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Effect of Gasohol Production on the Sugarcane Industry in Thailand

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Abstract: The purpose of this research is to investigate the effect of gasohol production on sugarcane planting in Thailand. Pure ethanol of 99.5 percent concentration is used to replace MTBE (Methyl Tertiary Butyl Ether), which is normally used to increase octane number of gasoline, to blend with gasoline at the rate of 10 percent to produce Octane 95 gasohol. There are several types of raw materials used in ethanol production such as sugarcane, molasses, cassava, sweet potato, rice, corn, wheat, sweet sorghum, etc. The popular raw materials used in ethanol production in Thailand are molasses and cassava. Molasses are a by-product of sugar production process. They are the sugarcane residues that can no longer be extracted for more sugar. In many countries including Thailand, molasses are used as raw material to produce ethanol (1 ton of molasses can produce 260 liters of ethanol) used in gasohol production. In this research, the researcher found that the problem of excess supply and low price of sugarcane can be solved if gasohol E20 or higher was used to replace the Octane 91 gasoline and Octane 95 gasoline.

Keywords: Gasohol, Gasoline, Alcohol, Ethanol, Sugarcane

1. Introduction

Gasohol is a synthetic fuel which made up of the 10 percent or more of alcohol mixed with gasoline. The oil crisis of the 1970’s led to an intensified search for alternative
sources of energy, including biomass energy in the form of alcohol fuels (B. Johnston 1991). Ethanol and methanol are the main alcohol fuels.

Ethanol is the most commercially important alcohol. It is also called ethyl alcohol, and its chemical formula is \( \text{C}_2\text{H}_5\text{OH} \) (The Encyclopedia 1980). It is present in all alcoholic beverages and is used as an industrial solvent as well as a source material for many other organic substances. Most industrial ethanol is denatured that is substances are added to it that render it unfit for drinking and these substances cannot be readily removed. Denatured alcohol is not subject to taxation and sells for less than 15% of the price of beverage alcohol. Undenatured ethanol is used in beverages, flavorings, pharmaceuticals, and medical products. In some countries where the cost of petroleum is very high, ethanol is added to motor gasoline as an extender. Pure ethanol is a clear, colorless liquid with a characteristic odor. It boils at 78.4 °C (173 °F) and freezes at -114.5 °C (-174 °F) (The Encyclopedia 1980). Its specific gravity is 0.789 (The Encyclopedia 1980). It is infinitely soluble in water, ether, and acetone. Ethanol was formerly made by fermenting blackstrap molasses, grain, or grain products, and then distilling the resulting products. Most industrial ethanol is processed from ethylene, a petroleum by-product.

Ethanol can be made by fermenting almost any starchy material. Grains such as corn and sorghum are good sources, but sugarcane, potatoes, Jerusalem artichokes, and other farm plants and waters are also suitable. Methanol or methyl alcohol is made from coal, methane, wood, or any material containing cellulose. The manufacture of sugar from sugarcane is usually done in two series of operations (McGraw-Hill Encyclopedia of Science & Technology 1987). First, raw sugar of about 98% purity (McGraw-Hill Encyclopedia of Science & Technology 1987) is produced at a location adjacent to the cane fields. The raw sugar is then shipped to refineries, where a purity that is close to 100% (McGraw-Hill Encyclopedia of Science & Technology 1987) is achieved. At the mill the cane stalks are crushed and macerated between heavy grooved iron rollers while being sprayed counter currently with water to dilute the residual juice. The expressed juice contains 95% or more of the
sucrese present. The cane juice is treated with lime to bring its pH to about 8.2 (McGraw-Hill Encyclopedia of Science & Technology 1987). The juice is then heated to facilitate the precipitation of impurities, which are removed by continuous filtration. The purified juice is concentrated by multiple stage vacuum evaporation and, when sufficiently concentrated, is boiled to grain or seeded with sucrose crystals in a single-stage vacuum pan. Usually three successive crops of crystals are grown, cooled, and centrifuged. The final mother liquor, which is resistant to further crystallization, is called blackstrap molasses. It is used principally as a feed for cattle. Relatively small amounts are still fermented to produce industrial alcohol and rum.

As a component of gasohol, ethanol can be viewed not only as an extender of crude oil but also as a means of increasing the octane levels of unleaded fuels. Octane numbers measure the antiknock compounds in gasoline. These compounds are added to prevent or lessen detonation in spark ignition engines. The higher the octane numbers the better the quality of the gasoline. Some countries such as the United States, Brazil, Mexico, Australia and Thailand have gasohol programs under way and others are expected to follow. However, some problems remain. Questions of cost, the environmental effects of distilling alcohol on a vast scale, and of a proper regard for grain as Thailand’s economic agricultural produce, will all need careful consideration.

2. Policy on alternative energy by ethanol using

Ministry of Energy had determined the energy strategies for a country competitiveness, which had been approved by the cabinet on 2 September 2003 (Department of Foreign Trade 2007, Department of Mineral Fuels 2007, Department of Agriculture 2007, Ministry of Foreign Affairs 2007, Bangchak Petroleum Public Co., Ltd. 2007, PTT Public Co., Ltd. 2007, Thai Cabinet’s resolutions 2007, The Institute of Industrial Energy 2007, The Office of the cane and sugar board 2007 and The Office of Industrial
Economics 2007). One among these strategies is the sustainable alternative energy development that had set the target on increasing the proportion of commercial renewable energy or renewable power generation industry from 0.5 percent in 2002 up to 8 percent by 2011. Bio-fuel development, for ethanol and bio-diesel, is a goal under the Plan of increasing proportion of renewable energy use. Ministry of Energy, by DEDE, had established a Gasohol Strategy to propose in the Joint Meeting between Ministers of Energy, of Agricultural and Cooperatives and of Industry and then proposed to the cabinet on 9 December 2003, which the summary is as shown below.

2.1 Objectives of Ethanol Strategy

1. To create the sustainable energy security of a country and communities
2. To enhance the potentials of communities to be energy production sources
3. To support a domestic bio-chemical industry development

2.2 Target of Ethanol Strategy

Ministry of Energy had set the target on using an ethanol for MTBE substitution in gasoline 95 by 1 ml/d by 2006 and on using an ethanol for MTBE substitution in gasoline 95 and for oil substitution in gasoline 91 for 3 million liters per day by 2011.

3. Government Promotion of Ethanol Use

Ministry of Energy (MoEN) has supported and promoted the gasohol use through these implementations (Department of Foreign Trade 2007, Department of Mineral Fuels 2007, Department of Agriculture 2007, Ministry of Foreign Affairs 2007, Bangchak Petroleum Public Co., Ltd.
1. MoEN had issued the documents to every ministry for their support the gasohol use in the government and state enterprise vehicles. This aims on the market promotion and assuring the investors and the people in using gasohol. This implement was conducted on 9 June 2004 with a requirement that every organization shall monthly report its results of gasohol use.

2. MoEN has issued the document to the National Supply Board at the Office of Prime Minister and Bureau of the Budget dated 9 June 2004 to determine the car spec. to be procured in fiscal year 2005 with a capability of fuelling by gasohol.

3. The Department of Energy Business (DEB) announced the requirements on gasohol spec. (No.3) 2004 with an effective date on 15 November 2004 for the spec. of both Gasohol 95 and gasohol 91.

4. MoEN had reduced the remittance to the Oil Fund and the ECP Fund, including the excise tax exemption, thus causing the lower price of gasohol than gasoline 95 by 0.75 baht with an effective date on 1 November 2004.

5. The press release to convince on gasohol use by an Energy Minister together with the 13 Automobile Companies and the Gasohol Distributors dated 1 November 2004 at the PTT Head Office.

6. The cabinet resolution to accept the MoEN proposal dated 2 November 2004 RE: The Promotion of Gasohol through the Gas Stations within Bangkok to distribute gasohol 95 in replacing of gasoline 95.

7. The DEB had invited the gasohol producers and distributors into the meeting for getting informed the gasohol promotion schemes of the MoEN and for hearing any problems that might occur in that implementation. The EPPO had invited the ethanol producers and the Refinery Group to discuss on ethanol purchasing price for a long run.
of 3-6 months and the arrangement in the long term ethanol purchasing contract.

8. MoEN and Ministry of Industry had a joint meeting on 24 December 2004 and agreed on an improvement in ethanol organization to regulate, supervise and determine the policy by abrogating the National Ethanol Board and establishing the National Bio-fuel Promotion Board for replacing in implementation. This aims to make the fuel operations as a national agenda with an effective implementation for both ethanol and bio-diesel and an integrated operation, starting from raw material, factory establishment, production, blending and distribution of gasohol, including the selling price determination.

9. PTT and Bangchak have campaigned on a gasohol selling by reducing a retail price at 1.50 baht lower than of gasoline since 15 February 2005 for a month and then extending to 15 April 2005.

10. DEDE had created the confidence on gasohol use by setting the Project on Solving the Gasohol Problems in Old Model Cars and Motorcycles and the Project on Pollution Measurement in Gasohol Use. Presently, the ECP Fund had approved the budget to support the Projects since 9 March 2005.

11. The Deputy Permanent Secretary of MoEN had invited the concerned organizations, i.e. DEDE, EPPO, DEB, PTT and Bangchak to discuss on speeding up a gasohol use promotion and on determining the ethanol pricing structure on 25 February and 8 March 2005. The work group of such these organizations was assigned to establish the detailed Roadmap, for a short term of 2005 up to the end of 2006, to push up the Gasohol 95 distribution in all gas stations within Bangkok Metropolitan by 2005 and throughout the country by 2006.

12. A Press Release at Muang Thong Thani on the 30th March 2005 by Energy Ministry in co-operation with Executives from the World Leader Automobile Companies, for ex: Thailand Toyota Motor, Honda Car Automobile (Thailand), Mitsubishi Motor (Thailand), Volvo Car (Thailand), Thailand Mazda Sale, General Motor (Thailand), the President of Demler Chrysler (Thailand), (Benz) Ford Sale
and Services (Thailand), BMW (Thailand) to create more confidence on gasohol use for vehicles.


14. MoEN had proposed the cabinet to agree on reducing the Oil Fund burden on 19 April 2005 by proposing the gasohol use promotion schemes, i.e. using 4 ml/d of gasohol, speeding up an increasing of gas stations from 800 to 4000 stations by the end of 2005. With a strict order on using gasohol in all vehicles of government and of state enterprises, to comply with the cabinet resolution dated 9 December 2003. A requirement on the 413 gas stations located within the government and state enterprise campuses to change for selling only the gasohol.

15. MoEN had determined the measures to support and promote using of bio-fuel, esp. gasohol by increasing the pricing difference between gasoline and gasohol by 1.50 baht/l and increasing the remittance to the Oil Fund by 0.05 baht/l.

4. Production and use of ethanol situation in Thailand

According to Thai government has a policy to contribute using gasohol in Thailand (Department of Foreign Trade 2007, Department of Mineral Fuels 2007, Department of Agriculture 2007, Ministry of Foreign Affairs 2007, Bangchak Petroleum Public Co., Ltd. 2007, PTT Public Co., Ltd. 2007, Thai Cabinet’s resolutions 2007, The Institute of Industrial Energy 2007, The Office of the cane and sugar board 2007 and The Office of Industrial Economics 2007), this effected gasohol supply was increased in a little bit. The volume was about 4,000,000 liters per day or use ethanol 400,000 liters per day only. (Thailand industry.com as at 9 May 2007) But it still could not absorb all volume of ethanol production. (about 400,000 liters per day) This situation effected surplus of ethanol 400,000 liters per day. This is a
problem of ethanol producer in Thailand now because of no enough market to absorb the surplus production.

On above situation effected to stop production of ethanol industries because there are not tanks enough for stock ethanol 99.5% for mixing to be gasohol. And new companies which had just doing this business in a few months, at present their tanks for stock ethanol also almost full. This caused there are not enough tanks for stock the continuous production of ethanol. Hence it is necessary to stop production temporarily and could not define timing for re-production. To contribute the ethanol industries to be survival, Thai government had to export some of ethanol. This way was opposite to Thai government policy that to reduce import gasoline and try to use energy which was able produced within in Thailand.

To help the ethanol entrepreneur to be able to survive, it was necessary to export some of ethanol but this is a opposite way against the policy of Thai government that need to reduce import of gasoline and use energy that could be produced within own country (Department of Foreign Trade 2007, Department of Mineral Fuels 2007, Department of Agriculture 2007, Ministry of Foreign Affairs 2007, Bangchak Petroleum Public Co., Ltd. 2007, PTT Public Co., Ltd. 2007, Thai Cabinet’s resolutions 2007, The Institute of Industrial Energy 2007, The Office of the cane and sugar board 2007 and The Office of Industrial Economics 2007). Around early May 2008, an ethanol firm had exported ethanol 99.5% to Philippine 350,000 liters and may export to other countries continuously such as Korea and China. Export price of ethanol was nearly local price, the past 3 months price was Baht 18.62 per liters excluded transportation cost. The ethanol firms planned for running production and they would consider from potential sale to foreign countries including consideration of capability of negotiation with petroleum company to buy this additional volume of ethanol.

At present Thai government’s problem solution only rush a campaign using gasohol of Thai people. The using target of gasohol would be 8,000,000 liters per day by the end of this year or use ethanol 800,000 liters per day (Department of Foreign Trade 2007, Department of Mineral Fuels 2007, Department of Agriculture 2007, Ministry of
Foreign Affairs 2007, Bangchak Petroleum Public Co., Ltd. 2007, PTT Public Co., Ltd. 2007, Thai Cabinet’s resolutions 2007, The Institute of Industrial Energy 2007, The Office of the cane and sugar board 2007 and The Office of Industrial Economics 2007). In addition to next 2-3 months there will be 2-3 ethanol factories are entry to this market. This reason will effect to excess supply of ethanol more and more. Thai government solution now would have to stop using gasoline 95 immediately in order that there would be a market absorbed ethanol as most as possible.

However the situation of excess supply of ethanol now caused all of ethanol entrepreneurs turned to help each other by reducing own supply volume to equalize for all members of Thai Ethanol Producers Association, this assistance from all ethanol entrepreneurs caused the sale volume was high enough and they could survive on this situation. Sale volume of gasohol in April 2008 was increased 4 million liters per day (data from Energy Policy and Planning Office [EPPO] 2008, Ministry of Energy, Thailand) or increased from the same period of last year 8.5%, increased from March 2008 3.6 million liters per day (Department of Foreign Trade 2007, Department of Mineral Fuels 2007, Department of Agriculture 2007, Ministry of Foreign Affairs 2007, Bangchak Petroleum Public Co., Ltd. 2007, PTT Public Co., Ltd. 2007, Thai Cabinet’s resolutions 2007, The Institute of Industrial Energy 2007, The Office of the cane and sugar board 2007 and The Office of Industrial Economics 2007). All of these occurred because ethanol price was adjusted lower at Baht 18.62 per liters from previous price Baht 19.33 per liters in April 2008. If there would be an adjustment of gasoline price in the next future, the EPPO would allow the price raise only 40 Stangs per liter. (100 Stangs equal Baht 1) This effected to occur a different price between gasoline and gasohol 95 equal Baht 2.90 per liter (May 2008), and between “unleaded gasoline research octane number 91” and “gasohol 91” equal Baht 2.40 per liter. (May 2008) The price would not be unchanged for 3 months. It was expected that gasohol use would be more increasing.

5. Basic theory
5.1 Strategic Management

An assessment of the opportunities and threats in the organization's external environment is essential in formulating strategy. In this case, we turn from the external environment to take an inward look at the firm. This step in the strategy process establishing the organization's mission and goals requires management to determine the direction in which the organization is to move within its external environment.

Organizational direction is difficult to determine unless management and the board of directors, with input from diverse stakeholders, have clearly delineated the firm's purpose. The purpose of a firm is delineated in order to strategically create wealth for the shareholders through the satisfaction of the needs and expectations of various stakeholders. A firm's purpose may be conceptualized in the context of S.W.O.T. analysis (the strengths and weaknesses of the firm relative to its competitors as well as the opportunities and threats in the external environment). Hence, a discussion of S.W.O.T. analysis and more specifically the firm's resources, which comprise its strengths and weaknesses, before we examine the organization's mission, its reason for existing. Goals and objectives, as well as other related topics, are subsequently examined.

Underlying the organization's mission is an analysis of its internal strengths and weaknesses and the opportunities and threats that are posed in the external environment. The framework presented in Table 1 identifies many of the variables that management should analyze. The point of the analysis is to enable the firm to position itself to take advantage of particular opportunities in the environment and to avoid or minimize environmental threats. In doing so, the organization attempts to emphasize its strengths and moderate the impact of its weaknesses. The analysis is also useful for uncovering strengths that have not yet been fully utilized and in identifying weaknesses that can be corrected. Matching information about the environment with knowledge of the organization's capabilities enables management to formulate realistic strategies for attaining its goals.
### Table 1: Framework for S.W.O.T. Analysis

<table>
<thead>
<tr>
<th>Sources of Possible External Environmental Opportunities and Threats</th>
<th>Economic forces</th>
<th>Political-legal forces</th>
<th>Social forces</th>
<th>Technological forces</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Economic forces</td>
<td>Political-legal forces</td>
<td>Social forces</td>
<td>Technological forces</td>
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<tr>
<td>Industry forces</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Possible Organizational Strengths and Weaknesses</th>
<th>Access to raw materials</th>
<th>Distribution</th>
<th>Management</th>
<th>Purchasing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advertising</td>
<td>Economies of scale</td>
<td>Manufacturing and operations</td>
<td>Quality control</td>
<td></td>
</tr>
<tr>
<td>Board of directors</td>
<td>Environmental scanning</td>
<td>Market share</td>
<td>Research and development</td>
<td></td>
</tr>
<tr>
<td>Brand names</td>
<td>Financial resources</td>
<td>Organizational structure</td>
<td>Selling</td>
<td></td>
</tr>
<tr>
<td>Channel management</td>
<td>Forecasting</td>
<td>Physical facilities/equipment</td>
<td>Strategic control</td>
<td></td>
</tr>
<tr>
<td>Company reputation</td>
<td>Government lobbying</td>
<td>Product/service differentiation</td>
<td>Strategy formulation</td>
<td></td>
</tr>
<tr>
<td>Computer information system</td>
<td>Human resources</td>
<td>Product/service quality</td>
<td>Strategy implementation</td>
<td></td>
</tr>
<tr>
<td>Control systems</td>
<td>Labor relations</td>
<td>Promotion</td>
<td>Technology</td>
<td></td>
</tr>
<tr>
<td>Costs</td>
<td>Leadership</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Customer loyalty</td>
<td>Location</td>
<td>Public relations</td>
<td>Inventory management</td>
<td></td>
</tr>
<tr>
<td>Decision making</td>
<td></td>
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</tr>
</tbody>
</table>

A firm’s resources constitute its strengths and weaknesses. They include human resources (the experience,
capabilities, knowledge, skills, and judgment of all the firm’s employees), organizational resources (the firm’s systems and processes, including its strategies, structure, culture, purchasing/materials management, production/operations, financial base, research and development, marketing, information systems, and control systems), and physical resources (plant and equipment, geographic locations, access to raw materials, distribution network, and technology). Sustained competitive advantage refers to valuable strategies that cannot be fully duplicated by the firm’s competitors and that result in high financial returns over a lengthy period of time.

5.2 Determination of Price and Quantity

The demand curve shows what consumers wish to purchase at various prices, and the supply curve shows what producers wish to sell. When the two are put together, we see that there is only one price at which the quantity consumers wish to purchase exactly equals the quantity firms wish to sell. In Figure 1, that price is 20 baht/kg, where consumers wish to purchase sugar 62,500 tons and firms wish to sell the same quantity. It is identified by the point of intersection between the supply and demand curves.

The intersection identifies the equilibrium price and quantity in the market. The concept of equilibrium means there is no tendency for the price or quantity to change as long as the supply or the demand curve does not shift.

The point of intersection of the supply and the demand curves identifies the equilibrium price and quantity. Here, at the price of 20 baht/kg, the quantity demand by consumers exactly equals the quantity supplied by firms. Market forces tend to produce this conclusion of microeconomic theory is that the independent actions of buyers and sellers will tend to establish the equilibrium price and quantity.
Figure 1 Determination of the equilibrium price and quantity

That a market composed of thousands or millions of persons, each acting independently, could by itself attain equilibrium is really quite remarkable. Market equilibrium signifies a great degree of coordination among the activities of many separate persons and firms. Each individual consumer decides how much to purchase without regard to what other consumers are doing, and yet all consumers are able to acquire the quantities they wish. Each individual firm decides how much to produce and sell without regard to what other firms is doing, and yet all firms are able to sell what they have produced. The mutual compatibility in the plans of independent economic agents is characteristic of market equilibrium and explains why equilibrium will persist unless something happens to change the position of the supply or the demand curve.

We have just asserted that a market left to itself will establish the equilibrium price and quantity shown graphically by the intersection of supply and demand curves. This conclusion can best be understood by imagining that the price is not at its equilibrium level and recognizing that market participants-firms and consumers-have incentives to
behave in ways that produce a movement toward the equilibrium. Suppose, for example, that the price is 14 baht/kg in Figure 1. At 14 baht the demand curve indicates that consumers want sugar 80,000 tons, but the supply curve shows that firms will only produce 28,000 tons. This situation is disequilibrium; the quantity demanded exceeds the quantity supplied, so the plans of buyers and sellers are inconsistent. The excess of the amount consumers want (80,000) over what firms will sell (28,000), or 52,000 tons, is called the excess demand (XD), or shortage, at the price of 14 baht.

Think about how the people involved—consumers and business managers will react in this situation. Consumers are frustrated at not getting as much as they wish, and they are willing to pay a higher price to obtain more shoes. Business managers will see that consumers want more sugars and are willing to pay a higher price for them. There will therefore be a strong tendency for the actual price to rise. Whenever there is a shortage at some price, market forces—the behavior of buyers and sellers in the marketplace—tend to produce a higher price. As the price rises, quantity demanded falls below 80,000 tons (a movement along the demand curve), and quantity supplied increases beyond 28,000 tons (a movement along the supply curve). The process continues until quantity demanded equals quantity supplied at a price of 20 baht.

Alternatively, if for some reason the price is above 20 baht, the quantity firms wish to sell will be greater than the quantity consumers are willing to purchase. An excess supply (XS), or surplus, will exist at a higher-than-equilibrium price. Unsold goods pile up. In this case market forces exert a downward pressure on price, because firms cut prices rather than accumulate unwanted inventories. Once again there is a tendency toward the equilibrium price and quantity.

Therefore, at any price other than the equilibrium price, market forces will tend to cause price and quantity to change in the direction of their equilibrium values. That observation is the basis for asserting that the supply-demand intersection will tend to be established. We say "tend to be" because there is no presumption that a market
is always in equilibrium. The equilibrium position itself will change whenever demand or supply curves shift, so actual markets may, in effect, be pursuing a moving objective as they continually adjust toward equilibrium.

6. Methodology

The research “Effect of Gasohol Production on Sugarcane Planting in Thailand” was a qualitative research which expressed methodology details as following:

6.1 Data source
The researcher had defined data source for this study into 2 types as follows.

6.1.1 Document data sources: those are textbooks, weekly newspapers, daily newspapers, magazines and all papers which were concerned to sugarcane production: products of sugarcane, ethanol, gasohol and all concerned research papers. And bring those data to be a study frame, analysis and result discussion.

6.1.2 Personal data sources: those are the persons who are concerned with sugarcane production, products of sugarcane, ethanol, gasohol, etc. by depth interview with these persons:

6.1.2.1 Entrepreneur of sugarcane factory.
6.1.2.2 Entrepreneur of ethanol factory.
6.1.2.3 Entrepreneur of gasohol factory.
6.1.2.4 Entrepreneur of gasoline station.

6.2 Data collection timing period
The data collection of this qualitative research, the researcher spent time for collecting all data for 6 months during June – November 2007 by interview all directly concerned persons.
6.3 Data analysis and presentation
The researcher analyzed all data from individual interview by researcher own. And use a tape recorder while interviewing all persons to collect the most perfect data. And the researcher had presented this study result by show some tables and graphs and also explained in descriptive result. The researcher selected only the concerned data to present on this study.

6.4 Statistic
The researcher used two types of statistics: descriptive statistics and estimate statistics to seek the factors which effected to cassava consumption in Thailand.

6.5 Data description
After analyzed all data, the researcher had described all data by show some tables and graphs. Meaning in tables and graphs was analyzed exhaustively together with deep interview the concerned persons. All data were presented by sequence as defined point.

7. Results and discussion
Thailand was necessary to import fuel energy for using in almost whole of transportation section. Trend of import volume was increasing respectively. As shown in Figure 2 clearly explained that import volume of crude oil during year 2001-2006 increment trend continuously (Jai-In S. 2005). This effected Thailand had lost a lot of money to import the fuel oil from foreign country in each year. Amount of import fuel oil was much more than total revenue of export rice, cassava, rubber latex, palm oil and cane sugar. Moreover cost of fuel oil trends increasingly, in addition to the petroleum which had existed in limit volume may be nothing remains soon. This effected many countries had to seek the fuel and energy source from natural resources within their own countries to substitute import fuel oil, for example : using coal, nuclear energy, natural gas etc. But those energy sources in Thailand had existed in limit volume.
Figure 2 Import volumes of crude oil, petroleum’s products and natural gas
However Thailand still has some energy sources which can be produced within own country such as substitute energy source from agricultural. At present Thailand agricultural produce’s price was also drop, especially agricultural produce that was depended on foreign market such as rice, cassava and sugarcane. In spite of these 3 kinds of agricultural produce of Thailand were exported in very high volume to foreign market. Ethanol fuel using which was produced from agricultural produce, for example: cassava, sugarcane, molasses, rice, corn etc., by bringing these produces to be transfigured by digest, fermentation and refinement for getting ethanol from these agricultural produces and then mixing with petroleum fuel, is a solution and can solve above problem very well.

Gasohol obtained from ethanol was mixed up with gasoline. If ethanol was mixed up with diesel called diesohol. In some countries used ethanol to be directly fuel 100% in their countries, for example: in Brazil, United States of America and European countries (Rodrigues D. and Ortiz L. 2005, Browning E. K. and Browning J. M. 1992, Bilister G. 2006, Shapouri H., Salassi M. and Fairbanks J. N. 2006, James J. 2007, Vasconcelos J. N., Lopes C. E. and Franca F. P. 2004, Gonsalves J. B. 2006/7 and Saka S. 2005). Ethanol fuel using will reduce a problem of environment pollution, especially carbon monoxide and hydrocarbon which blew off exhaust pipe of a car. This will also reduce amount of carbon dioxide in atmosphere which effected directly to glasshouse condition.

Ethanol was a kind of alcohol which was obtained from plant and vegetable fermentation, those kinds of agricultural produce were a sugar type raw material such as sugarcane, sugar, molasses, trash, beetroot which was changed from sugar to be alcohol and a starch type raw material such as cassava, sweet potato, grains (corn, rice, wheat, barley, millet, etc.) which was changed from starch to be sugar and then changed sugar to be alcohol finally.
Ethanol production from sugar-based plant fermentation process is as follows:

Sugar-based plant (sugarcane, trash, beetroot, etc.) → alcohol

Ethanol production from starch-based plant fermentation process is as follows:

Starch-based plant (cassava, corn, rice, wheat, barley, etc.) → sugar → alcohol

The alcohol which was purified 95% called ethanol. Ethanol product which was made from raw material, for example: a different kind of plant or vegetable weight 1 ton when enter to production process would obtain a different ethanol product. If the grain is used as a raw material such as rice and corn, the ethanol would be obtained about 375 liters by volume. If the molasses is used as a raw material, the ethanol would be obtained about 260 liters by volume. While cassava is used as a raw material, the ethanol would be obtained only 180 liters by volume. (data from Department of Agriculture, 2007; The Institute of Industrial Energy, 2007; The Office of the cane and sugarcane board, 2007; The Office of Industrial Economics, 2007; Bangchak Petroleum Public Company Limited, 2007; PTT Public Company Limited, 2007)

Thai council of the ministers had a resolution for approval a project of alcohol production from agricultural produce to use in fuel energy. The ministry of industry had appointed The National Ethanol Committee and assigned the under-secretary of the ministry to be the chairman, the director of The Office of Industrial Economy to be a member of the committee and also be a secretary at the meeting of council of the ministers held on 26 December 2000. The meeting resolution had approved on support and encouraging policy of ethanol fuel using and production as the ministry of industry had proposed. Thai government had encouraged investment of private sector on establishment an ethanol factory. Thai government had assigned the ministry
of agriculture and cooperatives to define the sugarcane and cassava cultivation plan to support and to be in line with the investment of ethanol production. This effected to using volume of gasoline 95 becoming reduced, at the same time using volume of gasohol 95 (E10) was respectively increased. Figure 3 clearly explained a change of using volume of gasoline 95 and gasohol 95 (E10) during January 2005 to December 2006.

