information between each department that support key business process, resulting in better business practices, sale and operations cost are reduced, orders move to account faster, product are shipped sooner, the company gets paid faster, employees are more satisfied with their job and increased customer retention (Duyne, 2004). These benefits supported by the study of Pliskin and Ben-Zion (2005), the Indigo division of HP, a leading innovator in digital printing press industry, the revenue of Indigo grew substantially since the Customer Relationship Management first rollout because the benefit of one central database contains real time data, availability and data quality about the customers and prospects which shared across entire organization and sales representative can find all the information they need and can spend most of their time in selling while the manager can better manage them due to improve communication (Pliskin & Ben-Zion, 2005). A good CRM practice also increase the level of supports, leverages, expands the communications, captures and shares key customer information, creates visibility for the organization through sophisticated customer information analytic tools, supports business continuity and improves both up-selling and cross-selling (Ward, 2007). And encourages organizations to look at their customers in a different way than the traditional categories of geographic territory or product mix, these can create competitive advantage by differentiating customer based upon opportunity, with opportunity defined in term of either current of potential revenues and profits.
Positive benefit from a strong customer focus including market intelligence and product improvement ideas, image improvement, direct sales opportunities and stronger incentive to resolve problems at the front line, quality CRM can lead to significant increase market share and profitability (Beatty & Gup, 1989), CRM systems can support ad hoc or permanent team collaboration on important client accounts, increasing the firm’s effectiveness and raising the value that it provides which leads to satisfaction, good word of mouth and personalized (Ward, 2007). The study of Rigby and Ledingham (2004) report the benefits of having a good CRM practice, Aviall Company, aircraft part distributor, after four months into rolling out the CRM system, daily sales calls tripled and the customer base grew by 33%. Aviall can recapture the market share and win large orders for new product line, the number of orders handled per day jumped from 1000 to 2500 even as error rates declined with no increase in staff and profits have grown rapidly. Kimberly-Clark one’s of the world’s leading consumer packed-goods companies, after implemented CRM system to collect and analyze promotion data could substantially improve the effectiveness of it overall customer relationship cycle which supported by the intensive training programs led by the organization’s top executive, the system was used to track and manage more than 2,300 promotional events real time involving all of the company in U.S. consumer product lines (Rigby & Ledingham, 2004).

Past Research of CRM Practices Success Factors

Since Customer Relationship Management system first introduced to the market until the present time, companies in various industries and countries have been studied from many researchers in order to find the critical success factors of Customer Relationship Management practice. In this part the researcher summarized the findings from many studies which related to the critical success factors of the Customer Relationship Management practice, which may adapt to the Customer Relationship Management practice of Information Communication and Technology public listed companies in Thailand as follow:

The study of Wright, Stone and Abbott (2002) show the finding from their case studies in the telecommunication industry in United Kingdom who practice CRM in their organization that CRM could enhance the organizational practice in better customer knowledge, improve collaboration, increase mediums of communication, more efficiency in campaign analysis and increase profitability, while the success depended on the adoption of people, process and technology to align with their CRM practice (Wright, Stone and Abbott, 2002). While the study from Croteau (2003) showed their finding on the critical success factor of CRM practice in 57 large organizations in Canada that the organization’s perceived benefits of CRM believe CRM can increase profitability, customer loyalty, competitive advantage and shorten service cycle, while the top management support also play the important role to the success of CRM practice, if executives do not show any interest or involvement to the whole process, organization’s members will not believe in such projects and will tend to resist instead. Moreover, the knowledge management capability of the organization which the ability to integrate customer information across several functional area can support companies' decision making and predicable customers’ expectations are show the most critical success factor to CRM practice and seems to foster effective and efficient management in the organizations (Croteau, 2003), so many of the organizations effort in the Knowledge Management because they realize that
Knowledge Management is a key in CRM success (Salomann et al., 2006). While another critical success factor in CRM practices came from the research of Zablah, Bellenger and Johnston (2004), they stated in their finding that Information System which consists of people, process and technology, the gap between each component affect to the success of CRM practice. Firstly, the gap between people and process results in the failure of employee buy-in to redefined new business process that aligned with CRM system. Secondly, the gap between technology and people results in the failure on CRM system utilization. Finally, gap between process and technology results in the ability to bring technology support the organization’s business process (Zablah, A., Bellenger, D., & Johnston, W., 2004).

The success of the CRM practice require the responsibility of the management which cannot pay only for lip service, its need a full commitment and buy-in from the top management down to each employee in the organization (Hansotia, 2002). Support from the study of Da Silva and Rahimi (2004), twenty CRM practice companies in Israel from different size, industry were interviewed in order to find the critical success factors of CRM practices, the result of their finding indicated that, while the technological factor was affect to the success of the CRM project, another factors seem much more important which are the full understanding of company’s organizational and marketing philosophy, clearly picture of the implementation objectives at the planning stage of the CRM project, top management involvement throughout the various stages in project, acknowledgment that CRM implementation process has a long-term affect on the organization, understanding that the CRM practice has to be linked to other information systems and involved of the professional team which understand both the technology and familiar organizational process (Da Silva, R., & Rahimi, I., 2004). In contrast, the study from Kros and Moris (2004) has against other researcher on the CRM critical success factors, the result from their interviewed of small to large pharmaceutical manufacturing companies in United Stated shows that 100 percent of the companies who report on success of CRM implementation are supported by management, but around two-third of the companies who report failed on CRM implementation also has supported by management, therefore it may be concluded that, although management’s commitment is necessary, but the real commitment generating from the employees buy-in who directly implement CRM is more important. Moreover his finding also stated that employee’s level of education is not only the factor to increase in the level of employee buy-in on the CRM project (Kros & Moris, 2004). Supported from the research conducted by Raman, Wittmann and Rauseo (2006), the result of surveyed from 65 worldwide companies show that in the implementation stage, manager need to bring unit of the organization together in order to assist in specifying customer needs as well as better understanding of the business and technical requirement, the lack of team involvement can affected to the capable of delivering CRM utilization and the success of CRM practice, when CRM are only led by the Information Technology department and then push to the rest of the organization, the result of CRM implementation is often failure. Moreover, another barrier to successful implementation of CRM includes the lack of software’ flexibility and lack of skills in employees. In order to solve the software flexibility problems, managers have to choose software that comes with adequate technical support and the ability to be customized to the firm’s requirement. Also, training to the employee which committed by management to ensure the necessary knowledge will transferred to the employees, these are the critical success factor for any CRM system (Raman, Wittmann & Rauseo, 2006).
The study from Hsin (2007) which interviewed various companies in Cosmetic, Information Technology and Financial sector about the CRM success factor shows the finding that business process reengineering in organizational structure, reward and education system is the significant factor to success of CRM practice, moreover the organization mindset which consist of commitment to learning, share vision and open mindedness also have the positive relationship with the success CRM practice, which lead to improve organization performance, customer relationship quality, better business process, better understanding customer and customer loyalty (Hsin Hsin, 2007).

While the study of Richard, Thirkell and Huff (2007) which came from an in-depth interview of ten marketing and sales managers, and customers who selected from a variety of New Zealand companies suggest that CRM technology adoption, in any size firm, will positively impact on business relationship but the organization required the focus of CRM integration with the legacy system and business process, also marketing orientation which refers to the degree of focus on the customer and technology orientation within the firm may influence the functionality, acceptance, level of integration of the CRM solution and the utilization of CRM technology to maintain customer relationships, sustaining, and customer loyalty, these can adopt in any industry sectors (Richard, Thirkell & Huff, 2007).

A study of EID (2007) in the successful CRM implementation of Banking industry who implemented CRM more than one year, show the finding from the sample 159 banks that there are three level strategies related to the success of CRM practice which are (1) Strategic level, successful implementing of CRM depends on how clearly define the strategic goal for the organization because the employee who are the building block of CRM, so CRM implementation require a change on the organizational culture. (2) The tactical level which is the employee acceptance, integration of other system and training are concerned to CRM success. (3) Operation level which are the personalization, customer orientation and data mining also play a significant role for the success of CRM practice in the organization (Eid, 2007). It is supported by the study of Lassar and Rauseo (2008) on Customer Relationship Management practice of senior managers in 342 U.S. firms recommend that organizational structure, supplemented with incentives and accountability, was the most important element to achieving strong performance followed by an organizational culture that is focused on developing and sustaining customer relationships, the result in developing and maintaining customer relationship can improve performance and improve both revenue and profitability, but the CRM technology itself did not affect performance, the organizations require an ability to develop the effectively implementation strategy relating to the customer which integrated organization’s overall strategic plan in order to perceive and response business and economic trends (Lassar & Rauseo, 2008). Another support from the study of Maleki and Anand (2008) in the critical success factor of implementation CRM and ERP system shows the finding that the success of CRM practice is depended on the level of co-operation of IT and business operation, both business sponsors and technical personnel should be responsible for the design and implementation of the system in order to have an effective CRM system, business goals, focusing on producing meaningful results, and set of well-defined measurable objectives. Moreover, management support is the important role for the success factor because CRM projects are strategic initiatives. Therefore, it should be actively supported by management, without executive endorsement, including an explanation of how the new system supports organizational goals; its initiative can be viewed only
as a fad (Maleki and Anand, 2008). While the study of Lorenzon and Pilotti (2008) on
the 60 managers in both Italy and Netherlands medium to large size companies who
have more than 100 employees shows the result from his survey that most of the
managers believe the change management is the most critical strategy to initiate a
good CRM project, it consist of clear understanding of the relationship with the
customer, knowledge sharing and employee commitment respectively. Moreover
focusing on the organization’s cultural and practical requirements, the organization
can more easily overcome employee’s resistance to adopting new applications,
without above factor, no CRM project can successfully implement, although the best
CRM has been installed (Lorenzon & Pilotti, 2008). The study from Elmuti, Jia and
Gray (2009) on the Customer Relationship Management strategic application and
organizational effectiveness show the result from surveyed 500 financial service
providers in the United States that 79% of the respondents agreed that the greatest
barrier of CRM success comes from lack of leadership and management skill, while
64% of respondents agreed on poor data quality and inadequate data concerning their
customer, competitors and markets, and 51% of respondents reported on top
management support respectively. Moreover, it is a clearly indicate that most of
the organizations were less understanding of the requirements and benefits of CRM by
different functional managers in the surveyed firm (Elmuti, Jia and Gray, 2009).

Support from the study of Pedron and Saccol (2009) suggest the concept to
success in CRM practice, at the beginning organizations have to be oriented by CRM
philosophy to make the organization’s culture both create and support long term
relationship with the customer, also with the qualified employees to serve client
properly via the CRM tools. Then the organization need to concern on the CRM
strategy which is the change in the organization structure, rewarding and evaluating
staff system connected to CRM goal. The last step is to adapt the CRM technology
which has to collaborative from multidisciplinary team (Pedron & Saccol, 2009).

While the study from Kane (2009) which survey on Customer Relationship
Management vendors recommended that Customer Relationship Management best
practice can archived by the following factors: Firstly, organization have to phases
their CRM project into the manageable pieces and delivered incremental results over
time because most organization facing organizations struggle with the amount of
change that comes with a new CRM as invariably processes and culture evolve in
conjunction with new technology adoption. Secondly, a clear role for IT staff in both
on premise and CRM projects, executive sponsorship should normally come from the
business side and the design team must be stacked with business people. Thirdly, back
office integration, ensure the flexibility in configuration and a wide range of views to
your customer data so you integrate only what is essential for seamless process flow
with the demand of security and reliability (Kane, 2009). The study from Mukerjee
and Singh (2009) stated the strategic approach of CRM that can help in increasing the
chances of successful CRM implementation which are CRM vision, CRM goal and
CRM implementation. Firstly, CRM vision on the benefits of CRM initiative which
provide the company with the better understanding of their customer and provide the
product direct to the target market. Moreover it enables the company easy access to
all customer data and result in better competitive advantage. Secondly, CRM goal is
the ability to define customer profitability which is a critical parameter for the success
of the CRM initiative. Also with the ability to differentiation among customers and
the objective of the company is to enable personalization of products and services to
suit the requirement of the customers. Thirdly, CRM implementation is required
company’s orientation to facilitate the system implementation and make a clearly
understood by its company and its employees. Moreover the selection of CRM application should be undertaken by a committee comprising representatives from all departments and top management that are stakeholders for the CRM implementation (Mukerjee, & Singh, 2009). While the study from Yi-Te (2010) also support that change management is very important to the success of CRM implement. While technology factor is only some part of the project, people are the key to making with CRM success, while top management support should focus not only CRM system but also arrangement of the personal in order to increase level of the cross functional integration of process, people, operations and technology (Yi-Te, 2010).

The objective of this study aims to provide the findings which may be developed as a guideline for the ICT public listed companies in Thailand that have been installed or exercised CRM because of the follow factors: Firstly, The worldwide ICT sector is changing radically, the change are driven by a combination of market, business and technological forces. Also customer awareness and knowledge is increasing, they want services that satisfy their unique needs and demand reliable service delivery at competitive price (Xevelonakis, 2005). Secondly, the ability of the company to investment in the Information Technology due to CRM is required a lot of time and money, about 80 percents of CRM sales goes to large corporations (Bergeron, 2002). Moreover, the study of Shin (2006) has shown his finding that CRM would have the real effects in the firm who face with final customers such as telecom, credit card and financial companies, since these firms are mostly listed in stock market (Shin , 2006), this reason support researcher to choose the company who listed in the Stock Exchange of Thailand. Thirdly, the researcher is working in the ICT public listed company so it is likely to have cooperate form the other companies in the same sector to collect the useful information according to the business alliance and business partner. Moreover, this research study would anticipated to yield at least three useful significances as following: Firstly, to provide a guideline and highlight key success factors for CRM Practice especially on the ICT public listed companies in Thailand. Secondly, most of the literature has focuses on the investment and installation of CRM and little has been on the post-audit phase hence there is a used for this vacuum to be filled by this research. Thirdly, the finding of this paper could create a greater awareness on the advantages of the CRM practice and it could relate to many investment project, post-audit phase in general have been defected. We use CRM as a case study which focusing on the CRM of ICT in the Public listed companies in Thailand, this can applicable for any industry.

Method

In order to find the critical variables that would affect CRM practice of ICT public listed companies in Thailand, the qualitative approach was applied because it take the researcher closer to the phenomenon of interest and help to understand people’s beliefs and theoretical model for how they perceived and organize their life activity and routines in subjective meaningful ways and generating rich information for deeper understandings of human experience (Lieber, 2009). Both primary data and secondary data were used. The primary data were collected by face-to-face interviews and direct observations by the authors. While the secondary data were firstly accessed from recent reports, journals, online resources and others, which were useful in informing the primary data collection process, and were also used to interrogate the findings.
Participants and Setting

Non-probability sampling procedure is adapted by the judgment sample which the researcher actively selects the most productive sample to answer the research questions. The participants were selected from the ICT public listed companies in Thailand who practice CRM more than one year in their organization because return on investment study must be done at least a year after the system has been implemented. This is necessary in order to have enough time to identify the true saving and costs (Tanoury and Pease, 2002; Ingevaldson, 2009).

According to the information from the Stock exchange of Thailand, there are 27 companies which classified as ICT public listed companies, with the purposive, convenience and snowball technique, the researcher contacted to the 20 managers in ICT public listed companies, while 20 percents or four ICT public listed companies in Bangkok, the capital of Thailand give the permission to interview individually. All informants (4 females and 2 males) are the manager who experience with CRM practice in their organization, age range between 32 to 45 years old.

The participant ICT public listed companies have the employees in their organization from about 700 to 7,000 employees. Number of the year that they have been operated their business range from 8 to 20 years, while they have the average 5 years of their CRM practice in the organization.

<table>
<thead>
<tr>
<th>Company</th>
<th>No. of Employees</th>
<th>No. of years to operate business</th>
<th>No. of years to operate CRM</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>700</td>
<td>10</td>
<td>3</td>
</tr>
<tr>
<td>B</td>
<td>5,000</td>
<td>8</td>
<td>2</td>
</tr>
<tr>
<td>C</td>
<td>3,000</td>
<td>20</td>
<td>8</td>
</tr>
<tr>
<td>D</td>
<td>7,000</td>
<td>20</td>
<td>6</td>
</tr>
</tbody>
</table>

The researcher believes all the managers selected interviewees were knowledgeable, highly experienced. As a result, the selected techniques were considered to be useful and suitable for empirical study.

Procedure

The sampling design for the qualitative study started with an identification of sampling units or sampling organizations which are the Information Communication and Technology public listed companies in Thailand. Initially, the targeted units were purposely contacted through mail official letter requesting to the collect the data in
relevant to the CRM areas in the concerned organizations. The official letters and guidelines of required information were enclosed together in order to make understanding about the interview objectives and information which will be collected and recorded by the researcher. Each in-depth took around 45 - 60 minutes in each subject according to the availability of the informants.

**Research Design**

The semi-structured survey questionnaires which were not framed into any particular model, but the interviews were interacted in the basis if the scope of the study. The interviewed questionnaires had been prepared prior the interview took place and the interview guideline is proved by the thesis advisor in order to make appropriate questions for the target groups. Also the interviews are designed by the researcher to direct both the content and focus of the interview. By developing specifically worded questions and asking them in a predetermined order, the researcher ensures a certain level of consistency when conducting the interviews. The interviewees were encouraged to share the opinions towards a CRM practice of their work environment and organization.

**Measures and Procedure**

When a researcher conducts interviews, the responses usually are recorded and later transcribed. Then the researcher uses qualitative research methods to analyze the words of the participants. The researcher often is trying to identify repeating themes or ideas among the responses. Interesting quotes from the transcripts were gathered and analyze in order to see the important factor related to the secondary data.

**Result**

From in-depth interview, managers in the ICT public listed companies, we have studied hold a similar point of view that CRM practice will support the company to have the competitive advantage over their competitors, increase customer satisfaction, customer retention, increase revenue, ability to have advance customer analysis, effective campaign management, personalization and customization. Moreover, the CRM practice success factor of ICT public listed companies are analyzed and shown in Table2.

Company A: They believe CRM will support for the company to acquire new customer and retain the old customer and lead to increase company’s profit. Where the corporation between department in the organization, mindset and Information Technology knowledge are play the most important role to the success of CRM practice, in order to success, they spend more budget on CRM and evaluate the feedback from their employees and customers to increase the customer satisfaction. Moreover, management also provides the Information Technology both hardware and software to support CRM system. This company satisfies with their CRM practice in organization, while they suggest other companies to study and get all requirements from the related person and department before implementing CRM in the organization.

Company B: They believe CRM will increase number of their customer and support the ability of customer service according to individual needs. While the management support and capitals to investment in CRM are the most important factor
to success in their CRM practice. They use the evaluation process and sharing information in the organization as the strategies to ensure the success of CRM practice. After implement their CRM, the company face the problem with the readiness of Information Technology infrastructure and knowledge of the employees who work with this system, they solve this problem by training their employee to understand new system. Moreover they suggest for the other company who already installed CRM that the management must have the policy to support for CRM and setup the team who has the responsibility for CRM which represent from every department.

Company C: They believe CRM will support the company to create new campaign according to the customer’s needs, the most important factors to the success are the quality of the customer database and employee CRM mindset, due to the ability of customer analysis, customization and personalization. At first, they face the problem with the new system because employee are not understand and familiar with CRM, in order to solve this problem, they invest more on training and change the business process to support new CRM system. Moreover, they suggest evaluating system and training to CRM practice to the company who already practiced CRM in their organization in order to make common understanding and co-operate in every part in the organization.

Company D: They believe CRM will support the company to provide the right product and service to the customer, also increase more customer satisfaction and support the company to market leader in their industry. They have divided the success factors of CRM practice into two major parts which are: Firstly, employees require changing, adopting and understanding the benefit of CRM, the resistant will make an obstacle to the success of CRM practice. Secondly, CRM system needs to have the effective and efficiency customer database system in order to disseminate the customer information within all departments in the organization. To ensure the success of CRM practice after implementation, they applied the communication technique within the organization, work process change management and try to adjust employee’s CRM mindset as the strategies in order to success in CRM practice. At the beginning, they face the problem that they cannot utilize the customer database, so they adjust the way to collect customer information time to time until the system, this success happen because the co-operate from every departments in the organization due to each department require different customer information. Moreover the success comes from the management is fully support to implement the CRM system by always has the opening speech, vision and benefit of CRM when provide CRM training to employees. They suggest that all of the employees are related to the CRM of the company, therefore it is necessary to make everyone see the benefit, accept the change and co-operate within the organization, and these will close the gap between department’s cultures.

<table>
<thead>
<tr>
<th>TABLE2. Influential Factors toward CRM Practice of ICT public listed companies in Thailand</th>
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<tbody>
<tr>
<td>Company</td>
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<td>---------</td>
</tr>
<tr>
<td>Company A</td>
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The results of in-depth interviews are conforming to the finding on secondary data who studied in the critical success factor of implementing CRM system. Therefore, the researcher analyzes and groups the factors that likely to have an impact on the success of Customer Relationship Management Practice into computer self-efficacy, CRM mindset, CRM system utilization and Organization IT and Business’s culture gap as the figure 1.
Organization’s Customer Relationship Management Mindset

The individual mindset is the product of individual’s history and evolves to the iterative process and current mindset guides the collection and interpretation of new information, as organization is a collectivity of individuals, each individual has mindset, therefore organization has its mindset which continuously shape and is shaped by new experience and other individual in the organizations (Gupta and Govindarajan, 2002). To ensure the success of Customer Relationship Management practice, the first challenge is not choosing the right technology but finding a more effective IT management mindset (Nolan, 2005), moreover organizations need to support a change in Customer Relationship Management Mindset (Hasan, 2003) which everyone in the organization eager to know the problems and try to manage them (Wailgum, 2009). CRM is the attitude that needs to spread within the organization (Wright, Stone and Abbott, 2002). So every persons who employed by the company is responsible for meeting customers’ needs, this cultural behavior has to be implemented within the company and it has to be initiated by the management top down (Xevelonakis, 2005). It is widely believe in many studies that management’s support is a significant factor to the success CRM practice, without support and commitment from top management, even the best CRM undertaking is likely to failure, so support for CRM is required in order for start the CRM project (Beatty and Gup, 1989), also remove the obstacle and participate in the CRM initiative (Goldenberg, 2010). Without commitment from top management, the CRM vision is unlikely to survive the implementation process intact. According Accenture survey (2002), while business executives overwhelmingly agree that technology has helped them strengthen relationships with their customers, more than half (55%) say that CRM shortfalls can be attributed in part to in adequate support from top management (Kale, 2004). CRM success is not only because it had a good distribution network but also because senior management was committed to moving toward a customer focused business (Defelice, 2005) and senior management should not view CRM as only a technology initiative, and not focus only what's wrong with Information Technology when the CRM system cannot deliver the benefits (Petersen, 2004). From many studies we can concluded that there is no single best way to secure level of top management sponsorship and support, but if it is absent, the risk of failure in CRM project increases significantly (William, 2006). The positive impact not only comes when you have only executive commitment, but also willingness to change behaviors and people with skill to actually use the technologies the right way (Neuborne, 2005). If the employees have the right value and the skill, they are likely able to take a long-term perspective and can convey their confidence to their customers; so many
consultants focus on employee buy-in and training as the critical success factor to CRM practice (Rogers, 2003). The success of CRM is required employee buy-in and support, because of the relationship between companies and its customers are created and maintained by the firm’s employees, who interact with the customer, therefore all employees are involved with CRM, either to their direct interaction with customer or their involvement in and application of processes, tools and methods used to enhance customer value (Rootman et al, 2008). And it is important to know how employee perceive CRM since their perceptions play as a key role in shaping an organizational behavioral activities toward customer, moreover it can enable the firm to focus and manage the link between employees, CRM and organization’s performance and therefore to adopt and implement CRM practice more efficiently (Plakoyiannaki, E, 2005).

**Computer Self-Efficacy**

Computer Self-Efficacy refers to a judgment of one’s capability to use a computer. It is not concerned with what one has done in the past, but rather with judgments of what could be done in the future. Moreover it is not refer to simple component sub skills, like formatting diskettes or entering formulas in spreadsheet. Rather it incorporates judgments of the ability to apply those skills to border tasks such as preparing written reports of analyzing financial data. Individuals with a high computer self-efficacy will judge themselves as capable of operating with less support or assistance, display greater confidence about their ability to successfully perform each of those behavior and able to competently use different software packages and different computer systems (Compeau & Higgins, 1995). Moreover, the definition of Computer Self-Efficacy continually changes due to the technologically-intensive society, organization need to ensure that employees have a certain basic level of technological competency by training in the workplace and continuing needs to test for personal Computer Self-Efficacy necessary to ensure the organization success and decrease the level of computer anxiety (McDonald, 2004). Thus, individual who have more confidence in their computer abilities tend to have positive perception, more frequently use of Information Technology, more effort to perform behavior (Perrewe & Thatcher, 2002) and persist longer to overcome the obstacles and set more challenging goal than those who have less in their computer abilities who will have the negative impact of the Information System outcome (Hasan, 2006). Nowadays, global economy that continues to rely upon the use and integration of Information Technology in everyday life and ongoing business, such human avoidance and under-utilize the computer use tend to create a great difficulty in the future, lower performance outcomes in both work and academic environments (Buche, Davis & Vician, 2007). Support from a decline in software and hardware cost have increased the use of computer technologies at all managerial level and functional area, it a necessity for everyone to be a computer literate (Creighton et al, 2006). So organization should heavily involves end users at all stage as this is the best way to ultimate end user adoption when implement CRM initiative in the organization (Kennedy, Kelleher & Quigley, 2005). The specific technology installed in any workplace constantly changes in sophistication and continually advancing capabilities result in a required of personal computer-efficacy and consistent need for more training (Phillips, 2001).

Research from Ali and Hasan show that individual’s learning performance in computer training is directly influenced by computer self-efficacy, computer
experience, therefore individual with appropriate computer skill and high computer self-efficacy are most likely to demonstrate high learning performance, to enhance the performance of individual who lack the computer skills company need to focus on the training (Ali and Hasan, 2004). Even without the current economic challenges, training is an essential and intelligent way of educating and motivating staff and the commercial benefits to a business operation are indisputable and should focus on the customer satisfaction and retention (Richardson, 2009) and gives the employees to have more information on the change in business environment which are business process, policies rules, regulation and objective (Rootman et al, 2008), also achieve goals and realize mutually beneficial (Ingevaldson, 2009). The cost of having untrained employee is so much higher than training them (Gorder, 1991). The benefit of comprehensive training to employee is not only increased productivity and reduced cost, but also increased employee’s skill and knowledge which they can realize to the business benefits, the important of CRM practice and customer satisfaction (Kilkelly, 2008).

**Organization’s Information Technology and Business Culture Gap**

Culture is not defined as just background or nationality, but includes a wide range of characteristics, like which department and industry the employee is in, and even whether he or she works from home or office (Palmer, 2008). Companies frequently encounter the widening gap between technology and business because as businesses rapidly change with external factor which are the competitive landscape and internal factor which are mergers and acquisitions, product and business strategy (Noyes, 2004). Companies have had IT and business cultures and the different between them create problem. For the business people they may think IT does not understand our business, they cannot help us solve our business problems, and all they care about is the technology. On the other hand, IT people may say business people have no knowledge of technology, they do not care about technology, and they have no understanding or appreciation of what is required to build and maintain systems (Watson, 2009). While business person often feel IT just does not speak their language and it hard to for them to articulate their needs in the way that IT understand. Therefore organization requires a bit of a mindset shift from them to bridge the business and Information Technology culture gap and foster higher level of collaboration (Robinson & Chamberlain, 2006). Therefore, the successful implementation of CRM requires coordination within the organization, technologies, customer and employees (Boulding et al, 2005). The study from Ifinedo (2007) is strongly supported that the interacting effect between organizational culture and IT culture is relevant for CRM success and depends on how organizational members view their CRM. In organizations where cultural gap between the IT department or personnel and others is less emphasized, the IT department is more likely to be valued, and CRM systems in such organizations may be more successful than in firms having a less favorable perception of the IT department. CRM success is evaluated higher where adopting firms have employees that possess supportive, cooperative, and collaborative attitudes, and where the in-house IT staff is skilled and highly valued, and above all has sufficient resources. Conversely, ERP success will be low where organizational members are not collaborative, cooperative, and supportive, and where their IT employees are not highly sophisticated, or the IT department is not highly rated and adequately resources (Ifinedo, 2007).
Also the study of Hart (2006) in 34 south African organizations on their business objectives for CRM show the finding that all organization did not seem to have well integration customer information which is the most important factor to success in CRM practice, it causes from the lack of alignment between IT and other part of business, also with cross functional integration and processes (Hart, 2006). Another support from the study of Roberts, Liu and Hazard (2005) shows the finding that technology is only the enabler to CRM success, the seamless and smoothly CRM system is essential, but not one of the most important drivers to success in CRM implementation. Since the CRM is a long term process of the change and development in the organization, a long term process organizational alignment and continuous improvement is a significant factor impact on the success of the CRM initiative and its return on CRM investment (Roberts, Liu & Hazard, 2005). The success of the CRM depends on support from human resource systems the support and shape behavior (Mcgovern & Panaro, 2004). Moreover, for the CRM success, it should be inter-organizationally oriented with all key process owner responsible to deliver expertise in their business area, and Information Technology and Business side are expected to understand each other value and culture (O'Reilly and Paper, 2009). Therefore, organizations have to make their organizations less hierarchical with individuals working in a more self-directed environment (Cocheu, 1988) and fundamental change in corporate culture in the emphasis the corporation puts in satisfying customers is needed from the top down (Greenberg, 1990). Also, if the organization would like to obtain the full benefits from complex technology, organizations should consider behavioral training that focus on the development of new job practices (Sahut & Jegham, 2008). In order to close the organization’s culture gap many researchers recommend the organization focus on the communication, because when the employees understand how the business operates, it can connect their work to the company’ financial, also has a direct impact on the bottom line (Jackson & Mitchell, 2006), for this reason many business work so hard to communicate and share information with their employees (Herring, 2008). The number one failure in the company is unclear expectation which caused by the communication, it is the never ending job, management should be continually reinforced and keep the line of communication short and simple (Allman, 2009). Management must create systems for communication and information sharing among employees that permit them to across departmental line (Cravenho & Cosgrove, 1993). The company needs to have a team with strong rules and procedure orientation, along with good communication and persuasion skills, this is the key to helping the less motivates employees see the benefit of the new system and return on your CRM investment (Slemmer, 2008). The mission statement itself is a critical component of an internal communication strategy which must rely on the segmentation (Stershic, 1989) but the ultimate task of the company is to have clearly communication, corporate objective and policy within the organization, moreover external communication via sales and service staff, advertising, public relations and promotional materials giving the company competitive edge over its competitors which comparison seem to be less service mind (Healy, 1992). Both formal and informal communication can also use as a main key to transmitting and shaping successful culture management in the company (Lazidou, 2008). An effective communication is necessary to achieve the desired level of operational excellence and motivate person, it have to understood accurately by others, achieve the message’s intended effect and ethical (Beebe & Darling, 2007).
Customer Relationship Management Software Utilization

The organizations’ level of the CRM software utilization varies directly with its reported impact on business profitability and can yield improvements in business performance (Ang & Buttle, 2006), also increase in the level of CRM systems satisfaction which is a key indicator of CRM success, (Briggs et al, 2008). The benefits of CRM which provide the company more effectively to serve more customers and increase revenue, have shown a positive relationship with level of software function utilization but not the cost invest in CRM software (King, 2010). As the CRM system can also greatly improve the internal process integration by sharing customer information across department (Raisinghani et al, 2005) and solution are use to automate and improve organization processes such as managing customer record and account (Messenger, 2004). So, it is a critical to understand the existing inefficiencies, waste and failure points in order to improve the business process (Furterer, 2009). The finding from the quantitative analysis of 821 questionnaires and qualitative study of 20 companies managers and employees conducted by Rahimi and Berman (2009) shows that the ease of CRM system management and user-friendly system are play a significant role for the success of the CRM utilization, but if the certain criteria which are customer-oriented organization, management support and implemented modules, employee resistance, flexibility in adopting work processes and perceived CRM benefit of CRM’s user are not involved, it will increase the probability of failure in CRM (Rahimi & Berman, 2009).

The critical success for measure IT utilization in the organization also needs support by the management because the utilization measurement require the information from the entire organization, with tangible goals and collected the information from company’s officer, IT service department and project management (Cleary, 2008). While the study from Sang et al (2007) suggests that system utilization is affect personal and organizational performance, they also recommend the factors for measure the level of the CRM software utilization which are: technical effectiveness which is the ability to deliver promised applications to support user’s requirement, system information which is the information offered and generated by the system are relevant and correct to the customer’s business, system maintenance which is the ability to maintaining hardware and software, security on the software application which the data should be protected from external threats and ability to backup and restore in case of disaster, and ease of use (Sang et al, 2007). While the support of CRM processes by the effective application of customer information lead to significant performance improvement, improve quality, shorten time efforts and cost saving (Salomann et al, 2006).

Discussion

As a result of our study effort, we have analyzed influential factors which related to the success of CRM practice in the ICT public listed companies in Thailand. The influential factors consist of Employee’s computer self-efficacy, Organization’s CRM mindset, Organization’s IT and Business Culture Gap and CRM system Utilization. The finding is conforming to the secondary data that the researcher has been reviewed. Therefore, this study may work as a checklist for any CRM installed company to look back at their CRM in their organization, so they can adjust those influential factors in order to have the maximize benefit from their CRM investment. On the other hand, it is clear that this study was somewhat biased in
terms of obtaining access to the targeted samples for in-depth interview due to the policies to share information to outsider. Also it took a long time to contact the participants and follow up for the permission to interview. For the further study, the researcher looking forward to have some in-depth interviews in other public listed business sectors in order to compare the different between influential factors toward their CRM practice and concrete the conceptual framework before having the quantitative study.

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Chapter 6

Health Promotion and Advocacy for the Control of Shistosomiasis in Conflict and Poverty Stricken Areas of Northern Samar, Philippines

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Abstract: The Health Promotion and Advocacy Project was one of three non-engineering projects undertaken by the Health Consultants Inc. (HCI) for the Department of Health–Center for Health Development–Eastern Visayas (DOH-CHD 8) in August-December 2008 for the control of schistosomiasis in Catubig Valley, Northern Samar province. It was meant to raise the population’s awareness of the disease and motivate them to take action. Various IEC and motivation strategies were identified by key stakeholders and utilized during project implementation. Innovative and novel approaches were tried out and tested to effect a broader dissemination of information about the disease – its prevention and treatment.

In series of seminar-workshops and dialogues with Local Government Units (LGUs), Non Government Organizations (NGO’s) and populations at risk, the active support and commitment towards the furtherance of schistosomiasis control were solicited and secured. Effective and sustainable support systems from local executives down to the grassroots level in the project sites were organized. Apropos to this, functional core groups and task forces spearheaded IEC efforts as their members were more familiar with the local culture and tradition in the respective sites. Through all these, the regular staff of the Rural Health Units (RHUs) and indigenous health workers in both municipalities played enabling roles to drum up the interest and support of the local populace in the crusade against the disease.

Concrete outputs that were achieved within the limited project life include pledges of community participation from LGUs and RHUs; dialogues with public and private school administrators to integrate sessions on schistosomiasis in health education; Operation and Maintenance (O&M) Framework Plan for schistosomiasis control by Village Health Workers and Rural Health Unit (RHU) staff; and tri-media

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campaign. Notwithstanding barriers/constraints to implementation, project efforts had successfully penetrated all areas in the project sites resulting in increased awareness by residents of schistosomiasis – its ill-effects to the individual, family and economic development of society, mitigating factors to arrest its spread, and treatment of infected cases.