According to research result of Office of the National Research Council of Thailand and the sugarcane production development plan in 2002 – 2006 of Ministry of Agriculture and Cooperatives, and also the National Energy Policy Committee Board, these organizations had a conclusion of using raw material for ethanol production, that was cassava which was the most suitable crop to be a raw material for ethanol production because this kind of crop was exceeded in the market about 4 million tons per year and could produce ethanol about 2 million liters per day. Sugarcane was not suitable to be a raw material to produce ethanol because there were not sugarcane in enough quantity for demand of the sugarcane industry and although the molasses from sugarcane could be used to be a raw material to produce ethanol but only got from some surplus after consumption within country.

Figure 4 shows the molasses volume which could be produced from sugarcane during year 2003 to 2010 (sugarcane 1 ton would give molasses volume average 46.72 kilograms or 4.672% by weight). Figure 5 shown about volume of molasses production, consumption, and use for produce ethanol and for export in Thailand. This indicated that Thailand had enough raw material to produce ethanol that not necessary to expand any planting area of sugarcane. Because there was exceeding raw material for ethanol production in the first phase which was expected that not exceeds 1 million liters per day. This volume of ethanol would be brought to mix up gasoline for obtaining gasohol E10. (use ethanol 10% mixing with gasoline 90%)
Figure 4 Comparison of sugarcane production quantity and produce molasses from sugarcane

Figure 5 Quantity of molasses production, consumption, use for produce ethanol and export
The National Ethanol Committee (NEC) had announced an invitation the investors to submit the project of ethanol factory establishment and also discussed about permission for ethanol factory establishment, setting rule and condition of factory establishment permission. The NEC had examined 8 investors who had already submitted complete documents. The National Energy Policy Committee and council of the ministers had a conclusion to permit the ethanol factory establishment of those 8 investors. Beside these 8 investors who already got a permission to establish factories which the whole production capacity of these 8 factories were equal 1,502,000 liters per day, (May 2007) there also be the other 11 entrepreneurs were interested to invest in this project which the whole production capacity of these 11 factories will be 4,530,000 liters per day. (May 2007)

Thai government had thoroughly encouraged using gasohol in Thailand. This affected to gasohol consumption was increased just a little bit. But it could not absorb the whole production volume of ethanol, and then there was a surplus of ethanol 400,000 liters per day and now no any market can absorb this surplus volume. At present the problem solving of Thai government only pushed all Thai people who used another kind of fuel to change to use gasohol much more than the former, as the setting goal, the gasohol consumption will be 8,000,000 liters per day by the end of year 2007 or use the ethanol 800,000 liters per day. Because of there was new entry of ethanol factory into this business continuously, this effected to surplus of ethanol more and more.
At present using ethanol in Thailand was a critical situation because the production volume was over demand in the market and the whole volume of ethanol could not be used in the gasohol production process. All of these effected by using volume of gasohol that it was still a small use volume because some of Thai people who had a car still used gasoline. Beside that ethanol admixture volume into gasoline was still very low proportion. At present use ethanol only 10% mixing with gasoline 90% to be gasohol called gasohol E10. Figure 6 shows the excess supply of ethanol in the market and there still would be exceeding volume if gasohol E10 was used continuously.

Since January 2008, Department of Alternative Energy Development and Efficiency (DEDE), Ministry of Energy had cooperated with department of mechanical engineering, King Mongkut Institute of Technology Ladkrabang, Thailand to study and research the feasibility of use gasoline mixing with ethanol to be fuel for automobile in proportion of ethanol 20% up (E20). This study is for being a beginning data to prepare the completion for development and design of both
automobile and motorcycle for automobile industry in Thailand that would be able use fuel called E20 up in the future. And also to establish stability for energy which used raw material within Thailand. If all users of gasohol E10 could change to use gasohol E20 since year 2008, this effected to reduce the excess supply of ethanol, however there was still some exceeding ethanol in the market as shown in Figure 7.

Figure 7 Comparison of ethanol consumption of gasohol and ethanol production volume from molasses in case of beginning use gasohol E20 in 2008
Figure 8 Comparison of ethanol consumption of gasohol and ethanol production volume from molasses in case of beginning use gasohol E30 in 2008

Figure 9 Comparison of ethanol consumption of gasohol and ethanol production volume from molasses in case of beginning use gasohol E40 in 2008
If the government wished to reduce this excess supply of ethanol in the market, they should have to use gasohol which had a mixing proportion of ethanol in a higher rate such as gasohol E30 as shown in Figure 8, and if need to clean out on problem solving of excess supply of ethanol would have to use gasohol E40 as shown in Figure 9. This caused having to produce more ethanol from molasses, it had to increase production of molasses 19,230 tons per year or had to plant more sugarcane 411,600 tons per year or estimated of increasing planting area 47,300 rais. (2 ½ rai = 1 acre) The sugarcane was grown average 8.7 tons per planting area 1 rai.

![Figure 10 Comparison of ethanol consumption of gasohol and ethanol production volume from molasses in case of beginning use gasohol E50 in 2008](image)

And if gasohol E50 was begun use in 2008, this clearly indicated that government would have to accelerate on sugarcane planting of the agricultural sector or increased the planting area of sugarcane. Because of ethanol production would be less than ethanol consumption in a very high volume as shown in Figure 10. This caused having to produce ethanol from molasses additionally. It was necessary to produce additional molasses 511,500 tons per year or had to grow additional sugarcane 10,949,000 tons.
per year or estimated additional planting area 1,258,500 rais from the original planting area 6,675,000 rais. This was an average calculation during 2003-2006. (data from Department of Agriculture, 2007; The Institute of Industrial Energy, 2007; The Office of the cane and sugarcane board, 2007; The Office of Industrial Economics, 2007)

An another solution which government could solve this problem and be able to push this policy, that was rushing all automobile users turned to use gasohol E20 within year 2008 and stop using gasoline 95 within year 2009. This solution would cause using of ethanol was higher than ethanol production volume as shown in Figure 11. This effected having to produce the additional ethanol from molasses, had to produce additional molasses 165,400 tons per year or had to grow additional sugarcane 3,539,900 tons per year or estimated the additional planting area 406,900 rais from the original planting area 6,675,000 rais by average calculation during 2003-2006.

**Figure 11** Comparison of ethanol consumption of gasohol and ethanol production volume from molasses in case of beginning use gasohol E20 in 2008 and stop using gasoline 95 in 2009
The problem of pushing the use of gasohol (increase the use of ethanol in a type of use gasohol), problem of requirement for planting area additionally if the government had set a policy to use gasohol E10, E20, E30, E40, E50 within 2008, and the another problem that required more planting area if begin using gasohol E20 within 2008 and stop using gasoline 95 within 2009. Both cases might use a strategic plan by analyzing general environment, for example: economic environment analysis, this factor would define the economics survival which effected to the firm's potential. If the economy declined would also affect consumer expenditure was decreased. Technological environment analysis, the technology affected to the product which could be renewable, for example: Honda Automobile (Thailand) Co., Ltd. is an automobile manufacturer and exporter, they produced a new class of automobile by adapting the engine of automobile which will be sold in 2008, and this class of automobile was able to use gasohol E20. This was an automobile which can use an alternative energy. Social environment analysis, this factor could be both opportunity and threat, for example: if most of drivers trend had changed to use gasohol more and more, it was held that being an opportunity of ethanol production. But if the drivers were not confident whether the existing engine could use gasohol and if most Thai people were not attentive for helping each other to economize use gasoline, this would be a threat. And also use the theory of micro economics about price and quantity equilibrium to manage this business. In general principle, price movement was depend on market but at present situation which there was an excess supply of ethanol, supply volume was higher than demand volume. Thus the government should fine a way to release the excess supply of ethanol as the most rapidly such as mixing ethanol in gasoline in a higher percentage than previously, for example: mixing proportion to be gasohol E30, E40, or E50 etc. An another solution was to attempt reduction of use gasoline 95 as possible by set the gasoline 95’ price more expensive and encourage using gasohol in a higher volume by reducing the gasohol's price to be lower than at present, this would be a balance condition in the market or called market equilibrium.
8. Conclusions

Because of Thai government’s encouragement in using gasohol was not successful as much as a supplement policy of additional production plan of ethanol, this effected to ethanol supply exceeded a lot in the market. With an awareness of the current ethanol crisis, due to mixing volume of ethanol into gasohol which current use still being a low proportion, that is using ethanol 10% mixing with gasoline 90% obtained gasohol called gasohol E10. To reduce the surplus of ethanol in the market, need to mix with ethanol in a higher rate such as gasohol E20, E30, E40, or E50 etc.

If the government wished to exhaustively solve the problem of excess supply of ethanol, would have to begin using gasohol E40 within year 2008. This plan caused having to produce ethanol from molasses additionally and effected having to grow more sugarcane 411,600 tons per year. This caused having to increase more planting area of sugarcane 47,300 rais. (2 ½ rai = 1 acre) If begin using gasohol E50 within year 2008, the ethanol production volume would be less than the ethanol using volume in the market. This caused having to produce more ethanol from molasses and had to grow more sugarcane 10,949,000 tons per year. This effected having to increase planting area of sugarcane 1,258,500 rais. (2 ½ rai = 1 acre) But both cases there are not any engineering research certified that whether be able to use gasohol E40 and E50 for automobile which was sold in Thailand.

In additionally there was another solution, which was use gasohol E20 within year 2008 and stop use gasoline or benzene 95 within year 2009. This solution would cause the use volume of ethanol was higher than the production volume and effected having to produce more ethanol from molasses and also having to grow more sugarcane 3,539,900 tons per year. And this plan would have to increase the planting area of sugarcane 406,900 rais. (2 ½ rai = 1 acre)
As mentioned above case may use a method of strategic plan for general environment analysis by analyzing these factors: technological environment analysis, social environment analysis and also use the theory of microeconomics concerned the price and quantity equilibrium for all management.

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A Historical Approach to Myanmar’s Democratic Process

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Abstract: Myanmar or ‘Burma’ is a country which has a long history of colonialism by foreign powers. Before Myanmar achieved its independence in 1948, it was ruled by two prominent foreign powers that are Britain and Japan. Both countries had created the political scene of Myanmar. After achieving independence from Britain in 1948, Myanmar became an independent country that practiced the democracy ideology under the ruled of General Aung Sann. However, its democracy system faced problems when a coup d’état happened in 1962. Since that year, the efforts to regain the democracy system in Myanmar faced a lot of obstacles. Thus, this paper will explain the process of democracy development since 1948 until the present days of Myanmar.

Keywords: Myanmar, Burma, Democracy, Historical Approach

1.0 Introduction

From a geographical point of view, Myanmar is a country in Southeast Asia bordering with India and Bangladesh in the Northwest, China in the Northeast, Laos and Thailand in the East and Straits of Bengal and Andaman’s Southeast Asia in the West. Myanmar falls into three main parts, East, West and central region. On the East part, it separate Myanmar from Thailand, Laos and China. This region includes the coast of Tenasserim, Andaman Southeast Asia, bordering peninsular Shan to the North part of Myanmar (Sunil Kumar Pokhrel, 2008:1). Myanmar is one of the British colonies and was invade by Japan in 1942 until 1945. The invasion of Japan (1942 1945) in Myanmar had opened the awareness level of the nationalism and independence in Myanmar. The
idea of awareness in independence was fought by nationalist under the leadership of General Aung San who stimulated nationalism in pursuing independence (Josef Silverstien, 2004:70). After the World War II, Myanmar faced political instability from groups of communist rebellion and other ethnic conflicts in Myanmar. However Myanmar succeeded in achieving independence from the British Empire on the 4th of January 1948 and became a republic. Since Myanmar’s independence, the country adopted the parliamentary democracy system (Clerk D. Neher, 1994:949).

Implementation of the parliamentary democracy system had survived for 14 years until a coup d’état erupted by General Ne Win on 2 March 1962. The appearance of a military power in Myanmar’s politics disrupted the implementation and consolidation of democracy process in Myanmar. A military government in Myanmar’s political system have stripped a new era in its political arena when Myanmar ruled by military power which practicing a socialist system (Josef Silverstien,2004:73). Consequently the event of 1962 had caused Myanmar to force the closed door policy towards foreign countries and self imposed isolation policy from the rest of the world. Since 1974, the government Myanmar reinforced the socialist system by employing the socialist economic system or Burma’s way to socialism. That state of affairs contributed to Myanmar’s instable economic situation although several changes in leadership have occurred. The previous economic and development backwardness comprising political stresses implemented on the society had propelled the people to rise and opposed against the military government in Myanmar. The people’s rise was vividly seen between 1988 to 1989, when demonstrations took place and the society rebelled against the Junta military ruler.

After the couple of decades practicing isolation since 1962, Myanmar started experiencing a vast political, social and economy change from late 1980s. These alterations not only challenged the existing military regime (Tatmadaw) which has been in power since 1962, it also has changed the people’s perception and awareness towards to Myanmar military government. To restore the people’s belief, the
military attempted to bring certain changes in the economy and political system of Myanmar. However, the government’s restoration in politics, economy and social failed to achieve public support and trust. On the other hand people became increasingly audacious in their demand for justice and rejected the military government in Myanmar. This objection was distinctly visible in 1988 when the people of Myanmar demonstrate and paraded along the street demanding for the rights of election and a reformation of government through the people choices (Josef Silverstien, 2004:77-80).

The pressure from the people of Myanmar has prompted the government to implement an open election system called The Democratization of Myanmar in 1990. Hence, in 1990, various election parties were held to form a government through the process of democracy. In this election, the people’s group known as National League of Democracy’ (NLD) lead by Aung San Suu Kyi won the election by obtaining the majority of Southeast Asia contested. The humiliated defeat of the military disgraced the government that has reigned for almost 30 years (1962-1990). This defeat shows the people’s rejection of a military power in Myanmar political arena. Hence, this public victory however did not survive practically after the military arrested Aung San Suu Kyi for misbehavior as an unacceptable reason and had denied the party’s victory during the election. Therefore the military government came back to power in Myanmar and the democratization process of Myanmar was slightly hindered. The military action against the results of the General election in 1990 confirmed its denial for Myanmar’s process of democratization (Junhan Lee, 2002:821). Since then, Myanmar has been facing sluggish economy, facing national unity issue, severed from external relations either with regional countries and lost their identity to the rest of the world. In other words, military politics in Myanmar have placed Myanmar’s democratization process at bay. The failure of democratization process in Myanmar was triggered by the refusal of the military regime to hand their power to the people. The governments were not only reluctant to listen towards peoples demand but have also taken action to imprison pro-democracy and NLD (National League of
Democracy) members including the leader, Aung San Suu Kyi.

2.0 The Southeast Asia Democratization Concept

The word democracy derives from an ancient Greek word *demos* which mean ‘people’ and ‘kratos’ which means ‘rule’. Hereby, democracy means ‘people rule’. It is also definable as a political system which gives opportunity to the people to form and control the government (J. Roland Pennock, 1979:3). People will manage the government through a representation system where they will choose the leader amongst them during the election process to represent the people’s voice in the house of representative (legislative) (C.F Strong, 1972:173-174). The ideology classification can be categorized into levels. There are five categories mentioned by Fred R. Von Dev Mehden in his book entitled “The Politics of Developed Countries” known as individual democracy, collective democracy, proletariat democracy, guided democracy and elitist democracy. Robert A. Dahl (1983) argues that the democracy that is being applied now is actually are the combination from four sources, which is the ideology of Greek democratic, republic tradition, government representation and political equality (Robert Dahl, 1983:34-35).

Overall of the Southeast Asia countries are a region which was colonized by the western empires. The colonization contributed to the acceptance and absorption of the government system influenced by the west. However, these government systems do not employ the real democratic practices (Junhan Lee, 2002:821). Hence, after the Cold War, Southeast Asia countries underwent a democratization process towards a more effective democratic practice.

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<thead>
<tr>
<th>Schedule 3: Country and Government Style</th>
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<td><strong>Type of rule</strong></td>
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A Historical Approach to Myanmar’s Democratic Process

<table>
<thead>
<tr>
<th>Totalitarian (Communist)</th>
<th>Albania, Bulgaria, China, Cuba, Czechoslovakia, German, Hungary, Mongolia, North Korea, Vietnam, Kampuchea, Laos, Poland, Rumania, Russia and Yugoslavia.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Totalitarian (Fascist)</td>
<td>Italy (Mussolini), Nazi Germany (Adolf Hitler)</td>
</tr>
<tr>
<td>Military</td>
<td>Algeria, Bolivia, Burma, Burundi, Bangladesh, Republic of Zaire, Mahoney, Ecuador, El-Salvador, Ethiopia, Ghana, Guatemala, Honduras, Iraq, Libya, Mali, Nicaragua, Pakistan (till Feb 1986), Peru, Panama, Republic of Dominique, Republic of south Yemen, Somalia, Sudan, Syria and Thailand.</td>
</tr>
<tr>
<td>Guided Democracy</td>
<td>Egypt (during Colonel Nasser's rule), Guinea (during Secom Toure's rule), Indonesia (during Sukarno's rule), Pakistan (during Ayub Khan's rule), Tanzania (during J Miserere’s rule)</td>
</tr>
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The majority of countries in Southeast Asia although practicing democracy in the government system, but they are still clouded by the autocratic style such as Singapore, Thailand, Indonesia, Cambodia and Philippines. This government style indirectly makes the democratic system practice in Southeast Asia where is highly debatable (Clerk D. Neher, 1994:949). Furthermore, government involvement in economic activities have successfully controlled people’s welfare and moving towards a democratic society without economic prejudices.

The end of Cold War in 1991 indicated that the victory of democratic power has led to the democratization process spreading to numerous nations worldwide. These phenomena also plagued communist countries in Indochina and Myanmar. Hence, the democratization process of Southeast Asia included the communist countries. The transition process has been accepted as a democratic way in a government and leading towards to the implementation of capitalist system in country’s economic activity (Clerk D.
Neher, 1994:956). It is distinctly visible in Cambodia’s society which accepting the democratic system after the conflict and Civil War in 1979-1994. The conflict and coup d’état in Cambodia was resolved successfully by organizing an open election supported by countries from a Southeast Asia, United Nations and superpowers. It is a proven fact that the acceptance of such enables to resolve various problems and gave the people the right to fairly be involved in the national affairs. The adoption of a democratic system is also visible in Myanmar, when people were awaken in 1988 and fought against the autocratic socialist state of Myanmar. This process successful provided the opportunity to the people to practice democracy after being ruled under a military government from 1962-1990 (David Martin Jones, 1998:148). The acceptance on such a democratic system was proven by the victory of NLD under Aung San Suu Kyi’s leadership in the 1990 elections.

What is important here is the implementation and practice of a authentic democracy could only be suitable in the west. This is because their experience and understanding of democracy compared to countries in Southeast Asia. The reason being is that Southeast Asia countries have merely achieved independence in around 1940s and 1950s. As such, a democratization system in Southeast Asia could not be applied completely like in western world. Therefore, the democracy in Southeast Asia is a democracy which is assembles with Southeast Asia values and societal needs (Junhan Lee, 2002:833-835). Democratic countries divide jurisdiction in the government into three major fractions, known as parliament (legislation), administration (executive) and judiciary (Amitav Acharya, 1999:421). Democratic countries perform the elections by integrating people power in choosing a leader which is lead by the Prime Minister or President (Leon P. Baradot, 1979:121). Presidential democracy employs an assembly where members are directly chosen by voters. Country applying the system of parliamentary democracy in Southeast Asia, the parliament constitute of two assemblies known as people’s Assembly and the Senate. Both members are picked by the people through an election system to act as representative committing on conveying opinions, problems
and proposal to the government (Barry Holden, 1974:33). Ultimately, it leads to government formation which is selected through the people power and responsible for the public interest (Lipson Leslie, 1969:20).

3.0 The development and practice of democracy in Myanmar 1948-2004

3.1 The development of democracy and leadership of Prime Minister U Nu

After achieving independence in January 4th 1948, General Aung San had form a self styled government and immediately flew to England to declare his refusal in joining the Commonwealth countries (Allen R., 1970:316). Consequently, he was assassinated in 1947. Myanmar political development rapidly grew with the emergence of numerous political parties such as Anti Fascist People Freedom League (AFPFL) which was practicing democratic liberal in nature. This party was led by U Nu who was appointed as Myanmar’s Prime Minister in 1948 until he was stripped from power by the 1962 coup d’état led by General Ne Win. General Ne Win found the policies which was practiced by U Nu posses a weak position and has fuelled dissatisfaction among the people especially in terms of development and the eradication of poverty. As a result, the rebellion start to demonstrate their frustration through demonstration by minority group rebellions, such as the ethnics groups Karen, Pa-O, Rohingya and Mujahid, launching attacks and sabotage against U Nu government.

As a result of the pressure and demands, in October 1958 U Nu surrendered the post to General Ne Win to restore the stability of the state and national peace. This resignation had open the opportunity for elections in June 1960. General Ne Win claimed the democratic system practiced by U Nu is incompatible for Myanmar. General Ne Win’s appointment in a whole has brought about a few changes in Myanmar’s political and economy arena, amid his failure to achieve public support. Therefore he successfully
reinforced military power and was able to control the people’s resistance by implementing politics and economy sanctions. Although regarded as a success by the ruling party but it has in other way stimulated the maturity of people's thinking to stand up and fight against Myanmar’s autocratic government. In the election of 1960, U Nu won by a landslide, thus obtaining the majority number of Southeast Asia contested. U Nu’s victory was due to his use of religion (Buddha) as major issue throughout the election campaign. He promised to make Buddhism the official religion and as way life in Myanmar. According to Van De Mehden (1968:101):

“Victory of U Nu and his party at the polls was overwhelming. They won better than 60% of the Southeast Asia in parliament and so effective was Nu’s campaign that the stable faction emerged with an elected minority barely large enough to form a token opposition. Clearly the religious issues were a primary importance and the following year Nu fulfilled a campaign promise to make Buddhism the state religion”.

The implementation process of Myanmar’s democratic system was however stormed by the military interference in the political system. The military interference was performed through a coup d’état headed by General Ne Win, which abruptly vanquished democratic system by introducing the socialist system. General Aung San has once declared that to maintain political stability in Myanmar is by placing the military as a professional body and with no involve what so ever in the political arena. This is because politics involvement of the military will jeopardize the political stability of one country (Myanmar). This is particularly visible during Myanmar’s 1960 election, although U Nu was elected, General Ne Win led a coup d’état to end U Nu’s leadership alleging that the democratic government failed to unite the people and eradicate poverty.

3.2 The Hindrance of Democracy During the Era of General Ne Win
General Ne Win is the comrade-in-arms of General Aung Sann and one of the most significant persons in designing Myanmar politics. General Ne Win introduced the socialist democracy system influenced by the communist development which was happen in Vietnam and China. In March 1962, he replace U Nu's democracy system and installing a military ruling policy (Clark D. Neher, 1994:166-167). He erotized U Nu's system claiming that U Nu government's actions have the tendency to gave prioritize of the western influence and that the system is irrelevant to Myanmar. In line with his system, the parliament was abolished, political parties were banned and people's rights tighten. He introduced a radical base politics and economy known as “Burma Way to Socialism”. To control Myanmar's political system, the Burma Socialist Program Party (BSPP) was introduced and changed to National Unity Party (NUP) in 1988 as a way to attract people' support on his leadership. General Ne Win adopted the policy of isolation (close door) to the entire world. The isolation policy implementation is aimed to unite the people and prevent conflicts trigger by western influence (Clark D. Neher, 1994:167).

To obtain support from the people in 1971, General Ne Win reassured the people by revamping his image to become a better leader. He did want to be known as a military leader but he tried to portray himself as a Prime Minister in the eye of the people. In January 1972, Myanmar became Socialist Republic with the reformation of the constitution. Ne Win leadership raised political instability with the oppression and repression towards minority groups. Consequently, Ne Win administration faced the objection when the people commenced demonstrations demanding for justice in 1962 and 1974. Following the opposition and people's demands, General Ne Win resigned in 1981 in BSPP. However, he remained as Myanmar's Prime Minister and assisted by several leaders including General Sein Lwin, Dr Maung Maung and General Saw Maung (Clark D. Neher, 1994:169). However, General Saw Maung's influence became more apparent with the established of the State Law and Order Restoration Council (SLORC), as the purpose to control anarchy and winning people's support. These efforts were failures; as a result people rose in rebellion and opposed the
military government of Myanmar. This is clearly illustrated by the people of Myanmar society carrying out demonstrations in 1988 opposing and proving that Myanmar’s military government as a failure. The government responded such actions by throwing people in jail, torturing and killing. Clark D. Neher (1994:167-168) emphasized that:—

“In the summer 1988 hundreds of thousands of farmer’s urban workers, students, monks and civil servant took to the streets of Burma’s, major cities to demonstrate agonist their government leader. This revolt was the culmination of years of frustration disgust at the failure of the military government to bring development to Burma”.

The mass murder of demonstrators in Myanmar in September 1988 stained the credibility of Ne Win’s government (Clark D. Neher, 1994:167-168). Not only he has invited international criticism causing by his way of administration, it has also awaken the nationalist movement of Myanmar to fight against and highly demanding the General’s resignation. This situation aroused the awareness of people in Myanmar to unite and oppose against the military based government. For the military ruler, if their administration failed to unite the people, it will lead to the unstable condition which is a situation that cannot create peace and develop the country. As such the situation increased alertness among nationalist leaders like Aung San Suu Kyi, petitioning for justice to be brought through the election in 1990.

3.3 The Revolution of Democracy in Myanmar

The National Democratic League (NLD) was officially established in September 1988. This party headed by Aung San Suu Kyi is an opposition party against SLORC. The membership was believed to achieve 1-3 million members in 1990. Aung San Suu Kyi was assisted by several prominent figures such as Aung Gyi, a military General during Ne Win’s reign, who once criticized the government stand on human right issues and was the chief of NLD. In addition, NLD is joined by a famous figure named Tin U, who once held the post of Myanmar’s Minister of Defense. He then joined NLD
in 1988 to oppose against the military government implementation in Myanmar. NLD's objective was to demand human right, implementation of a democratic system following the resolution by the United Nations and justice for minority groups. NLD urged the observation of a parliamentary democracy system to end the military power which ruled the government. They also called legislation, executive and judiciary system remain as intact and insisted that the military should not be part of them. The principle proposed was that each ethnic minority group should be given the right to make their own laws (in particular area) or promulgate laws for its own region in matter to pertain the administration of politics and economics (Massa, Jun 2001:45). NLD struggling hard as a way to attract people's support. This was proven based on the election result in 1990, NLD victoriously grabbed 392 of 485 Southeast Asia, which is more than 60% of the Southeast Asia contested (Josef Silverstien, 1990:1007-1019).