Project Overview

Catubig Valley, comprising the municipalities of Catubig and Las Navas in Northern Samar province, Philippines, has been endemic for schistosomiasis disease for decades now. Among a host of other problems that include the ubiquitous armed conflict situation, schistosomiasis has resulted in the marginal displacement of a significant number of the population due to the cycle of disease affliction from generation to the next. Hence, aside from placing the health of the population at risk, its existence has also inaculably affected the agricultural and economic development in the area.
The Help for Catubig Agricultural Advancement Project (HCAAP) was initiated by the provincial government of Northern Samar, with funding support from the Japan Bank for International Cooperation (JBIC), to address various problems besetting the area in focus. One approach used by the project was Schistosomiasis Control Component that aimed to prevent and control the spread of the disease. An integral part of the component was the Health Promotion and Advocacy Project which was one of three non-engineering projects undertaken by the Health Consultants Inc., (HCI) for the Department of Health-Center for Health Development-Eastern Visayas (DOH-CHD 8). By testing traditional and innovative strategies meant to raise the public’s awareness on the deleterious effects of the disease, the latter project expected these strategies to agitate people into taking concrete actions that would alleviate them from the poverty-and-disease situation they are in.

**Project Specifications**

**Objective**

The project’s two-pronged objective aimed to conduct health promotion and advocacy activities by generating active support from LGUs, NGOs, and populations at risk, and organizing functional, sustainable support systems geared towards the prevention and control of schistosomiasis.

**Interventions**

The following major activities were programmed to meet the above-stated objective, to wit:

- a) conduct orientations, seminar-workshops, and dialogues with LGUs and NGOs to secure their commitment and support;
- b) organize functional core groups and task forces, both local and multi-sectoral, and;
- c) conduct KAP survey of household utilization of communal toilets in project areas where they were constructed by HCAAP’s lead agency, the National Irrigation Authority (NIA), and LGUs of Catubig and Las Navas towns.

**Results and Discussions**

**Preparatory Phase**

To lay the ground for project implementation, a series of conferences were made by the proponents with provincial and local leaders, and other partner-stakeholders. These key personalities were briefed on the project’s rationale, objective, and
activities/strategies to be undertaken. Consequently, their cooperation and commitment in the form of endorsements and pledges of support were solicited and secured. The implementers deemed it necessary to coordinate with these important personalities because, aside from soliciting material support (health education materials) from existing agencies that deal with the disease, local executives had to be consulted to solicit manpower, resource and time commitments to the project. Given the limited time frame, implementers had to work closely with choice workers to maximize the project’s impact on the population, and ensure that activity results had sufficiently stirred community members to take action that would work to their advantage.

Entry Phase

A. Orientation/Seminar-Workshop for Barangay Leaders and Barangay Health Workers

Health promotion and advocacy activities, specifically for the prevention and control of schistosomiasis, become optimal when they are integrated in the community Primary Health Care system. The installation of an IEC system in communities made possible the organization of human resources, motivation of indigenous leaders, and the pursuit of dynamic processes that were sustainable through time. To this end, a series of workshops were undertaken to heighten the awareness of barangay (village) leaders and accredited Barangay Health Workers (BHWs) on the disease. The orientation sessions with local leaders for both municipalities garnered a huge turn-out in attendance owing to ample preparations beforehand. Participants expressed the need for political will in order that the support and cooperation of the people can be elicited. On the other hand, the empowerment workshops for accredited BHWs in the two project areas had almost perfect attendance. These indigenous health workers take their jobs seriously that they never pass a chance to attend invitations of this sort that could enhance their knowledge and skills in health service delivery.

At the culmination of every workshop, local officials and BHWs separately affixed their signatures in the Pledge of Participation for the Prevention and Control of Schistosomiasis. The document bound them to undertake specific activities in collaboration with other sectors in their communities so that project objectives could be met. In addition, these personalities committed themselves to support the activities of the two other projects of the Schistosomiasis Control Component that were being simultaneously implemented, namely: Prevalence Survey and Treatment, and Snail Survey.
B. Inter-Agency Orientation-Workshop

Leaders or their representatives convened on succeeding dates in the two municipalities to forge their efforts in the fight against the disease. Thus, municipal officials, line-agency heads, farmer’s organization and barangay (village) water association officials, NGO representatives, and academic administrators identified their respective roles in the inter-agency collaboration, and agreed on how their offices/institutions could contribute towards the attainment of the project goal. A case in point is the dialogues that were conducted by project implementers with public and private school heads wherein it was agreed in principle that schistosomiasis prevention and control would be integrated in Health and Science subjects for elementary and high school levels. Proponents even went as far as conducting demonstration classes in several schools in both municipalities. It was also agreed that film showing and other media, such as health education boards established in strategic areas in school campuses, be used to attract more interest on the part of the students.

C. Workshop to Frame an Operation and Maintenance (O&M) Support System for Schistosomiasis Control

The Rural Health Unit (RHU) staff, BHWs and Barangay Nutrition Scholars (BNSs) in the two project municipalities underwent empowerment sessions related to schistosomiasis where needs were identified, intervention strategies were recommended, and respective roles and responsibilities were assigned. The venue served to enhance their awareness of the malady and other components of schistosomiasis prevention and control. The RHMs (Rural Health Midwives) and BHWs separately framed their O&M action plans specifically geared towards the achievement of the project objective. An organogram showing the flow of responsibility and accountability, detailing the roles/responsibilities of each team member was also a direct output of each workshop. Among issues discussed were accessibility of project sites, existing peace-and-order problem, unpredictable weather conditions, rugged terrain, and insufficient logistics support in the form of travelling expenses.

A Memorandum of Understanding (MOU) was forged between the implementers and workshop-participants in the two municipalities where the latter committed their unwavering support to the project. Schedules that warrant sufficient time for implementation of activities, supervision and monitoring were established.
D. Tri-Media Campaign

The intervention approaches that were used at the grassroots level to increase the public’s awareness of the disease consisted of tried-and-tested as well as non-traditional methods of reaching out to the most number of village residents. With the end in view of mobilizing them to take actions that would redound to their health and well-being, the aggressive IEC efforts were led by LGU and health sector representatives.

Barangay assemblies were mandated by all local village executives to be conducted where the film, “Snail Fever,” was shown. Afterwards, a free-wheeling discussion served to educate the villagers on the malaise, always highlighting disease causation, its ill-effects on the population, and ways of prevention and control. To wrap up the activity, functional core groups or task forces were organized to spearhead in the campaign against the disease at the village level.

Posters were installed in strategic places, such as schools, BHSs (village health station), waiting sheds, chapels, stores, and the like. Health education boards were established in health centres and educational institutions. Flipcharts and other teaching-learning materials were made available to teachers and school nurses to be utilized in Health and Science classes where schistosomiasis was to be integrated in the lessons. Comics in the local dialect were also distributed to schoolchildren. Finally, hand-outs, leaflets, and flyers (IEC materials) targeted all households in a given barangay for distribution.

Barangay Councils were motivated to strengthen/revive the implementation of ordinances on Environmental Sanitation, particularly those relating to household utilization of toilets (communal or private), and stray animal management.

Monitoring boards were set up at the two RHUs to check the performance of the lead actors in regard to the discharge of their responsibilities in the planned activities. The village core groups or task forces, in turn, regulated the sustained carrying-out of the intervention strategies. Periodic meeting were held at the RHU and barangay level to monitor strengths and weaknesses, and undertake alternative action plans.

E. KAP Survey

The survey was an opportunity window to showcase the government’s concern for the health and well-being of the local populace. By gauging the extent to which government-sponsored communal toilets were utilized, vicariously it educated the public on schistosomiasis prevention and control.
It was aimed to assess the utilization of communal toilets in areas where these facilities were constructed by the National Irrigation Administration and LGUs of both municipalities. It also determined factors that influence their utilization/non-utilization.

From data gathered, majority of respondents expressed awareness of the existence of communal toilets in their respective areas, and the benefits derived from using them; yet, less than one-third of them do not utilize the same for a number of reasons, chief of which is due to their having a private toilet facility in their homes. On aside note, nearly three-quarters of the respondents were aware of the presence of schistosomiasis in their respective areas. An equal proportion of them knew of residents who contracted the illness.

Results served as bases for recommendations given that could be considered in future policy formulation and direction in light of the government’s initiatives for peace and development in poverty-stricken areas where continuing armed conflict exists.

**Constraints/Barriers to Project Implementation**

While the project was able to accomplish its objective within the appointed time, major obstacles were encountered during its implementation. Ironically, time stood as the major limitation in the pursuit of the project objective. Based on community organizing standards, capability-building and awareness-raising usually take longer than the project time frame. It was proven true in this endeavour due to the observance of fiesta celebrations that coincided with project activity schedules. Hence, project duration was extended because activities were moved onwards their original schedules to accommodate the people’s socio-religious and cultural obligations.

The project gained momentum towards the end of the monsoon rains. The heavy, seasonal downpour caused the swelling of riverbanks that lie on both sides of the mighty Catubig River, inundating not only both poblaciones, but most villages as well. Community efforts were refocused to emergency life-saving activities, thereby relegating barangay visits to the backburner for the meantime. It necessitated adjusting the schedules to a time when normalcy of the situation had returned.

Sporadic clashes between government troops and insurgents endangered the lives of project implementers. Several times during the project life, major promotion and advocacy activities had to be postponed for days on end as the protagonists risked being put in the line-of-fire. The situation also necessitated choosing the right people who could be trusted and accepted by local leaders and community residents to work as co-implementers. The choice of traditional practitioners as partners in the task at hand assured the safety of everyone concerned with the project as the former proved credible
with the local populace, have ready access to areas where armed conflicts exist, were very adept with the rugged terrain, and were knowledgeable about local mores and culture.

Prevailing material expectations of the indigenous workers and the population, in general, took longer time than was necessary in motivating them to give all-out support to the project. In part, this was caused by the dole-out mentality of previous projects that conditioned people to think of substantial material rewards as incentive for good work instead of being service-oriented. More so, because LGUs have many other projects to attend to that health concerns often receive low priority. Thus, project co-implementers expected maximum emoluments they could get to offset their travelling fees and other expenses that are necessary to carry out their assigned tasks.

Recommendations

The following recommendations were well-thought of to give more space for improvement and sustainability of the interventions that were already put in place:

1. The locally-organized core groups/task forces should be given enough support in the form of skills training and able monitoring and supervision by RHUs to enable them to try out mechanisms to heighten the awareness of targeted clientele. To adequately address the IEC needs of the community, with particular focus on high-risk families, the groups could venture into direct counselling, adult literacy programs on health, community theatre/drama, poster making, etc. These activities would empower them such that, given sufficient time, they could soon initiate their own intervention strategies that would benefit their communities.

2. The inter-agency collaboration in each municipality was a good start to establish linkages and networking. However, it should not stop there. The groups could organize advocacy activities, such as street campaign through motorcades/parades, symposia in schools, slogan or “siday” (local poetry)-making contest, declamation or oratorical feats, etc., all geared towards drumming-up the interest and support of the public in the concerted fight against the disease. Conferences should be held periodically for a healthy exchange of ideas and to build good communication network. Membership of other interested government organizations and NGOs should be encouraged to increase the awareness level of a greater number of residents who could, in turn, become potent advocates to the wider community.

3. While the education sector in the localities agreed to integrate information on schistosomiasis prevention and control in Health and Science subjects, curricular
Integration could become more effective if it is mandated by the Department of Education, at least, at the regional level. This way, the health teaching on the subject would not just be a passing fancy that would no longer be observed when the project terminated, but could be sustained through time so that succeeding generations of schoolchildren would be suitably warned about the disease. In relation to this, modules and teaching-learning resource units could be developed, field-tested, and consequently, assimilated in teachers’ lesson plans.

4. The LGUs of both municipalities have committed to strictly implement sanitation ordinances in all villages, particularly on the use of sanitary private and communal toilets and provision of safe water supply. This was expressly agreed on during the workshops and integrated into the covenant they signed with implementers at the project commencement. During the inter-agency collaboration, local executives also promised to appropriate funds from the Barangay budgetary allocations for health services. Moreover, at the exit conference, the Municipal Mayor of Las Navas town verbally committed to give budgetary support for sanitation projects. All these verbal and written agreements have to be followed-up by the local health sector to ensure that the commitments are realized.

5. IEC materials should be provided regularly by concerned agencies to the core groups for household distribution because advocacy takes time before its impact could be felt. To keep the issue afresh in the public consciousness, there should be regular updating and repetition. Materials should be reader-friendly, meaning, they are presented in the local dialect, visually attractive, and most acceptable to the people. Also, the use of durable materials for posters and streamers are recommended for cost-efficiency.

6. More studies on the different aspects of schistosomiasis should be done to shed a broader light on its effects to the community. The KAP study on household utilization of communal toilets was just the tip of the iceberg, so to speak, on the wealth of information that could be gleaned from the disease. For instance, a substantive study on the effect of schistosomiasis on the economic productivity of farmers could be undertaken. Results could be used by policy and decision makers in health, agriculture, and other government agencies, where needed aid should be prioritized and placed, if government resources are to be felt by the people.

7. A mechanism for the provision of job satisfaction for those involved in carrying-out the promotion and advocacy work should be carefully considered. There is need to find suitable rewards which could be in the form of career or monetary
incentives, and/or recognition of efforts rendered by the diligent but often unheralded health personnel and indigenous volunteer workers. These added motivating factors should boost their morale and self-worth, impetus enough to encourage them to do better in the accomplishment of their tasks.

8. Finally, community involvement is the key to continuity. People should therefore be involved and regularly consulted at all stages and on all aspects of the project. A sense of ownership and responsibility should be inculcated, however subtly, on the residents by assigning them to perform doable tasks. Their wholehearted participation signifies their total commitment to the project.

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The Naxal Movement in India:  
Historical Perspectives and Current Dimensions.

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Abstract: The Naxal Movement is the most contentious issue in Indian polity today. It aims at capturing state power, and large areas of Central India, Jharkhand, Orissa, Andhra Pradesh, West Bengal and Bihar are affected by it, where large areas are under their control. Today, there is a violent struggle between the Indian state and the Naxals (also known as Maoists) for legitimacy and control over the relevant populations which has been characterized by violence and counter violence. The Naxal movement has thrived on poverty and under development which is rampant in these areas even after six decades of the country’s independence, and today presents itself as the gravest threat to India’s security according to the Prime Minister, Manmohan Singh.

The movement has accentuated due to the Naxal’s perception of relative deprivation along with a sufficient level of understanding and reflection which has enabled them to observe and perceive the contrast between the social conditions of the privileged and those of the deprived and the realization that it is possible to something about it.

Introduction

The term Naxal has been derived from Naxalbari, which is a small village in the Siliguri district of West Bengal where a break away section of Communist Party of India (Marxist), organized a violent peasant movement in March 1967 under the leadership of Charu Mazumdar, Jangal Santhal and Kanu Sanyal. The Naxal Movement is the most contentious issue in Indian polity today. It aims at capturing state power, and large areas of Central India, Jharkhand, Orissa, Andhra Pradesh, West Bengal and Bihar are affected by it, where large areas are under their control. Today, there is a violent struggle between the Indian state and the Naxals (also known as Maoists) for legitimacy and control over the relevant populations which has been characterized by violence and counter violence. The Naxal movement has thrived on poverty and under development which is rampant in these areas even after six decades of the country’s
independence, and today presents itself as the gravest threat to India’s security according to the Prime Minister, Manmohan Singh.

The movement has accentuated due to the Naxal’s perception of relative deprivation (Gurr, 1970, p.45). This along with a sufficient level of understanding and reflection has enabled them to observe and perceive the contrast between the social conditions of the privileged and those of the deprived and the realization that it is possible to something about it (Rao, 1978).

The genesis of the Naxalite Movement lay in the organisation of a peasant’s conference on 18 March 1967 at Naxal Bari in Siliguri subdivision of Darjeeling district under the leadership of Charu Majumdar, Kanu Sanyal and Jangal Santhal. The peasants conference was organized in the backdrop of the formation of a left dominated non Congress United Front Government which was pledged to usher land reforms which meant land to even the most poor (Banerjee 2001). Naturally this had raised a very high degree of expectation amongst the poor peasantry. Immediately after the swearing in of the new government, Harkishan Sonar, the minister in charge of land and land revenue announced a policy of quick distribution of land amongst the landless and stopping of eviction of the share croppers. However despite the best intentions of the Marxists they were hamstrung by many difficulties. First although they had promised land, they were not sure how to recover the land transferred malafide by the landlords. Meanwhile Charu Mazumdar had already been busy explaining to his followers that the measures for land redistribution announced by Harkishan Sonar would not only fail to satisfy the landless, but would augur danger, if implemented for the future peasant movement (Banerjee, 2001).

The conference gave a call for ending the monopoly ownership of land by landlords, redistribution of land through peasant committees and arming and organizing of the peasants to destroy the resistance of the landlords and the rural reactionaries. The peasant’s conference proved to be a great success in terms of peasant mobilization and quickened and strengthened by their earlier militant struggle they looked forward expectantly. Very soon 20000 peasants were enrolled as full time activists and peasant committees were formed in every village and they were transformed into armed guards. The first serious clash between the peasants and the state machinery occurred on 23 May 1967, when a policeman named Sonam Wangdi was killed in an encounter with the armed tribals. The peasants soon occupied land in the name of the peasant committees, burnt all the land records which had been used to cheat them of their dues, cancelled all hypothecary debts, passed death sentences on oppressive landlords, formed armed bands by looting guns from the landlords armed themselves with conventional weapons like bows arrows and spears and set up a parallel administration to look after the villages. Meanwhile reports of clashes between the rebel peasants and landlords kept in pouring from Naxalbari. The Naxalbari uprising indeed left a far reaching impact on the entire agrarian scene throughout India, like premeditated throw of a pebble bringing forth a series of ripples in the water. Within a short span of two months the movement acquired greater visibility and tremendous support from communist revolutionaries from different states.
Response of the State

Meanwhile the state was gearing up to brutally crush the movement. On 12th June the West Bengal Chief Minister, Ajoy Mukherjee told newsmen that a reign of terror had been created in the Terai areas. The Union Home Minister, Y.B Chavan told the Lok Sabha that a state of lawlessness prevailed in the area. By the end of June 1967 the CPM leadership came out fully against the Maoists. Within 72 days the state government was able to contain the movement by brutally crushing it using repressive measures. As the state repression was going on a proposal was put forward to Charu Majumdar by the cadres of the Naxalbari area to negotiate with the government. However Majumdar rejected the proposal on the ground that to speak of talks to the government amounted to revisionism which he was not ready to accept. Kanu Sanyal commented, ‘The Naxalbari peasant’s uprising could not be sustained in this complicated situation because of lack of subjective preparations, tactical mistakes, and absence of flexibility of policy while adhering firmly to the principles’ (Singh, 2006). However in a report prepared by the pupils of Charu Majumdar, titled Naxalbari Shiksha, the theory of military shortcoming responsible for the failure of the initial movement was discounted. They asserted that “military experience can be attained through revolutionary movements and held that by forgetting the primary rule of guerrilla warfare i.e. development from smaller units to larger units, from weaker ones to stronger ones through battles, on one’s own initiative, we suffered instead from the revisionist idea of building a people’s army right from the very beginning” (Sanyal, 1974). It was clear from Sanyal’s report and Naxalbari Shiksha that the concept of guerrilla warfare was absent in the minds of the rebels apart from the failure to sustain a base even temporarily.

Lessons of Naxalbari

Although the uprising at Naxalbari lasted only a few months the leaders were not ready to belittle its significance. Outlining the significance of the Naxalbari uprising, Charu Majumdar pointed out to the following lessons that were learnt:

1. The peasants fought neither for land nor for crops but for political power.
2. The peasants carried out armed struggle against armed attacks of the counter revolutionary apparatus.
3. The peasants relied on the weapons they themselves made in order to carry out armed attacks and snatched away fire arms with the help of these weapons.
4. The stood on their own and did not depend upon others for carrying out their struggle.
5. This struggle has developed only by fighting against revisionism.
6. This fight against revisionism can be carried out only with the thought of Chairman Mao and with the adoption and application of that thought by the peasant masses.

**Formation of the CPI (M-L)**

After the suppression of the movement by the state which used all repressive measures possible, these units had a formal meeting in November 1967, as a result of which the All India Coordination Committee of Communist Revolutionaries (AICCCR) was formed in May 1968. ‘Allegiance to the armed struggle and non-participation in the elections’ were the two cardinal principles that the AICCR adopted for its operations. However, differences cropped up over how an armed struggle should be advanced and this led to the exclusion of a section of activists from Andhra Pradesh and West Bengal, led respectively by T. Nagi Reddy and Kanhai Chatterjee. On the question of the ‘annihilation of the class enemy’, the Kanhai Chatterjee group had serious objections, as they were of the view that the annihilation of the class enemy should only be undertaken after building up mass agitations. However, a majority in the AICCCR rejected this and the AICCCR went ahead with the formation of the Communist Party of India (Marxist-Leninist) in May 1969. This led Chatterjee join the Maoist Communist Centre (MCC). The CPI (M-L) held its first Congress in 1970 in Kolkata and Charu Mazumdar was formally elected its general secretary. Since then, both the CPI (M-L) and the MCC continued with their respective forms of armed struggle for the next couple of years. During this period, Charu Majumdar became the undisputed Naxalite guru and with the organizational skills of Kanu Sanyal and Jangal Santhal, the movement spread to different corners of the country. ‘The country witnessed the euphoria of a Maoist revolution. However, it was far more shortlived than expected. What was generally perceived by Indian as well as Chinese Communist revolutionaries as the final enactment of the revolution, in reality, proved to be no more than a dress rehearsal. As hundreds of CPI (ML) cadres lost their lives, and thousands were put behind bars, the movement witnessed confusion, splits and disintegration. Charu Majumdar’s larger-than-life image also had its negative impact, for after his death in 1972, the central leadership of CPI (ML) virtually collapsed.

**Charu Majumdar**

The ideologue of the movement was Charu Majumdar, who advocated that the Indian peasants and the poor tribals overthrow the state by violent means. Mazumdar reiterated the need for moving beyond economism towards the task of politicizing the peasants.’ He added that the “fighting consciousness of the peasantry should be directed against the state machinery and the feudal class as without destroying the two; no land reforms could be possible, since they stood against the interests of the landless and the poor peasants”(Sanyal, 2004). Majumdar wrote the historical ‘Eight Documents’ which formed the basis of the Naxal ideology (Sanyal, 1974).

Mazumdar had initiated Naxalism long before Naxalbari, he acted as the main source of inspiration behind Srikakulam and other attempted armed revolts led by the Naxalites, and firmly
controlled the party organization until his death. He was the father figure of the movement, a replica of Chairman Mao on an Indian scale. In the words of one of his admirers and trusted comrades, Saroj Dutta, “The history of India has given Charu Mazumdar the role to carry out the role of organizing socialist revolution” (Singh, 2006). Mazumdar was the ‘revolutionary authority’; his talks and comments became the ‘party line’, and not to accept his leadership unconditionally amounted to defying the party. ‘With the death of Mazumdar a particular phase in the movement ended. Naxalism implied not only a call for immediate armed struggle and devotion to the Chinese path, but also the annihilation theory, the rejection of a united front, mass organizations and mass activities and urban guerilla activities among others. All these carried the personal mark of Mazumdar. Without these policies and without Mazumdar, Naxalism could not have been what it was in 1967-72 (Dasgupta 1978). Because Mazumdar meant so much to the Naxalite movement it was inevitable that he would become the principal target of attacks for the failure of the movement. The criticisms were directed at the way he ran the party and the ideologies he preached. He was accused of establishing a personal regime which was contrary to Marxism Leninism.

**Naxal Movement post Charu Majumdar.**

The history of the Naxal movement post Charu Mazumdar is characterized by a number of splits, brought about by personalized and narrow perceptions about the Maoist revolutionary line and attempts at course-correction by some of the major groups. Even Kanu Sanyal, one of the founders of the movement, could not escape this.

He gave up the path of “dedicated armed struggle” by 1977 and accepted parliamentary practice as a form of revolutionary activity. It was during 1974 that an influential group of the CPI (ML), led by Jauhar (Subrata Dutt), Nagbhushan Pattnaik and Vinod Mishra, launched a major initiative, which they termed ‘course-correction’. This group renamed itself the CPI (M-L) Liberation in 1974, and in 1976, during the Emergency, adopted a new line that called for the continuation of armed guerilla struggles along with efforts to form a broad anti-, Congress democratic front, consisting even non-communist parties. The group also suggested that pure military armed struggle should be limited and there should be greater emphasis on mass peasant struggles, in an attempt to provide an Indianized version of Marxism-Leninism- Maoism. However, during the next three years, the movement suffered further splits with leaders, such as Kondapalli Seetharamaiah (Andhra Pradesh) and N. Prasad (Bihar) dissociating themselves from the activities of the party led to Prasad forming the CPI (M-L) (Unity Organization) and Seetharamaiah started the People’s War Group (PWG) in 1980. While Seetharamaiah’s line sought to restrict the ‘annihilation of class enemies’, the PWG’s emphasis was on building mass organizations, not developing a broad democratic front.

Since then, the principal division within the Naxalite movement has been between the two lines of thought and action, as advanced by the CPI (ML) Liberation and the PWG. While Liberation branded PWG a group of “left adventurists”, the PWG castigated the Liberation group as one of the “revisionists” imitating the CPI (M). On the other hand, the
growth of MCC as a major armed group in the same areas created the scope for multifarious organizational conflicts among the Naxal groups. Liberation took a theoretical stand of correcting the past mistake of ‘completely rejecting parliamentary politics’. On the other hand, PWG and MCC completely rejected the parliamentary democratic system of governance and vowed to wage ‘people’s war for people’s government’. In the process, while the Liberation group registered its first electoral victory in Bihar in 1989; Naxalite factions such as the CPI (M-L) New Democracy, the CPI (ML) S.R. Bhajjee Group and the CPI (M-L) Unity Initiative emerged in the state.

The following years witnessed certain distinct phenomena in the history of the Naxal movement. First, the intra organizational conflict and rivalry among different groups touched several high points, resulting in the loss of a considerable number of cadres of rival groups. Secondly, despite the large-scale inner conflicts, there were always ongoing efforts at various levels to strive for unity. Thirdly, 1990 onwards, the affected state registered a considerable increase in the number of violent incidents and at the same time, a considerable change in the policy approach of the government was also witnessed. While the Naxal movement has mostly been characterized by fragmented groups and innumerable splits; successive governments at the national and state levels were never able to follow a uniform approach to deal with the problem of Naxalism, thus, leading to a marked impact in the growth of the growth of the Naxal Movement (Lewis, 2002).

There were three broad currents of the Naxal Movement and the following were the main differences between them:

1. The analysis of the first phase (1967-71) of the Naxalite movement and the line of annihilation ‘that was followed.

2. The position that armed struggle is the principal form of struggle and the armed guerilla squad, the primary unit of struggle. Since the principal form of struggle is armed struggle, the entire activity of the agrarian struggle should be underground.

3. Whether the contradiction between feudalism and the Indian masses is the principal contradiction in Indian society or whether India has emerged as a capitalist state and hence, the contradiction between capitalism and general public is the principal contradiction.

4. Whether it would be prudent to form a united front with various forces and movements like the Dalits and farmers’, ethnic and regional, and ecological movements etc. However, these are not the only issues; several other issues pertaining to ground level reality and control of territory are crucially linked to the functioning of Naxalite organizations.

Communist Party of India (Marxist Leninist)
The Communist Party of India (Marxist Leninist) Liberation originated in 1974. However it rose to prominence in the post Emergency phase in 1977 when most of the communist leaders were released from jail. The Party Central Committee (PCC), in a move to unite the splinter groups which owed their origin to CPI (ML), called a meeting during 30 January-2 February 1981. However, the meet did not deliver expected results. “From this point onwards whereas the PCC group goes on to become irrelevant and splits up into various factions, the M-L movement begins to polarize between the Marxist-Leninist line of CPI (ML) (Liberation) and the anarchist line of CPI (ML) (People’s War) (Lewis, 2002). During 1982, the Indian People’s Front (IPF) was launched in New Delhi at a national conference. In due course, IPF became the party’s open political platform, actively intervening in national politics. Same year, the Third Party Congress took place at Giridih, Bihar, where the issue of participation in elections was finalized. This shift in the outlook of CPI (ML) Liberation proved to be vital in designing the subsequent course of activity of the Naxal movement. The Liberation group, according to Bhatia (2005), “considers itself the true inheritor of the CPI (ML) legacy, its political line has changed dramatically from that of the original CPI (ML) (Bhatia, 2005).

With this strategic shift in functioning, the CPI (ML) Liberation recorded its first electoral victory under the banner of the IPF in 1989 and Ara (one Lok Sabha Constituency in Central Bihar) sent the first “Naxalite” member to Parliament (Bhatia, 2005). In a special conference convened in July 1990, the party decided to resume open functioning. This decision was formalized at its fifth Congress in December 1992. In 1994, the Indian People’s Front was disbanded. The Election Commission recognized the party in 1995 and since then the CPI (ML) has been contesting successive elections at national and state levels. The CPI (ML) Liberation, though functioning over ground within the parliamentary democratic setup, has not completely disbanded the path of armed rebellion. “The Party does not rule out the possibility that under a set of exceptional national and international circumstances, the alliance of social and political forces may even permit a relatively peaceful transfer of central power to revolutionary forces. But in a country where democratic institutions are based on essentially fragile and narrow foundations and where even small victories and partial reforms can only be achieved and maintained on the strength of mass militancy, the party of the proletariat must prepare itself for winning the ultimate decisive victory in an armed revolution. A people’s democratic front and a people’s army, therefore, remain the two most fundamental weapons of revolution in the arsenal of the Party” (History Naxalism, n.d).

People’s War Group (PWG)

PWG is the most important among all the splinter groups representing the Naxal movement because the dominant line within the Naxal politics today, is the PWG line of thought. Though it is popularly known as PWG or PW, its official nomenclature is Communist Party of India-Marxist- Leninist (People’s War). If today, Naxalism is considered as the greatest internal security problem and Naxals claim to be running parallel government in different parts of the
country, its credit mostly goes to the PWG. The CPI (ML) (People’s War) was formed on Lenin’s birth anniversary on April 22, 1980.

Kondapalli Seetharamaiah, one of the most influential Naxalite leaders from Andhra Pradesh and a member of the erstwhile Central Organizing Committee of the Communist Party of India-Marxist-Leninist (CPI-ML), was the founding father of the PWG; who later, was ironically expelled from the party. The PWG summed up its ideology, “People’s War based on Armed Agrarian Revolution is the only path for achieving people’s democracy i.e. new democracy, in our country. Rejecting the parliamentary democratic system of the country and branding individual annihilation as individual terrorism, PWG declared that people’s war was the only path to bringing about a people’s government in the country.

The birth of PWG resulted from a split within the CPI (ML-Liberation) which was on account of the dynamics of conflict among a host of its cadres. For a considerable period after its birth, PWG’s activities were chiefly limited to Andhra Pradesh, while the CPI (ML) liberation continued to hold its turf in Bihar. It was during this period that another organization came into existence on 1 January 1982. It was named the Communist party of India (ML) Party Unity, which came into existence due to a merger between CPI (ML) Unity organizations and Central Organizing Committee CPI (ML). Hereafter, left-wing extremism in India witnessed some of the worst-ever conflicts which again forced many organizations to take a position and adopt new tactics. Bihar has always remained a strong battleground of Naxal operations and ironically, in Bihar, most of the clashes were between CPI (ML) Party Unity and CPI (ML) Liberation. When these conflicts were taking a toll on the cadres on both sides, another development was simultaneously taking place. In August 1998, Party Unity merged with CPI (ML) People’s War Group and the group came to be known as People’s War. The merger of the two parties is the culmination of the unity process which began in March ‘93 and continued for over five years during which differences on several political, ideological and organizational questions were resolved through thread-bare discussion (Kumar, 2001). With this merger, the PWG became a force to reckon with in Bihar and in other areas where PU had a presence. Further developments suggest that with the merger, the element of armed rebellion of the Naxal movement became stronger, while on the other hand, with its parliamentary practices, Liberation was losing its territory to PWG. Liberation, which once controlled the whole of central Bihar, was now loosing its territory and supporters to PWG and MCC. Not only in Bihar, but also elsewhere, was Liberation systematically shrinking on the map of Naxalite politics. By advocating electoral methods and not being able to make an impressive mark, the liberation’s way of movement became weak and the PWG’s armed operations started gaining momentum. So while the Liberation; with its changed modus operandi was being reduced to a small political party, the PWG in the same period, managed to register its presence outside Andhra Pradesh and gradually gained strongholds in different areas of Bihar, Orissa, Madhya Pradesh, Jharkhand, Chhattisgarh, and Maharashtra. While the conflict between PU and Liberation made both groups suffer the loss of considerable numbers of their cadres; as already stated, it also resulted in the merger of PU and PWG and ultimately the violent consolidation of the movement.
The formation of People’s War also resulted in tactical changes in several aspects of the Naxal movement in general. ‘In our agenda for a new democratic revolution, there are two aspects — the agrarian revolution and fight for nationality (Singh, 2006). This statement shows the amount of organizational change witnessed by the Naxal movement—in all those years. In 1967 it started in the name of ‘agrarian revolution’, which gradually took the stance of replacing the parliamentary form of government and the issue of nationality which was raised for the first time. By questioning nationality it wanted to make it clear that it wanted a broad revolutionary pattern.

Between 15-30 November 1995 a PWG conference was held at an undisclosed location in Dandakaranaya. The party ideology was expressed in these words ‘the four major contradictions in the present-day Indian society are: the contradiction between feudalism and the broad masses; the contradiction between imperialism and the Indian people; the contradiction between capital and labour and the contradiction within the ruling classes. While the first two are fundamental contradictions to be resolved through the NDR (Non Democratic Revolution), the contradiction between feudalism and the broad masses is the principal contradiction at the present stage. India is a multi-national country—a prison-house of nationalities and all the nationalities have the right to self-determination including secession. When NDR is victoriously completed, India will become a voluntary and genuine federation of all national republics (Interview Ganapathy).

It was further laid that the party strategy to be followed in the present situation of NDR in India is one of forming a broad united front of all the anti-feudal, anti-imperialist forces—the working class, the peasantry, the petty bourgeoisie and the national bourgeoisie—under the leadership of the working class to overthrow the common enemies—feudalism, imperialism and comprador bureaucratic capital. The military strategy or the path of Indian Revolution is the path of protracted people’s war i.e., liberating the countryside first through area wise seizure of power establishing guerilla zones and base areas and then encircling the cities and finally capturing power throughout the country (Interview Ganapathy).

**Merger of MCC and People’s War**

The other important group within the broad strand of the Naxal Movement is the Maoist Communist Centre (MCC). The MCC while supporting the Naxalbari Movement did not join the CPI (ML) because of certain difference on the issues of party formation. Right from its inception, the MCC stood for taking up armed struggle as the main form of resistance and waging a protracted people’s war as the central task of the party. Its inspiration was Mao’s Chinese Revolution and defined that ‘The path of protracted People’s War is the only path of the liberation the people, the path of the victory of the New Democratic Revolution (Griffith, 2000). The Naxal movement in India entered yet another phase of organizational transformation with the merger of two of the principal armed organizations, i.e. People’s War (PW) and the Maoist
Communist Centre of India (MCC-I), which resulted in the formation of the Communist Party of India (Maoist). “The formation of the Unified Communist Party of India (Maoist) is a new milestone in the history of the revolutionary communist movement of India. ‘A unified Maoist party based delayed and highly cherished need of the revolutionary minded and oppressed people of the country, including all our ranks, and also all the Maoist forces of South Asia and internationally. Now, this long-aspired desire and dream has been transformed into a reality (Interview Ganapathy).