4.0 Government Resistance

SLORC denied NLD's victory in the election of 1990; in fact the military government accused Suu Kyi as a traitor (Noor Azam Shairi, 2002). Because of this event numerous senior leaders of NLD were arrested, including 2000 civilians and democrats throughout May to December 1990. In 1991 more than 25 parliamentarians was arrested and imprisoned falsely accused of threatening Myanmar national security (Chee Soon J., 1998:82). The military even hunt down government opponents who especially forced minority groups to escape to border areas like Thailand, Cambodia and Malaysia. Following this incident, the refugees founded the Democratic Alliance for Burma (DAB) and established interim government to challenge the SLORC. DAB together with Suu Kyi have been fighting to claim democracy in military occupied country, Myanmar. The struggle received support from foreign countries such as the United States America, the United Nations and Southeast Asia countries (Amitav Acharya, 2001:108-115). To preserve the military
power, the government imposed house detention and jail sentence on Suu Kyi to prevent her to give a talk and organize political campaigns. Even though Suu Kyi's struggle is supported by the international community and superpower, she was sentenced to 6 years of house arrest.

5.0 The Roles of International Institutions

Following Myanmar crisis and arrest of several Myanmar nationalists, the internal politics in Myanmar has invited tremendous attention of the international community. For example 1989, the American criticized Myanmar’s military government policies and they sent humanitarian aid to the country. Besides that, the European Union (EU) give a pressure the United Nations to take notice of Myanmar crisis and that it be placed beneath the United Nations Commission on Human Rights in Geneva in 1998. While on the other hand, ASEAN took the stand not to alienate Myanmar, due to ASEAN’s policy not to interfere with the members internal affairs. ASEAN received significant opposition from international organization such as the International Labour Organization (ILO) which urged ASEAN to reject Myanmar participation in ASEAN. Thus, Myanmar still was accepted as a member and Thailand was the first country to tie formal relationship with Myanmar after 1990 crisis.

5.1 Myanmar’s Democracy Development

To restore confidence and people’s belief on SLORC, Myanmar’s military government changed the name of SLORC to State Peace and Development Council (SPDC) in 1997, however SPDC still failed to achieve people’s support. Suu Kyi’s release in 2000 a rose the spirit of the people to revolt and demand democracy implementation in Myanmar. In May 2002, international community gave a pressure the United Nations to interfere in Myanmar’s affair. The international community pressured and criticized Myanmar’s military administration and prompted the military government to take positive approaches to decrease international pressure.
This situation influenced Myanmar’s Prime Minister Khin Nyut to employ a more positive approach especially in implementing a democratic system that protects human right in Myanmar. He was responsible of General Swa Maung’s removal in 1992 supported by General Than Shwe. His appointment as Prime Minister paved the way to democracy, rebuilding the international community, UN and ASEAN confidence through his presentation of a “Democracy Plan”, but the reform has not doing well when Khin Nyut has to step down after facing serious health problems (Utusan Melayu, 20 Oktober 2004). Khin Nyut resignation jeopardized the government’s capability to continue the implementation of the “Democracy Plan”. This is because his resignation includes the release of Suu Kyi and Myanmar becoming the chairman of ASEAN in 2006. General Soe Win was then designated as Prime Minister to replace General Khin Nyut and emphasized that the implementation process democracy follows the “Democracy Plan”. However the process towards “Democracy Plan” has been disturbingly slow and required to go through certain stages (Utusan Melayu, 22 Oktober 2004).

5.2 Entrance of Myanmar in ASEAN

Myanmar’s entry into ASEAN had caused various doubts and challenged the non-intervention principle of ASEAN. Heavy pressures imposed on ASEAN by international human rights and western power so that ASEAN rejects Myanmar’s entry as member an ASEAN member. This is related to State Peace And Development Council's action (SPDC) that denied Aung San Suu Kyi’s victory in election of 1990 and Myanmar government’s oppression towards basic human rights. Amid the pressures from United States and European Union to sanction and break economic ties with Myanmar, ASEAN ministerial meeting in 1991 decided to carry on and arrange peaceful agreement with Myanmar. Kamarulnizam Abdullah (2001:43) explained:-

“Myanmar problem is the country’s regime has practice the isolation concept and close door policy. The people have no freedom. Universities are close and open based on the regime's wish. Freedom of expression has obstructed".
Thailand expects the decision achieved in the agreement can improve and resolve security problems especially border crisis with Myanmar. Even though there are opposition and criticism on Myanmar entrance into ASEAN, Myanmar became a member in August 1997 in Kuala Lumpur. ASEAN decision to received Myanmar’s membership as ASEAN member in 1997 had raised great criticism from the international community especially in the west. The choice of ASEAN to receive Myanmar was seen as an act legitimizing the military regime. On contrary, ASEAN view its choice in allowing Myanmar to participate as member is that it would open the way to build a better relationship that could lead to a peaceful political transition and make its way towards a democratic country. SPDC action, formerly known as SLORC, by intimidating political parties, torturing minority groups and refusing the results of the election of 1990, received great opposition from the international community since late 1980s. The military crackdown in its effort stamp out democracy movement in 1988 not only has contravened human right, but also has brought criticism and suspension by several countries such as United States, Japan and European Union to Myanmar. In fact numerous western countries have passed a number of laws barring companies from investing in Myanmar.

6.0 Conclusion

Myanmar is a multi racial county with ethnic groups like the Burman, Karen, Shan, Rohingya, Chinese, Mon, and India. The ethnic conflicts occurring in Myanmar are because the differences and life lifestyles. Ultimately, it has unnecessary tension and unity issues between the ethnic groups. After the independence in 1948, Myanmar also faced the revolution of separatist movements demanding autonomy or demonstrating protest to the government. These issues is perplexed the government for it would contribute to internal political instability of the nation. Hence, in 1998, Myanmar held a ceasefire agreement with 16 separatists. Kamarulnizam Abdullah (2001:43) explained that:-
“Political repression is reality. No doubt that a few ethnic minority groups which refuse peace with the government were brutally terrorized than the Muslim Rohingya group in western Myanmar bordering Bangladesh”.

In 1989, Myanmar start cultural campaign in effort creates unity and understanding between ethnic and ethnic form of government. However these efforts overall had not achieved success. This is because minority classes often oppressed by majority group and government side. The ethnics such as Rohingya, Karen, Mon and Shan which account ethnic minorities often become victims suppress by government side. The discrimination and government injustice on this group is had caused they carry out activity to government opposition. This issue is clear are perceived in election 1990, where minority classes has lent a hand powerful ones to public party (NLD). Yet, minority classes in Myanmar still being entertained as ethnic 'second class' by Myanmar's military government. The resignation of General Khin Nyut or called as a “Democracy Plan Architect Myanmar" and his reins replaced by General. Soe Win had aroused concern by PBB, ASEAN and international community especially in continues democracy plan was drafted. The Khin Nyut's resignation has hindered UN's efforts to resolve Aung Sann Suu Kyi detention's problem. Yet movement process towards democracy plan (although have been planned since 1993) still no implemented fully. Apart from that, in ASEAN REGIONAL FORUM's meeting (ARF) To 11, In Jakarta Convention Center (JCC) in 2 July 2005, also debated and discuss on democracy process in Myanmar. This conference is attended by 24 domestics including United States foreign minister, Collin Powell and Pakistan right foreign minister (Aung San Suu Kyi stayed away because is in detention). In this meeting, ASEAN has expressed confidence that political problems in Myanmar solvable with the best way. This is because, ASEAN trusts that this issue solvable with make ASEAN moderating like success had been reached in settling Cambodia problem.
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Revisiting the MDG’s: Exploring a Multidimensional Framework for Human Development

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Abstract: With a standardized set of goals, and targets set in rates, proportions and percentages, an aggregated generalization marks the Millennium Development Goals (MDG’s). Obscuring the real entitlement-deficits, such an approach cloaks the multidimensionality of human suffering by ignoring distributional inequity and interpersonal diversities. The MDG’s, therefore, needs a revisiting within a broader informational space like the one envisaged by the capabilities approach (CA) of Amartya Sen. The paper develops a framework for such an assessment, evaluates the outreach and effectiveness of the MDG’s within the framework, and taking it as a paradigm, outlines an alternative global agenda for human development in terms of CA.

Keywords: Capabilities approach, Millenium Development Goals, Multidimensionality of human development, Distributional Equity

Introduction

At the turn of the decade, humanity’s greatest consensus-the Millennium Development Goals (MDG’s) calls for a revisiting from a global community increasingly ensnared by financial crises, wars on terror and nuclear showdowns. The MDG’s Review Report 2008 (MDG’s 2008) claimed that, “the MDG’s are universal: they are intended to embrace not only all countries but also all people within each country”, (p. 5). A decade of functioning furnishes good ground to evaluate how far it has been able to both pursue and achieve that objective.

Unfortunately, the analyses carried out in the following lines reveal that at least two deficiencies within the MDG’s framework are reducing that claim from a long term agenda for human development to a temporary relief operation. On the one hand the aggregated generalization of the MDG’s is
seen to capture a diluted picture of cultural differences, economic unevenness, entitlement-deficits, access disparities, and freedom variations; and on the other, a disjointed incoherence within various goals is perceived as restraining the correspondence of the achievements of one goal with the accomplishment of the other. Why this happens and how this permeates through the various targets and indicators of the MDG regime is purported to be addressed by this article. To underscore the validity of what is argued, it is also shown that how the development paradigm contained in the capabilities approach (CA) of Nobel Laureate Amartya Kumar Sen provides a more plausible alternative by taking proper cognizance of these limitations.

The case of aggregated generalization is illustrated by a simple example. Take the first target of MDG’s first goal which aims at a reduction in acute poverty by half (on the scale of a Dollar a day). By this target, given a Million people living below the Dollar a day line, scaling up half a Million above the line suffices in proclaiming the achievement of the goal. But what if half of this Million were already living on above 95 cents a day and the other half on five cents or less? Won’t taking away the last five cents from the bottom half and bestowing it on those living on 95 cents or more accomplish the target for the goal?

No doubt this is a case of extreme hypothecation, but it does raise concerns about the sufficiency of the MDG’s framework to cater to such, howsoever atypical, eventualities. And howbeit, the example highlights the partial-factuality inherent in an aggregated approach, induced by the want of concern for distributional inequity. The MDG’s contrivances of poverty gap ratio and share of poorest quintile in national income are inadequate instruments to address this quandary mainly because distributional imbalances are seldom captured by the mathematical tools of rates, ratios and percentages. Greater context-specificity and deeper informational comprehensiveness is needed to guard against such instrumental abstractions.
So much for the in-built aggregative aberration within the MDG’s methodological framework; its glitch of a disorganized dissonance is evidenced by the asymmetrical progress in achieving the various targets of its goals. A glance at a decade-long progress sparks off some unavoidable questions. Why is progress towards combating HIV/AIDS, malaria and other major diseases promising but achievements in arresting the prevalence of maternal mortality not even modestly acceptable (MDG’s 2009)? What explains the celebration of the prospects for achieving the overarching goal of poverty reduction but whimpering concerns for the eradication of children undernourishment (MDG’s 2008)? Why achievements in one goal do not kindle proportional advancement towards other? Either the goals suffer a lack of correlation or their targets are shorn of the operational profundity to instigate a coherent, consistent and comprehensive change.

If any single factor is responsible for these inconsistencies and insufficiencies, it is the linearity with which the MDG’s approaches the essentially multidimensional realm of human development. This approach is duly reflected in the tools of rates, ratios, proportions and percentages with which it measures the achievements of its targets. To be compatible with the multidimensionality of human development, this uniformity of its operational frame of reference needs to be replaced with a framework which embodies both the informational depth to capture human development in all its polygonal dimensions, and the operational deftness to give shape and direction to its various targets.

What the Capabilities Approach Offers?

Reasons to find such an alternative in the capabilities approach (CA) are compelling. As noted by Richard Arneson (2006) and Ananya Mukerjee Reed (2008), the approach aims at distributional social justice. It sports a sufficiently vast informational space to report on the diverse features of human development. Its comprehensive evaluative schema is interlaced with incisive tools to extract wellbeing in all its variegated profiles. And along all this richness, it retains
sufficient internal consistency to shape and dictate the direction of its targets for accomplishing the set objectives. 
To Robeyns (2005), “capability approach is a broad normative framework for the evaluation and assessment of individual well-being and social arrangements, the design of policies, and proposals about social change in society” (p. 94). It visualizes well being in terms of broadening the space of ‘functioning’ and ‘capabilities’, to achieve greater ‘freedoms’. Functionings are the various states of being or doing relevant to the assessment of a person’s wellbeing (Sen 1985). Capabilities are the various combinations of these functionings which a person achieves/commands. The various commodity bundles that a person commands are termed entitlements which help people acquire capabilities (Nafziger 2006). Wiebke Kuklys (2005) summarises the conceptual framework of the CA as under, 
In its most basic form the capability approach conceptualises welfare as standard of living, and measures it as functionings. Functionings are defined as the achieved states of being and activities of an individual, e.g. being healthy, being well-sheltered, moving about freely, or being well-nourished. Welfare measurement in the functioning space takes into account the presence of non-market goods and services in an economy, home production, and adjusts for non-monetary constraints in decision making, because functionings are outcome-based (as opposed to resource based) welfare measures. [p. 5 (emphasis and parenthesis in original)]
An additional feature of the CA is its responsiveness to the social milieu in which human capabilities operate. Its conceptualization of the agency aspect of well-being allows for paying proper heed to the role a social context plays in shaping the welfare matrix of an individual.
....it can be said that the well-being aspect of a person is important in assessing a person’s advantage, whereas the agency aspect is important in assessing what a person can do in line with his or her conception of the good. The ability to do more good need not be to the person’s advantage. [Sen 1985 p. 206 (Emphasis in original)]
A person’s acquired state of wellbeing is, therefore, not the sole concern of the CA. In her/his agential capacities, the state to which a person aspires as a sensible human being is also accounted for in the capabilities space. An individual is therefore not seen only in her/his capacity as a passive recipient but also as an active agent who commands control over the things she/he values (Sen 2000).

The spectrum of human development, seen through the lens of CA encompasses the enhancement of people’s entitlements and capabilities by broadening the scope of their functionings. The presence of various impediments to functionings is seen as obstacles in the exercise of their latent abilities. An all-encompassing development process sufficiently broadens the domain of freedoms for each individual to accord opportunity for transforming latent capacities into the desired achievements (Sen 2000).

Capabilities could therefore be seen as the space of available choices, both exercised and potential, which enables to live a life as one values, in accordance with the prevailing personal circumstances. The following figure elaborates the informational space envisaged by the CA.

The ovals in the figure represent the structural components of the capabilities space while the rectangles depict the
acquired welfare levels at particular instances. As one moves from left to right, the acquired welfare levels encounter different aspects of individual lives which determine the wellbeing stage at any given instance. Three factors—personal circumstances, resources/choices (‘resources’ from here onwards) and conversion factor—play pivotal role in completing the capabilities space as a person moves from the initial conditions to the desired level of functionings. The space of personal circumstances connotes the given conditions of an individual and encompasses the prevailing level of physical, social and economic conditions at the inception of a development intervention. Resources are the various choices and opportunities thrown up by such an intervention. Conversion factor symbolizes the enabling force needed to avail/utilize the resources.

As evident from the figure, it is the interconnectivity of these three spaces which completes the capabilities set for an individual. The domain of a development project should not only address all these three components of human development, but address them in their proper order and space. This schema proffers a coherent, systematic and regimented framework for taking an individual from the prevailing conditions to the desired thresholds of development.

A Capabilities Approach Assessment of the MDG’s

Without such an articulation of the various spaces of human functioning, any human development paradigm would produce only limited results. To highlight the kind of partial-factuality that the inherent limitations of the MDG’s produce, the first six goals of the MDG’s are evaluated within the capabilities space. The evaluation illustrates that how the various targets and indicators of the MDG’s address the three essential spaces of human development\(^1\). Each goal is

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\(^1\) These six goals are directly related to human capabilities development, whereas the last two goals mainly address the institutional and functional aspects, and are therefore left out of this assessment. For a
examined in terms of its targets and indicator to see how far it caters to the demands of these three spaces. Complications arising out of any error or omission are then spelled out along with their implications.

- All the three targets for the goal of eradication of extreme poverty and hunger i.e. achieving full employment for all and halving the proportion of those living on less than a Dollar a day and those suffering from hunger, are exclusively engrossed in the spaces of resources and conversion factors. The space of personal circumstances remains conspicuous by its omission. Ostensible explanation for this oversight lay in approaching the diverse landscape of people’s conditions with a horizontal homogeneity rather than taking proper stock of the distributional imbalances. The neglect is symptomatic of a neoclassical tinge; typifying an inability to see beyond the supply and demand subtleties and a failure to appreciate people’s deprivations in terms the handicaps suffered in their access to the resources and opportunities. This absence of concern for the space of personal circumstances has emasculated even the impact of otherwise vast spaces of resources and conversion factors. Resultantly even increased entitlements within the spaces of resources and conversion factor have failed to properly correspond with people’s prevailing conditions leaving a void between wants and provisions.

Functionality within the space of personal circumstances brings into fore the distributional imbalances in people’s access and determines the depth and dimension of a development project. Ignored, and it leaves a development project insensitive to situational eccentricities, rendering it alien in its appearance, inflexible in its approach and narrow in its scope. Significant mass of people are not even accounted for, because their severely emaciated initial entitlements prevent them from establishing a liaison with the opportunities created for their uplift. On the other hand, a handful of people are able to manipulate the complete list of MDG’s and its targets and indicators, please see Appendix-A
course of the development project due to their access overstretch. A better appreciation of the space of personal circumstances would not only have given the goal sufficient manoeuvrability to adjust to divergent demands, but would also have enabled it to determine its outreach in accordance with the needs and access of the people. This also explains its inability to convert the tremendous promise of the goal of eradication of extreme poverty into concomitant progress in other related goals.

The goal of universal primary education addresses a broader canvass in targeting the completion of a primary course by children (boys and girls alike) everywhere. Such a breadth of vision is commendable but only if it is accompanied by sufficient dexterity to accommodate the divergent educational needs, priorities and preferences of all the communities and cultures. To measure progress towards the above target, the goal rely on the indicators of net ratio in primary education which addresses the space of personal circumstances, and the proportion of pupils completing primary education and literacy rates which cater to the requirements of a conversion factor. This is also appreciable because it takes into account the constraints of the space of personal circumstances so implausibly neglected by the first goal. What it disregards is the correspondence of resources with the exigencies of the personal circumstances and conversion factors. This asymmetry results from a lack of realization that people's educational needs and priorities evince greater diversity than their nutritional requirements. Crucial differentials like family, religion, ethnic and caste oriented educational preferences sensitize people's educational priorities and require a high degree of proportionality between the various spaces to preserve operational precision. These factors within the space of personal circumstances load people's preferences with certain qualifications and when resources do not correspond to these qualifications, alienations and estrangements become inevitable.
The goal of universalization of primary education primarily needs the ascertainment of people’s educational sensitivities to establish a link between the space of personal circumstances and resources on the one hand, and the identification and removal of various obstacles in availing the opportunities on the other, to link the resources with the conversion factors. What this goal, therefore, needs is a regimented scheme to correlate the three spaces of capabilities development and give it operational aptness.

By far the biggest blemish of the MDG’s framework is its restriction of the domain of gender parity and woman empowerment to a single capability deprivation. The result is a fallacious endeavour to rectify the gender imbalance with a single goal. For the removal of gender disequilibrium, one cannot agree enough with Martha Nussbaum who holds that gender equality does not constitute a basic capability but in fact occupies a crucial position in the spaces of personal circumstances and conversion factor (Nussbaum 2000). Considering gender inequality a basic capability deprivation compromises its universality and confines the scope of a malaise that cuts across all the essential capabilities, to just one compartment. A diagnostic misclassification has predictably led to an array of prescriptive miscalculations. First, it is erroneously assumed that the goal of gender parity and women empowerment could be achieved by targeting gender balance only in primary and secondary education. Then, along with the ratio of girls to boys in education, progress towards this target is measured with the indicators of women’s share in non-agriculture employment and parliaments. Nothing explains this methodological gaffe other than a suppositional overstretch presuming that either all the employed and elected women are educated, or education produce only employment and parliamentary capabilities in females. Therefore, it is hardly surprising if this shallow approach has overlooked some of the very crucial factors influencing gender parity even within education such as; a girl’s position in the household, economic
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conditions of her family, her share in the domestic work, cultural sensitivities towards female education and accessible educational institutions.

It needs to be realized that transformatory goals like gender parity entail action across all the basic capabilities, predominantly within the spaces of personal circumstances and conversion factor. Equality and its most vital province—gender parity, do not constitute a capabilities deficit \textit{per se} but are the manifestations of the handicaps within the above two spaces that is endemic to all the human capabilities. It therefore calls for action within these spaces well before entitlements in the space of resources are decided.

- Some of the most important causal factors of child mortality like the lack of hygiene, undernourishment and improper medication based on superstitions, rituals and social taboos, fall within the space of personal circumstances, but the goal gauges progress towards its target of two third reduction in child mortality by the indicators of immunization (resources) and under five and infant mortality rates (conversion factors). The goal of arresting the prevalence of child mortality is essentially preventive in nature and therefore requires concentrated action towards need realization and need identification. It is need realization in the case of recipients to make them aware of the adequacy of appropriate action and need identification in the case of development project to properly channelize resources and ensure the provision of conversion factors. The spaces of resources and conversion factor, on which the goal focuses, are primarily geared towards need fulfilment which occupies only secondary importance in preventive goals.

Education and information, together with enfranchisement are critical determinants for preventive goals. Increased entitlements in the spaces of resources and conversion factors could only produce meaningful results in such goals if people are capable of making informed choices. Where the sequence of popular choices is directed against the form and method of any
intervention, enhancement of resources and opportunities could stimulate little change.

- Similarly, women’s say in decision about children, inadequate dietary provisions, excessive domestic workload and obsessive desires for male children are fundamental factors relating to the personal circumstances but the goal of improving maternal health remains almost exclusively immersed in the space of resources, with the slight exception of the adolescent birth rates which addresses the conversion factor. Both these goals of targeting infant mortality and maternal health require action beyond what is warranted by a neoclassical approach of supply and demand. Some of these depravations require education, other information and still other economic empowerments, but none of these receive a mention either in the targets or the indicators.

- The target of halting and reversing the spread of HIV/AIDS by 2015 comes closest to the CA ideal. It covers the space of personal circumstances by strategizing knowledge about its spread; addresses the space of resources by targeting the prevalence of condoms use, and concentrates on the conversion factors by incorporating access for those in advanced stages of the HIV/AIDS to antiretroviral drugs and access of orphans to schools. Predictably, the results achieved under this goal are also most commendable. It is, however, surprising that the same breadth of vision is not extended to the indicators for halting and reversing the spread of malaria and other diseases, which mainly concentrate on enlarging the space of resources.

What this assessment of the MDG’s reveals is a pervasive neglect of the space of personal circumstances across all its targets and indicators. A compulsive preoccupation with the space of resources and conversion factor is symptomatic of the neoclassical undercurrents which permeate both its vision and targets: enmeshed in supply and demand intricacies and unflustered by distributional concerns.
Neglect of the space of personal circumstances and strong neoclassical predilections have left two critical and interrelated imprints on the MDG’s framework. First, the crucial role of informal institutions like family, ethnicity, tribal and clan relationships and voluntary social groupings, is not accounted for. These informal institutions are pervasive in all societies, but their interplay is more pronounced in the social set ups of the developing world where they effectively proxy the weak or non-existent state institutions. The significance of informal institutions in these societies could be gauged from Douglass North’s hypothesis about the evolution of institutions. North argues that institutions evolved due to a human yearning to control their environment and reduce uncertainty, and considers them to be the structures that humans impose on that landscape in order to produce the desired outcome (North 2005). Informal institutions like family, kinship, race, caste and ethnicity are the kind of devices that humans devised to achieve that end. Functional space to these informal institutions is extended by a ‘culture’, considered by Roy Baumeister as the ‘biological strategy’ of the human species to live and work in organized fashion and satisfy their biological and social needs (Baumeister 2008). People’s choices, preferences and priorities, therefore, cannot remain unaffected by the interplay of informal institutions. MDG’s inability to accord proper space to the role played by informal institutions, therefore, remains a critical deficiency.

The second repercussion is a concomitant of the first. Lack of responsiveness to the dynamics of informal institutions has also undermined the chances of participatory ownership. This has led to the commoditization of human development, leaving it perennially susceptible to the fortunes of markets in the developed world and international stock exchanges. Those receiving aid and those delivering aid are codified into a permanent relationship of recipients and dispensers. Absence of concern for people’s prevailing conditions has precluded people to transform from beneficiaries to benefactors. Recipients remain dependent not only on developed world’s will to give aid, but also on their capacity to deliver aid. It was for these reasons that it was suggested in the beginning of this article that the MDG’s framework
smacks more of a temporary relief operation than a permanent agenda for human development.

**A Capabilities Approach Framework for Human Development**

A universally applicable global agenda like the MDG’s cannot rule out some degree of inescapable generalization. Operational precision, however, demands greater context specificity. Global policy frameworks, therefore, need ample dexterity to concur with different situations. Undoubtedly, this is easier said than done. If we were dealing with a mathematical progression, inference about the universe could have been drawn from the constituent units by studying various trajectories and averaging out the effect. This would have been possible because all the constituents would be operating in essentially the same frame of reference. Unfortunately, such functional uniformity is not always available when we are dealing with human development. And this is where the inadequacy of the rates, ratios, proportions and percentages becomes obvious. In these circumstances the main issue in formulating an alternative framework to the MDG’s is how to give it context specificity and make it compatible with the assortment of people’s diverse circumstances. Accordingly, the framework laid down in the following lines targets this end as its foremost focus. However, to give proper shape to this framework, a set of ‘universally applicable capabilities’ is first outlined on a parallel to the various goals of the MDG’s. The operational framework of how to give context specificity to these universally applicable capabilities is then explained and in the end it is shown that how this framework carry advantage over the MDG’s regime.

The spheres of human development targeted by the MDG’s could be reclassified into food (the goals addressing acute poverty and malnutrition), health (the goals related to HIV/AIDS, maternal health and infant mortality) and
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Education (the goal of universal primary education). These are the three disciplines where the MDG’s targeted human capabilities development, and therefore it can be called its list of ‘universally applicable capabilities’. It could be seen that participation and security are the most conspicuous omissions from this list. Participation typifies the incorporation of recipient’s choices, priorities and concerns and it addresses the long term dimensions of human development by taking care of the issues of ownership and functional sustainability. Without it any agenda remains both transient and alien. Security’s importance has swelled in a polarized world where the ease to interact has also incremented the convenience to sabotage. It signifies the capability to protect oneself against threat-immediate or foreseen, present or future. A diminutive security seriously compromises even the utility of high capabilities in other areas. Therefore, adding participation and security to the spectrum of human development already delineated by the MDG’s, the list of universally applicable capabilities is defined to include food, health, education, participation and security.

Far from an exclusive list covering all blends of human development, this list provides an indication about the ambit of universally applicable capabilities for human development. In fact its ultimate shape could be quite distinct, when all the diverse needs of people at different locations and under different circumstances are accommodated within it. The lists of basic capabilities drawn up by Martha Nussbaum (Crocker & Robeyns 2010) and Sabina Alkire (2002) could provide some very useful insights in this regards. A little clarification is, however, warranted for the apparently glaring omission of not including income in this list. Income, it should be understood, is endemic to all the universally applicable capabilities, like the gender equality. It is a crucial determinant within the space of conversion factor but is often mistakenly considered a single capability deprivation. But income also has this queer characteristic by which the same amount of income produces quite variable entitlements

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1 As explained above, the goal of gender parity and woman empowerment does not constitute any one capability deprivation but is endemic to all. Therefore it is left out of this classification.
in different people under different circumstances\textsuperscript{1}. Such an erratic variability is contradictory to both the form and composition of universally applicable capabilities. Income as determinant of human capabilities, therefore, could only be utilized productively if it is used as a conversion factor to instil the enabling capacities in people, once the course of personal circumstances and resources has been ascertained. Herein lay an explanation of why the progress made by the MDG’s in reducing income poverty has not filtered out into other goals to make commensurate improvement there.