Conclusion

The analysis of the history of the Naxal Movement reveals that it is the history of a continuous and sustained process of organizational conflicts, splits, and mergers. The movement is essentially a simultaneous, though not necessarily peaceful coexistence of many streams; and looking from this angle, the movement can be said to have its presence in all parts of the country. The final political goal behind all organizational exercise, as evidenced by the statements of various senior Naxalite leaders, is to build a leftist alternative and mobilize people against increased imperialist intervention and pro imperialist policies’ pursued by the union government, in support of revolutionary war based on the Chinese leader, Mao’s theory of organized peasant insurrection. Similarly, the history of the Naxal movement, right from its first phase of 1967, demonstrates that even if there has been a continuous evolution in terms of their understanding of the Indian situation, the focus of the movement, its character, and the fighting capabilities and financial resources of these groups; they have remained more or less consistent as far as their core ideology is concerned. Barring the liberation they all reject the parliamentary system of government and aim to bring about a structural change into the nature of the Indian polity. Their strategy is a protracted people’s war which entails building bases in rural and remote areas and forests, their transformation into guerrilla base, their liberation, the encirclement of the cities, finally the seizure of political power and ultimately a nation-wide victory.

Today the Naxal Movement has spread across 22 states in the country where about approx 92000 sq km area is under their control as liberated zone particularly the vast forest tracts of Dandakaranya in Chhattisgarh. According to the Home Ministry there were about 20,000 armed cadres along with 50,000 regular cadres. Today the Naxal movement poses the gravest threat to India’s polity and security. The problem is a complicated one and requires a multidimensional approach involving political, human and armed strategy. The Union Government has launched the Operation Greenhunt for a broad coordinated armed operation in all the affected states. The Maoists recent acts of violence including the derailing of the Jnaneshwari Express in which 148 passengers were killed, massacre of the 76 CRPF personnel, beheading of 27 special forces, blowing up of a civilian bus in Dantewada, etc, etc, have made armed action’ by the government unavoidable. However development activities will have to go
hand in hand. It will have to be what is called a ‘whole of government approach’ requiring action at the political, inclusive developmental, human, strategic, operational, tactical and publicity levels. However the most worrisome aspect is whether the government can meanwhile provide development to the most remote and far-flung areas. What is the guarantee that the administration will do in the near future what it has not done for the last six decades. The poorest of the poor and the tribals in the hinterland has not had a fair deal so far. If they do not get economic justice will they not revert to the path of armed insurrection? If the government wants to avoid such a tragedy it must accord the same treatment to corrupt officials and criminal politicians as it plans for the Maoist leaders.

References
Chapter 8

Conceptualizing the Commons: Reflections on the Rhetoric of Environmental Rights and Public Ownership

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Abstract: Environmental campaigns in Israel increasingly focus on issues involving local resources, quality of life and environmental justice. Such campaigns, especially those with extensive public participation, often employ rhetoric of environmental 'rights' and public 'ownership' of public space or resources. This paper considers such rhetoric and terminology as revealing valuable clues regarding public conceptions and sentiments, and as enabling the articulation of effective argumentative tools, crucial for successful public activism. The paper examines three alternative discourses to account for this rhetoric: 'environmental rights', 'environmental justice', and 'the commons'. Several case studies are discussed in short, including the debate over the construction of a resort in the pristine Palmachim Beach, and the controversy over advertising billboards along the Ayalon Highways. The paper concludes that the commons discourse is better suited to account for the rhetoric of public ownership than the discourses of human rights or distributive justice do, especially with issues concerning public space and the mental environment. This paper argues that such rhetoric could be interpreted as reflecting an evolving “commons sense” -- public sentiments of collective ownership rights over public space, environmental assets and shared social or cultural resources.

Preface: “The commercial firms are taking over public space”

On May 21, 2010, Haaretz, Israel’s prestigious newspaper, ran the following front-page headline: “The commercial firms are taking over public space in Tel-Aviv” [my translation] (Kosharek, 2010)2. The story, unfolded at length in the inner pages, covered an event that was taking place in Tel-Aviv that same day in the HaYarkon Park, near HaYarkon River. A cellular company, Celcom, was granted permission to hold a huge event, free to the general public, titled “Israel’s Largest Family Picnic.” Several days before the event, fences were raised all across the park and along the river bank, signs and advertisements were set all along the routes leading to the park, flags with Celcom’s logo were hanged across the park’s bike lanes and footpaths, floating rafts equipped with loudspeakers, all carrying Celcom’s logo and colored with Celcom’s purple trademark, were placed in the middle of the river. The scale of

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2 This was the headline of the Hebrew edition. The English edition headline was: “This city park is brought to you by ...”.

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the event, and the coloring and the logo-ing of the park and its surrounding neighborhoods, outraged many residents. The *Haaretz* story, subtitled "A city that never stops... advertisements" [my translation], took account of similar events in recent years where major commercial interests were granted permission by the municipality to carry out events in central public spaces. In the story, a city councillor from the opposition was quoted as saying that “there's a feeling that the corporations own the public spaces. Each case in itself is acceptable. But the accumulative effect is destructive”. Another opposition Councillor was said to have recently submitted a motion for the city council's agenda, which was rejected by the mayor, to hold a public debate, opened to residents, concerning the commercialization of the city's public spaces. Environmental activists were also quoted, expressing their concern for the preservation of non-commercial public space.

**Introduction: Defending Environmental Rights in Public Space**

The heated reaction to the HaYarkon event is not a one-off. In the past decade, environmental groups in Israel are focusing on local and national causes in which environmental justice, public space and public resources are the common theme. For instance, since its inception in the Fifties, The Society for the Preservation of Nature in Israel (SPNI), the first and largest environmental group in Israel, used to focus on protecting wildlife and natural habitats, as well as on educating the public to care about nature. Now, however, it is also very active in areas such as land policy, urban planning, public transportation, environmental justice and free public access to parks and beaches.

During the past decade, environmental NGOs in Israel were involved in campaigns to block major projects such as a yachting marina in a popular Haifa beach (Bat-Galim), or the Safdi Plan to cover the hills surrounding Jerusalem from the west with massive urban development (thereby threatening unique nature and landscape values), as well as campaigns for the construction of the great Ayalon park between Tel-Aviv and neighboring municipalities, free entry to non-residents in the municipal park in Raanana, or the removal of fences and ensuring free public access to beaches in Israel's single big lake: the Sea of Galilee (Kinneret).

In many of these campaigns, environmental groups explained that their aim was to protect public rights, e.g., the public right to landscape, or the public right to free beaches and free entry to local parks, or the right to have a decent urban environment.

These are topics which relate not only to the protection of the environment, but also to quality of life, social justice and equality. Hence, the articulation and conceptualization of such environmental rights, especially the rights of the public, are fundamental to this type of environmental struggles.

Moreover, these campaigns are frequently articulated in terms of resistance to infringement on the people’s collective rights over public space and recourses. Such is the case in the recently successful public campaign over Palmahim beach, near the city of Rishon LeZion, on the southern edge of the greater Tel-Aviv area, where the authorities promoted the construction of a resort in a uniquely pristine beach. The sand topography of Palmahim beach is an almost singular example of what once was common scenery along the shores of central Israel. Nowadays, massive development covers almost all such landscape with urban construction and infrastructure. Although
new legislation, enacted in 2007 and aimed at preserving the shores and sea environment, prohibits such enterprises, the planning authorities claimed that their decision was in accord with the law since the law did not prohibit plans submitted prior to its enactment. Following public outcry and protests, as well as a severe report issued by the state comptroller, the Israeli government decided to withdraw the plan. A particularly interesting characteristic of the public campaign over Palmahim, which involved some genuine grassroots initiatives, was its accompanying rhetoric: the public is the true owner of the beach. For example, prior to the governmental decision, the environmental journalist Zafrir Rinat's cover story on Palmahim was titled “Returning the Beach to the People” (Hebrew edition, June 25, 2010). The story quoted activists from “The Committee for Saving the Seashores” as saying that “the state has an opportunity to stop this real-estate mistake, and to return the beach back to its true owners – the public” (my translation. DM). On a later story, after the cabinet decided that the Central District Planning and Building Committee should review its decision to uphold the plan, thereby strongly implying that the committee should reverse its decision altogether, an activist said that "myriads of ordinary citizens, the state comptroller, the environmental protection minister, Knesset members and environmental organizations all stood with us and all helped us return the beach back to its true owner: the public” (Rinat, July 12, 2010). The next day, Rinat (July 13, 2010) interviewed two local residents at the beach. One of them was quoted as saying that "This was our childhood beach... To me it was as if they were taking something that was mine without even asking." Hence, the people quoted were using a language implying sentiment of ownership over the beach and of reclaiming collective rights.

In this paper, I consider such phraseology or rhetoric, as manifested in the above quotes, as linguistic clues regarding notions, conceptions and sentiments of the speakers. The significance of the emergence of such rhetoric in environmental and other social debates concerning public resources and interests (e.g., regarding the internet and digital copying) is that language enables public comprehension and fosters the articulation of effective argumentative tools, both crucial for successful public organization and resistance. The question is which kind of theoretical framework is best suited to account for such illocutions. Since these illocutions involve claims of rights, justice, and public ownership, I examine three corresponding theoretical frameworks or discourses: environmental rights, environmental justice, and the commons.

Environmental Rights

Should such “rights” over the Palmachim seashore -- which is an environmental resource, claimed by the local residents -- be considered as environmental rights? What exactly are environmental rights anyhow? And how, to begin with, are they related to human rights?

The environmental movement emerged in the sixties on the background of the Civil Rights, Women's Liberation and Labor Rights movements. Their political terminology influenced earlier formulations of environmentalism, which sought to extend ethical concerns to the non-human world (Nash, 1989). Ethical extensionism -- the new discourse regarding animal rights and the rights of nature -- was regarded as the new frontier of ethical concern. However, in the early seventies a new discourse
emerged, regarding environmental quality and resources as essential to human rights. Hence, two parallel discourses evolved. The environment was being regarded both as a new subject of ethical concern in its own right, and as a human interest – the material conditions for human welfare and equality. The *Stockholm Declaration* of the United Nations Conference on the Human Environment (1972) regarded environmental quality as essential to the realization of basic human rights. The declaration stated in its first article that:

> Both aspects of man's environment, the natural and the man-made, are essential to his well-being and to the enjoyment of basic human rights -- even the right to life itself.

The link between human rights and the protection of the environment, articulated in the *Stockholm Declaration*, was strengthened in the *Brundtland Report* (1987) on environment and development, which stated in its first article that "All human beings have the fundamental right to an environment adequate for their health and well being". In the *Rio Declaration on Environment and Development* (1992), the word 'right' appears in relation to states, being "sovereign… to exploit their own resources" (# 2) and the "right to development" (# 3), though individual people are said to be "entitled to a healthy and productive life in harmony with nature" (# 1). In 1994, a comprehensive *Draft Declaration of Principles on Human Rights and the Environment* [DRAFT], was written for the UN by an international group of experts on human rights and environmental protection. The DRAFT included collective rights, such as the right of future generations “to meet equitably their needs” (#4), and the right of indigenous people “to control their lands, territories and natural resources and to maintain their traditional way of life”, including their “means of subsistence” (#14). These declarations framed environmental rights as a central topic in both human rights and the environmental discourses.

The human rights discourse enables two alternative conceptions of environmental rights. According to the first, environmental rights enhance and strengthen the already existing human rights such as freedom from harm, the right to life, or the right to decent leaving conditions. Thus, according to this view, environmental degradation “may threaten human health and human life” (Shelton, 1990: 104).

According to the second alternative, environmental rights are new rights, which add to the growing catalogue of human rights. Example of such new rights include the right to water (Hiskes, 2010), or the right for 'decent' environment, which are considered irreducible to 'primary' or already existing human rights.

It is worth noting that from the environmental protection perspective, asserting environmental human rights serves as a tool to achieve the primary goal of preserving the natural environment. That is, the anthropocentric idea of human rights, including environmental rights, is regarded as a convenient public-policy and argumentative instrument for the preservation of nature.³

The concept of human rights itself evolved from the enlightenment-era concept of natural rights. Locke (1689) spoke of three such rights: life, liberty, and estate (property). As to property, Locke describes appropriation as mixing one's work with things in the natural environment (e.g., picking an apple off a tree), which were

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³ Vanger and Ostrovsky (2009) point out that sometimes environmental justice struggles have nothing to do with nature preservation, and that they may even conflict in various ways.
formerly god-given commons belonging to all of humanity. Thus, property is portrayed as the curving of exclusive rights off the commons. We shall return to this point later.

Philosophers never agreed on the metaphysical groundings of 'natural' human rights, or on a set of "primary" rights out of which other derivative rights could be analytically deduced. So, lacking the metaphysical foundation to account for the concepts of human rights, scholars generally view them as arising from the international agreement on the basic dignity and intrinsic value of humans, as codified and constituted in international charters (starting with The Universal Declaration of Human Rights, 1948), as well as in the laws and constitutions of states, where the term 'rights' serves as an expression of absolute, non-negotiable, inalienable, allegedly universal norms of human autonomy and dignity.

The assertion of rights generates corresponding duties and obligations, and is always related to a specific historical context. Locke was concerned with defending individuals from state intervention, i.e. with "negative" rights, whose corresponding duties for the state is to refrain from interference. The essential goal was to let the citizens be left alone, that is government abstention from interfering with freedoms like speech, religion or association. Later charters saw the proliferation of both negative and positive rights, which also ascribe positive obligations to the state such as providing heath care and education.

Environmental rights could thus be articulated as negative rights, that is freedom from environmental harms and risks such as pollution or radiation, or as "positive" rights that oblige the state to provide decent environmental conditions, as well as means to livelihood, in the spirit of the welfare state.

The DRAFT (1994) clearly illustrates these two possibilities. On the one hand, article 5 is formulated in a negative form: "freedom from pollution, environmental degradation and activities that adversely affect the environment, threaten life, health, livelihood, wellbeing or sustainable development". Article 6, on the other hand, is formulated in a positive way: "All persons have the right to protection and preservation of the air, soil, water..." The same dual logic is recurring in the constitution of South Africa which states in # 24 that "Everyone has the right (a) to an environment that is not harmful to their health or well being", which is formulated as a negative right, and "to have the environment protected, for the benefit of present and future generations, through reasonable and other legislative measures" which is a positive formulation of environmental rights.

However, when examining such rights from the practical perspective of a state's levels of commitment and involvement, the purely negative ones seem to fizzle.  

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4 According to Shelton (2010), it is estimated that “more than one-half of all UN member states have added constitutional guarantees concerning the environment” (p. 89, note 3).

5 Environmental rights are sometimes regarded as a "third generation" human rights. This characterization stems from a distinction made in 1979 by the Czech jurist Karel Vasak, which divide the evolution of human rights to three generations, which follow the French Revolution's motto: liberty, equality, fraternity. According to this analysis, first-generation human rights deal essentially with personal freedoms and with participation in political life. Second-generation human rights are related to equality, and are essentially social and economic, such as employment, housing, health care and social security. Third-generation human rights go beyond personal rights, and cover group and collective rights, such as community, the tribe and family, as well as healthy environment, intergenerational equity and sustainability. As the discussion progresses, some speak of a fourth generation of rights related to technological advances and the digital sphere such as communication and privacy.

6 Hayward (2000) notes, though, on “the notorious difficulty of getting clear and unequivocal interpretations of locutions like ‘decent’ or ‘adequate’ environment” (p. 564).
out. Joseph Sax (1990) already noted that since "environmental issues arise primarily out of the management of the economy, government abstention is certainly not the goal" (p. 94). A good example of state intervention is the expectation that governmental policy should follow the precautionary principle before authorizing the introduction of a new substance or technology (Kriebel, et al, 2001). At any rate, whether negative or positive, environmental rights are often presented as an extension of the old vision of human rights. Thus:

On a factual level, it has already become apparent that preservation, conservation and restoration of the environment are a necessary and integral part of the enjoyment of inter alia the rights to health, to food and to life including a decent quality of life.

The close link with these rights clearly shows that a right to environment can easily be incorporated into the core of the human rights protection whose ultimate purpose is the blooming of the personality of all human beings in dignity. (Cullett, p. 1)

Aspects of Environmental Rights

Could such environmental human rights protect the public space in Hayarkon Park, or at Palmachim beach, and could they account for the rhetoric of public ownership quoted above? It seems that environmental rights, especially under the negative-positive distinction, are primarily rights of individuals, unless one is a member of an indigenous group (or future generations).

Many scholars regard the old negative-positive distinction as unsatisfying, especially with regard to environmental rights. Tim Hayward (2005) notes that both negative and positive rights imply “substantive ends”, that can be specified by reference to important interests of individuals (p. 85). Jan Hancock (2003) makes similar distinction when quoting Shue (1980), who rejects attempts to differentiate positive from negative rights, and instead “defines human rights in terms of those goods required for human survival…. In particular, physical needs …as conferring basic rights to subsistence and security… (p. 5). Richard Hiskes (2009) considers environmental rights as 'basic' and 'emergent'. They are basic since without clean air, water and soil, we can neither live nor enjoy other human rights, and they are emergent since it is due to the degradation of the environment that we must discuss such rights.

Hayward (2005) makes another objection to the negative-positive distinction: he sees both formulations as passive, since even positive environmental rights presume individuals who expect the state to provide adequate ecological protection, to take care of the environment. Instead, Hayward argues for 'active' rights such as “rights of participation” in environmental decision making, which “may seem less demanding on the state” since “they do not directly entail claims on the state, as both negative and positive rights do”. According to Hayward, 'active' rights "differ from both positive and negative rights, which can be categorized as 'passive' rights, in that to be enjoyed they have to be exercised by the right-bearer" (p. 86).
The emphasis on active participation in environmental decision-making, and thus on procedural rights, becomes a key element in the environmental justice discourse (see below), which emphasizes democratic values, public participation, open process of decision making, public release of environmental information (without which a community cannot make informed decisions) and right to appeal before competent administrative and judicial institutions. Shelton (2010) notes that some proponents of procedural rights “may have held an overly optimistic view” that a fully informed public with rights of participation and access to remedies for environmental harm “would ensure a high level of environmental protection” (p. 91). The procedure may result with an unsatisfying environmental result, due to extra-environmental public policy considerations such as employment or taxes revenues.

Another relevant issue is whether such rights are individual or collective. The Lockean paradigm of natural human rights is focused on individual rights. However, later conceptions of human rights conferred the right of self determination also to collectives, such as nations or ethnic groups. Environmental rights involve collective rights ever since the Brundtland Report (1987) emphasized the rights of future generations, asserting both inter and intra generational justice. The United Nations Declaration on the Rights of Indigenous People (2007) is another example of affirming collective rights, which in this case also include rights over environmental resources in several sections (e.g., 29 or 32).

Following Avner de-Shalit (1995) concept of trans-generational community, Hiskes (2009) makes intergenerational justice his core justification for environmental rights, and emphasizes communitarian and local-oriented vision of such rights. Communities are described by Hiskes as involving diachronic trans-generational self identity, which can generate 'reflexive reciprocity' between present and future generations, which is “a relationship among individual people in a spirit of shared community” (p. 51), a spirit conceived as irreducible to mutual self-interest.7

From Environmental Protection to Social Justice

The discourse of environmental rights -- which goes beyond nature preservation, resource management, or pollution -- characterizes modern environmentalism. From its beginning, ecological thought tried to distance itself from "reform" or "shallow" environmentalism -- which focuses on the narrow conception of environmental problems as requiring nothing but technical, regulatory or "free-market" economic solutions -- and purported to identify and uproot the deep causes of the so-called ecological crisis, including social, cultural, and economic conditions (while emphasizing that these conditions may themselves be influenced by environmental factors). Identifying the deep causes varied with each eco-philosophy.

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7 Generally speaking, the environmental rights discourse portrays nature as an arena in which human drama is taking place, and where human interests are central. Miller (1998) describes an alternative ecocentric conception of environmental rights, where 'intrinsic values' are ascribed to nonhumans and to ecosystems, thus admitting them into the 'moral community'. Environmental protection, though, is still regarded a human value (p. 6). However, this alternative conception is irrelevant to analyzing the rhetoric of local residents in the Palmachim area or Hayarkon Park, for which this paper is trying to account.
Bookchin's *Social Ecology*, for instance, saw the deep cause of ecological degradation in social hierarchies and inequalities, embodied by modern grow-or-die corporate capitalism. *Deep Ecology*, an influential eco-centric philosophy, identified human domination of nature (anthropocentrism) as the deep cause of the ecological crisis, along with concomitant cultural and social issues such as consumerism, instrumental attitude towards nature, technocratic decision making, violent large-scale technology, and the preference for high standard of leaving over life quality (at the expense of noise, losing leisure time, etc).

In general, all eco philosophies embraced the motto "think globally, act locally", attributed to Rene Dubos (1972). The local dimension was always an important aspect of environmental agenda, starting with the social dilemmas of the NIMBY (not in my backyard), especially with regard to LULUs (local unwanted land uses), and on with the emphasis on the empowerment of local communities, regional and local democratic decision-making and public participation (e.g., UN's Local Agenda 21).

The environmental justice movement strongly strengthened these trends. Instigated by the Warren County landfill struggle in North Carolina (1978-1982), the movement emphasized equity in the distribution of environmental risks and benefits, and participation in the political processes which create and manage environmental policy (MCGurty, 1997; Schlosberg, 2004), i.e., distributive justice and procedural environmental rights. The movement criticized mainstream environmentalism for failing to note that "communities are not all created equal" (Bullard, 1993), that environmental hazards, pollution, or environmental benefits, are not distributed equally, and that racial, economic and ethnic considerations affect the environmental quality of different communities, especially disadvantaged ones.

The so-called *Anti-Globalization* movement further develops these insights, by depicting globalization as threatening to local communities' rights for economic and cultural self-determination, especially in third-world "developing" countries. David Korten (2001) and others (e.g., Klein, 1995) describe multi-national corporations as missing precisely that capacity: to identify with local environments and communities. They portray multinational corporations as necessarily, by their global nature, oblivious to particular conditions. To the corporate' global 'gaze', every ecological system is a land to be appropriated, which contains resources to be commoditized, as well as an anonymous body of labor whose wages are often determined by the global economic logic of 'race to the bottom'. Meanwhile, the governments who were supposed to protect local interests are overwhelmed by the promise of the global market' and 'international competitiveness'. The alternative is *Localization* (Colin Hines, 2000), policies which should discriminate in favor of the local, emphasizing local trade, self-reliance and local manufacturing of life goods, especially localizing the food system (taken over by global big agro-food business), and reducing environmentally damaging, long-distance international trade to a minimum.

It is clear that the environmental justice discourse and environmental rights discourse may overlap, just as they may overlap with other relevant discourses, such as the one on sustainability. Amit Bracha (2008) seems to regard such discourses as practically identical. In his paper, Bracha links environmental justice legal campaigns in Israel with the defense of environmental human rights. According to Bracha, “working for environmental justice necessitates the a-priori recognition of the need to

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8 According to some critics, now It's not NIMBY anymore, it's BANANA (build absolutely nothing anywhere near anything) or NOPE (not on planet earth).
defend the weak from infringement of his rights” (p.181). Bracha notes two relevant arenas for environmental justice struggles: (1) defense of disadvantaged groups from environmental hazards, and (2) defense of such groups from privatization of the public space in the interests of those who could afford to pay for enjoying that privatized space (ibid).

A good example of the later is the struggle, which began in court and culminated successfully in the Israeli parliament (the Knesset), to ensure free-of-charge access for non-residents to the newly constructed park in the city of Raanana (Raanana residents were already enjoying free entry). It was argued that the entry fee was supposed to discourage people from neighboring places in the vicinity of Raanana, especially poor Arab cities, to enter the park during the weekends. In the court appeal, the environmental NGO Adam Teva ve’Din (Man, Nature and Law) argued that fencing the park violates the freedom of movement in the public space of those who cannot afford to pay, since the park is legally defined as open public space, and that this practice also violates the human dignity of those who cannot afford their children to enjoy the elementary services of the municipal park (p. 184-185).

Bracha argues that the role of environmental NGOs is to help disadvantaged communities to confront powerful governmental or private interests, and to make up for their lack of resources and inferior access to decision-making processes and relevant information (p. 183). That is a clear environmental distributive justice statement. Bracha, however, opens his paper by quoting a ruling of the Israeli Supreme Court, sitting as the High Court of Justice, where the supreme court president states that “A law which damages environmental quality in a way which causes damage to the minimum of human existence, violates [Israel’s] Basic Law: Human Dignity and Liberty”, thereby implying that such a law would be considered unconstitutional. A second judge strengthen this position by commenting on “the considerable public interest for a decent environment”, based on “a global interest” and on “human rights”, and concluded the plausibility that “laws will be interpreted as conforming the rights and interests regarding a decent environment”.9

Bracha believes that Israel is in the midst of an “inevitable process” of “recognizing a primary right to a decent environment”, in law or at least in ruling (though admitting that the way to recognizing such a right may still be a long one10), and focuses in his paper on examining “the intricate process of applying the value of environmental justice” (p. 180). That is, environmental justice and environmental rights appear in his analysis as almost interchangeable.

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10 In fact, the court ruling, quoted above, rejected an appeal against the prime minister of Israel, on the ground that there isn’t yet a constitutional environmental right in Israel, and that human rights to a minimum environment could not easily overcome other public policy considerations, such as “efficiency” and “time saving” in the case of changing the planning procedures with regard to national infrastructures (the cause of the appeal to the court). Therefore, the court ruled against the environmental NGO Adam Teva ve’Din [Man, Nature and Law].
By emphasizing the importance of communities and the local environmental consequences of policies and institutions, the concept of The Commons seems particularly fruitful. That is so especially with regard to the nature of public space and environmental resources, and the relation of collective "rights" to such resources. The commons became a central theme in the environmental discourse after biologist Garret Hardin published his paper "The Tragedy of the Commons" (Science, 1968). In his paper, Hardin discussed a social paradox, a kind of a "prisoner's dilemma" in the environmental sphere, according to which, when a public resource is at stake, the fact that the profit from overusing it is private, while the (externalized) costs are public, results in the destruction of the public resource. Hardin suggested the analogy of a common pasture where all are allowed to graze their cattle. Since everyone makes the same calculation, and will exploit anything that is free in order to maximize their own benefit, while the burden (destruction of the pasture) is shared by all other commoners, the pasture is doomed to overgrazing and deterioration. This phenomenon corresponds to what economists refer to as 'externalities', or the 'hitchhiker' problem with public goods. Hardin applied this logic to other environmental problems, such as overpopulation, traffic jams or available parking places in city centers. According to Hardin, "freedom in the commons brings ruin to all", and that is the deep cause of ecological crises, both in local resources as well as in the so-called 'global common' (Buck, 1998).

The commoners are portrayed by Hardin in a way similar to classical economic theory characterization of economic agents: as rational and motivated by self interest (egoism). Hardin's tragedy is thus a direct criticism on the belief in free markets, according to which the aggregate actions of individuals acting according to rational self-interest brings about, through the operation of the invisible hand, prosperity and greater social good for all. Hardin argued that it simply and clearly doesn't work that way with common resources.

To cope with this devastating logic, Hardin suggested two alternatives: firm public regulation, or privatization. Firm regulation was considered by Hardin, for the most part, as unfeasible due to, on the one hand, the weakness of international institutions, and, on the other, the under-emphasis on responsibility and overemphasis on individual rights in the democratic West. As to privatization -- the introduction of rights of private property over what was formerly a common resource -- Hardin assumed that once a resource is privatized, it becomes the owner's own self-interest to maintain its long run productive capacity. Hence, what began as a criticism of classical economic theory can now be used as an argument for the privatization of public space and resources, and ultimately to the implementation of the logic of market economy on new spheres of life, most environmental resources included.

This argument has often been used in Israel with regard to the privatized management of beaches in the Sea of Galilee (Kinneret). The background was SPNI’s campaign to reopen the Kinneret beaches to the public, and to enable pedestrian access around the lake. The campaign was launched after a severe State Comptroller report revealed that regional councils and private individuals had fenced off most of the beaches, and were preventing public access or charging admission. However, Hardin was particularly disturbed with the right to determine the size of the family, which he quotes from a UN document commenting on the 1948 Universal Declaration of Human Rights (Hardin, 1968, p. 1245). Seeing overpopulation as the most pressing and dangerous environmental problem, Hardin considered the "freedom to breed" as intolerable and unethical in the context of limited global commons of food supply, and as exemplifying the difficulties with absolute human rights.
arguments arose regarding whose responsibility are the operation costs of the public beaches, especially after claims of extensive littering by tourists in the Passover holiday (Eli Ashkenazi, 10.4.2007). Local authorities said that they "can preserve the beaches only by fencing them and charging entry fees" (Ashkenazi, 2.4.2007), i.e., by privatizing them. SPNI's response was to demand state funding of operation costs (Ashkenazi, 27.7.2007), for which the state has never responded.

Critics of Hardin pointed out that, in his narrative, the pasture is not a commons but a free-access regime, the difference being that a commons is a managed resource while a free-access isn't. Elinor Ostrom (1990) and others show that, in fact, local communities often do successfully manage their commons, and describe such regimes as "common pull resources management" (CPRM). Thus, since the tragedy is avoidable, privatizing the commons is not an imperative; commons may even be managed better than private or state-managed resources (Ostrom et al, 1999).

Others argued that while attempting to solve one tragedy Hardin creates another: the tragedy of enclosure. The concept of enclosure, which is a conceptual counterpart of the commons, illustrates powerfully the forces of social hierarchy and the results of unequal social and political power. The origin of the term comes from England's industrial-revolution era, when the parliament issued a series of "enclosure acts." These laws privatized grazing and agricultural lands formerly considered as "commons" of rural communities, thereby impoverishing the peasants and disintegrating their communities. According to George Monbiot (1994), The Ecologist (1994) and Michael Goldman (1998), economic projects in developing countries, marketed as "development", "efficiency", "modernization", or "private /international investment", frequently result, just as with 18th century England, in enclosure and the transfer of wealth from local communities to a privileged few.

Brown (2000), McSherry (2001), Boyle (2003), Bollier (2003) and Triggle (2005), show that the same logic applies to the intangible commons of knowledge, culture, science and the academy. James Boyle (2003) even claims that we live in an era of "the second enclosure movement", when powerful interests claim ownership over things that were formerly excluded from the logic of private property and the market, while decimating the notion of 'fair use' in matters of intellectual property (e.g., electronically preventing the reinstalling of properly-bought software, or portraying the sampling and remixing of music "piracy"). Vandana Shiva (1996) refers to such enclosure in the area of biology and agriculture as 'biopiracy' and as a new form of 'imperialism', which claims ownership not over territory, but over the inner reaches of genetics, products of nature and traditional culture.

Such privatization can be criticized on utilitarian grounds as well. Heller & Eisenberg (1998) argue that such appropriation is causing a third kind of tragedy: the tragedy of the anti-commons. This new tragedy demonstrates the mirror image logic of the tragedy of the commons, in which people overuse shared resources. With anti-commons, "people underuse scarce resources because too many owners can block each other"; ongoing privatization in the biomedical research, and the multiplying of intellectual property rights (patents), "may lead paradoxically to fewer useful products for improving human health" (p. 698).

To reverse the tragedy of enclosure, activists and scholars call for a democratic 'reclaiming' of the commons: to return natural, social and cultural assets from corporations and the state to their "true" owners: the public. Several books

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12 In fact, earlier enclosures already took place in Tudor era England, when arable lands were converted into pastures, usually for sheep farming by wealthy land owners.
include the motto "reclaiming the commons" in their titles, (e.g., The Ecologist, 1993; Donahue, 2001; Barnes, 2006), as well as numerous papers, call for such reclaiming. Authors calling for 'reclaiming' include the anti-globalization author Naomi Klein (2001), the activist and writer David Bollier (2002), the radical political activist Ralph Nader (2002), environmentalist Carl Pope (2002), earth-based spiritualist and eco-feminist Starhawk (2004), and many others such as Orton (2007), Schock (2007) and Moss (2009). What all of them presume is that there are commons, that some of the commons are already enclosed while others are threatened, that individuals and communities are entitled to benefit from them, and that people should stand for their rights and be educated to conserve, reclaim, and democratically participate in governing the commons.

But What Exactly are The Commons? What is it that we should Reclaim?

Hess and Ostrom (2007) broadly define the commons as “a general term that refers to a resource shared by a group of people” (p. 4). Josee Johnston (2003) analytically differentiates between two types of commons: “civil commons” and “natural commons”. Following John McMurtry (2001), Johnston defines the “civil commons” as “human agency in personal, collective or institutional form which protects and enables the access of all members of a community to basic life good”13. Unlike “natural commons, or biosphere”, civil commons “are cooperative, and distinctively human traditions designed to give access to the means of existence provided by the biosphere” (Johnston, p. 17). Thus, the civil commons are the social arrangements which provide means of subsistence, 'basic life goods', while 'natural commons' or the 'biosphere' provide these good for the working of social institutions, a distinction Johnston describes as made for “analytic purposes” though “their operations on and in the ground are inextricably intertwined” (p. 17). McMurtry (2001), considers this distinction as 'foundational', and argues that "The regulatory inhibitions protecting natural commons as sources of life goods make the natural commons a civil commons -- a distinction that has been fatefully overlooked in historical and social scientific literature".

Johnston’s (2003) emphasis is on “life goods” or “public goods” such as sewers, universal education and healthcare, or garbage collection (p. 18). However, given these examples, what is there to reclaim? Such social goods and infrastructure did not exist in ancient history. The answer is that sewers or universal healthcare were created as public goods by the state, and are now threatened with privatization of "services". Commons, thus, could be created within a short timeframe of a generation or two, and losing them may be just as destructive to social equality and welfare.

Another example given by Johnston is of community fish-habitats. These could indeed be counted as natural resources, threatened with enclosure or mismanagement, and are certainly worthy of being reclaimed. Johnston emphasizes that “the goal [of civic commons] is not to maximize money, but maximize access to life goods” (ibid). Hence, perhaps the goal is to reclaim (i.e., restore or re-invent) non-capitalist social arrangements and institutions. Given his criticism on present sustainability discourse as linguistically hijacked (p.1) by corporations and the

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proponents of market solutions to the environment, the commons serve for Johnston as an alternative to present hegemonic discourse of market productivism and industrialism or, as he terms it, a “counter-hegemonic challenge” (p. 16). David Bollier (2002) similarly refers to the commons as an “antidote” to the dominant social model of money and the market.

McMurtry and Johnston regard the natural commons as the raw material resources which the civil commons employ through non-market institutions and arrangements. PETER BARNES (2006) defines the commons in a broader way, as “a generic term, like market or the state” (p. 4-5), which “refers to all the gifts we inherit or create together.” According to Barnes, the Commons

…have two characteristics: they’re all gifts, and they’re all shared. A gift is something we receive, as opposed to something we earn. A shared gift is one we receive as members of a community, as opposed to individually. Examples of such gifts include air, water, ecosystems, languages, music, holidays, money, law, mathematics, parks, the Internet, and much more.

These diverse gifts are like a river with three tributaries: nature, community, and culture... This broad river precedes and surrounds capitalism, and adds immense value to it (and to us). Indeed, we literally can’t live without it, and we certainly can’t live well. (p. 5)

Comparing to Hess and Ostrom (2007), which neutrally speak of a 'shared resources', Barnes language of describing the commons is distinctively loaded with added meanings. It isn’t just a shared resource – it is a gift, an inheritance; it is something we have received and is ours.

Besides the first two characteristics – inherited or created gifts which are shared -- Barnes speaks of another characteristic or “quality” of assets in the commons: “a joint obligation to preserve them… because future generations will need them to live, and live well, just as we do” (ibid). According to Barnes,

This shared responsibility introduces a moral factor that doesn’t apply to other economic assets: it requires us to manage these gifts with future generations in mind. Markets don’t naturally do this. If an asset yields a competitive return to capital, markets keep it alive; otherwise, they let it die. No other factors matter. (5-6)

What Barnes adds to McMurtry and Johnston’s conception of the commons is an emphasis on a property-like characteristic of the commons: inheritance, gifts. The notion of the commons as a type of property appears already in an earlier position paper written by Barnes in collaboration with Jonathan Raw and David Bollier (2004), calling themselves “Friends of the Commons”, in which they recount the fact that the commons is an ancient type of property, secured already in the Magna Carta (1215) and earlier in ancient Roman law (p. 3). The position-paper itself is subtitled “A Report to Owners”, which recurs in a later position paper by Bollier and Raw (2006). Hence, 'reclaiming' refers to a type of property which has somehow been lost or is threatened by the forces of enclosure. The state, according to Barnes et al (2004), has the role of a trustee of the public rights in the commons. Surrendering the
commons to the forces of enclosure is deemed a violation of that role, and of the public rights.