From this list of universally applicable capabilities, we now turn to the crucial step of devising a strategy to give it context specificity. For this we make use of approximation instead of aggregation to avoid the kind of generalization encountered by the MDG’s. While the MDG’s used aggregation as an instrument for horizontal levelling off of the divergent landscape of human development, we believe that approximation avoids such a generalization by focusing on a context-specific vertical extension of outreach.

In our approximation framework, thresholds are identified on each of the universally applicable capabilities which serve as the ‘standards’ of human development. To these standards, the levels of human development are ‘approximated’ everywhere, by taking action wherever warranted within the three spaces of capabilities development. In this scheme, a development project first identifies the prevailing levels of the human development in any particular situation. The scope, magnitude and dimensions of the development project are then set in accordance with the distance between the prevailing and standard conditions of human development. This provides an alternative to the holistic and situational-insensitive mathematical contrivances of rates, ratios, proportions and percentages. But the real difference lay not in the mere substitution of aggregation by approximation, but the manner in which this approximation is used to captures a true measure of people’s circumstances and draft the course of a development project accordingly. In this proposed framework, approximation is carried out within a

\textsuperscript{1} For further elaboration on these aspects of income such as relative deprivations, please see Sen 1976 and Sen 2000.
three-dimensional Cartesian coordinate system. The three spaces of personal circumstances, resources and conversion factor constitute the three axes of this system. On each of the universally applicable capabilities, the coordinates of these three axes determine the loci of prevailing and desired levels of human development. The distance between these loci defines the domain of the development project. The figure given below indicates how this approximation within a three-dimensional Cartesian system depicts a more complete picture of people’s prevailing circumstances to identify the scope of a development project with greater precision.

In the above figure, the three spaces of personal circumstances, resources and conversion factor are represented by the x, y and z-axes respectively. The prevailing and desired levels of human development are identified on this plane by the coordinates of these three axes. In the figure, the dark grey box represents the prevailing (a) and the light grey box the desired (β) levels of human development. A development project is commissioned to bring about a change from a to β. In this process, β serves
as the standard to which $\alpha$ is made to approximate as closely as possible. This approximation process necessitates action across all the three axes. Therefore in moving from level $\alpha$ to level $\beta$, distance has to be covered from $a$ to $b$ on x-axis, from $c$ to $d$ on y-axis and $e$ to $f$ on z-axis. These respective distances on three axes also determine the scope of action required across each space in approximating $\alpha$ to $\beta$.

This structural tweaking of a universal human development agenda carries advantages over the MDG’s framework in some crucial areas. First, the space of personal circumstances accords informal institutions their proper role which is not accounted for in a neo-classicist framework. The incorporation of the conversion factor further reduces this neo-classicist tinge by taking cognizance of the lag between resources and people’s access to them. Without discounting the role of the space of resources, it emphasizes the dual role played by these two spaces by identifying the loci of existing circumstances on the one hand and significantly influencing the directionality of the progress towards the threshold capabilities on the other.

Second, from the point of view of internalization of the development project, both the configuration and gadgetry of the framework is so formulated that it is capable of identifying the stage of development at which local population are considered capable enough to acquire the ownership and determine the course of further development. Within the capabilities space illustrated in the figure, this end is achieved by marking coordinates on the axis of personal circumstances to pinpoint a position beyond which the local populations are considered capable enough to take the ownership and command the rest of the trajectories of development themselves. This restraints the externalities to hold the system hostage, safeguards it against the global shocks and indigenizes the initiative.

Third, as a concomitant to the second point, it ensures the chalking out of a development project suited to the genius of the people of the developing world rather than an importation of the development apparatus excelled in the West. At an embryonic stage of human development prevailing in these societies, a development project needs to be reflective of the realities of the local communities rather than reinforcing the development designs rustled up in
western laboratories. The validity of this argument is substantiated by the fate of democracy on the notions of one-person-one-vote in developing societies. No one would disputes the fact that the procedure of one-person-one-vote is the purest from of participation, but there would also be little contestation over the fact that it presupposes a high degree of initial entitlements to ensure participatory equality. It is for this reason that it has productively worked in the West where uniformity in personal circumstances guards against information, opportunity and resource imbalance. In the developing world, however, such inequalities in personal circumstances as mutilated access to information, illiteracy and social stratifications denies equality in participatory opportunities. The prevalence of this imbalance is more pronounced in the case of females and rural communities, which accounts for the major portion of the population. Resultantly democracy and its institutions have failed to produce the same kind of impact as in the West. This shows the inadequacy of even such noble notions as participatory democracy in situations where people are still in a rudimentary stage of development. It also speaks volumes for the need to properly situate the space of personal circumstances in a development project.

The wrap up

Human circumstances across the globe are too strikingly dissimilar to be captured by a one-dimensional development framework. If aggregation shrouds the diversity of this conglomerate, incoherence induces directionlessness in a development project dealing with it. Unfortunately, the MDG’s suffer both these weakness. On the flip side, breadth of informational space addresses distributional issues and a regimented approach imbibes this vast informational space with directionality. The human development paradigm based on the CA outlined above, encompass both these requirements. It is, therefore, better positioned to articulate a compact and comprehensive agenda for human development. The CA framework for human development not only re-conceptualizes the development agenda contained in the MDG’s, but also gives it the required elasticity to adjust to
the dictates of diverse circumstances. In particular, functionality within the space of personal circumstances pay proper heed to such crucial dynamics as the role of informal institutions in the societies of developing world. This helps in both identifying the existing states of human development and influencing the trajectories of development intervention towards the desired thresholds. The outline provided in the above lines gives an indication of how such a framework could be configured. It obviously runs short of a compact model, but the intention was not so much to provide a plan but to throw some feelers in the directions from which human development could be properly addressed. The aim would be considered achieved if these lines even stir up some thinking towards a revisiting of the prevailing paradigms of human development.


Revisiting the MDG’s: Exploring a Multidimensional Framework for Human Development

MDG’s (2008), The Millennium Development Goals Report 2008 retrieved from


REFERENCES


Official list of MDG indicators

All indicators should be disaggregated by sex and urban/rural as far as possible.

**Effective 15 January 2008**

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<thead>
<tr>
<th>Millennium Development Goals (MDGs)</th>
<th>Indicators for monitoring progress</th>
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<tbody>
<tr>
<td><strong>Goal 1: Eradicate extreme poverty and hunger</strong></td>
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</table>
| Target 1.A: Halve, between 1990 and 2015, the proportion of people whose income is less than one dollar a day | 1.1 Proportion of population below $1 (PPP) per day  
1.2 Poverty gap ratio  
1.3 Share of poorest quintile in national consumption |
| Target 1.B: Achieve full and productive employment and decent work for all, including women and young people | 1.4 Growth rate of GDP per person employed  
1.5 Employment-to-population ratio  
1.6 Proportion of employed people living below $1 (PPP) per day  
1.7 Proportion of own-account and contributing family workers in total employment |
| Target 1.C: Halve, between 1990 and 2015, the proportion of people who suffer from hunger | 1.8 Prevalence of underweight children under-five years of age  
1.9 Proportion of population below minimum level of dietary energy consumption |
| **Goal 2: Achieve universal primary education** |  |
| Target 2.A: Ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary education | 2.1 Net enrolment ratio in primary education  
2.2 Proportion of pupils starting grade 1 who reach last grade of primary |
### Goal 3: Promote gender equality and empower women

**Target 3.A:** Eliminate gender disparity in primary and secondary education, preferably by 2005, and in all levels of education no later than 2015

- **3.1** Ratios of girls to boys in primary, secondary and tertiary education
- **3.2** Share of women in wage employment in the non-agricultural sector
- **3.3** Proportion of seats held by women in national parliament

### Goal 4: Reduce child mortality

**Target 4.A:** Reduce by two-thirds, between 1990 and 2015, the under-five mortality rate

- **4.1** Under-five mortality rate
- **4.2** Infant mortality rate
- **4.3** Proportion of 1 year-old children immunised against measles

### Goal 5: Improve maternal health

**Target 5.A:** Reduce by three quarters, between 1990 and 2015, the maternal mortality ratio

- **5.1** Maternal mortality ratio
- **5.2** Proportion of births attended by skilled health personnel

**Target 5.B:** Achieve, by 2015, universal access to reproductive health

- **5.3** Contraceptive prevalence rate
- **5.4** Adolescent birth rate
- **5.5** Antenatal care coverage (at least one visit and at least four visits)
- **5.6** Unmet need for family planning

### Goal 6: Combat HIV/AIDS, malaria and other diseases

**Target 6.A:** Have halted by 2015 and begun to reverse the spread of HIV/AIDS

- **6.1** HIV prevalence among population aged 15-24 years
- **6.2** Condom use at last high-risk sex
- **6.3** Proportion of population aged 15-
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<tr>
<th><strong>Goal 6: Ensure human development</strong></th>
<th><strong>Target</strong></th>
<th><strong>Indicators</strong></th>
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<td><strong>Target 6.B:</strong> Achieve, by 2010, universal access to treatment for HIV/AIDS for all those who need it</td>
<td>6.5</td>
<td>Proportion of population with advanced HIV infection with access to antiretroviral drugs</td>
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<td><strong>Target 6.C:</strong> Have halted by 2015 and begun to reverse the incidence of malaria and other major diseases</td>
<td>6.6</td>
<td>Incidence and death rates associated with malaria</td>
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<td>6.7</td>
<td>Proportion of children under 5 sleeping under insecticide-treated bednets</td>
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<td>6.8</td>
<td>Proportion of children under 5 with fever who are treated with appropriate anti-malarial drugs</td>
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<td>6.9</td>
<td>Incidence, prevalence and death rates associated with tuberculosis</td>
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<td>6.10</td>
<td>Proportion of tuberculosis cases detected and cured under directly observed treatment short course</td>
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**Goal 7: Ensure environmental sustainability**

| **Target 7.A:** Integrate the principles of sustainable development into country policies and programmes and reverse the loss of environmental resources | 7.1 | Proportion of land area covered by forest |
| | 7.2 | CO2 emissions, total, per capita and per $1 GDP (PPP) |
| | 7.3 | Consumption of ozone-depleting substances |

| **Target 7.B:** Reduce biodiversity loss, achieving, by 2010, a | | |
| | | |

"Nasir Khan, University of Auckland, New Zealand"
| Significant reduction in the rate of loss | 7.4 Proportion of fish stocks within safe biological limits |
| 7.5 Proportion of total water resources used |
| 7.6 Proportion of terrestrial and marine areas protected |
| 7.7 Proportion of species threatened with extinction |

| Target 7.C: Halve, by 2015, the proportion of people without sustainable access to safe drinking water and basic sanitation | 7.8 Proportion of population using an improved drinking water source |
| 7.9 Proportion of population using an improved sanitation facility |

| Target 7.D: By 2020, to have achieved a significant improvement in the lives of at least 100 million slum dwellers | 7.10 Proportion of urban population living in slums |

| Goal 8: Develop a global partnership for development |
| Target 8.A: Develop further an open, rule-based, predictable, non-discriminatory trading and financial system |
| Includes a commitment to good governance, development and poverty reduction – both nationally and internationally |

| Target 8.B: Address the special needs of the least developed countries |
| Includes: tariff and quota free access for the least developed countries’ exports; enhanced programme of debt relief for heavily indebted poor countries (HIPC) |

| Some of the indicators listed below are monitored separately for the least developed countries (LDCs), Africa, landlocked developing countries and small island developing States. |
| Official development assistance (ODA) |
| 8.1 Net ODA, total and to the least developed countries, as percentage of OECD/DAC donors’ gross national income |
| 8.2 Proportion of total bilateral, sector-allocable ODA of OECD/DAC donors to basic social services (basic education, primary health care, nutrition, safe water |
and cancellation of official bilateral debt; and more generous ODA for countries committed to poverty reduction

Target 8.C: Address the special needs of landlocked developing countries and small island developing States (through the Programme of Action for the Sustainable Development of Small Island Developing States and the outcome of the twenty-second special session of the General Assembly)

Target 8.D: Deal comprehensively with the debt problems of developing countries through national and international measures in order to make debt sustainable in the long term

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<th>Indicator</th>
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<td>8.1</td>
<td>Total number of countries that have reached their HIPC decision points and number that have reached their HIPC decision points</td>
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<td>8.2</td>
<td>Proportion of ODA provided to help build trade capacity</td>
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<td>Proportion of bilateral official development assistance of OECD/DAC donors that is untied</td>
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<td>Proportion of total developed country imports (by value and excluding arms) from developing countries and least developed countries, admitted free of duty</td>
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<td>Average tariffs imposed by developed countries on agricultural products and textiles and clothing from developing countries</td>
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<td>Agricultural support estimate for OECD countries as a percentage of their gross domestic product</td>
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The Millennium Development Goals and targets come from the Millennium Declaration, signed by 189 countries, including 147 heads of State and Government, in September 2000 (http://www.un.org/millennium/declaration/ares552e.htm) and from further agreement by member states at the 2005 World Summit (Resolution adopted by the General Assembly - A/RES/60/1, http://www.un.org/Docs/journal/asp/ws.asp?m=A/RES/60/1). The goals and targets are interrelated and should be seen as a whole. They represent a partnership between the developed countries and the developing countries “to create an environment – at the national and global levels alike – which is conducive to development and the elimination of poverty”.

1 For monitoring country poverty trends, indicators based on national poverty lines should be used, where available.

2 The actual proportion of people living in slums is measured by a proxy, represented by the urban population living in households with at least one of the four characteristics: (a) lack of access to improved water supply; (b) lack of access to improved sanitation; (c) overcrowding (3 or more persons per room); and (d) dwellings made of non-durable material.
The Eco-friendly Tharu Tribe: A Study in Socio-cultural Dynamics

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Abstract: The Tharu culture is very Eco-Friendly, all cultural thing and activities of this tribe are deeply related with nature. Their residence, food, cloths, art, religion, economy and many other part of life are based on nature and keep ecological balance. Tharu people worship mainly their tribal Goddess (The Earth) called as ‘Bhumsen’ in their folk language. There is a well family system in this community. Women have high reputation, enough social and economic rights in their family system. This community has paternal family system but women have high position and more rights, this is a mark able fact. Tharu youth like changing so they are struggling for advance ness. There are many other communities existing in Tharu area by Industrialization and Business, so the process of cultural exchange is running in Tharu area. Tharu youth are attracting to new and charming life style. They are ignoring their traditional tribal culture that is why the identity of old Tharu culture is under dangerous. They must have to get advance education, communication, technology etc. But care of old culture is must too for keep their identity.

Keywords: Tharu Culture, Eco-friendly, Development, Industrialization

1. Introduction

The Tharu tribe is a most popular tribe of India and Nepal. The Tharu people are indigenous people living in the Terai plains on the border of Nepal and India. The population of Nepal is 28,287,147 (July 2006 est.), of which the Tharu people make up 6.6% A smaller number of Tharuns live in India, mostly in Champaran District of Bihar and in Udham Singh Nagar District of Uttarakhand, Kheeri, Pilibhit, Gonda,

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Balrampur, Gorakhpur, Bahirayach district of Uttar Pradesh. Population of Tharu tribe is 83,544 in Uttar Pradesh and 85,665 in Uttarakhand state. Total Tharu population is near about 169,209 in India. The Tharu are recognized as scheduled tribes by the Government of India. Constitution of India gives many special social, educational and economic rights to these scheduled tribes and castes because they are the primary victims of the backwardness. The Tharus are struggling for their rights and cultural protection.

2. Methodology

This study is based on a primary survey using Direct/Participant Observation and Interview methods to arrive at the conclusions. The available secondary resources, however, have also been used. At present, the author is conducting a research project on Tharu tribe awareness in youth with financial help of University Grants Commission of India. That is why he has used Primary Survey data of this project. This article is part of underwriting report of this project. The primary information was collected from Nakulia, Sisona, Tharu Tisour and Baghori villages of Tahsil Siatrganj District Udham Singh Nagar State Uttrakhand, India. This work is presented in Exploratory and Analytic research design with help of statistical methods. Some statements in this study are based on secondary data but maximum results are coming from primary data.

The Tharu is the largest and oldest ethnic group of the Terai region, living in villages near dense malaria-infested jungles in regions that were isolated over the millennia, allowing them to develop a unique culture. They work usually as farmers or peddlers. Although physically the Tharu are similar to other peoples in the area, they speak their own language that originated in Sanskrit and is now recognized officially. Recent medical evidence supports the common belief that the Tharu people, having lived in the swampy Terai region for centuries, have developed an innate
resistance to malaria that is likely based on an unidentified genetic factor.

3. History

According to Nepali author Subodh Kumar Singh, a series of invasions by the Rajput kings, eroded the influence of the indigenous Tharus. In 1854 Jung Bahadur, the first Rana prime minister of Nepal, developed the Mulki Ain, a codification of Nepal’s indigenous legal system which divided society into a system of castes. The Tharus were placed at the bottom of the social hierarchy. Their land was taken away, disrupting their community and displacing the people. In the 1950s, World Health Organisation helped the Nepalese government eradicate malaria in the Terai region. This resulted in immigration of people from other areas to claim the fertile land, making the Tharus slaves of the new landowners and developing the kamaiya system of bonding generations of Tharus families to labour.

4. Social and Cultural Systems and Life Style

The economy of Tharu community is based on Agriculture and forest (Pradhan, 1937 p59). Historically, they were the only ones that were able to reside in the malarial jungles on the Indo-Nepal border. But as mosquito control became available, many others have migrated into this tribe’s areas. They have deep affiliation with forest and river. The population of Tharu tribe is near to one lac in India and in Nepal this figure is 1533879, it is 6.75% of total population of Nepal (Nepal online). This tribal community has many specialties about their culture and socio-economic systems. There are many clans in Tharu tribe those called Kuri in their local language, names of main clans (Kuri) are as followed Badwayak, Battha, Rawat, birtiya, Mahto, Dahait, Rajia, Bunka, Sansa, Jugia, Buxa, Dhangra, and Rana. All of
these Tharu clans are divided in lower and high status (Truner, 1931 p599). The Tharus followed Hindu religion, but after all they purely a tribal community by anthropological point of view. Tharu people worship mainly their tribal Goddess called as Bhuiyan or Bhumsen with other Hindu God & Goddess. Government of India has been accepted this community as a Scheduled Tribe. The fact is that the Tharu themselves did not keep written records and what is known of their early history is derived from passing references in religious texts and etymological evidence. It seems probable that there is not just one origin of the Tharu and that the people arrived in the area from different places at different places at different times. As such there may be truth in all the theories. The Panchayat system (Local Social Council) is very strong in this tribe; head of panchayat is called Padhan in local Tharu language. The Tharus love their folk arts. Tharu Songs, Tharu dance Naach, Tharu tattoos, Tharu wall paintings, Tharu handicrafts, and Tharu magic is very interesting and special. Mark able fact is this that they make handicrafts only for personal use doesn’t for marketing purpose. They like contrast colours in dress and wall paintings for decoration of house (Govila, J.P.1959 p248) Main food of Tharus is Fish and Rice but they also used Roti, Vegetables, Mutton, Chicken, Milk products and more others But since hunting is banned in forest they can not use more non-vegetable food because of poverty they can not afford expensive Mutton and chicken, but they use more and more fishes in their food. Tharus are very host able and they respect their guests very much. They like to serve best and more food dishes for guests. Tharus have very friendly nature, every Tharu people have a best friend in their life, male best friend of male called as Meet or Dilbar and female best friend of female called as Sangan. Tharus treat their best friend as real brother and sister.

Some Tharu live in longhouses, which may hold up to 150 people. The longhouses are built of mud with lattice walls. They grow barley, wheat, maize, and rice, as well as raise animals such as chickens, ducks, pigs, and goats. In the big rivers, they use large nets to fish. Because the Tharu lived in isolation in malarial swamps until the recent use of DDT,
they developed a style of decorating the walls, rice containers and other objects in their environment. The Tharu women transform outer walls and verandahs of their homes into colorful paintings dedicated to Lakshmi, the Hindu goddess of prosperity and fertility.

**Tharu Village:** - The Tharus have small populated villages and generally scattered and are often located at a miner distance. The Tharus are always in search of a good site for founding their villages. A good site in their judgment must be the land on a high level with proximity to river or some water supply yes safe from water-logging and inundation during the rainy season. (Srivastava 1958:19). The Tharus build their houses with enough distance to each other for better life style. The village dose not has bachelor's dormitories or community houses, menstruation huts, guest houses and special granaries for common use and distribution. The House of *Padhan* (Chief of Village) is very important place of village. Even a casual to a Tharu Village is impressed by the neat arrangement of the houses, their cleanness in contrast with the congestion of other villages in India. A Tharu village, therefore, represents a closely knit society unites of which have developed a bond of fellowship and corporate life through mutual obligations and co-partnership.

**Tharu Houses:** - The Tharus are famous for their clean houses. Generally Tharus build their house by Mud, Wood and Grass. The Tharus houses are always cool in summer and hot in winter, it is a specialty of Tharu houses. Each house with its field and a vegetable garden is a detached residence with a narrow or a broad alley separating it forms the adjacent houses. The house must face the east to bring them prosperity, which the other directions of the house do not promise. The Size of the house is depends on size of family. The *Than* (place of worship) is must in every house. On the side of the main house the well-to-do Tharus build a *Bangla* (the Rest House). Both the exterior and interior of the Tharu houses present a neat and clean appearance. They are swept twice or thrice a day and the ashes and house-refuse are thrown near the cattle-sed or in fields.
Religion:- Tharus follow Hindu religion because they claim that they are migrated with Rajputs of Rajasthan by blood. This is very interesting fact because they have not any specialty of Rajasthani Rajputs in their Race and Culture but they claim blood relation with them (Kumar, N 1968 p39). Tharus are related with Mongoloid race and Rajputs have different race. Dr. D.N. Majumdar contested the supposed Rajput origin of the Tharus on the basis of blood group tests and the have found that Tharus have Mongoloid race, so they not related with Rajputs (Majumdar 1941:33). The Tharu are adherents of Hinduism, but also held Islamic, Animist and Buddhist beliefs. Small numbers have converted to Buddhism in the recent years. Such syncretic practices have led Tharu to practice folk Hinduism. With the advent of religious freedom, others have converted to Christianity and there are a variety of congregations active in the various districts where Tharus are found. Traditional Tharu worship various gods in the form of animals such as dogs, crow, ox and cows. Such gods are seen in Hinduism. Every village has their own deity, commonly known as Bhuinyar. Tharu in East Nepal call their deity Gor-raja. Most Tharu households own a statue of a traditional god. Family members often offer animal’s blood sacrifices to appease the god. Animals such as pigeons and chickens are used for sacrificial purposes. Milk and silk cloth are also used. Many Tharu would also use the blood of one of the male members in the family for such rituals. Such rituals are conducted through ceremonies, and superficial cuts are made forehead, arms, throat, legs, and/or chest. The gods are believed to have the ability to heal diseases and sickness. According to traditional legend, gods are given a bhakal, a promise of something, on condition that the sickness is cured, in any events of misfortunes, plagues and horror dreams. A relative’s death is an event of great significance among Tharu, and rituals conducted varies in accordance to regions. Tharu would approach shamans as doctors, known as Guruba. Such shamans use Buddhist medicines to cure illness. Shamans will also try to appease gods through incantations, beating drums and offering sacrifices. The Tharu believe sickness comes when the gods are displeased, and the demons are at work. Buddhist converts among the Tharu are found in Saptari, Siraha and Udaypur. Currently it is believed that
there are more than one dozen of Buddhist monks and novices among the Tharus. Such practice was possibly based on the fact that they were inspired by the discovery of Lord Buddha as a member of the Tharu tribe.

5. Status of Awareness Environment and Pollution

Historically The Tharu culture is very Eco-Friendly, all cultural thing and activities of this tribe are deeply related with nature. Their residence, food, cloths, art, religion, economy and many other part of life are based on nature and keep ecological balance. Tharu people worship mainly their tribal Goddess (The Earth) called as ‘Bhumsen’ in their folk language. The old generation of Tharu community is more aware about nature and environment than new generation. According to S. K. Srivastava (a famous Indian Anthropologist) in the year 1930 the Social Reform Movement which is popularly known as Jati Sudhar (reforms in cast) among the Tharus was initiated by a handful of educated Tharus. (Srivastava 1958:105) Main some Rules of this movement are as following (which are showing the care ness of old Tharu generation)-

1-Women in their menstrual period never to enter into the kitchen or cook meals.

2-Women must clean their hearths and put on clean cloths before cooking meals.

3-All rubbish of the house and refuse of the cattle must be thrown in a ditch outside the village or in fields and not on the path.

4-No liquor and meat to be served at any ceremony.

Traditional Tharu houses making system, Agriculture system, cooking system are based on a natural law that is why the environmental valance never disordered in past. But at present there are many other communities existing in Tharu area by Industrialization and Business, so the process of cultural exchange is running in Tharu area. Tharu youth are attracting to new and charming life style. They are
ignoring their traditional tribal culture that is why the identity of old Tharu culture is under dangerous. They must have to get advance education, communication, technology etc. But care of old culture is must too for keep their identity. Main problem of Tharus youth is that they want new life style but they do not know about new and current environmental issues. They like using all type of modern thing (which make pollution) without care of environment. This is situation of highly educated youth than we can easily imaging the status of other general Tharu youth.

6. The Current Problems and Changes among the Tharu Society

The Indian Tharu youth are very important wing of their community. They are playing very creative role in their community. But they are not connected with mainstream of development. Some youth are trying to get higher education and advanced technology but in little number. They have neither advance ness nor keep awareness about their traditional culture. They must have to get advance education, communication, technology and new life style but care of traditional culture is must too for keep their own identity. Youth of other tribes of this area (Bhotia and Jaunsari etc) are aggressive more than Tharu Youth. Many Bhotia and Jaunsari youths are working as administrative officers, professors, Doctors, Engineers, and Advocates etc. They are very advanced and also careful about their traditional culture. However, Tharu youth are very poor in this matter. Generally Tharu youth do not like to go in advanced cities for education. Nepalese Tharu youth are more aware and advanced than Indian Tharu youth because there are many youth organizations and groups are active in Nepalese Tharu community for development and extension of education, technology, health care etc.

The Tharu community has its amazing culture with many specialties but it is bad luck of this community that its own new generations especially highly educated youth are not so aware for care it. Some Tharus are trying to keep their own socio-cultural values but they are not success in their target till now. Large number of Tharu youth wants change
in their life, so they are ignoring their own cultural values. It is true that Tharu youth want change but it has not this meaning that they are very aggressive or advanced. They are only following other communities for a new life style. We can say in other words that the process of Sanskirtization is still running in this community. Tharu youth are playing very creative role in their community but they are not connected with main stream of development even some youth are trying to get higher education and advanced technology but in few number. Maximum Tharu youth are trying to accept other culture only for leaving their old own culture. There are many Religious missionaries are working for conversion of Tharus in this area, that is why some Tharus have converted in other religions. The Tharu youth are ignoring their own culture and losing traditional values. Neither have they got advance ness nor do they aware about their traditional culture. Tharu Rana Parishad (Council of Tharu Community) is a main organization of this community which is active in this socio-cultural movement in this area. This organization is trying to keep traditional culture of Tharus. But this organization is not so success in its main goals.