Originally, the commons were one of the categories of property in ancient Roman law, which distinguished between the exclusive *res privatae* (e.g., private house or a bicycle), and a number of non-exclusive categories of property, among which were the state-created *res publicae* (e.g., roads, bridges), the natural *res communes* (e.g., the air, the sea and beaches), and *res universitatis* -- property belonging to a group (e.g., the property of the traditional Israeli Kibuts). It is clear that the notion of the commons, according to either Barnes or McMurtry, or other authors calling for reclaiming the commons, cut across different ancient Roman categories of non-exclusive property. Local CPRs or 'group property' of the type researched by Ostrom et al (1999), such as irrigation systems, could perhaps be best described as *res universitatis*, while sewers, education and healthcare are better understood as *res publicae*, and the so-called global commons such as the air and the oceans, conform the *res communes* category. New or intangible shared resources such as the internet, science or culture, may be interpreted as belonging to one of these categories. 14 From here on, and following Hess and Ostrom (2007), I will refer to all such types of non-exclusive property as "the commons" -- as a generic term -- unless specified otherwise.

Rose (2003) depicts such non-exclusive public property categories as a necessary condition for the flourishing of private good, even in the liberal market-oriented sense. Without public roads, no free market is possible. The *res publicae* of the road system enables the flourishing of commerce. Rose describes this characteristic of nonexclusive property as 'the comedy of the commons', while Bollier (2003), following Software developer Dan Brinklin refers to this phenomenon as 'the cornucopia of the commons', which is "the almost magical multiplication of value as the commons is used more intensively" (p. 37). According to Bollier,

...the tragedy of the commons is more likely to occur if the resource of a common is depletable, such as forests or minerals. But when the resources of a commons are not depletable and can be easily replicated and shared--as most digital information on the Internet can be--then a very different dynamic prevails. (ibid)

Bollier quotes programmer Eric Raymond who calls this phenonenon "inverse commons", in which "the grass grows taller when it's grazed on." (ibid). The basic concept, according to Bollier, is "the more the merrier" (p. 37), and he quotes Carol Rose saying "increasing participation enhances the value of the activity [or property] rather than diminishing it" (ibid). Bollier relates this phenomenon to the dynamics of a gift economy, with the examples of software codes, blood banks, scientific research or personal services, whose central trait is being in constant process of exchange and circulation (p. 38). Thus, the sharing of culture and science, for instance, like the creating and sharing of digital copies, does not diminish the resources, there is no “tragedy” of “overgrazing” the public domain, only the creation of cornucopia based on gift economy.

14 For a comprehensive and insightful discussion on categories of non-exclusive property in Roman law, and their application to intellectual property and the modern public domain, see Rose (2003).
The ancient Romans also acknowledged another category of property: *res nullius*, the “empty” things, “that consists of things that are not by their nature nonexclusive; they have simply not yet been appropriated by anyone” (Rose, 2003: 92). They do not *yet* belong to anybody. The key question is whether environmental or any other public resources, including culture and science, are *commons*\(^\text{15}\) that belong to all or to a group non-exclusively, or *res nullius*, un-owned resources waiting to be grabbed and introduced into the market regime of private property. That is a *normative* issue, irrespective of the question whether a given resource is or isn't managed as an 'open access' in the sense of Ostrom et al (1999): "absence of enforced property rights".

**Discussion**

In a special issue of *Human Rights Dialogue*, dedicated to environmental rights, Blake Ratner (2004) describes the case of fishing communities in Cambodia, where "The vast majority also rely on the common-pool resources of fisheries and forests. The most vulnerable depend on them exclusively" (p. 6).

Ratner describes his case in terms of environmental rights. He claims that for Cambodia’s fishing communities, “whose livelihoods depend on access to fishing grounds, human rights and the environment are ‘related in every way’” (ibid). The reason thereof is that traditional communities regard their common-pool resources as an integrative part of their economic subsistence, i.e., they are essential to their human rights to life and health: "it goes without saying that the rights to access, use, and manage natural resources are inextricably linked to the rights of health and economic welfare" (ibid).

Ratner focuses on access rights to resources as means of livelihood. Environmental rights are human rights because they're a precondition to subsistence. That view is consistent with both the DRAFT (1994) assertion of the rights of indigenous people to control their “means of subsistence” (#14), as well as with Hess and Ostrom's (2007) definition of the commons as a shared resource.

The context of the paper was that community access rights to these fisheries were not clearly specified, and a state reform “has effectively opened access to all” (ibid). Ratner sees the discourse of environmental human rights adequate to the issue of environmental resources, for its own sake, and because of its relation to the state of human rights in Cambodia in general. According to Ratner (2004), “the assertion of collective environmental rights is most difficult, and most risky, in a country where other elements of the human rights agenda are not firmly established” (7).

Ratner’s description provides two alternative notions (though not conflicting and often complementary) of environmental rights over the commons: human rights to livelihood and health, and the community’s collective (nonexclusive) entitlement to shared environmental resources.

These are two very different, though often complementary, theoretical foundations to *rights*: commoners' property rights over their shared resources, or human right to livelihood. The commons’ alternative, as depicted by Barnes or

\(^{15}\) Regardless of the exact subcategory of nonexclusive property, such as *res communes*, *res-publicae* or *res universitatis*. 

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Bollier, emphasizes collective ownership rights over such resources, communitarian sentiments, and an alternative to the hegemony of the market.

Ownership sentiments were clearly visible in the rhetoric of Israeli locals in Palmahim beach or Hayarkon Park. In Ratner’s narrative of the Cambodian fishing communities, such descriptions are missing. Do the locals feel they own these fishing resources? Do they believe that the state, effectively opening access to all, had infringed on their collective property rights? If they felt this way, then their sentiments would have conformed to the characterization of the commons as owned by the community, and not merely as human rights to food or health.

The same argument can be raised against conceptualizing such dilemmas in terms of environmental distributive justice, that is as the right to enjoy a proper share of the benefits of environmental resources. The concept of distributive justice may be very effective in contesting over such resources, just as human rights claims are. The commons may even be presented as an explication of environmental justice claims, or of various aspects of environmental human rights claims (e.g., means of subsistence).

But the question remains: could the rhetoric of public ownership be reduced to environmental justice or human rights discourses? In my opinion, the answer is negative. The commons discourse fosters and expresses notions and sentiments which are irreducible to other environmental discourses, and could profoundly enrich and strengthen the social discourse over the public goods and resources, collective rights and the notion of community. The most irreducible concept is that of enclosure, or privatization. In order to privatize or enclose something, it has to be regarded as a (nonexclusive) commodity or property belonging to the public. Once privatized, or threatened with enclosure, it justifies the language of reclaiming, as quoted above in the rhetoric over Palmahim beach.

The concept of the commons enable the environmental discourse to speak of rights which are not liberal in the narrow sense. They are collective rights, even communitarian. The concept of the commons as non-exclusive collective property rights challenges a liberal-Lockean notion of private property as carved by human labor of the commons. Commons’ advocates would claim that some commons need not succumb to this type of appropriation or enclosure. Some things need not be privatized at all. In this sense, liberal market liberties conflict with commoners rights and commoners liberties, such as Laurence Lessig’s (2004) arguments concerning the enclosure of culture and creativity by modern intellectual property rights, or the argument over the enclosure of the academy and the scientific commons by corporate interests or the replacement of the old gift economy of the academy with logic of the market (Brown, 2000; McSherry, 2001; Triggle, 2005).

16 For example, Mishori et al (2005) presented the commons in the context of environmental justice, in the first environmental (in) justice report in Israel.
Epilogue: Cultivating a “Commons Sense”

Beyond his game-theory discourse, Hardin's discussion brings to light a category of property whose logic is crucial for understanding not only the ecological crisis, but numerous other social dilemmas relating to public space, public good or collective action. An intriguing example of such dilemmas is the controversy set off in Israel over advertising billboards alongside the Ayalon Highways in the metropolitan Tel Aviv. *Green Action*, a radical grassroots association, appealed to the court for a ruling that will remove these billboards, as part of their struggle for unpolluted mental environment. Articulated in the writings of Kalle Lasn and the Adbusters Magazine, the concept of mental environmentalism evolved in the past decade, and is concerned with the quality of life 'polluted' by advertising, mass media and the info-industry. The environmental nomenclature is transcribed into the mental arena, including an argument regarding “the tragedy of the mental commons” (Arnold, 2004), in which the depleted resource is one’s attention and peace of mind.

Since mental environmentalism is not yet a strong argument in court, the appeal was based on a legal argument according to which the law prohibits advertisements along inter-city roads, including roads which passes through urban areas. Green Action, represented by the legal clinic at the Tel Aviv University Faculty of Law, claimed that the municipalities which permitted these billboards and collected fees from the advertising companies were violating their duties as trustees of public space.

Besides these legal arguments, the appeal attempted to shape a legal definition of public space in order to provide guidelines and constraints which would protect the rights of the public. The appeal found the concept of the commons particularly suitable for such a definition, and regarded this concept as its theoretical and moral framework. Eventually, the court ordered the removal of the billboards by the end of 2007, but the Knesset (the Israeli parliament) changed the law and 18 months later the billboards were reinstalled.

For almost three years, during the appeal and prior to the return of the billboards, a heated controversy ensued regarding advertisement in the public space. Although road safety issues were predominant (the question whether drivers’ attention would be distracted), the supporters of the Green Action case increasingly used arguments concerning mental environmentalism and the public rights over public space.

In the meantime, a group titled "Artists Forum for Environment and Sustainability" -- comprised of artists, television, theater and media figures (celebrities) interested in creating environmental activism and sympathizing with the Green Action appeal – joined the high profile Ayalon controversy. Some of them were interviewed for an internet site dedicated to the removal of advertisement from public space. Their words strongly express mental environmentalism and the public ownership of public space:

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17 See McKibben, Bill (2001); Bollier, David (2004); Lasn Kalle & White Micha (2010).
18 For a comprehensive analysis of the Green Action appeal, see Mishori (2008). The author also wrote an expert opinion on the commons and public space in late 2006, which was later quoted in the appeal.
19 The internet page, no-adds.org.il is no longer valid. It was last accessed on June 2008. The Artists' activism group was supported by The Heschel Center for Environmental Thinking and
When my ultra-orthodox religious sister is going for a drive with her seven children, and she doesn't want to expose them to images of [half] naked girls in the Ayalon [highway], or of Dudi Belzer [a male model] in his underwear, it is her right because, just like me or you, she is the owner of this space. It is a public space, and we are the public. (Riki Blich, actress)

This struggle draws the lines between what is public and belongs to everyone, and what people can make a profit of. Just imagine that within five years every tree is a potential advertising billboard, and every mountain a location for advertising billboards. We are trying to prevent that, and we are trying to draw the line clearly, now. [We say] no to highway advertising billboards, no to blocking the landscape in favor of some female model's smile, and no to the blocking of nature in favor of something fake and artificial that's trying to sell you something. Don't grant the advertisers free access to your retina all of the time. Retain something from nature that's pristine, that's empty and that is the property of no one. Don't let them become richer on the expense of your space; the public space that belongs to all of us. Lets keep the inter-city highways clear for the sake of the landscape and for nature. (Leon Rosenberg, actor)

These quotes capture a unique synthesis of mental environmentalism and rhetoric of the commons. “She is the owner of this space”, says Riki Blich; “This struggle draws the lines between what is public and belongs to everyone, and what people can make a profit of”; "the public space that belongs to all of us", confirms Leon Rosenberg. Both argue against two types of violations: the threat to the quality of our (mental) environment, and the enclosure of public space by the powerful forces of advertising and consumerism. This second cause, the defense of public space, conforms to what David Bollier (2002) regards as the "rediscovery" of the commons or the cultivation of a "commons sense". This cultivation involves a distinction between the commons, the state, and the forces of enclosure (which may be the market or state agencies), as well as a positive reappraisal of the commons as involving precious community qualities that are irreducible to market relations.

This paper examined the rhetoric accompanying environmental struggles in Israel. This rhetoric does not exhaust commons' language. The subject of controversy in these cases was who own these resources. The answer "we", in the collective plural, validates these resources status as commons, at least in the eyes of the speakers. Other areas of public resources could have generated a much richer language of the commons. For example, file sharing users on the internet or free software developers may speak of sharing, cooperation and mutual assistance.

John McMurtry (2001) argued that "Scientific and everyday language have long lacked generic concepts to identify the market's underlying systems of natural and social reproduction". McMurtry identified these underlying systems -- the "unseen base" or "life-ground" of social and economic life -- with the commons, natural and social. The consequence of our inability to speak about the commons caused, according to McMurtry, that "expropriation and destruction of these ecological and civil infrastructures" had "evaded" our understanding. The rhetoric of
the Israelis "commoners" quoted above indicates that a language of the commons is beginning to evolve, with the implication that expropriation or destruction of certain commons no longer completely evades the understanding. The question whether this language was wholly native, emerging from local sentiments, or acquired, after infiltrated by means of media or the environmental discourse, in beside the point. Once such language is acquired, it enables citizens to become "commoners", to comprehend or to reinterpret dilemmas in terms or commons, enclosure or reclaiming. Multiple questions immediately arise, regarding localization, who owns or controls the commons, group identity, communities in conflict, or the exclusion of "others". These issues already require politicized discourse which is the best antidote against the depoliticized language of economy and the market.\footnote{I would like to thank Gad Mishori, Ruthrina Daniels and Somying Saithanu, for their support and comments on drafts of this paper.} \footnote{This paper has been researched with the support of the Law and Environment Program of the Tel Aviv University Faculty of Law.}

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**International charters and declarations**

*The Universal Declaration of Human Rights, 1948*


*Rio Declaration on Environment and Development (1992)*


Chapter 9

Child Labor in Navotas, Philippines:
Social Construction of Reality

Ma. Catalina M. Tolentino, M.A.¹

Abstract: This paper is a study on child workers focusing at the situation in Navotas Fishport. This paper dwells on the children’s world of work, their interactions in their workplace, grounded on the theory the Social Construction of Reality. Through life story interviews, the study explores how the child workers define and understand their work. The Philippine Labor Code contains provisions about age limitations, consent and guidance of parents, regulations set by the Department of Labor and Employment (DOLE) and the obligations of employers. There are adequate national policies to protect child workers. There are government and non-government agencies which are creating programs to eliminate child labor and to provide livelihood to parents. In Navotas, it can be surmised that violations on the provisions of the Philippine Labor Code are committed. There are children hurt in accidents; they are unhealthy and work in semi-hazardous environments. Children have the consent of the parents to work and have given up their studies, even their dreams for better lives. Employers scrimp in giving compensation and benefits. So far, no employer has been apprehended for violations. This validates an earlier observation about the weakness in law enforcement by concerned government agencies. To these families, allowing their children to work is a survival mechanism. The irony is the children are the ones physically punished and put to jail for illegitimate work. This illustrates how vulnerable child workers are and how complex the problem is.

Introduction

“The child is the father of the man,” said William Worsdworth. But what if the child is immersed in conditions of early labor and harsh environment? What kind of a man will he be when he grows up? Millions of Filipino children work at an early stage, ironically to support their families. This is an unacceptable situation. Government and non-government agencies are exerting efforts to eliminate child labor. Are the policies and programs effective?

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This paper is a study on child workers at the Navotas Fishport. This paper would like to find out if their working conditions comply with the Philippine Labor Code which contain provisions about age limitations, consent and guidance of parents, regulations set by the Department of Labor and Employment and the obligations of employers.

Furthermore, this paper dwells on the children’s world of work, their interactions in their workplace, grounded on the theory the Social Construction of Reality which explains that knowledge is a social product. Individuals belonging to a social group interact, hence communication, words and meanings arise. This is how their reality is created. How people understand objects and how they behave towards them depends in large measure on the social reality in force. Social reality consists of the environment and the context in which interactions take place (Littlejohn: 1996; Harvey, MacDonald and Hill:2000).

Through life story interviews, the study explores how the child workers define and understand their work.

Background on the Child Labor Phenomenon: Philippine Situation

Del Rosario and Bonga made a comprehensive review of studies and policy papers on this phenomenon. In their book, child labor is defined as the participation of children below 15 years of age in a wide variety of work situations on a more or less sustained basis, to earn a living for themselves or for others, whether paid or unpaid, according to the Institute of Labor Studies (ILS) (in Del Rosario and Bonga: 2000). It is an economic activity that is disadvantageous to the welfare of the child (Orense: 1992 in Del Rosario and Bonga: 2000). Child labor excludes tasks for one’s own household or family and mendicancy but it includes work in family enterprises and debt payment.

Other studies contest this definition because of disparity in considering the age of a child. The UNICEF and the Philippine Labor Code defined children as less than 18 years old while in the Child and Youth Welfare Code, the terms child, minor and youth are synonymous and refer to all persons below 21 years.

In view of this variation in age categorization, we can state that child workers are young members dependent on the older members of the family or a kin group, according to DOLE-ILS. These young members however are forced to earn a living to augment family incomes.

Poverty is the most common factor that drives children to work, cited by many social researchers. Ballescas (in Del Rosario and Bonga: 2000, pp 40-41) elaborated her view by relating this phenomenon to the “global network of capitalism created modes of production in the low-income countries that inevitably created inequality and poverty,
not only among the populace of one society but among all countries of the world. In the process of capitalist accumulation, countries of the world were stratified in terms of how they could best contribute to the expansion of the global capitalist centers.” Low income countries like the Philippines were assigned the role of resource producer. Thus, we see the proliferation of cheap docile labor, including child work, to save on labor cost. This practice allows capitalists to generate much surplus.