The Tharu community is one of them Indian tribes which have not more and enough awareness about education. There are many educational institutes and organizations are working in Tharu area but percentage of educated people is very low in Tharu community. Most Tharu students want a job early that is why they are not interesting in post graduate level education. Graduation level is enough for a general job so they want only eligibility for a general job. Only those students are studying in post graduation level which want any special job or did not get a job still. Some students are taking education in post graduate level for doctorate degree but number of these students is few. There are only 2 students (1 male & 1 female) want to do research for Ph.D. level. There is only one Tharu man (Prem Singh Rana) has Ph.D. Degree in this area. At present he is Lecturer in college.

We have been said that also that Tharu Community is suffering form social changes and their youth are playing
active role in this process. Youths are refusing many old social rules and customs. In this era new Tharu generation do not like and support early age marriage, leadership & dictatorship of old aged people, Joint family System, Traditional typical Costumes, marriage with elder women. Tribal religious activities & Things etc. traditional Social values have lost their importance and new trends are still running. There is an interesting and amazing system of mutual friendship called as *Mitai* popular in Tharus community. In this system friends treat together as real brothers or sisters and they every help and support together without any formality. Male friend called as *Dilwar or Meet* and female Called as *Sangan*. This system shows the human social values and feeling of the Tharus but at present this system is losing its importance like many other old systems. Kinship system is also changing and materialistic culture is affecting badly on blood and marriage relationships. New generation is using new words on place of old words of relations for example- now *Dauwa* (Father) is called as *Papa* or *dady* and *Aiya* (mother) is called as *Mammy*. Many specialties of other communities have been accepted by Tharus at present so we can say that the process of cultural infection is killing the traditional Tharu social system.

In past there were many other communities was capturing Tharu’s Forest and agricultural land but cool minded Tharus never conflicted with them. Many other communities like Muslims, Sikhs, Paharis etc. are Continuously capturing Tharu properties and also hurting their feelings since a long past. The Tharus say that outsiders are cheaters, they are cheating our community. But now situation has been changed because the Tharu youth do not like interfere of others in their own properties. Some educated and politically empowered youth know their rights very well so they are now struggling for freehold of their own agricultural land and other properties. Situation of social conflict is still running because other communities are counter attacking on the Tharus. Blast of population and disorganization of joint families are increasing need of more agricultural land and other natural resources so the Tharu youth are conducting social movements. At present Tharu community is suffering from problem of poverty, illiteracy,
social and cultural pollution but its youth are struggling for development.

7. Conclusion

The culture of Tharu tribe is really Eco-friendly and represents a good social life system. The Tharus respect and care the natural resources like forest, rivers etc. The concept of women empowerment is not needed in this community because the Tharu women have already high status and enough rights in their own society. The old generation of Tharu tribe is more aware about environment than new generation. After all at present the Tharu tribe is suffering from Social and Cultural dynamics.

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The Paradox Struggle Between the Islamic and Conventional Banking Systems

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Abstract: Malaysia is a multi religious and a multi ethnic society with a plural legal structure. The banking system of country is essentially dual in nature and hence, there are two different sets of legal framework working simultaneously. Today, the Islamic Banking system which emerged in 1983 has levelled up to the conventional banking system which had rooted itself in the society a long time ago. Whether we believe it or not there are challenges and clashes at hand due to the existence of the dual system in the society and they need to be addressed properly, so that the clashes between these two types of banking system can be minimized. There are several quarrels between conventional and Islamic Banking laws. Some of these clashes are created due to the application of common law or conventional law based legislation to resolve the problems in the Islamic banking system. The impact of this is huge, primarily because, Islamic economics has a different premise from conventional banking and applying the same legal principles to resolve disputes for both markets does not work. Unlike conventional banking’s capitalist conviction that winner takes all, Islam argues for a fair distribution of profit and loss and bans purely speculative activity.

Keywords: Islam, Malaysia, Banking, Capitalism, Religion

Introduction

The Islamic banking system in Malaysia traces its root of inception to 1983 and over time, has emerged itself to be one that, not only can keep the pace with its conventional counterpart, but to one which can offer its fair share in terms of competition. Systems which function on two different paradoxical statements but operating in the same pluralistic system are inevitably bound to open quarrels with each other in terms of its basis, operation and mind-set.
Emergence of two systems within the same organism would predictably give rise to certain clashes and a need arises where these clashes and challenges are addressed if the effort to bridge the gap is to be effected at a useful level. These clashes include those based on legislative grounds and those faced in the process of judicial adjudication in dispute. It even includes those which are relevant to alternative means of dispute resolution.

While the Pakistani (and essentially Iranian, Sudanese as well) model of establishing Islamic banking which saw an almost overnight implementation, surfacing problems of its own, Malaysia chose to do it gradually. But, while the aforementioned model had its drawbacks, there might be certain lessons Malaysia may learn from it. The national scale at which it was kicked off, the several legislation which were drafted, the extensive administration and management, at least at the initial stages, the subsequent weathering of the whole device, the desperate attempt to revitalize by the Pakistani Supreme Court, the subsequent National Bank’s directive are all lessons from which examples may be drawn. It is interesting to note how Pakistan managed to take a step back and re-evaluate their measures and stands on Islamic banking and how they saw that complete transformation of the financial system, bringing about several practical problems, and that the parallel approach was seen the best interest of the country.

Malaysian Islamic finance establishment can very well be said to have started in 1963 with the establishment of the Tabung Haji, under the guidance of National Fatawah Committee of Malaysia. The long-term objective of the Central Bank of Malaysia, when it setup the Bank Islam Malaysia Berhad (BIMB) was to create an Islamic banking system operating parallel to the conventional banking system. The application of Islamic finance received a tremendous boost in Malaysia with the passing of the Islamic Banking Act 1983 (Act 276) followed by the establishment of the first commercial bank, licensed under the Islamic Banking Act, to operate on Islamic principles in Malaysia, namely Bank Islam Malaysia Bhd. This is generally seen as the formal entry of Islamic law into the mainstream of the laws and legal system in this country. The desire to establish a comprehensive Islamic financial system, however, has
created a overrun effect to the non-bank Islamic financial intermediaries which also started to offer Islamic financial products and services under Islamic banking schemes. In its efforts to establish an Islamic Banking system, Malaysia has seen the emergence of the Interest Free Banking Scheme (now replaced with Islamic Banking Scheme, IBS), several Takaful Companies, savings institutions (examples in Bank Simpanan Nasional & Bank Rakyat) developmental financial institutions (examples in Bank Pembangunan dan Infrastruktur Malaysia and Bank Pertanian), the National Shariah Advisory Council on Islamic Banking and Takaful (NSAC), and the second Islamic bank, Bank Muamalat Malaysia Berhad, Islamic Inter-bank Money Market (IIMM).

Indonesia, on the other hand, is a good as to how exclusive prerogative afforded to Shariah Courts can be problematic. Islamic banking in Indonesia started to operate from 1992 by virtue of the enactment of the Banking Act No. 7/1992 and amended in 1998, to provide an opportunity to conventional banks to open an Islamic window. Since that time, the growth of Islamic banking in Indonesia has been progressing steady and fast. But the problem was that the jurisdiction of the civil courts did not extend to Shari’ah matters, within which Islamic banking disputes apparently came. On the other hand, the jurisdiction of the religious courts was limited to Personal law matters. This incongruity was rectified in February 2006 expanding the jurisdiction of the Religious courts to cover adjudication of disputes belonging to Islamic economic matters, including Islamic banking.

There are several clashes between conventional and Islamic Banking laws. The main focal point of this paper would be on the clashes created due to application of the common law or conventional law based laws to resolve the problems in the Islamic banking system. The impact of this is huge. This is because, Islamic economics have a different premise from conventional banking and applying the same legal principles to resolve disputes for both markets does not work. One encouraging point is that the Central Bank is focusing on strengthening the institutional infrastructure, enhancing the regulatory framework, strengthening the Shariah and legal
infrastructure as well as enhancing intellectual capital development and consumer education in Malaysia. Islamic finance is based on the Shariah, or Islamic law. It avoids the interest-based formula of conventional banking and argues that gains must be derived from ethical investing and for profits and losses to be shared between venture partners. The one institution which is entrusted in safeguarding this element is the Shariah Advisory Council sitting at Bank Negara. The Malaysian model on this matter is exemplary. The Central Bank of Malaysia Act 1958 enhanced the role and functions of its Council according sole Shariah authority in Islamic finance. Regardless of this, there is a need for the Council to synergize between Shari’ah requirements with the legal and taxation framework and find a place for innovation in Shari’ah compliance and viable products. And the most notorious dilemma is in balancing the monetary gains and fulfilling of the Shari’ah objectives, with the use of clear and transparent procedure in decision making.

An appropriate legal, institutional and tax framework is a basic requirement for establishing sound financial institutions and markets. Islamic jurisprudence offers its own framework for the implementation of commercial and financial contracts and transactions but commercial, banking and company laws appropriate for the enforcement of Islamic banking and financial contracts do not exist in many countries. While countries such as Malaysia, Turkey, Sudan, Yemen and United Arab Emirates they have enacted Islamic Banking laws parallel to the existing conventional banking system; countries like Saudi Arabia, Egypt, Qatar, Pakistan, Iran Jordon and Bahrain have not enacted any new laws to accommodate Islamic banks, but instead operate under the existing legislations which legalize the conventional banks.

Malaysia is a good example in illustrating the clashes caused by applying the conventional laws to Islamic Banking. The Islamic Banking Act (IBA) and Islamic law generally are to be applied and implemented within the existing common law system and the regime of all other existing laws. For instance, neither the IBA nor section 124 of BAFIA exclude the application of the civil law to Islamic banking transactions. Alternatively, there is no provision in either Act
stipulating that Islamic law shall apply exclusively to such transactions. Reflection will bring into focus the enormity of the problem, which to a practitioner, is nightmarish. Another threat that may be considered is uncertainty in the law and a lack of specification as to the law applicable. To what sources would a judge deciding the case refer? And if there are conflicting opinions in the Shariah, which one should he adopt? Problems of such nature are usually understated in the industry. Now another question which can be posed here is whether changing the Islamic Banking jurisdiction from Civil courts to the Shari’ah courts would solve the complex problem of lack of knowledge in the judges?

**Devising Specific Legal Frameworks to Incept Islamic Banking**

Islamic banking has revealed vital potential as a competitive and sometimes even an improved substitute against conventional banking system in many countries of the world. Currently, two different approaches are utilized towards the development of Islamic banking. First way employed by Pakistan, Iran and Sudan is to implement Islamic banking on a comprehensive country wide basis. Second, way is to setup individual Islamic banks in parallel to the conventional interest based banks. Pakistan and Malaysia can be assumed as the two leaders of Islamic Finance. Both countries selected dissimilar tracks to achieve the same goals of developing full fledged Islamic banking and gained different results.

The Governments of Pakistan has tried to institutionalize Islamic banking system at once at a national level. The overnight exercise of Islamisation did not produce the desired results due to lack of required support and continued efforts to eliminate the interest (Riba) from the economy. Most of the Islamisation efforts either had been reversed or at least, further progress clogged. Since 2001, the Central Bank of Pakistan has started adopting the gradual policies of implementing Islamic banking which Malaysia has adopted twenty years back. Al-Meezan Bank in Pakistan (fully Islamic and independent commercial bank) and separate full fledged Islamic banking branches from few
commercial banks are vigorous indicators for positive expectations.
Malaysia endured the gradual approach of implementing Islamic banking. Although, the country is facing problems in segregating Islamic and conventional banking fixed assets and overheads expenses but, no doubt, it has successfully developed a viable Islamic financial system. After developing an Islamic banking infrastructure and Islamic instruments for financial investments and liquidity management, the country is actively progressing towards the development of Islamic capital market. Malaysia is now also inviting the international market to experience its new dual banking system.

It shall be noted here that the incongruous legal struggle stems from the dodges in the devised legal frameworks. Hence in this part of the paper, a comparative study of a country which transformed all of its laws to accommodate Islamic banking would be divulged into, followed by a description of a country in which an Islamic Banking framework co-exist with a conventional banking system in harmony.

**Pakistan: a convert of Islamic banking**
The process of Islamizing the financial structure of Pakistan is in conjunction with the global resurgence of Islamic banking in the late seventies. Pakistan was among the three countries in the world that has been trying to implement Islamic banking at national level. This process started with presidential order to the local Council of Islamic Ideology (CII) to prepare the blueprint of interest free economic system on September 29, 1977. The council included panelists of bankers and economists, submitted their report in February 1980, highlighting various ways and sufficient details for eliminating the interest from the financial system of Pakistan. This report was the seed for Islamizing the banking system in Pakistan.

The Islamic banking movement in Pakistan was countrywide. As it was a gargantuan mission, the barter plan was implemented in phases. The development was started by transforming the operations of specialized financial institutions like National Investment Trust (NIT), Investment Corporation of Pakistan (ICP), and House Building Finance Corporation (HBFC) to the system conforming to the Islamic
principles with effect from July 1, 1979. Separate Interest-free counters started operating in all the nationalized commercial banks, and one foreign bank from January 1, 1981, to mobilize deposits on profit and loss sharing basis. As from July 1, 1985, all commercial banking operations were made ‘interest-free’. From that date, no bank in Pakistan, including foreign banks, was allowed to accept any interest-bearing deposits. All existing deposits in banks were treated to be on the basis of profit and loss sharing. However, foreign currency deposits/loans were continued to govern on interest basis. The government meanwhile also passed the Mudarabah Companies Act 1984, enabling financial institutions or business groups to setup special Mudarabah Companies in the country.

The modification of administration with regard to the overture of fresh system is constantly an urbane job requiring extensive planning and commitments. This is particularly true in case of present day financial systems wherein the interests of the stakeholders are embedded and considered a weighty ingredient. Only a well devised plan with committed and continuous efforts could lead to success.

Regrettably the efforts of the economics managers in Pakistan, were in vain to the desired outcome. Currently, there are hardly any transaction deals in inter-banks, intra-banks or the government related financial activities which can be called as Islamic. In the beginning of Islamisation process the banks expressed some anxiety adjusting to the new system and tried to develop methods to eliminate the interest from their transactions. But the issuance of BCD circular No.13 of June 1984 allowed banks to provide finance on mark-up and on buy-back agreement basis. The technique of buy-back agreements are nothing but disguised forms of interest, a point on which most Islamic scholars agree. With the help of new terminology the financial institutes retained the conventional methods of interest bearing finance. The Islamic modes of finances such as musharikah, mudarabah, ijara, ijara wa iktina, were not adopted in majority of the cases. The aggressively established Mudarabah Companies also failed to continue their subsistence; with most of them currently either in
losses or are in the process of getting agglomerated with other financial institutions in a desperate bid for survival. The current financial system is basically based on ‘mark-up’ technique with or without buy-back arrangement. This procedure was, however, declared un-Islamic by the Federal Shariat Court in November 1991. Appeals were made to the Shariat Appellate Bench of the Supreme Court of Pakistan (the apex court). The Supreme Court delivered its judgment on December 23, 1999 rejecting the appeals and directing that laws involving interest would cease to have effect finally by June 30, 2001. In the judgment, the Court concluded that the present financial system had to be subjected to radical changes to bring it into conformity with Islamic laws (Shariah). It also directed the government to set up, within specified time frame, a commission and task forces for the transformation of the financial system, to achieve the objective. The Court also indicated some measures related to the infrastructure and legal framework, which needed to be taken in order to have an economy conforming to the injunctions of Islam.

The Commission for Transformation of Financial System (CTFS) set-up in the State Bank of Pakistan submitted its report in August 2001 that mainly comprised the recommendation given in the two Interim reports submitted earlier in October 2000 and May 2001. Currently, a task force is working in the Ministry of Finance to suggest the ways to eliminate interest from government operations. Another task force has been set-up in the Ministry of Law to suggest amendments in legal framework to implement the Supreme Court’s Judgment.

Pakistan after the gap of twenty years has now decided to shift towards interest free economy in a gradual and phased manner minimizing any further disruptions. Some extracts from the affidavit submitted by the Deputy Governor of the State Bank of Pakistan (SBP) in the Supreme Court of Pakistan reflected the future policy of the Bank for the time being.¹

¹ “That having taken a series of steps to promote Islamic banking… and considering all other practical problems associated with the complete transformation of the financial system, discussed herein, it is the State Bank of Pakistan’s considered judgment that the parallel approach will be
State Bank of Pakistan issued detailed criteria in December 2001 for the establishment of full-fledged Islamic commercial banks in the private sector. Newly established Islamic banks can be listed on the stock exchange provided minimum of 50 percent of total shares be offered to the general public. At least 15 percent of the total paid-up capital should be subscribed personally by sponsor directors. Islamic banks are also required to maintain a minimum capital adequacy ratio of 8 percent based on risk weighted assets. Meezan Bank Limited (MBL) received the first Islamic commercial banking license from SBP in January 2002. At the end of 2003, MBL has a small network of 10 branches with total deposits of US $ 130 million.

In January, 2003 the State Bank issued detail instructions upon setting up subsidiaries and stand-alone Islamic banking branches by existing commercial banks. Accordingly six existing commercial banks including one foreign bank are allowed to open separate Islamic banking branches. Out of which eight branches of four banks have already started their operations since June 2004. Islamic banks are also allowed to maintain statutory liquidity requirements (SLR) and special cash reserve (SCR) deposits in current accounts with the State Bank to the maximum extent of 40% of SLR and SCR for other banks in order to avoid interest.

Some developments have also been witnessed in the capital market with regard to Islamisation. During the last few years, numerous companies have issued Term Finance Certificates (TFC) to raise redeemable capital on the basis of Musharaka. The payments of profit or sharing of loss with the TFC holders are linked to the operating profit/loss of the TFC issuing companies. Therefore, the investors assume the in the best interest of the country. This means that Islamic banking is introduced as a parallel system, of which beginning has already been made; it is provided a level playing field vis-à-vis the existing conventional banks, and its further growth and development is supported by Government and State Bank of Pakistan through appropriate actions. The approach will eliminate the risk of any major cost/damage to the economy, give a fair chance to Islamic banks to develop alongside the conventional banks, and will provide a choice to the people of Pakistan, and the foreigners doing businesses in/with Pakistan, to use either of the two systems’’
risk of sustaining losses proportionate to their principal amount in case of operating losses incurred by the company. In September 2002, Securities and Exchange Commission of Pakistan (SECP) also allowed the Mudaraba companies to float Musharikah based TFC’s. Another significant development during the year 2003 is the permission to set up ‘SME Modaraba’ with the participation of about 20 Modarabah companies to undertake SME businesses in the smaller towns and distant areas. SME Modaraba will resolve the problem of the individual Modarabah companies which do not have a big branch network to reach out to the prospective clientele.

**Malaysia: the cranium of Islamic Banking**

In Malaysia, the roots of Islamic finance go back to 1963 when the government established Tabung Haji or Pilgrims Management and Fund Board. The institution was established to invest the savings of the local Muslims in interest free places, who intend to perform pilgrim (Hajj). Tabung Haji utilizes Mudarabah (profit and loss sharing), Musharakah (joint venture) and Ijara (leasing) modes of financing for investment under the guidance of National Fatawah Committee of Malaysia. The initial call for separate Islamic bank was made in 1980, in a seminar held in the National University of Malaysia. The participants passed a resolution requesting the government to pass a special law to setup an Islamic bank in the country. Responding to the request, the government set up a National Steering Committee in 1981 to study legal, religious and operational aspects of setting up an Islamic bank. The committee established the blue print of a modern Islamic banking system in 1983, which later enabled the government to establish an Islamic bank and to issue non-interest bearing investment certificates. The establishment of Bank Islam Malaysia Berhad (BIMB) in July 1983 marked a milestone for the development of the Islamic financial system in Malaysia. BIMB carries out banking business similar to other commercial banks, but along the principles of Islamic laws (Shariah). The bank offers deposit-taking products such as current and savings deposit under the concept of Wadiah (guaranteed custody).
and investment deposits under the concept of Mudarabah (profit-sharing). The bank grants finance facilities such as working capital financing under Murabaha (cost-plus financing), house financing under Bai’ Bithaman Ajil (deferred payment sale), leasing under Ijara (leasing) and project financing under Musharikah (joint venture). BIMB has grown tremendously since its inception. It was listed on the Main Board of the Kuala Lumpur Stock Exchange on January 17, 1992. At the end of 2003, the bank has a network of 82 branches throughout the country and staff of 1,200 employees.

The long-term objective of the Central Bank of Malaysia was to create an Islamic banking system operating parallel to the conventional banking system. A single Islamic bank (BIMB) did not represent the whole financial system. It required large number of pro-active players, wide range of products and innovative instruments, and a vibrant Islamic money market. Realizing the situation, the Central Bank introduced the Interest Free Banking Scheme (now replaced with Islamic Banking Scheme, IBS) in March 1993. The scheme allowed conventional banking institutions to offer Islamic banking products and services using their existing infrastructure, including staff and branches. Since then, the numbers of IBS banking institutions have increased to 36 till the end of 2003, comprising 14 commercial banks (of which 4 are foreign banks), 10 finance companies, 5 merchant banks and 7 discount houses.¹

The desire to establish a comprehensive Islamic financial system has created a spill-over effect to the non-bank Islamic financial intermediaries which also started to offer Islamic financial products and services under Islamic banking schemes. Such institutions include the Takaful Companies, the savings institutions (i.e. Bank Simpanan Nasional & Bank Rakyat) and the developmental financial

¹ The Central bank of Malaysia in its annual report (1993, page no 57) stated:

“With the implementation of the interest free banking scheme, Malaysia has emerged as the first country to implement a dual banking system, whereby an Islamic banking system functions on a parallel basis with the conventional banking system”.

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institutions (i.e. Bank Pembangunan dan Infrastruktur Malaysia and Bank Pertanian.
In October 1996, the Central Bank issued a model financial statement for the IBS banks requiring them to disclose their Islamic banking operations (balance sheet and profit and loss account) as an additional item under the Notes to the Accounts. The Central Bank also setup a National Shariah Advisory Council on Islamic Banking and Takaful (NSAC) on May 1, 1997. The council was deemed as the highest Shariah authority on Islamic banking and Takaful businesses in Malaysia. On October 1, 1999, the Central Bank issued the license for the second Islamic bank, Bank Muamalat Malaysia Berhad.
The country also introduced Islamic debt securities market, which made its debut in 1990 with the issuance of RM 125 million Islamic bonds. Islamic Inter-bank Money Market (IIMM) on January 4, 1994 to link institutions and Islamic investment based instruments. Since then, both the markets provide variety of securities ranging from two to five years medium terms Islamic bonds to short-term commercial papers one to twelve months.
Today, Malaysia has a full-fledged Islamic financial system operating parallel to conventional financial system. In terms of products and services, there are more than 40 different Islamic financial products currently available in the country. However, differentiating fixed assets and overhead expenses are problematic in case of IBS banks. Usually, an IBS bank consists of a team overseeing Islamic banking transactions. Product development, marketing and other policy issues are conducted at their respective headquarters. At the branch level, there is no delineation over Islamic and conventional transactions. Each branch officer is expected to deal with both systems. Islamic and conventional transactions share the share computers and automated teller machines (ATMs) facilities. To some extent, overhead expenses on wages/salaries, office equipment and furniture etc. can be accounted for at the bank’s headquarter, but not at the branch level. The same applies to security systems, land and office premises as these cannot be divided into the Islamic and conventional individual components (Rosley, 2003).
The thrust of the Islamic financial policy in 2004 will continue to be directed at further strengthening the
fundamental essence for progressive Islamic banking industry. The Central Bank is focusing on strengthening the institutional infrastructure, enhancing the regulatory framework, strengthening the Shariah and legal infrastructure as well as enhancing intellectual capital development and consumer education. In 2003, the Central Bank of Malaysia brought forward liberalization in Islamic banking to allow three full-fledged foreign Islamic banks to be set-up in Malaysia.

**Shari’ah Advisors: the Watchdogs of the System**

Some countries like Malaysia and Turkey accommodate the dual banking system. Deliberations are ongoing whether both systems should have same rules and regulations. However, Islamic banks are given special treatment saying that there is an ideological difference between conventional and Islamic Banking system and hence there are operational differences between the two systems. The privileges which stem from this indeed are iniquitous to the conventional banks (Warde, 2000).

Shari’ah councils are indeed advisory bodies. Their main job is to protect the Islamicity in carrying out Islamic banking. In these councils reside scholars of Islamic Law. They are consulted regarding the bank’s contractual dealings, the new products of that bank, and daily activities of the bank. They are appointed to ensure that the day to day running of the bank would be complaint with Islamic law. The compositions of these councils are different from country to country. The numbers of scholars in the council differ among countries. The power of this council is colossal. In some countries they have the ultimate saying in matters, whilst in some other jurisdictions they merely have to give advice on the matter. And in some other countries in the case of dispute the Fatwa given by these councils would be binding on the courts.

The Malaysian model of Shari’ah Advisory Council is exemplary. The Bank Negara of Malaysia has amended the Central Bank of Malaysia Act 1958 to enhance the role and functions of its Shariah Advisory Council for Islamic Banking and Takaful (SAC). This amendment has accorded the SAC as the sole Shari’ah authority in Islamic finance. As the sole Shariah authority, the SAC will be referred to by the court or
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arbitrators in disputes involving Shariah issues in Islamic banking, finance and takaful cases. There are challenges facing the Islamic scholars convening in these Councils. Firstly, they have the dilemma of going through the lengthy Islamic Banking instruments and they need to have knowledge and experience to do this, which most of the scholars are found wanting of. Secondly, they need to synergize between the Shari'ah requirements with the legal and taxation framework. Thirdly, they also need to learn how to use innovation in Shari’ah compliance and viable products. And the most controversial problem is with regard to balancing between the monetary gains and fulfilling of the Shari’ah objectives and use of clear and transparent procedure in decision making.

It is true that no Islamic financial transaction can be closed without the sign-off of the Shariah Advisory Board as to whether the transaction or structure satisfies the tenets of Fiqh Al-Muamalat (Islamic law relating to financial transactions). In many markets, the reputation of the so-called top tier of international Shariah advisories do not mean much as retail customers in particular prefer to have the input of their local imam or Shariah scholar. This is a potentially a major problem for the development of the sector because not every local imam or Shariah scholar is conversant with the rubrics of Fiqh Al-Muamalat, which is a highly complex yet under-developed area of Islamic jurisprudence.

The Islamic finance sector not only has a human capital development challenge but, perhaps equally importantly, also a Shariah advisory development challenge. While the universities and specialized academies are now starting to offer academic and training courses in this respect, they are still few and far between and their curricula are at best mixed and not quality controlled. This leads to the complicating matter relating to lack of globally accepted qualification as a Shariah scholar, just as there are no globally accepted standards for Shariah rules, which are to some extent open to interpretation. Since Shari’ah Advisors are the backbone of the industry, it is put forward here that the composition of these Councils need to be reformed and standardized globally. This is because, today the scholars of Islamic law have monopolized the Islamic Banking system
and this might lead to abuse. And also scholars with only Islamic knowledge might jeopardize the competitive development of Islamic Banking products. Therefore, it is suggested that the appointment of scholars with parallel knowledge of Islam and finance would make Islamic banking more competitive in the system. But to be realistic, it should be noted here that it would be very hard to get scholars of this nature. Hence, until we get a supply of such scholars, it is put forth here to appoint financial consultants and Islamic scholars to the Councils. This way, the financial aspect and the Shari'ah issues can be solved simultaneously. And the contact between the market players and the Islamic scholars need to be improvised.

Although there is a clamor for standardization or uniformity of Shariah interpretations, this is impracticable given the various Madhabs (schools of Islamic law). In any case, even in conventional finance there is no uniformity of rules and laws, and can differ even within one country as in the US where the state laws on banking differ from each other. It would be prudent to consider that in Islam there is no Vatican. Diversity of Shariah opinions is strength and not an Achilles' heel. Then only the Islamic finance sector will prosper.

On the positive aspect, there are signals that the Shariah governance process in Islamic finance is progressively embryonic and gaining maturity with the call by prominent Saudi Shariah scholar and economist, Mohamed Elgari, for a scientific approach to Shariah compliance. This was followed by the recent call by another prominent Shariah scholar, Sheikh Esam Ishaq of Bahrain, that Shariah advisories serving the Islamic finance industry should be regulated. Elgari has called on fellow Shariah advisories to adopt a scientific methodology in reaching their deliberations on Islamic finance. "To be respected," said Elgari, "Shariah scholars should follow scientific methods to reach their conclusions. We have seen many mistakes where declarations have been issued. Only the correct resolutions will prevail. Shariah is not a group of infallible people. It is a science. It requires methodology, and resolutions require peer review and market consultation."

Elgari is also a big supporter of the codification of Fiqh Al-Muamalat, which could contribute immensely to clarifying
the rubrics and the contentious issues relating to products and services in the nascent Islamic finance industry. Similarly, he believes that greater transparency in the Shariah governance process, more professional articulation of the resolutions and statements, and prior debate and consultation between scholars and other stakeholders in the industry, could go a long way in mitigating the misconceptions and confusion that has arisen as a result of some of the recent Shariah rulings.\footnote{Arab news (11\textsuperscript{th} October 2009); Islamic Banking Special Supplement: Shariah governance a challenge to Islamic banking by Mushtak Parker.}

Another major development in August 2009 was the issuance by Bank Negara Malaysia of the first in a series of Shariah references. The first one, Shariah Parameter Reference 1 or murabaha Parameter (SPR1), will be followed by Shariah Parameters on ijarah (leasing), mudaraba (trust financing), musharaka (partnerships), istisna (construction financing) and wadiah (current accounts). SPR1 outlines the main Shariah requirements in the contracts and provides examples, methods and models for practical application of the contract, and is issued as guidance and reference to all IFIs. It also marks a key advancement in the bank’s efforts to promote greater harmonization in the development of the Islamic finance industry.

**Sagacity of Conventional Legislations with the Islamic Banking System**

An appropriate legal, institutional and tax framework is a basic requirement for establishing sound financial institutions and markets. Islamic jurisprudence offers its own framework for the implementation of commercial and financial contracts and transactions. Nevertheless, commercial, banking and company laws appropriate for the enforcement of Islamic banking and financial contracts do not exist in many countries. And this is a dilemma. In different jurisdictions of the world, the legal frameworks of Islamic Banking vary. It totally depends on the legal systems existing in the country. For example in Malaysia, Turkey, Sudan, Yemen and United Arab Emirates they have enacted Islamic Banking laws parallel to the existing conventional
banking system. On the other hand in countries like Saudi Arabia, Egypt, Qatar, Pakistan, Iran Jordan and Bahrain they have not enacted any new laws to accommodate Islamic banks, but instead Islamic Banks are operated under the existing legislations which legalize the conventional banks. In Lebanon they have not enacted any laws for Islamic Banking, but the banks operate subject to the country’s fiduciary laws. In most countries banks are supervised by the Central Bank, whereas in Kuwait the Ministry of Commerce is the authority which supervises banks.

To illustrate the clashes caused by applying the conventional laws to Islamic Banking, delving the current situation in Malaysia would suffice. In Malaysia, the Islamic Banking Act (IBA) and Islamic law generally are to be applied and implemented within the existing common law system and the regime of all other existing laws. This includes not only the laws but also the courts system and court procedure. It is lucid, that the system and those laws and procedure were not drafted or designed with Islamic law in mind or to facilitate the application of Islamic law.

A minute’s reflection will bring into focus the enormity of the problem. To a practitioner this is a legal nightmare and for a layman this is indeed foreboding. The complexity is that any document that is to be used in an Islamic banking transaction has to conform with both Islamic law (or in the words of the Act it must "not involve any element which is not approved by the Religion of Islam"\(^1\)) and also with all other applicable laws, eg Contracts Act, 1950, Bills of Exchange Act 1949 just to name two. To take a simple illustration: a contract made in a banking transaction by an Islamic bank or as an Islamic transaction must be valid under Islamic law and also under the civil law, for it to be enforceable in the civil courts. For example, a contract may be valid under Islamic law yet it could fail in the civil courts for want of consideration and thus be unenforceable. The reverse situation can quite as well happen.

Thus any document or instrument to be used in Islamic banking has to be in accord with Islamic law, existing civil laws and must be structured in a way to as to be enforceable

\(^{1}\) Section 2 of IBA
in civil courts. This problem was realized at the outset when banking documents were first drafted for use by Bank Islam and a great deal of caution was exercised to ensure their compliance with the above-stated requirements. Over the years these documents have been modified and improved upon. The validity of some of these documents was challenged in the courts but, favorably, none of those challenges have been successful.

There are multitudes of existing laws (including procedural laws) that need to be amended to make them applicable to Islamic banking. Some of these are: the Contracts Act 1950, the National Land Code 1965, the Stamp Act 1949, the Companies Act 1965, the Malay Reservations Enactment of the various States of Malaysia, The Rules of the High Court 1980 and the Subordinate Courts Rules 1980 and others. A comprehensive study of all such legislation must be made and appropriate amendments passed by Parliament. As an interim measure, a general all-embracing provision may be enacted in the IBA and BAFIA to deal with situations of conflict among the laws that may be applicable and uncertainty in the law.  

This section empowers conventional financial institutions to carry on Islamic banking business to the same extent as an Islamic bank, removing in the process the prohibition against the carrying on of Islamic banking business by any person not in possession of a license under the IBA. Indeed, the latter can do more since s. 124 (1) also authorizes them to do Islamic financial business, although considering the definition of the latter term (which is identical to that of Islamic banking business), it is difficult to see what would come within that term that is also not within the term Islamic banking business.

The Rules of the High Court 1980 and the Subordinate Courts Rules 1980 were drafted in the year shown in their titles. This was before Islamic banking was introduced into this country and, naturally, the peculiarities of claims made

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1 Section 2 of IBA and section 2 of BAFIA provides that Islamic banking and/or Islamic financial business means “any financial business, the aims and operations of which do not involve any element which is not approved by the Religion of Islam.”
and actions filed under Islamic financing were not taken into account. But the rules have not been amended since to provide for these peculiarities. This became clearly evident in the unreported case of Bank Islam Malaysia Berhad v Adnan Bin Omar.¹

The foregoing instances illustrate the type of dangerous living that lawyers practicing Islamic law in this country have to undergo in arguing cases in the civil courts. But their luck may not always hold and the danger may become real that an Islamic banking transaction (perfectly valid under the Shariah) may be held unenforceable or void because the civil law has not been equipped to handle it. That would be a legal tragedy.

Another danger zone that may be considered is uncertainty in the law and a lack of specification as to the law applicable. The Shariah imposes certain requirements for a contract to be valid under it. But these requirements may not all be the same under all the schools of jurisprudence of Islam or under the civil law. So it is possible for a contract to be valid under the tenets of one madhab of the Shariah and not under another madhab or the civil law. If the validity of such a contract falls to be determined by a civil court, how should the court decide it?

To what sources would a judge deciding the case refer? And if there are conflicting opinions in the Shariah, which one should he adopt? If there is a conflict between Islamic law and the civil laws applicable to the matter, which should take precedence? These are all questions to which there are no straightforward answers. Problems of such nature would indeed be a predicament.

It cannot be over emphasized that there must be answers in the law to the types of questions raised above. These can only be provided by legislation and that must be done in haste as they are long overdue. Apparently the same laws and rules will apply to Islamic banking business carried on by both Islamic banks and conventional banks, though it is plausible, that in certain matters the opinions of the Shari’ah Advisor Councils may differ.

¹ [1994] 3 CLJ 735
An exemplary situation of an effort to adjust the existing conventional legislations to accommodate the need of Islamic Banking laws can be evident from Pakistan. Hence, it is imperative to grasp and analyze the impact of this change on the Islamic Banking sector of the country. By doing this the countries with parallel legal systems might get some idea on how to crack their legislation struggles.

When Islamic Banking was introduced to Pakistan, some of the laws dealing with conventional banking and finance in Pakistan was over one hundred years old. For instance, the Negotiable Instruments Act dated back to the year 1881. There were laws which regulate the conduct of affairs of banks as a separate legal entity. There were laws which authority to regulate the monetary and credit system of the country of which banks from an integral part. Laws pertaining to limited companies and partnership firms were also relevant to banks as they are part of banks’ clientele. So were some other laws which govern the contractual obligations of banks with their customers. Besides the above there were laws which provide for recovery procedures.

These legislations were important to Islamic banks too as the vigor of the banking system depends on quick adjudication of disputes and prompt recovery in cases of customers’ defaults. The laws dealing with all matters concerning banks were enacted in a context which recognized ‘interest’ as the kingpin of the system. Elimination of interest has lot more technical ramifications than what may meet the eyes on the surface. Hence the government put lot of effort to restructure these laws based on conventional system.

In 1962 a Banking Companies Ordinance was promulgated which sought to consolidate and amend the law relating to banking companies. The provisions of this ordinance were intended to the supplement and in addition to the Companies Act of 1913 and other laws except where it was expressly provided. According to Banking Companies 1962 ‘banking’ means the accepting for the purpose of lending or investment, of deposits of money from the public repayable on demand or otherwise and withdrawal by cheque, draft, order or otherwise. Deposits accepted by a company for financing of its own business of manufacturing or trading are therefore excluded from the definition of ‘banking’.
Likewise, lending of money alone falls outside the scope of banking as defined. The accepting of deposits from the public repayable on demand or otherwise always implied that the repayment of the principal sum was guaranteed and payment of a fixed rate of interest was also guaranteed if it was agreed to between a bank and its depositors. In theory this meant that the system of banking in Pakistan prior to January 01, 1981 was based on the certainty of repayment of the principal sum and also return on it formed the basis of the contract.

Introduction of interest-free banking in Pakistan as from January 01, 1981 needed suitable amendments in the existing banking laws. Consequently some amendments were made in the Banking Companies Ordinance 1962 which took effect from December 24, 1980. One of the amendments added a new section 26A which authorized the banks in Pakistan to accept deposits as under: on participation in profit and loss of the banking company; Free of interest or return in any form.

Since, the then existing system of interest-based deposits was not intended to be abolished overnight, section 26A also provided that banks could continue to accept deposits on the basis of interest until such time it is notified by the Federal Government that domestic operations of banks are to become interest-free. Section 26A also required that the banks accepting deposits on the basis of participation in profit and loss maintain separate accounts in respect of PLS deposits, investments made, cash and liquidity reserves maintained there against as well as all income and expenditure relating to these deposits. The amendment requires that the PLS deposits accepted by banks can only be invested in such transactions or business from which income does not accrue by way of interest. The amendment further provides that the depositors on the basis of participation of profit and loss of the banks are entitled to a share in the profits calculated according to general directions of State Bank of Pakistan issued from time to time in light of the needs of monetary stability. In case banks suffer a loss, the depositors are to bear the loss proportionately.

That the depositors are now to share in the profits or loss of their banks replaces a well established traditional system of
banking which rests on the principle of certainty of capital and certainty of return on it. Equally unique is the other side of the new system which requires the banks to share their profits or loss with their depositors against their traditional role of being the residual claimant. The ‘rigid financial intermediation’ of interest-based system has been replaced by a system of ‘participatory financial intermediation’ in which there is participation for the common benefit. This change in the relationship of depositors and banks though seemingly innocuous carries seeds of basic structural changes in the financial and monetary order. A system in which depositors and banks agree to share in profits or loss of banks seems to possess sufficient intrinsic strength to withstand many a crises which sometimes lead to bank failures in the traditional system of interest-based banking which prides itself on the certainty of depositors' capital and return on it only as long as the weather is fair.

Subsequently, the Partnership Act was amended too. Accepting deposits from clients on the basis of sharing of profit and loss had another legal implication in the light of section 4 of the Partnership Act 1932 which defines "partnership" as the relation between persons who have agreed to share the profits of a business carried on by all or any of them acting for all. The new system of accepting deposits by banks on the basis of sharing of profit and loss within the meaning of section 4 of the Partnership Act 1932 could possibly be interpreted to the effect that depositors had become partners of the bank. Under the Act a partner's liability is unlimited and the liabilities of a partnership can be recovered from any one of the partners. In a situation like this the liability of a PLS depositor could even exceed the principal sum of his deposits though it is difficult to believe that a partnership can inadvertently come into existence between a bank and its depositors. Another limiting factor is that the Partnership Act 1932 restricts the number of partners in an ordinary partnership to twenty and it is hardly to be expected that the number of PLS depositors of a bank could be so scant. However, to remove this confusion
an amendment has been made on December 31, 1984 by adding a new section 6A in the Partnership Act 1932.\(^1\)

The phrasing of the amendment indicates that the law makers were overly concerned to exclude finances provided by banks to others on the basis of sharing profit & loss from the provisions of Partnership Act 1932. Obviously cases of finance provided by banks to others on the basis of sharing of profit & loss are very small in number while the number of domestic depositors sharing in the profit and loss of banks runs into millions. This demanded that the relationship of depositors with their banks should have been more explicitly excluded in the newly added section 6A. The intention of the law makers is however sufficiently evident that the profit-sharing relationship between banks and others is excluded from the purview of the general provisions of the Partnership Act 1932.

Now, if the relationship of PLS depositors with their banks and of banks with others using banks’ finance on the basis of sharing of profit or loss is not to be treated as ‘partnership' then what is the legal basis of this new relationship under interest-free banking in Islamic context. Under interest-based system it was a settled issue that the banker-customer relationship was that of debtor and creditor depending on the state of a customer’s account.\(^2\) Whoever owed money to the other was a debtor and this position could change several times in the course of a day. Since Islam does not permit transactions on the basis of interest, the debtor-creditor relationship is relevant only in the context of benevolent loan (qard al hasan). Where profit is desired to be carried by owners of funds several Islamic alternatives such as Mudaraba, Musharaka, Murabaha, Ijara etc. are available. According to Islamic law in each of these

\(^1\) "Act not to apply to certain relationship — Nothing contained in this Act shall apply to a relationship created by any agreement between a banking company and a person or group of persons providing for sharing of profits and losses arising from or relating to the provision by the banking company of finance to such person or group of persons, For the purpose of this section, "banking company" and "finance" shall have the same meaning as is in Banking Tribunals Ordinance 1984”.

\(^2\) Foley v Hill (1848) 2 H.L.C. 28, 9 E.R. 1002
arrangements the relationship between the financier and the financed is different. To cope with this situation and to avoid dislocation definitions of 'Creditor' and 'Debtor' have been enlarged through an amendment on December 24, 1980 in Banking Companies Ordinance 1962. New clauses (dd) and (ee) have been added in section 5 of the Companies Ordinance 1962.¹

With these amendments the banker-customer relationship under the interest-free banking system in Pakistan continues to remain that of 'debtor' and 'creditor' as before. The most probable rationale of this is that even in a profit and loss sharing arrangement the principle sum subject to adjustments for profit or loss, as the case may be, is recoverable at the end of the contracted period.

Similarly definition of "loans, advances and credit" has also been enlarged by adding clause (gg) in section 5 to include finance provided on the basis of participation in profit and loss, mark-up in price, lease, hire-purchase or otherwise. This change in the definition of 'loans, advances and credit is relevant to many other laws such as State Bank of Pakistan Act 1956, Banks (Nationalisation) Act 1974, Banking Companies (Recovery of loans) Ordinance 1979. Further amendments in various laws have again been made on December 31, 1984 through a Banking and Financial Services (Amendment of Laws) Ordinance. The definition of 'Debtor' in section 5 of the Banking Companies Ordinance 1962 has been further changed. Anyone who is provided 'finance' is a 'Debtor'. Through another amendment 'loans, advances and credit' include 'finance' which has been exhaustively defined in the Banking Tribunals Ordinance

¹ (dd) "Creditor" includes persons from whom deposits have been received on the basis of participation in profit and loss and a banking company or financial institution from which financial accommodation or facility has been received on the basis of participation in profit and loss, mark-up in price, hire-purchase, lease or otherwise.

(ee) "Debtor" includes a person to whom or a banking company or financial institution to which financial accommodation or facility has been provided on the basis of participation in profit and loss, mark-up in price, hire purchase lease or otherwise"
1984. The definition of 'finance' throws light on the nature of the new system of banking.

Another issue of importance pertains to 'interest'. Though the pivotal issue in the whole exercise is the elimination of interest (Riba), yet the definition of 'interest' has not been provided as has been done in the case of debtor, creditor, loan, advances, credit etc. A legal definition of interest is badly needed to avoid controversies.

A Bill of Exchange is defined as an instrument in writing containing an unconditional order, signed by the maker, directing a certain person to pay on demand or at a fixed or determinable future time a certain sum of money only to or to the order of a certain person or to the bearer of the instrument. The requisites of a valid bill of exchange are mentioned in it.

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1 “Finance includes an accommodation or facility under a system which is not based on interest but provided on the basis of participation in profit and loss, mark-up or mark-down in price, hire-purchase, lease, rent-sharing, licensing, charge or fee of any kind, purchase and sale of any property, including commodities, patents, designs, trade marks and copy rights, bill of exchange, promissory notes or other instruments with or without buy-back arrangements by a seller. Participation Term Certificate, Musharika Certificate, Modaraba Certificate, Term Finance Certificate or any other mode other than an accommodation or facility based on interest and also includes guarantees, indemnities and tiny other obligation, whether fund-based or non-fund based and any accommodation or facility the real beneficiary whereof is a person other than the person to whom or in whose name it was provided”.

2 In the context of unclaimed deposits or articles of value after the word 'interest' the words 'or rank for a share of profit or loss' have been added in sub section (4) of section (31) of Banking Companies Ordinance 1962. In the third paragraph of section 5 of the Negotiable Instruments Act 1881 after the word 'interest', the words 'or return in any other form' have been added by a legal amendment. This amendment has been made in a reference to the definition of Bill of Exchange and also to a Promissory Note.

3 i) it must be in writing and signed by the maker.
As regards to the additional amount of interest at a given rate in a bill of exchange or promissory note, the sum payable with interest was considered 'CERTAIN' within the meaning section 5 and 4 of the Negotiable Instruments Act 1881. Now with the abolition of 'interest' and its replacement with the words 'or return in any other form' which may comprise of a share in profit or loss (an unknown sum), mark-up in price in a deferred-payment sale and rental in lease or hire-purchase. This additional 'return' may not be capable of being described with the same certainty, as was 'interest' at a given rate per annum.

Whether a bill of exchange or a promissory note could remain a valid financial instrument within the meaning of the Negotiable Instruments Act 1881 if it was payable with 'return' the amount or rate of which could not be specified in the manner of rate of interest per annum. To overcome this problem a new paragraph has been added after the third paragraph in section 5 of the Negotiable Instruments Act 1881 which reads as under:

"A promise or order to pay is not conditional nor is the sum payable 'uncertain' within the meaning of this section or section 4 by reason of the sum payable being subject to adjustment for profit or loss, as the case may be of the business of the maker."

Section 79 and 80 of the Negotiable Instruments Act 1881 dealt with the relief of debtors in the context of payment of interest expressly made payable at a specified rate without mentioning dates or when the promissory note or bill of exchange were silent as regards to interest or its rate. With the introduction of interest free banking addition has been made through a legal amendment in section 79 and 80 of the

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ii) it must contain an order to pay on demand or at a determinable future time.
iii) Order contained in the bill must be unconditional
iv) the person directed to pay must be certain
v) the sum payable must be certain
An amendment in code of Civil Procedure 1908 has also been made which provides that in a decree for payment of money due to a banking company in repayment of a loan advanced by it, the court shall in the decree provide for return on the judgment debt from the date of decree till payment in the case of finance provided on the basis of mark-up in price, lease, hire-purchase or service charges for the contracted rate or at the latest rate of the banking company whichever is higher but in case of finance provided on the basis of participation of profit and loss, for return at such rate, not being less than the annual rate of profit for the preceding six months paid by the banking company on term deposits of six months accepted by it on the basis of participation in profit and loss, as the court may consider just and reasonable in the circumstances of the case keeping in view the profit-sharing agreement entered into between the banking company and the judgment debtor when the finance was contracted.

Section 7 of the Banking Companies Ordinance 1962 provides for forms of business in which banking companies may engage. The list is long and exhaustive and is similar to business conducted by banks in a well-regulated system. In addition to the list of existing forms of business banks have now been allowed through an amendment and addition of sub section (bb) to act as a “Mudaraba Company” under the provisions of the Mudaraba Companies and Mudaraba (Floatation and Control) Ordinance 1980. Restrictions on banks against forming subsidiary companies except for

(i) In the case of return on the basis of mark-up in price, lease, hire-purchase or service charges, at the contracted rate of mark-up, rental, hire or service charges as the case may be and

(ii) In the case of return on the basis of participation in profit, and loss at such rate as the Court may consider just and reasonable in the circumstances of the case, keeping in view the profit-sharing agreement entered into between the banking company and the judgement debtor when the loan was contracted. And the return on an amount due on an instrument shall be allowed from the date it becomes due till the date it is actually paid.
specified restricted purposes have been relaxed and banks can now form subsidiary companies for carrying on the business of Mudaraba.

In 1980 through another amendment and addition of sub-section (ee) in Section 7, banks were allowed the purchase of properties, moveable or immovable, exclusively for being leased out or for being sold on hire-purchase basis or on deferred payment basis with mark-up. Banks were also allowed to underwrite the issue of Mudaraba Certificates and Participation Term Certificates. Forms of business in which banking companies may engage has been further amended on December 31, 1984 and clause (ee) in section 7 of Banking Companies Ordinance has been substituted.\(^1\)

The Banking Tribunal Ordinance 1984 also provides that anyone who intentionally destroys or removes or reduces (without the prior approval of the bank) the value of property on the security of which finance was provided or transfers such property or any part of it, is punishable with imprisonment extending up to five years in addition to a fine. The tribunal may further order the refund of the value of the property destroyed, removed, reduced or transferred. If the person guilty of the above offences is a company then the same punishments can be awarded to its chief executive, executive directors, managers, secretary or any other officer unless they prove their innocence in the commission of the offence. All offences under the Banking Tribunals Ordinance 1984 are bailable, non-cognizable and compoundable. A Banking Tribunal is to consist of two members and a chairman who has been or qualifies for appointment as a Judge of High Court or a District Judge. In civil jurisdiction the tribunal carries the powers vested in a civil court under the Code of Civil Procedure 1908 while in criminal jurisdiction it carries the powers vested in a Court of Sessions under Code of Criminal Procedure.

\(^1\) "Purchase or acquisition in the normal course of its banking business of and property, including commodities, patents, designs, trade-marks and copy rights, with or without buy-back arrangements by the seller, or for sale in the form of hire-purchase or on deferred payment basis with mark-up or for leasing or licensing or for rent-sharing or for any other mode of financing."
Courts v Judges: Must they be Special Too?

In jurisdictions which have parallel system of banking, the disputes relating to Islamic Banking lies with Civil Courts. This creates further conflicts. For example in Malaysia, which has parallel legal systems, a related problem arises from the fact that disputes arising in Islamic banking transactions are brought before the civil courts for adjudication. Neither the IBA nor section 124 of BAFIA exclude the application of the civil law to Islamic banking transactions. And sections 3 and 6 of the Civil law Act, moreover emphasize on the utilization of common law and equity in the when ever there is a lacuna in the law\(^1\) and especially to the commercial matters.\(^2\)

Alternatively, there is no provision in either Act stipulating that Islamic law shall apply exclusively to such transactions. Thus presumably both Islamic law and the civil laws will apply to Islamic banking transactions. And this has to be applied within the existing common law system of courts. This includes substantive as well as procedural laws.

The next major problem is with regard to the scope of Islamic law applicable in the Civil Courts to determine the disputes. In Malaysia, the definition of Islamic Banking given in Section 2 of the Islamic Banking Act is wide enough to validate the views of all school of jurisprudence. The IBA, having authorized Islamic banks to carry on Islamic business, has not defined the Islamic law that is to be applied to Islamic banking transactions. It has not even indicated the sources (e.g. standard texts) from where the law may be derived. The role of the Shariah Advisory Council, important though it is, must as a matter of practicality be restricted. It cannot be expected to provide a ruling or advice on issues that arise in the daily operations of Islamic banking. The lack of guidance in the IBA as to the sources is posing a real problem to both counsel who have to present arguments in court, and to judges who have to decide cases before them.

\(^{1}\) See section 3 of the Civil Law Act 1956  
\(^{2}\) See section 6 of the Civil Law Act 1956
Whilst the applicable principles for the transaction in question, and to some extent the documentation, might have been approved by the respective Shariah advisory council, counsel would be left very much to their own devices in preparing arguments in presenting cases in the courts. Judges, too, would be in a difficult position to decide cases without fully researched arguments by counsel and authoritative reference material to which they could refer in making decisions.

Conversely, the divergence of opinions among Islamic jurists and scholars to which different counsel might have access and which they would each urge the court to adopt might be so complex that deducing a principle of law from them might seem to be as much a deliberate decision after considerable thought as the toss of a coin.

Another point which is worth pondering is what would be the position if the advice of the shari’ah bodies on the same issue differs? How would a court be expected to decide such differences in opinion if a matter in respect of which there are differences between these bodies reach the civil court?

One provision of particular significance to this matter is Section 3(5)(b) of the Islamic Banking Act which provides that the Central Bank (ie Bank Negara Malaysia) shall not recommend the grant of a license, and the Minister shall not grant a license, unless he is satisfied:

(b) that there is, in the articles of association of the bank concerned, provision for the establishment of a Syar’iah advisory body to advise the bank on the operations of its banking business in order to ensure that they do not involve any element which is not approved by the Religion of Islam”.

This is an important provision. However, its real purport has not been tested in the courts as yet. The setting up of a Shari’ah advisory body is a statutory requirement and its function is "to ensure that [the operations of the bank] do not involve any element which is not approved by the Religion of Islam". What is the ambit of this subsection? To take an example, if a particular document used in banking transactions by a bank licensed under the Islamic Banking Act has been approved by its Shari’ah advisory body, can it then be challenged in court as being contrary to Shari’ah?
Can the court find such a document to be not in accordance with the Shari’ah? If it does so, what is the effect of it on the decision of the Shari’ah advisory body?

In other words, are decisions of the Shari’ah advisory body open to review by the courts? This is by no means an easy question to answer. And it is not easy either to venture an opinion on the issue since any opinion has to be relative to particular factual situations. It is suggested that the issue should be cleared up by legislation rather than by lengthy and costly litigation in the courts.

Another vital point is that in non-muslim jurisdictions the courts to which the Islamic Banking disputes referred to are wholly based on common law or civil law. And the judges lack the knowledge of Islamic law and the fundamental principles of Islamic economics and finance. For instance, in the English case of *Shamil Bank of Bahrain E.C. (Islamic Bankers) v Beximco Pharmaceuticals Ltd & anor*, the issue was on the option of law applicable to the parties, particularly the selection of shari’ah as governing law. And this case dealt with the problem in enforcing of the shari’ah in a hundred percent secular state where the contracts at issue specified the use of English law as the governing law, subject to the glorious rules of shariah. This problem is worsen because, Islamic banking’s legal framework is as fragmented as other aspects of the industry, with little case law to guide judges.

Now another question which can be posed here is whether changing the Islamic Banking jurisdiction from Civil courts to the Shari’ah courts would solve the complex problem of lack of knowledge in the judges? Indonesia is a good model to demonstrate that the solution to the problem of lack of knowledge is not giving the matter to the hands of shar’ah courts. And that the problem do not stem from granting the jurisdiction of Islamic Banking matters to the civil courts.