How extensive is child labor in the Philippines? Can we actually count the number of these workers?

Figures and sources about the number of child workers vary. Based on news reports citing the DOLE, there were 2.4 million child workers in 2001. In 1995, the NSO reported there were 3,669,903 working children aged 5 to 17 years old involved in farming, fishing, wholesale/retail trade, non-food manufacturing industries and services. In 1990, the UNICEF declared there were 3,700,000 children in the labor force engaged in agriculture and industrial services.

Is child labor on the decline? This is hard to answer categorically because of the different sources and parameters in defining child labor. But definitely, child work is still extensive. Due to the wide extent of child labor in many areas in the Philippines, researches on this subject were done per community: in cities, or municipalities such as Metro Manila, Angono, Taytay, Batangas, Cebu, Baguio, La Trinidad, and Navotas and several others.

Child Labor in Navotas

Navotas, a recently proclaimed city, is one of the areas where many working children are found. According to the primer “Fishing for Hope: Child Labor at the Navotas Fishport Complex” (citing government statistics), Navotas is one of the most densely populated cities in the country with an annual population growth rate of 3.82 percent. The land area is 10.77 square km. but only 58 percent of the land area is habitable. The year 2000 projected population was at 276,258 people or 59,947 households. Informal settlers constitute 88,403 individuals or 32 percent of the total population (http://pfda.da.gov.ph/navotas.html).

Navotas is said to have the biggest fish market in Southeast Asia. But despite this major economic activity, Navotas remains a depressed area with a high unemployment rate. The July 1999 unemployment figure for 15 years old and above stood as 52.25 percent with a further 7 percent underemployed. Among the employed, around 70 percent derive their livelihood from fishing and related industries. Fishes are caught locally, imported or raised in fishponds. Some 42 percent of the total land area is covered with fishponds. There are 36 entrepreneurial organizations related to fishing. In addition, there are 13 establishments manufacturing fish sauce and 42 brokers-dealers and retailers (http://pfda.da.gov.ph/navotas.html)
The Navotas Fish Port Complex (NFPC) is the landing place of commercial fishing boats operating in various fishing grounds in the Philippines. It is a major source of income for the local government and a source of employment for the populace. The port is centrally located within the cities of Manila, Quezon and Caloocan and the towns of Navotas and Malabon. The port is situated on a 47.5 hectares reclaimed land at the northeastern part of Manila Bay. There are around 20 commercial vessels unloading a volume of about 800 tons of fishes daily. Land vehicles from other provinces bring in an additional volume of 50 tons.

The fishes are sold by “banyera” (a huge pail with a maximum capacity of 50 kilos) to local fish canning factories and wet market retailers. The retailers supply restaurants, hotels and supermarkets. The fishes come from the southern part of the Philippines: Zamboanga and General Santos City. Much of the volume of fishes being traded are marketed locally and a small volume is exported to countries like South Korea in frozen containers. Chinese-looking traders act as middlemen in the export-import business.

The fishport teems with child workers. According to the primer, there is an estimated 250,000 children at Navotas. From this child population, there are more than 400 between the ages 5 and 17 who work at the fishport complex.

The work of children vary:

- cardboard collectors – children who collect discarded cardboard boxes where frozen fishes are packed
- fraction – children who separate good fish from those that have been rejected
- kargador – those hired to carry heavy loads from one place to another
- durog boy – those who collect refused or rotten fishes and sell them to make fish sauce or fish meal

A study was done by the Community Organization of the Philippine Enterprises (COPE) supported by the ILO-International Programme for the Elimination of Child Labor (ILO-IPEC) and published in 2000. COPE interviewed 63 boys and 24 girls working at the fishport. The ages of child workers ranged from 5 to 17.

Range of income was PhP20 to PhP200 daily. Asked what were the reasons for working, the answers were “helping parents”, “no food” and “poverty”. Almost half of the interviewees said they were forced to work at the fishport due to the abovementioned reasons. A few said their parents were unemployed or were employed as tricycle drivers, fishermen and porters. Some girls disclosed that they were victims of prostitution while boys suffered beatings from rude adults. Many of those interviewed said they had been hurt while working: some in accidents on slippery floor, others were hit by metal tubs.
filled with fishes, while one was hit in a vehicular accident. The children also reported to have been afflicted with ailments such as fever, headaches, diarrhea and colds. COPE noted the lack of safety measures for child workers and the lack of equipment in the city government hospital to deal with such cases.

In another study done by Tolentino (2006) which provides further description of the work conditions of Navotas children, it was found out that during vacation season, the children worked seven days a week. On school seasons, they worked only on Saturdays. Many previously went to school but eventually stopped. Some children start as early as 8:00 in the morning because the fishes are being unloaded from the vessels at around 5:00 in the morning. At 7:00 a.m., the fishes are at the trading stations. This is when the help of the batilyo are needed. Daily activities at the fishport end at 3:00 p.m.

These conditions point to informality of their work: irregularity of income, seasonality of work, pay falling below minimum wage rate, lack of social protection and unsafe work environment

**Life stories of two child workers:**

**Their world of work and concepts**

Interviews with child workers at the fishport were conducted by this author on March 2008 with the assistance of the staff of the Concerned Christians for Social Transformation (CCST). There are two types of child workers, based on legitimacy:

- **Batilyo** – these are the bigger children, all boys, working as kargador or fraction. They are considered legitimate child workers at the fishport.

- **Bakaw** – freely roaming children collecting fallen fishes from the banyera. They held aluminum sticks and pails where they gathered the fishes and sold them to food stalls nearby or brought them home for family meals. These are the smaller children, many of them girls, aged 9 to 11. These are considered illegitimate child workers and are apprehended by the police or security guards (especially the boys) when caught.

I looked for the batilyo children aged 17 years old and below, based on the definition of child worker as stated in the Philippine Labor Code Article 139. I chose the batilyo because they are considered legitimate workers at the market. At the start, the children were reluctant to be interviewed because they were preoccupied with their tasks. We told them we would give some money. That was when they agreed to sit down with us.
The subjects: Hajji and Jing

Hajji is a 16-year old boy born in Navotas. After 5th grade, he stopped schooling. His mother works as a laundrywoman while his father is serving a sentence at the Navotas City Jail for stabbing somebody. There are 9 children in the family. Hajji is the 6th child.

Hajji stands about 5’2 and weighs about 110 lbs. His eyes were droopy and the cheeks with pimple marks were a bit hollow, his thick lower lip protrudes. Despite a trendy look (the left part of his hair was dyed yellow and on the left ear is a pearl earring) he had a serious look -- he did not smile throughout the interview. Noticeable is the blue rosary he wore around his neck, given by a nun who bought fishes from them.

He wore a green shirt with blue piping and ankle-length faded denims. Plastic slippers were a bit worn-out.

He has been working as a batilyo for two years. His task is to sort the fish and put them in assigned containers. His father is a former batilyo for five years. The father urged him to work, “Pinasok ako ng trabaho ng tatay ko bago nakulong…gayahin ko siya maging batilyo para pag lumaki ako, kahit papano, may trabaho.” (My father put me in this kind of job before he was put to jail…I should do the job he used to do.) Hajji has another brother who is also a batilyo.

Jing is a 12-year old boy who also stopped schooling after finishing only 1st grade. He was born and raised in Samar until the family migrated to Navotas a few years ago. There are five children in the family, Jing is the youngest. His father works as a porter at the fishport. The mother stays at home doing the cooking, laundry.

Jing weighs about 60 lbs. and stands about 4’9. He has a tiny mole below his right eye. He often looked at me in perplexity as I was talking to him, seen from his wrinkled forehead. As a 12-year old, he wears a smooth brown complexion but has bony body frame. Jing wore light blue shirt with loose gray shorts that looked oversized and blue slippers. His color combination seems to reflect how he feels about his situation.

He is new in the job, he has been working as a batilyo for about one week only. His job is carrying pails of fishes or pails of water fetched from the faucet or from the sea. His bamboo pambuhat (a stick used to carry pails) is slung over his left shoulder. He held on to it like a precious piece of wood throughout the interview.

Batilyo is a terminology that originated at the Navotas fishport. Elderly people of Navotas understand it to mean as a short for binatilyo (young man).

The two boys described their amo (employer) as good-natured. Hajji, who has a male amo elaborated, “nagbibigay ng bangus, limang piraso. Pag pasko nagbibigay ng regalo – damit, nagpapasalamat”. (He gives me fishes, 5 pieces. During Christmas, he
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Jing has a female employer but does not know her name. She does not give him fishes but the boy still regard her as “Mabait...Magbubuhat ako sa kanya habang buhay.” (Good natured... I will work for her all my life.) He feels he will like her for as long as “Sana hindi masungit. Yung iba gusto mabilis kumilos.” (I hope she does not maltreat me.)

They consider the pay as: “Ayos lang, sapat na”; “Kahit magkano bigay nila. Yon lang.” (Pay is alright, whatever amount is given.) Hajji receives pay ranging from PhP100 to PhP300 per day. Jing, who gives all his earnings to his mother, is given a pay that varies from PhP2 to PhP70.

When asked if they want to remain in the job: Hajji answered “Opo gusto kong manatili sa trabaho, pag palipat-lipat, walang makuhang magandang trabaho” (I want to stay in the job. If I keep on changing jobs, I will not find a good one.) Jing prefers to have a better life, even dreams of owning a computer, but he has no hope that life will change, “Kaso wala talaga eh.” (There’s nothing to hope for.) His mother after all is pleased with his work. What kind of job would he like when he grows up? Jing said: “Kargador lang. Dito rin Market 3.” (A porter here at Market 3.)

Generations of Batilyo

From the interviews with the child workers, we can see clues about the routine interactions of child workers, some patterns of perceptions and behaviors. The batilyo seem to be getting younger, as in the case of Jing who is only 12 years old.

Batilyo is a kind of work that has been passed on from generations to the next. The terminology has a neutral connotation and was coined by the community when the fishport was established. The term bakaw is more relatively recent and has a negative connotation, a concept that was outrightly borne out of dire need and despair. Bakaw boys are dealt with sternly and put to jail while the bakaw girls are more tolerated, which explains why their kind are increasing in number.

Fathers pass on the job of being batilyo out of extreme need while the sons obey. Mothers give their consent and even pleased with what the sons do, especially when they give their earnings. Neither of the boys said the mother dissuades them.

There are two types of employers, based on the interviews. The pragmatic amo of Hajji who gives a right amount of pay and a few benefits. The other is the exploitative amo who gives a small amount because the 12-year old boy does not complain no matter how small the pay is, or even if the boy feels hungry while doing the tasks. The amo who simply treats the boy as helper with no concern about his future, no offer of snacks, no encouragement to study. Hence, the child is so used to a hungry stomach. What is more important is the earning for the day that he can give to his parents.
Despair is what drives parents to urge their children to work. The parents are hopeless, incapable to find decent work, better paying jobs. The mother is physically weak because she does the cooking, laundry, carry baby in her womb, nurse babies, submit to the husband’s sexual urges, etc. The father is working as a porter earning measly, irregular income. Another father is in jail for committing a crime. Parents have become mentally weak, emotionally weak because of lack of inspiration, lack of nutrition.

The saving grace of parents is having taught children not to steal fishes like the *bakaw* do. It is a value in the family. Religiosity translated into the habit of praying, going to church at least occasionally is another value I presume was also taught by parents. Prayer is what gives them strength to go on each day as in the prayer “Give us this day our daily bread, forgive us our sins and lead us not into temptation…” Being family-oriented: loving their parents, their siblings is another value. Keeping friendships with their peers is also important to the child workers.

The parents’ role of earning for the family have been passed on to the children. *Batilyo* work to give financial assistance to their families. The children do not even regret that they have to give up their schooling and their time for play.

Hajji expressed attachment to the place as his birthplace, saying “*dito na ako pinanganak.*” (I was born here) The noise, the stench, the filth have become part of his everyday existence.

**Their Socially Constructed Life**

The socially constructed reality about their work originated from their families, clearly illustrated in Hajji’s case who learned what being *batilyo* means because his father is former child worker. His mother reinforces the concept because she allows her two sons to work. The community formed the word *bakaw*. Even if Hajji and Jing do not work as *bakaw*, they understand the term. Their parents discouraged them from doing the jobs as *bakaw* and explain that it is a troublesome way to make a living.

The employer, no matter how exploitative is regarded as an important person in their world of work because he or she is their source of earnings, their source of daily bread. Even if there is an *amo* who gives a small amount of benefits or none at all, he or she is still regarded positively.

The feeling of contentment or resignation to their fate is also commonly held. The children see one another at the marketplace seven days a week, at least five hours per day. Child workers talk with one another about their work, their hardships and have developed a common feeling about their lives. They manage to help one another while working. They only desire for basic needs.
Both children speak softly, have droopy sad eyes due to lack of sleep, lack of nutrition, lack of illumination in their houses. Even their clothes have something in common -- shirts with round neck, shorts, slippers, sandals.

The parents’ positive contribution in raising their children are: teaching about love for family, depending on God for strength, teaching children not to steal, to be polite to elders. This is typical of Filipinos because families are the sources of core values according to Medina (2001) and Perez (1995) and supposedly the providers of education. Sadly the parents do not talk about continuing their studies and finding better jobs. That is why the children do not have ideas at all about a good future. Even if free elementary and high school education is provided by the State, the family simply cannot allot money for extra expenses like paper, notebooks and pencils.

The *batilyo* are a community with common views about their world of work and their bleak future. They have been transformed into miserable parent-children earning for their families.

**Child Labor and the Responsibility of the State**

What is the role of the State in this phenomenon? What can agencies of the government do to address this problem? Based on the Philippine Labor Code (Azucena: 2007), the provisions do not categorically prohibit child work but rather regulates it. There are certain conditions where children below 15 years are allowed to work. Some of the provisions in the Code are:

- **Children below 15 years** may not be employed except when he or she works directly under the sole supervision of parents and the employment does not in any way interfere with schooling of the child

- **Children between 15-18** may be employed but the number of hours and other conditions must be regulated by the DOLE

- **Children below 18** may not be employed under hazardous conditions which refer to conditions where children are exposed to radiation, noxious chemicals, fire or engaged in deep sea diving, handling of explosive tools, and the like.

People employing child workers also have legal obligations:

- **Employer shall ensure the protection, health and safety of the child**

- **Employer shall ensure fair remuneration and program for human resource development**

Clearly, the State has set up a legal framework to regulate and protect child workers. Are these laws being enforced? The ILS in Del Rosario and Bonga (2000)
Chapter 9, Ma. Catalina M. Tolentino, M.A.

pointed to the lack of adequate personnel of line departments monitoring activities involving children. In the DOLE, inspection is reported to be done by only 260 inspectors spread across 14 regions in the country. This manpower complement is simply inadequate to proactively monitor and scrutinize all work environments and labor practices. What is being done by DOLE is to respond to whatever complaint is filed.

What about the programs aimed at upgrading the conditions of child workers? How effective are these?

Since the 1980s, there had been efforts by the DOLE, in partnership with institutions such as the Department of Social Welfare and Development, University of the Philippines (UP), UNICEF, ILO to address this problem. There are also NGOs involved in the reduction of very young workers (i.e. 14 years old and below) and provision of assistance to child workers and their families. One is the Kamalayan Development Center which monitors child workers in factories and helps enforce laws concerning labor standards. Another was the Project Joel initiated by the International Confederation of Free Trade Unions, which attempted to involve trade unions in the reduction of child workers, the monitoring of companies involved in hiring children and the launching of international sanctions against them.

The need to continue education of children was addressed by projects such as the Street Schools for Street Children and the Working Youth Center. Skills training and livelihood opportunities for parents were the goals of the project called Alternative Employment and Livelihood.

In Navotas, an organization called Samahan ng mga Magulang ng Batang Manggagawa sa Navotas (SAMABA) was tapped by the Regional Tripartite Wages and Productivity Board in the National Capital Regional to train parents of child workers on projects such production of boneless milkfish and other informal type of work. Those caught engaging in illegitimate activities as in the case of the bakaw had been put to jail on grounds of petty thefts.

An assessment of the various intervention programs was made by Del Rosario and Bonga to analyze their effectiveness. According to them, many of the projects were in the nature of dole-out, lacked sustainability and community organizing functions. Moreover, some programs need the coordination of several agencies that should work closely together. In the case of the program Breaking Ground for Community Action on Child Labor, for example, once the UP involvement came to an end, community organizing that should involve parents and other members of the locality, could not slide into DOLE function.

Overall, the following were recommended by the ILS:

- State policies must be instituted to raise subsidies for public education to be able to enforce compulsory basic education. The ill-effects of child employment should be impressed upon all who enter the educational system.
• Community-based action programs must be developed and supported. Local government officials, community stakeholders and other locally-based support groups should work hand in hand.

• The National Economic Development Authority should include the goal of child labor reduction or abolition in its long-term plan for economic and social development (in Del Rosario and Bonga: 2000, p. 208).

Summary and Conclusion

There are adequate national policies to protect child workers. There are government and non-government agencies which are creating programs to eliminate child labor and to provide livelihood to parents.

In Navotas, it can be surmised that violations on the provisions of the Philippine Labor Code are committed. There are children hurt in accidents; they are unhealthy and work in semi-hazardous environments. Children have the consent of the parents to work and have given up their studies, even their dreams for better lives. Employers scrimp in giving compensation and benefits. So far, no employer has been apprehended for violations. This validates an earlier observation about the weakness in law enforcement by concerned government agencies.

What about the parents, should they be apprehended for allowing their children to work under hazardous conditions? To these families, allowing their children to work is a means to meet daily needs. The irony is the children are the ones physically punished and put to jail for illegitimate work. This illustrates how vulnerable child workers are.

The child workers have become a community with common views about their work and their bleak future. They have been transformed into miserable parent-children earning for their families.

How can child labor be substantially reduced? Can it be eliminated? As the ILS put it:

“Child labor is not an employment problem alone.” It is a complex scenario. This once more stresses the need for a tight inter-agency coordination in eliminating child labor.

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Key Informants


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