Islamic banking in Indonesia started to operate from 1992 by virtue of the enactment of the Banking Act No. 7/1992; and when Bank Muamalat was established as the first bank which operates in accordance with Islamic principles. The Banking Act No.7/1992 was amended by Act No. 10/1998,
to provide an opportunity to conventional banks to open an Islamic window. Since that time, the growth of Islamic banking in Indonesia has been progressing steady and fast. In the past, there was confusion on the question which forum was competent to settle Islamic banking disputes: civil court or religious court. Both regarded themselves to be competent to settle such disputes. But the problem was that the jurisdiction of the civil courts did not extend to Shari’ah matters, within which Islamic banking disputes apparently came. On the other hand, the jurisdiction of the religious courts was limited to Personal law matters which did not cover banking disputes, and was confined to a) marriage, b) inheritance, testamentary succession, *hiba* and *waqf*. There was no possibility of any deviation as the matter was clearly spelled out in section 49 of the Act No. 7 of 1989.

In the absence of an appropriate body to take charge of the settlement of Islamic banking disputes, an initiative was taken by the Indonesia Council of Religious Scholars to set up BAMUI (Indonesian Muamalat Arbitration Body) in 1993. The name of this body was changed in 2003 to Basyarnas (National Shari’ah Arbitration Body). However due to very poor knowledge of the Islamic law of arbitration possessed by the banks and their banking costumer complainants, the National Shari’ah Arbitration Body could not function effectively due to the fact that a dispute cannot be arbitrated unless there is an arbitration agreement between the parties (i.e., the bank and customer) was not fully appreciated by the parties. Consequently, disputes brought for arbitration by both of them were lacking necessary legal foundation and could not thus be legally arbitrated. Any award made in such arbitration was not enforceable.

As a result of this problem, most of the cases involving Islamic banking disputes continued to be taken to the civil courts, notwithstanding the questionable knowledge of the judges of such courts of matters relating to Islamic banking and finance.

This incongruity was rectified in February 2006 through Law No. 3 of 2006 which amended Law No. 7 of 1989 and expanded the jurisdiction of the Religious courts to cover
adjudication of disputes belonging to Islamic economic matters, including Islamic banking.\(^1\)

This expansion arguably enhanced the status and authority of Religious courts as a dispute settlement institution within the judiciary system in Indonesia. However, this turns out as another challenge for Religious courts due to the fact of the complexity of Islamic economics matter, and needed more time to be properly absorbed and understood.

Therefore, the only sensible solution for the matter relative to lack of education of Islamic matters in civil courts would be to educate them or call experts to give evidence in the matters relating to Islamic Banking. Islamic Commercial matters are indeed technical matters and hence the complexity on the matters can only be explained by an expert. And there is nothing discreditable in calling an expert.

**Islamic Finance and Alternative Dispute Resolution**

Dispute resolution in the Islamic Banking sector has emerged; however the extent to as which it serves as an alternative to litigation is questionable. Islamic finance disputes can be referred to arbitration by specialists in many countries but many Malaysian cases still go court. In Bahrain, such cases have mostly gone to dispute resolution committees staffed by judges and specialized central bank officials. Where as in Indonesia the arbitrators lack ample knowledge of Islamic commercial matters and this inhibits their capacity to solve the disputes in issue.

In Malaysia, under the auspices of the Malaysia International Islamic Finance Centre which was setup in 2006, the International Shariah Research Academy (ISRA) was established in March 2008, with a mandate on researching Shariah issues on Islamic finance, with special focus on contemporary matters. One project currently

\(^1\) Gemala Dewi, Aspek-Aspek Hukum dalam Perbankan dan Perasuransian Syariah di Indonesia, (Jakarta, Kencana, 2004), p. 104
undertaken by the ISRA includes avenues in alternative dispute resolution in Islamic banking.

The KLRCA caters specifically to disputes on Islamic bank and finance and employ the use of *Rules For Arbitration Of Kuala Lumpur Regional Centre For Arbitration (Islamic Banking And Financial Services)*. The Rules by itself holds itself out as "applicable for the purposes of arbitrating any commercial contract, business arrangement or transaction which is based on Shariah principles" and propose a model arbitration clause for contracts 1, with additional prerogatives offered as to the number of arbitrators, law applicable etc. One drawback on the matter might be taken as Rule 1 of the aforementioned Rules which state that only in cases where the disputed agreement in writing calls for the auspices of the KLRCA, would these rules apply.

In Bahrain’s Ministry of Justice signed an agreement with the American Arbitration Association (AAA), to establish a new Alternative Dispute Resolution (ADR) centre in Bahrain to be known as the Bahrain Chamber for Dispute Resolution (BCDR). This agreement was signed in August 2009. Having recently enacted legislation which cements the position of the BCDR in domestic law and establishes Bahrain’s reputation as a neutral venue for multinational companies seeking to conduct international arbitrations.

Indonesia faced a general lack of a competent body for resolution of banking disputes. As have been discussed, the Indonesian Council of Religious Scholars to set up BAMUI (Indonesian Muamalat Arbitration Body) in 1993. However poor knowledge of the Islamic law of arbitration crippled the process in Indonesia and the fact that a dispute cannot be arbitrated unless there is an arbitration agreement between the parties (i.e., the bank and customer) did not help the situation at all. Consequently, disputes brought for

1 "Any dispute, controversy or claim arising from Islamic banking business, takaful business, Islamic financial business, Islamic development financial business, Islamic capital market products or services or any other transaction business which is based on Shariah principles out of this agreement/contract shall be decided by arbitration in accordance with the Rules for Arbitration of Kuala Lumpur Regional Centre for Arbitration (Islamic Banking and Financial Services)".
arbitration by both of them were lacking necessary legal foundation and could not thus be legally arbitrated. Any award made in such arbitration was not enforceable. In short, the system was vulnerable. The country’s solution was to amend the laws to enable Shariah Courts with jurisdiction over the matter. In the perspective of alternatives to dispute resolution this may have been an unwelcomed move. Instead of solidifying the arbitration structure of Indonesia, the problem was once again hurled into the Courts. It has to be remembered here that Indonesia’s reliance on ADR institutions stemmed not from the conventional problems of the Court system i.e. expedient case management, possibility of mediation, and the other usual pro factors which creates a push for ADR. Their trust in the system initially stemmed from their desire to avoid civil court in matters relating to Islamic finance.

However, it shall be noted here that arbitration is not free from problems. At one stage or the other reference needed to be made to the common law and even after the arbitration award is given, if parties want to enforce the award they still have to go to court. And this does not lessen burden of the courts.

**Conclusion: What Needs to be Done**

Once viewed as a small segment of the financial world, Islamic banking and finance has emerged as a key player in global financing in recent years, gaining worldwide recognition around the world. Today, even global financers such as HSBC are offering Islam compliant products, such as the Shariah compliant mortgages the Bank introduced in 2003, in order to attract Muslim customers with reservations. Today, with products such as HSBC Amanah, they have gone much further in offering Shariah based banking products, as a clear sign of its creeping influence. And today, Malaysia has a full-fledged Islamic system operating parallel to the conventional financial system. Nevertheless, practicality of the system was a challenge that faced the Islamic sibling in its endeavor to replicate the products and services offered by its conventional brother. Unlike conventional Banking’s conviction on interest, Islam
argues for a fair distribution of profit and loss and bans purely speculative activity. On a more positive note, amendments brought to the Bank Negara Act in 2009 serves itself as encouraging on the maturity of Malaysia on the issue of Islamic finance, with the recognition of the Shariah Advisory Council as the apex authority on Islamic finance, with its decisions binding upon the Courts. This opens the door to uniformity and informed decision making in cases of resolving disputes.

Forging greater alliances with international financial institutions create instances where both parties may benefit from each other. This give rise to financial innovation and refinery of already established practices. Alliances with other Islamic financial institutions create diversity of views with regard to the already prolific debate on specific products, providing a fresh perspective for the National Shariah Advisory Council as well.

Islamic finance cases are being adjudicated throughout the world under the purview of the respective national Courts in line with the respective systems of law. This situation creates specific groups for countries to be categorized under three main assemblages. The first group is where the Shariah is the supreme source of law, as for example, in Saudi Arabia, Iran, Sudan and Pakistan, the second one is where one of the sources of law in the country is the Shariah. This group houses examples such as Malaysia, Kuwait and UAE. The third category is where Islamic law is not recognized as a source of law at all. No practice around the world today accommodates a specialized bench for adjudication of Islamic finance issues. The scope and implications of the phrase would be witness to its large scale and thus a specialized bench might not be an idea unfeasible.

This would also give the opportunity to place skilled judges who are knowledgeable in Islamic law. Although the 2009 Amendment to the Bank Negara Act has placed an obligation upon judges to refer the matter to, and ultimately being bound by, the Shariah Advisory Council. A specialized bench would be expedient disposal of cases, a factor which is already of concern for lawmakers. The same sentiments were spoken of by Mohamed Ismail Shariff (1998), in his article,
The Development of Islamic Banking Law in Malaysia. However, Shariff spoke of creating a specialized division within the framework of the civil High Court. On the other hand, creating a specialized bench at the civil High Court may be a shorter approach as creation of such benches in the Shariah court system would mean amending laws which afford them jurisdiction over the matter as well.

Another complicating matter is the lack of a globally accepted qualification as a Shariah scholar, just as there are no globally accepted standards for Shariah rules, which are to some extent open to interpretation. Since Shari’ah Advisors are the backbone of the industry, it is put forward here that the composition of these Councils need to be reformed and standardized globally. This is because, today the scholars of Islamic law have monopolized the Islamic Banking system and this might lead to abuse. And also scholars with only Islamic knowledge might jeopardize the competitive development of Islamic Banking products.

Therefore, it is our suggestion that the appointment of scholars with parallel knowledge of Islam and finance would make Islamic banking more competitive in the system. But to be realistic, it should be noted here that it would be very hard to get scholars of this nature. Hence, until we get a supply of such scholars, it is put forth here to appoint financial consultants and Islamic scholars to the Councils. This way, the financial aspect and the Shari’ah issues can be solved simultaneously. And the contact between the market players and the Islamic scholars need to be improvised.

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Through Americanized Japanese Woman’s Eyes: Tsuda Umeko and the Women’s Movement in Japan in the 1910s

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Abstract: The New York Times described Tsuda Umeko, as “Umeko Tsuda, ‘Americanized Japanese woman’ as she is known in Japan” (New York Times, July 7, 1913). As this article suggested, Tsuda was born in Japan in 1864 as a daughter of a progressive agriculturist of former samurai class family. But at age six, she was sent to America to receive modern education in 1871. Education and life experiences in America nurtured progressive ideas within her. Tsuda had determined to play a role model for girls in Japan and wanted to educate those girls who were able to contribute society. However, upon returning to Japan in 1882, Tsuda found that her desire to promote social reform by women’s hands was unattainable. The Meiji government implemented gendered policies, which emphasized traditional women’s roles in family rather than in society. Japanese women in the privileged class who like Tsuda gained access to western liberal ideologies, but who were alienated from society and from women in other classes as well, were not able to overcome the double standards embedded in gendered policies to transform knowledge into social movement in the 1910s in Japan.

Keywords: Japan, Feminism, Women’s Movement, America

The New York Times described Tsuda Umeko, as “Umeko Tsuda, ‘Americanized Japanese woman’ as she is known in Japan” (New York Times, July 7, 1913). As this article suggested, Tsuda was born in Japan in 1864 as a daughter of a progressive agriculturist of former samurai class family. But at age six, she was sent to America to receive modern education in 1871. Education and life experiences in America nurtured progressive ideas within her. Tsuda had determined to play a role model for girls in Japan and wanted to educate those girls who were able to contribute society. However, upon returning to Japan in 1882, Tsuda found that her desire to promote social reform by women’s hands was unattainable. The Meiji government implemented gendered policies, which emphasized
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In 1871, at age six, Tsuda was sent to America as a Japanese government student with four other Japanese girls as a part of “civilizing nation” program, the so-called, Iwakura Mission. Since Japan gave up its isolation policy and formed a new government in 1868, Japan had hastened its modernization “by seeking knowledge in the world” (Go Kajo no Go Seimon, Five Principles for the new government)\textsuperscript{iii}

To do so, the government sent the Iwakura Mission to start negotiation with America and European nations to revise unfair trade treaties that Japan was forced to conclude during the Edo era and to acquire western knowledge, including of political systems, science, technology and culture, which was considered necessary to remake Japan as a civilized state. For these purposes the Meiji government sent 108 personnel in total, including embassy members and forty-three government students.\textsuperscript{iv}

The fact that the government added these girls to the mission showed the government’s intention to use women with western knowledge to modernize Japan in the future. In retrospective, Tsuda noted,

It is said that when Count Kuroda was in America he was struck with the position and influence of women in that country, and found that it was because the American women as well as the men receive education. The desire to have Japanese women equally enlightened made him take the step which led to our being sent abroad (Tsuda, 1980, p. 77).

Noticing that educated western women played significant roles in society, the government decided to send girls to have them educated in America and study western education methods for women so that as future teachers, they would be able to apply these to instructing girls in Japan.\textsuperscript{v} The Meiji government in the 1870s expected women to work in the public sphere. It was within such a historical context that Tsuda and four other girls were sent to the U.S.
However, under the upsurge of the regressive and nationalistic political climate in the 1880s, Tsuda’s mission became insignificant. She noted:

We Japanese women students had returned at a reactionary period, and there was no movement to use us in any way, nor could we get any work, although we were government students sent over for study and educated as teachers (Tsuda, 1980, pp. 489-90).

The government no longer expected women to play active roles in society. Rather, to advance its modernization and industrialization programs, the government constitutionalized gendered polices, including educational policy for women; the so-called “Good wife and Wise mother,” which emphasized women’s collective roles as wives and mothers in households. In addition to promoting this ideology of womanhood, the government underpinned this by framing the Meiji Civil Code in 1898, under which married women’s civil rights, such as property, alimony, and divorce were restricted. Furthermore, women’s political activities were prohibited by the Law on Political Assemble and Association of 1890 (Shukai oyobi Seisha Ho), by which women were excluded from attending political meetings and forming political parties. This law was fixed as two clauses in Article 5 in the Public Peace Police Law (Chian Keisatsu Ho) in 1900. Consequently, these gendered policies confirmed women’s place in the private sphere, making women’s subjection to men explicit and fixed in state policy.

It was in such a context that Tsuda lamented Japanese women status in society, noting, “social customs have assigned a secondary place to woman, and she is considered unfit for responsible work, because she has grown unfit to think for herself” (Tsuda, 1980, p. 22). She pointed out that gendered policies promoted by the government confined women to the secondary position in society, but at the same time, women themselves were trapped by the notion by accepting these policies.

This sense of disappointment and Tsuda’s desire to raise independent-minded and socially responsible women led her to found her own school, Joshi-Eigaku-Juku (Women’s English School) in 1900. In her 1891 speech in the U.S., which was made to establish an educational fund
for Japanese women students, she laid out her original goals. She said:

Japan can never really progress so long as her growth is all on one side, and while one half of her people are pushed forward, the other half are kept back. I have felt that not until the women were elevated and educated, could Japan really take a high stand (Tsuda, 19080, p. 96).

Tsuda believed that without women’s participation in every phase of society, the society remained less-civilized. For Tsuda, patriarchal control over women confined women to a subordinate position in society, but at the same time, women themselves were trapped by the notion of the ideal womanhood in accepting this ideology. For Tsuda, “Japanese women under the old ethical codes have led, many of them, pure, noble, unselfish lives of devotion; but their virtues were passive, they lack breath, fire, life.”¹ In her analysis, what people admired as Japanese women’s femininity was, in fact, the result of gender oppression.

To challenge such an alarming complacency about women’s status quo, Tsuda planned to raise socially responsible and economically as well as psychologically independent women. In other words, she aimed to educate women in the way that they would “think and act on their own initiative” (Tsuda, 1980, p. 97). In this sense, her educational policy was significantly different from that of mainstream women’s schools in Japan. This is because mainstream women’s schools primarily aimed to produce “charming, modest [women], innocent with great powers of self-sacrifice and self-restraint” (Tsuda, 1980, p. 96). Students of these schools were taught what they ought to do and to be, but they were never encouraged to discuss questions of personal freedom and to develop independent thinking (Ishimoto, 1938, p. 56).vii

To pursue her aims, Tsuda differentiated her school curriculum from those of other women’s schools. While other schools functioned as finishing schools, which taught western and Japanese arts, sewing, cooking and “manners and etiquettes,” Tusada’s school taught Japanese and

Chinese literature, history, psychology, as well as English language and literature. In fact, English subjects were a special focus for her school to train capable English teachers. Those English subjects included speaking, translation, writing, seminar, and teaching methodology. English literature was particularly considered as important because it gave students “the key to Western thought, ideals and point of view” and “the thoughts in it are immensely breeding and inspiring” (Tsuda, 1980, p. 96). Students were required to commit themselves to hard study. Recalling her student days, a suffragist and educator Fujita Taki noted, “We were never allowed to attend classes without doing our preparation” (Fujita, 1979, p. 23).

Tsuda’s emphasis of Western thoughts indicates that she promoted education based on Christian social activism. She believed that “the ethical side of Christianity” was significant to enlighten her students because it encompassed “the wider view of social duties” (Tsuda, 1980, p. 500). She understood that this ethics in Christianity was a reservoir for women’s social activism in that it promoted the duty of all people to care for society’s less fortunate. Such a recognition was clearly seen in her writing, “to educate the Japanese girls according to American methods, to teach them by example and precept the benefits of a Christian civilization” (Tsuda, 1980, p. 22). As Western reformers promoted the advancement of women to make changes in society, Tsuda also regarded Christian social activism as a liberating factor for women. It was such a context that Tsuda noted, “the ethical side of Christianity.” To mold economically and mentally independent women, she applied western thoughts. As western women moved out from the private to the public sphere via Christian social activism, they were able to have some influence in politics. By adopting a similar strategy, Tsuda expected women’s education based on Christianity would lead her students to initiate social activism. In turn, those women would gain self-esteem and liberation from old restrictive ethics. In this way, through education, Tsuda planned to enlighten her students who could serve as leaders to implement social reform, and to challenge the double standards employed to deal with women.
Through Americanized Japanese Women’s Eyes: Tsuda Umeko and the Women’s Movement in Japan in the 1910s

However, Tsuda’s 1913 essay showed that socio-political conditions in the era impeded her goals. Tsuda wrote,

..., there is in Japan even in this new age, the family and social relationship, which bind one to old and traditional customs. In society where the unit is not the individual but the family, acceptance of the new faith is one attended at times with great mental struggle and difficulty (Tsuda, 1980, p. 502).

It was clear that Tsuda regarded traditional family system and social structure as hindrances of women’s individual development.

Tsuda’s analysis of social condition of the era can be seen to have been accurate, as was shown by the rejection of women’s suffrage cause among women educators. When American suffragist and president of International Woman’s Suffrage Association, Carrie Chapman Catt visited Japan for the suffrage cause in 1912, leading women educators, including Tsuda, Hatoyama Haruko and Yamawaki Fusako did not support Catt. Hatoyama explained their refusal to support suffrage cause:

Given the fact that even sixty to seventy percent of men were not yet enfranchised in Japan, to require women’s suffrage was unconceivable. I believe there is no other urgent need but become an ideal wife, mother and mother-in-law (Yomiuri Shimbun, February 28, 1911).

These educators advocated or accepted the government-defined notion of womanhood rather than pursuing gender equality in the 1910s.

However, this is not to say that Japanese women in the 1910s were left alienated from western liberal ideologies. In fact, to bridge such a knowledge gap, some feminists organized women’s groups and used their magazines to publicize the idea of women’s liberation. For example, feminist writer Hiratsuka Raicho organized a literary group, the Blue-stocking Society (Seito Sha) in 1911 and published its journal, the Blue-Stocking (Seito). Focusing on women’s liberation from traditional womanhood, Hiratsuka edited the journal in such a way as to have readers recognize women’s creative talents and women’s right to control sexuality (Sievers, 1983, pp. 122-30). On the other hand, a former socialist, Nishikawa Fumiko dealt with political and
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economic liberation of women. To this purpose, Nishikawa organized the True New Women Association (Shin Shin Fujin Kai) in 1913 and published the True New Women (Shin Shin Fujin) journal. To disseminate western feminists’ ideas, the journal carried translated articles written by western feminists, such as Olive Schreiner’s *Woman and Labor* and M. Carey Thomas’s “The Theory of Women’s Suffrage.” These articles analyzed women’s position in society as being universally low. Yet, in these articles, western feminists indicated that women were not simply accepting such inferior position in society but rather struggling against oppression and seeking liberation politically and economically. The publication of those magazines, and public access to them, signaled that Japan was moving to consider and work for the liberation of women.

Yet for Tsuda, it seemed that Japanese women were not ready to deal with those liberal ideologies actively. Tsuda was anxious about the influence of the influx of these feminists articles, including Schreiner’s and Thomas’s, noting in 1915, “it is a strange period of change, and we wonder what the results will be of so many varied and incongruous elements of thought mixed together” (Tsuda, 1980, p. 503). In part, Tsuda was confused by her own inner conflict between support for liberal and conservative ideologies. A letter to M. Carey Thomas reflected Tsuda’s mixed feelings when she decided to quit her ten-year service for Peeresses’ School. She wrote, “…from the redtape and conservatism which must surround a school like Peeresses’ School, where however great the honor of the connection, I felt I was powerless to move against the current” (Tsuda, 1980, p. 390). The Peeresses’ School symbolized traditional Japanese upper-class womanhood as well as conservative bureaucracy headed by peers that stood against the forefront of women’s rights issue. Nevertheless, Tsuda continued to place high value on the national prestigious nature of such conservatism. still felt mental attachment of aspects of such conservatism.

Under the dynamics of socio-political, cultural and economical change of the era, to construct gender and to find meaning in life, assigned gender identity needed to be deconstructed by women themselves. In fact, Tsuda, suggested that women had an opportunity to take action for
social reform by taking advantage of western ideology. Pointing out moral decline among men in the wake of the influx of liberal thoughts that accompanied modernization, she stated, “Is it not time for the women of Japan to arise and realize what their husbands and sons are doing?” (Tsuda, 1980, p. 24). She believed that Japanese women needed to act on their own initiative, to occupy a responsible position in society by means of social reform work, because “usefulness and responsibility” (Tsuda, 1980, p. 122) was the way to both exercise their agency in society and to find meaning in life. However, as the educators demonstrated, the government-assigned definition of gender roles was still largely taken as the norm, even among progressive educators and women activists of the era.

Yet, such conservative definitions of women’s position in Japan in the 1910s contained ambiguities that impeded many women from identifying with such construction. As statements by Tsuda showed, the ideology confirmed national ties and pride among Japanese women, while still relegating women to a position “separate from” full public participation. In particular, bourgeois women, who were the focus of these politics, were left to a condition of mental backwardness, because, as Tsuda deplored, those women were “a mere ornament for the home, or playing for the men” (Tsuda, 1980, p. 22). The central problem posed by the ideology of womanhood was, as Tsuda noted, that “her identity was merged in that of father, husband, or some male relative” (Tsuda, 1980, p. 22). Bourgeois women located in this rigid patriarchy had no means to identify themselves other than via relationship with men. Consequently those women in the privileged class, who were prevented from full participation in society, and largely alienated from society and from women in other classes as well, were not able to overcome the double standards embedded in gendered policies to transform knowledge into social movement.

The acceptance of linkage between women’s education and the promotion of social reform that supported a belief in social progress indicated Tsuda’s strong identification with Christian social activism and western ideology under the discourse of the civilization. These shared identifications were effective to facilitate dialogue between women in the east and the west, such as Tsuda Umeko and Carrie
Chapman Catt. Nevertheless, in the early 1910s, Tsuda did not support Catt’s suffrage cause. This refusal was because Tsuda judged it to be too early to promote suffrage as well as women’s rights movement in Japan. The gender code under Meiji patriarchy was sufficiently restrictive and influential that potential Japanese feminists, that is, women in a position to gain access to western, liberal ideologies, were themselves mentally and structurally confined to gender roles in their own class.

References:

Footnotes

ii Regarding Japanese names, throughout this paper I follow Japanese practice: family name first and given name second. “Defends Japanese Sisters: Miss Tsuda Says They Are Misrepresented—Here on a Visit,” The New York Times, July 7, 1913. Tsuda Umeko was a one of the five Japanese girl students who was sent in American between 1871 and 1882 for study and educated as teachers. She became an English teacher to Peeresses’ School (Kazoku Joshi Gakkō) (1885-1900). She studied at Bryn Mawr College between 1889 and 1892. She established Joshi-Eigaku-Juku in 1900, the name of which was changed to Tsuda-Eigo-Juku in 1933. As for a biographical story, see Barbara Rose, Tsuda Umeko and Women’s Education in Japan (New Haven: Yale University Press, 1992).

iii In 1868, the government issued “Go Kajo no Go Seimon (Five Principles for the new government)” included a clause “To seek knowledge in the world.” http://www.jacar.go.jp/iwakura/sisetudan/main.html#d (Accessed January 10, 2010)


v A government leading officer and politician, Kuroda Kiyotaka traveled America and Europe in 1871 and realized women’s education was crucial to remake Japan as a civilized nation. He proposed to send girls to America to have them good education. Kuroda Kiyotaka, “Kaitakushi Kengi Syo (Proposal by the Officer for Land Development) See Historical Documents attached to the Papers of Tsuda Umeko, 81-83.


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Women and Work-Family Interface: Indian Context

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Abstract: The social division of labour set the role of primary bread-earner for the man while ascribed the role of home-manager and caregiver to the woman. This arrangement has been questioned for having given rise to gender inequality and having generated gender role stereotypes for man and woman. The traditionally organized workplace is also predicated on the assumption that families with male bread winners and nonworking housewives constitute the predominant family form. This is no more true since the last few decades have seen a significant number of women coming out of the private sphere of domestic life to enter the public domain. The problem of balancing work and family together has given rise to what is called the ‘work-family conflict’, which has evoked serious scholarly concern in the last few years. The questions that have surfaced need a sincere rethinking over. The present paper seeks to study work-family conflict in the context of women entering the workforce. However, this does not imply that work-family conflict is a ‘women’s problem’. Studies in the US and elsewhere have amply borne out that men face as much work-family conflict as women do. However, even this phenomenon stands pronounced with women entering the workforce as in the earlier arrangement, men had to worry little for the household responsibilities. Resultantly, there was less negative spillover from the work to family domain and vice versa.

Keywords: Gender, Work, Family, Feminism, Social Division, Labour

Work-Family Conflict and the Spillover Theory

Kahn et al. (1964) have provided the following definition of work-family conflict: a form of interrole conflict in which the role pressures from the work and family domains are mutually incompatible in some respect. This implies that
participation in the work role is made more difficult by virtue of participation in the family role and vice versa. The competing, or even conflicting demands made by work and family interfere and thus, are the source of work-family conflict. Three major forms of work-family conflict have been identified (Greenhaus & Beutell, 1985, p 77): (a) time-based conflict, (b) strain-based conflict, and (c) behaviour-based conflict. The model proposed by Kahn et al. also proposes that role pressures (and hence work-family conflict) are intensified when the work and family roles are salient or central to the person’s self-concept and when there are strong negative sanctions for non-compliance with role demands.

Kelly and Voydanoff (1985, p 368) propose an inductive model of work-family role strain that acknowledges “multiple levels of social structure and process”. According to the model, work-family role strain is the result of the combined influence of demands and coping resources derived from individual, family and work-related sources.

A work-family substantive theory called spillover theory was proposed by Zedeck (1992), among others. A strong work-family mesosystem is proposed and assumes that the work microsystem and the family microsystem significantly influence one another through a permeable boundary (Bromet, Dew & Parkinson, 1990). Spillover from work to family affects the family by impairing both individual and family functioning. Spillover from the family to work often takes the form of lower productivity, higher absenteeism, and greater turnover (Glass & Estes, 1997, p 294).

The Indian Context

The entry of women in the jobs is not accompanied with a simultaneous shift in the social division of labour. The sex role ideology emphasizing upon the separate spheres of activity for men and women still exerts considerable influence on the public psyche. Even most of the dual earner wives continue to view themselves primarily as homemakers, and their work status did little to alter their sex role orientation (Rajadhyakasha & Smita, 2004, p 1677). Thus,
women still consider it their primary duty to look after the household affairs and care for the family, while men find earning for the family as their primary, or may be, the sole responsibility. Women are thus confronted with the challenge of playing the dual-role, to excel at home, as well as at the workplace. In a bid to prove her competence on both the fronts, women are facing the problem of overwork and are often being stressed out or drained of their energy. Even then, they find themselves unable to match the expectations at any of the two places. Not only the women, but even men are confronted with a role-conflict in the present situation. Further, with both the spouses working, there is also the problem of what is called work to family spill-over and vice versa. Again, since the tasks done by women at home for the nurturing of family have been of great significance, their underfulfilment may lead to further problems in the society. While the women have themselves remained dissatisfied and overburdened, the children and elders of the family have remained undercared in a dual-earner set up. The problems have burgeoned with the coming of the MNC culture of work characterized by long working hours, deadlines, competition, lesser holidays, negligible number of leaves, frequent tours, job transfers, increasing work pressure and so on. This has further posed challenge to the marital quality of the dual-earner couples; sometimes even threatening the sustenance of a happy marriage. This stands true for the Western societies. Hughes and associates showed that non-specific job/family incompatibility decreased marital companionship and increased marital tension (Hughes, Galinsky & Morris, 1992). The problems have also multiplied with the breaking up of the joint family and the concomitant withdrawal of support system within the family; even though this may have accorded greater independence to many of the working couples. A rethinking over some issues of significance is imperative in this context.

Overwhelmed by the enormity of these and such other problems, the advocates of traditional values have strongly questioned the new social reality where women wish to come out of the confines of the domestic lives to enter the public realm.
Should women work or remain stay-at-homes?

The strongest plea made in favour of women remaining stay-at-homes is the question of care-giving. Women have actually been the sustainers of the “Care-giving Institution” in Indian society. The most important component of care giving is rearing up of children. Caring for the diseased, disabled and the old is, though, considered to be of no less importance. The second argument posed while rejecting women’s entry into careers is the management of the household, without which it is believed, the healthy and happy family life is sure to meet its end very soon.

Getting into this domain of discussion, it has to be admitted that the ‘work’ women have been doing is of no lesser significance. Nurturing of children, care-giving to the elders or the diseased, as well as proper management of the household are vital to the health of a society. Also, once the children are brought into the world, the parents cannot shrink back from the responsibility of providing them with conditions healthy for the holistic development of their personality. It is the right of the children to be given due care and attention. The inclusion of women into the workforce, shall not be accompanied with the systematic ‘exclusion’ of children. Studies have demonstrated that lack of sensitive, responsive, and consistent care from overworked parents or substitute providers can lead to decreased cognitive and social skills (Parcel & Menagham, 1994) and can promote attachment insecurity in children (Belsky, 1990).

In the same way, looking after the elders and the diseased in the family is of mighty importance from the perspective of preservation of human values. The right of individuals to be cared for when in need is of no less importance than the right to get opportunity to progress professionally. The rise of an atomistic individualism where every individual starts asserting one’s rights irrespective of one’s social and familial roles and responsibilities is bound to bring the same kind of problems in the Indian society which the West is struggling with today.
However, a question as big as those posed above is that should the onus rest inequitably on the women? It may be argued that men also bear the responsibility by earning for the family. This is true but it has to be admitted that somehow, the mechanism of responsibility sharing is such that it has left women with lesser degrees of independence, power and financial resourcefulness. These stand as strong arguments in favour of women to enter the domain of work. While independence, power and financial resourcefulness are all important in proportionate measures, it can be systematically argued that the most important factor which goes in favour of women to move beyond the confines of domesticity is the question of the latent potential of women. The works traditionally ascribed to the women, though require merit, do not offer sufficient scope for the full potential of women to be used in many cases. There is a lot of potential in some women which remains latent and awaits its complete expression and use. Such a potential is sure to give rise to inner frustration on remaining untapped and unrealized. The society today is under a flux. Perhaps this flux has arisen as the earlier arrangement, though having provided a very neat division of labour, remained unable to answer this one very significant question.

The following points can be made out of the above discussion—
Women are now rejecting the traditional roles ascribed to them and coming out to get into the domain of ‘paid work’ and thus are getting involved in what is called ‘productive labour’, is the contemporary social reality.

The latent potential argument establishes that women should work.

An alternative division of labour shall be established and other solutions shall be sought for in order to avoid the negligence of issues that are pertinent for the health of the family and society; while operating within the work-family interface. A race against time without slowing down to answer significant questions shall result in chaos.
Solutions

*Change* is the only constant in life. Creation evolves by making adaptations to *change*. Confronted with a stage of social change, adaptations are the demand of the day-adaptation at the level of individual, family, society, governmental policies and the workplace. More importantly, such adaptations need to be backed by a firm and clear understanding of the aim of life. The *latent potential argument* itself is based on the understanding that the aim of human life is to evolve. This also implies seeking solutions for the problem away from both- the alpha and the beta bias (Hare-Mustin, 1988). Relocation to the frame of values propagated by Indian philosophical systems can provide an alternative.

Relocating to the plane of Indian Philosophy

The problem of women and work-family conflict in the Indian context has been viewed in the context of two frames of reference. The first frame, adopted by the traditionalists and conservatives, suffers from an alpha bias. It re-emphasizes the sex role ideology and strives to maintain the status quo by rejecting the fact of women entering the domain of work, stepping out of the domestic life. The fundamentalists have resented the blurring of the ‘private-public divide’. The Mahila Morcha writes, for example:

“We conceptually differ from what is termed as the women’s liberation movement in the west. We require a sort of readjustment in the social and economic set-up. No fundamental change in the values is desirable. Women in India ever had a proud place within the household, and the society. That has only to be re-affirmed.” (Mahila Morcha, 1991)

The second frame seems to be the only other possible view point to those who find it imperative and a matter of right for women to move out of the confines of domestic space to the domain of work. This frame of reference suffers from the beta bias in that it overemphasizes similarity and denies all gender differences, thus adopting a minimalist stance. Aggressive manifestation of atomistic individualism has
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become the dominant feature of this frame of reference. The present paper proposes relocation to an alternative frame of reference perpetuated by the values enunciated by the Indian philosophical systems.

Redefining ‘success’ and ‘progress’: Moving from the pravritti marga (path of the pursuit of pleasure) to the nivritti marga (path of renunciation/detached active functioning)

It may be argued that work-family conflict in the Indian context today is actually a product of the materialist consciousness perpetuated by the globalizing consumer culture. This culture defines progress, growth and success in terms of material achievements/gains. Consequently, it has given rise to a material centric, profit oriented individual, family, society, and the workplace. Market has permeated social relations and has hegemonized human consciousness. The ethics of the market impart value only to those things, relations and conditions which have an exchange value in the market. Accordingly progress implies more and more material accomplishment, growth implies more production and consumption of goods, and success implies acquiring ever-increasing degrees of exchange value in the market. This marginalizes all other realms of human endeavour. Accordingly, ‘work’, as it is defined by the market, has started taking precedence over family and everything else. This also accounts for the non-recognition of care giving (including child rearing, care giving to the elders and diseased) and home management as effective contributions to the society. Several women wish to enter the field of work as they seek for ‘social role enhancement’ and self esteem. ‘Working’ seems to provide social role enhancement as it provides one with an exchange value. In fact, with paid work being valued above all else, unpaid care work by implication is increasingly devalued. But the emerging global crises of care are particularly challenging because while the demand for care is rising due to demographic factors, the supply of care is falling due to people’s financial desires and the
growing sense of identity and esteem people increasingly derive from paid work.

As noted above, the capital-based, liberal consumerist culture has defined all the concepts within the framework of the market. Insatiable greed for ‘profit’ and ‘pleasure’ is the force behind this culture. With such definitions of progress and success, the individual, couples, families, society and the workplace; all are running behind profit-making. ‘Earning’ more and more exchange value has become the motive behind human existence. Most of the companies in the private sector try to make their employees work maximum number of hours. There is cut-throat competition in the corporate world and all the companies are running after making maximum profit. Employees, on their turn, are trying to match the expectations of their employers and thus get quicker promotions and higher pay scales, and thus are running for progress. Many of the women are getting into jobs only because they want themselves and their families to be more comfortable financially and thus ‘progress’. This world view lacks the understanding that ‘pampering’ of the senses by providing them more and more pleasure and an attempt at satisfaction of unending desires of the senses actually results in bondage of the self. Real happiness is unattainable for a bonded self, who eventually becomes a slave of the market. A reversal from this path- the pravritti marga, i.e., the path of pursuit of pleasure, is imperative towards the nivritti marga, i.e., the path of detached active functioning. Progress and success as defined by the market do not ensure real inner happiness. Nor does it have the potential of taking humanity or human life to any better footing. Success and progress shall be redefined in order to find solutions for complications that have arisen out of a misinterpretation of these. All of us actually have to stop running for progress as we define it, at the expense of everything else. Ambition should certainly remain a motivating force and provide fuel to move on, but it should not burn the machinery out. Studies have proven that individuals considered to be successful are not the ones who are invariably happy or satisfied. Thus, either we have to assume that success and happiness are not compatible, or we shall look for another definition of success. Korman and
his colleagues have asked why so many “successful” managers are apparently alienated from themselves and/or others (Korman and Korman, 1980; Korman, Wittig-Berman, & Lang, 1981). Their data suggest the inability to meet personal needs (because of disconfirmed expectations and contradictory role demands) and the loss of affiliative satisfaction (perhaps due to an extensive commitment to work at the expense of family) produce social and personal alienation (Korman et al., 1981). Also, several studies have revealed positive relationships between an employee’s Type A behaviour and work-family conflict (Burke et al., 1979, 1980a; Werbel, 1978).

One has to go back to the ancient Indian wisdom which says that he is a winner (and so is successful) who has overcome his senses, rather than one who, being enslaved by the senses, remains constantly in the pursuit of pleasures. Perhaps both women and men need to understand that a successful life is one which is more balanced and integral in the sense that it offers scope for ‘everything else’ also, that, as McKenna has pointed out, which is found missing in a life running behind material success alone. Such changes can occur with gross changes in societal perceptions of success and progress. This brings us to the definition of success and progress as that of having mastered the senses and using them as instruments for human evolution rather than becoming slaves and instruments in their hands.

**Moving from the concept of ‘productive work’ to ‘karma’**

The material centric world view judges the productivity of work on the basis of the financial returns (and hence again, the purchasing power) it generates for the individual. Resourcefulness is defined in terms of power and money (purchasing power). Work is defined as instrumental activity intended to provide goods and services to support life (Piotrkowski, Rapoport & Rapoport, 1987). Work typically entails membership in a market or employing organization that compensate the worker for his or her contributions (Burke and Greenglass, 1987; Kabanoff, 1980). Work may provide intrinsic rewards (Deci & Ryan, 1985), but its
primary goal is to obtain extrinsic rewards (Locke & Latham, 1990).

These definitions of productivity and resourcefulness effortlessly exclude women and what was traditionally considered to be ‘women’s work’ from their purview. Women have been really resourceful in terms of emotional and spiritual strength. Can a resourceless person impart care and support to others? Gaining ‘resourcefulness’ as defined by the market economics, women’s inherent resourcefulness should not be undermined or lost. This demands a moving ahead of the ‘modernist’ definition of productive work to the concept of karma provided by the ancient Indian scriptures which implies performance of ‘dutiful’ activity in a detached manner. This does not mean going on carrying out what is considered to be duty, thus making life ‘burdensome or boring’. To arrive at a correct definition of duty, away from the much romanticized (mis)definition prevalent among many Indians, detachment is the most essential pre-requisite. The path of duty or dharma, according to the ancient Indian scriptures, is that which provides nurturance to the self/soul. The evolution of the spirit/consciousness is the goal of human existence according to the Indian philosophy, and not the attainment of material pleasures. In fact, the unending pursuit of material pleasures is believed to result in ‘bondage of the self’. Such karma (or work) is to be performed which leads to a realization of one’s inherent potential, which results in the release of productive forces within one’s self, which nurtures one’s soul and results in the evolution of one’s spirit. In this light, the aim of women while entering the domain of the so-called productive work is not to attain only material resourcefulness, but the realization of their ‘latent potential’ and thus, an optimum use of their inner resourcefulness.

**From unregulated desire to Sanyam-Niyam**

*Desire* and *Indulgence* are the buzzwords of the consumer culture. And this culture desires individuals to *keep on desiring*. It preaches ‘indulgence’ and more and more ‘indulgence’, which means working tooth and nail towards the satisfaction of desires of the senses of one’s being. It
seeks to nurture a consciousness that is solely pleasure-oriented. Such pleasure is derived from the consumption of goods—both material as well as symbolic. Market commodifies everything and makes it available in abundance—food, sex, health. Mass media propagates to have these 'more and more'. In the context of the globalization era, accelerated production can only deliver greater profits and growth if it is matched by accelerated consumption. For some products, this could be achieved by increasing the pace of product deterioration, thus shortening replacement time; but for most products and services it could only be brought about by engendering a perpetual state of dissatisfaction in the psyche of the consumer. The gratification yielded by one consumption experience had to give way in the shortest possible time to the desire for another. Indeed, the ideal consumer would forego satisfaction altogether—desire only desire (Bennett, 2001, p 161). This is helpful in furthering the profit motive of the market. Mass media is also working towards giving rise to 'dissatisfaction' and insatiability of desire amongst the people. This is characteristically represented by Pepsi’s famous punch line—Yeh dil maange more (this heart always yearns for more...).

Indian wisdom taught freedom from desire. Various philosophical systems in India have experimented with and devised varied means of getting freedom from desire. In fact, desire is said to be the root of all miseries. As mentioned earlier, one who conquers desire is considered to be victorious, and hence successful, in the Indian scheme. Only such a truly ‘free and independent’ functioning can result in cultivation of human faculties, expansion of the horizons of human consciousness, and thus, it is only such an active functioning which is capable of resulting in true inner happiness.

Indian philosophy teaches the opposite of indulgence—sanyam and niyam, i.e., self-restraint and discipline. Human beings are distinguished from others in the creation because they have ‘choice’. They can choose to accept and also reject. They can choose to restrain their senses. However, again, ‘choice’ is also being attempted to be defined by the market.
In the consumerist jargon, choice is a function of purchasing power or exchange value. Women and men ‘work’ more and more as ‘earning’ more and more is tantamount to ‘acquiring’ more and more purchasing power, which they consider to be ‘enhancing their choices’. In the case of women, the entire rhetoric of ‘empowerment’ is built upon such choice and resourcefulness. Earning is important in proportions. However, going ‘excessive’ is tantamount to bondage rather than choice and freedom.

Few things need consideration regarding the rhetoric of choice in a consumption-oriented cultural setting. It is said that modernity gives us the choice: the freedom to select from diverse possibilities. In this sense it may also be seen as ‘imparting some agency’. However, is consumption really a human activity rife with agency? It needs to be understood that there is a limitation to these ‘diverse possibilities’ themselves. In the contemporary society, these diverse possibilities are generated by and for the market. Also, our choice is being constantly conditioned by the agent of capitalism and consumerism- the mass media. So we no more have the choice given by modernity (i.e. criticality of our own consciousness), but we have choice given to us by the commodity Market. Is such a choice, real choice? Choice and ‘diverse possibilities’, being hijacked by the market forces, no more remain choice and possibilities. In fact, choice cannot be given or taken, it is within oneself. People need to ‘choose’ to reject the false choice given by the market, to opt out of it, and thus ‘choose’ to reject the enslavement of their minds and spirits at the hands of the commodity market.

The philosophy of restraint shall motivate individuals, families and also the Workplace, to set limits to the desire for profits. Once this desire is brought under control, the work-family conflict arising out of lack of time, perpetual strain etc. is bound to dissipate. In the frenzy to acquire more and more exchange value, agency, choice and empowerment (as defined by market), Indian women shall not lose the hold of inherent Indian wisdom which defines all these in a different perspective, which alone has the potential to provide effective
solutions. In fact, on that plane, problems like work-family conflict do not exist per se.

From acquisition to Aparigraha

Market ethics dictate more and more ‘acquisition’ and ‘possession’, and equate resourcefulness and empowerment with these. However, Indian philosophy laid emphasis on aparigraha, i.e., abstinence from possession. This also accounts for the faith of Indian philosophy in flow, rather than stock. Everything that is stopped from flowing, gets stale, be it money or knowledge. The principle of aparigraha is thus, actually the principle of flow, which sustains life. On the contrary, the overemphasis on ‘productive work’ is directed towards possessing more and more. Once this principle of aparigraha is understood by individuals and the workplace, work-family conflict shall dissipate.

Possessing less also implies simplification of living, where much lesser time is required for tasks associated with maintenance of possessions. This is of mighty significance as a lot of time of the women in traditional societies goes in household maintenance activities. In a situation where both men and women wish to be engaged in higher realms of activity, mundane possessions have to be done away with in order to save time from being lapsed in mundane activities.

From wants to needs

Indian philosophy is deeply grounded in moral principles. The great Indian philosopher Gandhi said that there is enough in the world for everyone’s needs, but the whole world is not enough for one man’s greed. He considered one who consumes more than his/her needs as a thief. There is no end to desiring, and fulfillment of wants only multiplies them. Men, women and workplace; all have to understand this principle and make decisions in its backdrop. This is sure to provide effective solution to work-family conflict. Why should I work and how much should I work shall be guided by such wisdom.

Ability to distinguish between means and ends
Material world has been considered to be the means for the realization of reality in the Indian philosophy. Hence material world is not the end by itself. Money and material possessions thus become the facilitator. However, the consumerist culture has made money and material possession, an end in itself. As observed earlier, thus, all concepts are defined in material terms. This gross fallacy is the genesis for all sorts of conflict.

An example shall substantiate this contention. The positive aspect of technological advancement in the modern era is that “for the first time in human history, it is possible for man to be free from the necessities, and enter the domain of freedom. Indeed Marx could think of his whole man- a man cultivating all the faculties of his being- only in the modern age. Because science is power, and technology promises to rescue man from routinized and time-consuming manual labour” (Pathak, 2006, p 27). But instead of remaining a tool aiding the cultivation of the faculties of the being of man, technology is now becoming the end in itself. Resultantly, men and women have started loving the ‘comfort’ that technology brings, instead of the ‘freedom to cultivate one’s faculties’ that comes with it. Thus, the more modern we are, the more comfort-loving we become. In fact, it is also vice versa, modernity is now being judged by the degree of comfort (and thus the degree of technological usage) one has in his or her life. Thus, quality of life is equated with status of living which denotes the degree of material comforts and luxury one has. Increasing and rather seemingly irreversible dependence on technological advantage is rendering human existence at the mercy of technology, and hence the market. This situation is like “trapped in modernity”. In this sense, technology has rather gained an oppressive character and lost its liberating potential. It oppresses as in the sense that it causes excessive indulgence, makes us terribly dependent on the ever-changing needs it creates, and hence paralyzes many important human faculties (Pathak, 2006, p 43).

Freeing oneself from the consumerist consciousness and grounding in the aforementioned concepts has the potential to have profound influences on the society as far as work-
family conflict is concerned. At the first place, it shall prevent the ‘branding’ of some activities as inferior, e.g. housework, to others which are considered to be superior, like paid work. It thus saves women from a sense of inferiority, and prevents men to feel superior. This approach rather accords primary value to the emotional and spiritual realms of human endeavour, areas to which women’s contribution has been far more greater than men’s. However, this does not imply perpetuation of gender role segregation. A recognition of non-market ‘work’ as significant can motivate more men to undertake activities in the household realm. This approach also saves men and women from becoming aggressively and atomistically self-seeking, thereby limiting their involvement with paid work. Rewards shall no more be measured only in monetary/ material terms. Rather than seeking pleasure in aggressive rights-seeking, individuals may get an opportunity to taste the inner contentment that comes with due fulfilment of duties. Indian philosophy also teaches ‘measures’ and proportions. The principles of self-restraint and discipline- *sanyam and niyam*, can profoundly influence human course of action. Mastery over one’s senses and freedom from the fetters of desire incorporates the golden rule for both men and women to rise above conflicts. Also, this philosophy has the potential to direct the society as well as the workplace to ‘move slowly’ so as to not to disrupt the melody of life. The resolving of the work-family conflict demands gross changes at the workplace. The workplace cannot change until it keeps on functioning within the consumerist paradigm. It at least needs to take some cue from the aforementioned concepts, in order to become more family responsive.

Besides the grounding in Indian philosophy, some adaptations at the level of individuals, couples, society and the workplace seem imperative. They are discussed below.

**Adaptations at the Individual/ Couple level**

Changes at the level of the individual or the couple include changing ‘gendered perceptions’ of one’s familial and societal roles, scaling back, moving from the concept of ‘productive work’ to the concept of ‘karma’, and thus moving ahead of
consumerism (*pravritti marga*) to the path of detached active functioning (*niyritti marga*).

Care giving and home management are traditionally thought to be women’s work. Accordingly, girls are conditioned to play effective roles to carry out these responsibilities. However, with the changing scenario, the gendered perception of familial and societal roles needs to be changed. Care giving and home management shall be shared by both, the female as well as male members of the family. There is an indispensable need of grooming up the contemporary generation of sons to prove effective care-givers and home-managers along with carrying out other potential tasks. Also, the daughters need to be equipped well to be able to shoulder multiple responsibilities. Also, they need to be freed of the belief that care-giving and home-management is solely their responsibility.

**Scaling back** includes strategies that help reduce and restructure the couple’s commitment to paid work during life-course, and thereby buffer the family from work encroachments (Becker & Moen, 1999. Three separate scaling back strategies have been revealed in the study:

- Placing limits
- One job-one career marriage
- Trading off: readjusting from a one job one career marriage to a two carrier marriage

While a limit has to be placed on the work by both the man and the woman; in the case of the next two strategies, sex role ideology may dictate or at least partly influence the decisions made by couples regarding who will pursue job and who will pursue career and at what stages in the life-course. For a decision to be balanced, it should be free of both the alpha bias as well as the beta bias. Freedom from the alpha bias would prevent the decision from being governed by an overemphasis on the sex role ideology, which assumes separate spheres of work for men and women, and shall therefore, prompt decisions like ‘job for the woman and career for the man’, in case it fails to stop women from entering paid work. That the job versus career strategy tended to be gendered, is borne out by the study conducted by Becker and Moen (1999), which found that in case of over
two-thirds of the couples in their sample, the woman had the job and the man the career. Freedom from beta bias shall imply that women do not shrink back from adjustments when it is needed by virtue of being different from men, for example, if parenthood is opted for, it is the woman who needs to scale back till the child is born and is in the initial stages of her life when she needs mother’s feed and proximity.

In fact, the strategies used to make such adjustments can be renamed, as the term ‘scaling back’ seems to have some negative connotations attached to it. It is not regressive, as few may take it to be, rather, it is tantamount to drawing lines when and where necessary. Drawing lines is an important step in human decision making during the lifecourse. Lines have to be drawn not only in the case of career, but also in other significant activities like in case of decisions regarding limiting the number of children, reducing social commitments, setting limits to community work as well as leisure time etc. Measures and proportions are important for human life. When, how, what and how much; all these questions need balanced answers for ensuring the overall well being of an individual life. Scaling back, far from being regressive, is just finding out the exact proportions.

**Adaptations at the level of the Family and Society**

For adaptations to be made at the level of the family, firstly, the identification of family as a constant has to change to a locus of strategic actions that may shift and change during the life-course. Familial roles of different members need to be redefined while adopting a more gender neutral approach in the context of a changed familial structure and setting. In the new structure of the family, since every member would be carrying out multiple tasks and equitably shouldering multiple responsibilities, training for time management shall be imparted to all the family members. More practical ways and means of home management based on a more focused approach towards the purpose of life will have to be adopted. **Parasitism** needs to be countered at the level of the family. In every family, there are some members who have very less
or no sharing in the family duties, while there are others who are made to shoulder excess burden. In the Indian context, rest of the family members have been parasitic on the daughter-in-law. In fact, the romanticized version of the definition of duty defines it to be the duty of the woman (in roles of mother, wife, daughter-in-law, etc.) to carry out mundane tasks for every other member of the family. Such a ridiculous division of labour has to change to give equitable space to every member of the family. Adaptations at the level of family need to be carried ahead at the level of the society at large. Also, the society needs to gain a spiritual orientation moving away from the materialist, consumerist and market oriented approach of the present times.

**Adaptations at the level of governmental policies**

Some gender-friendly policies may be made mandatory like the provisions for child and elder care facilities close to the workplace, reduced number of work hours, maternity and parenting leaves etc. In fact, all the adaptations needed at the workplace (to be discussed subsequently) can be enforced by the governmental policy.

**Adaptations at the Workplace**

The most significant part of adaptation is to be carried out at the workplace. Various studies around the world have proposed that workplace can play an important role in assisting employees with the coordination of employment and family roles (Warren and Johnson, 1995; Bowen, 1988; Kamerman and Kahn, 1987; Voydanoff, 1987; McCroskey, 1982). The present day workplace is predicated on the assumption that families with male bread winners and nonworking housewives constitute the predominant family form. As Gitanjali Prasad (2006) has commented in her recent work, “The workplace functions on what I call the **Buy One Get One Free Syndrome**”. She further says, “Five years of reflection helped me understand that the real source of work-family conflict lay not in the ‘ambitious career women abandoning her traditional responsibilities’, nor in the ‘chauvinistic Indian male caught in a time warp’, but in the
workplace which has not adapted enough to a new reality where every adult member of the family would be working”. If women also want to work, the expectations and conditions at the workplace will have to be shaped in a way that they allow every individual to look after both his or her professional commitment and personal responsibility. With both women and the men playing multiple roles, ‘we need to invent a new clockwork that keeps time for families as well as careers’ (Christ, 2004). The types of family needs addressed through workplace initiatives fall into three general categories: (a) policies and benefits that reduce work hours to provide time for family caregiving through the provision of leave for vacation, illness, childbearing, and emergency child care or through reduction in average hours worked per week, (b) policies designed to give workers greater flexibility in the scheduling of work hours and the location of work hours, and (c) policies designed to provide workplace social support for parents, including forms of child-care assistance (Glass & Estes, 1997).

The workplace needs to move from the ‘face time business culture’ to a ‘results-oriented business culture’, even if results to be measured in the form of profits are the sole motive towards which all business enterprises are directed. However, the workplace shall not incorporate adaptations until there is a certain degree of value orientation and a sense of social responsibility, while moving away from a total consumerist and market oriented approach. It is to be noted here that ‘corporate social responsibility’ is a rather fashionable term these days. However, the social responsibility of the corporate world is not over with making charities or maintaining quality standards of products. Social responsibility of the corporate world lies more in stop misleading the humanity towards a raw materialist consciousness making them slaves of the market. The corporate world can play a more socially responsible role by being less aggressively profit-oriented and competitive, thereby also permitting some space for the workers’ emotional, social and spiritual lives.

It was found that the variable paid work hours was strongly and negatively correlated and perceived flexibility was
strongly and positively correlated with work-family balance (Hill et al., 2001). Excessive number of working hours may leave the employees as ‘money minting machines’. Flexibility in the timing (flextime) and location of work (flexplace) are two characteristics that are repeatedly seen as a way to achieve balance in work and family life in this challenging environment (Hill et al., 2001; Christensen & Staines, 1990; Galinsky, 1992; Galinsky & Johnson, 1998; Zedeck, 1992). Several studies indicate that the individual and family have a lot to gain from flexibility, the possible benefits including less marital conflict, better monitoring of children, increased period of breast feeding after the birth of an infant, less depression, and so forth (see Beatty, 1996; Bumpus et al., 1999; Crouter et al., 1999; Lindberg, 1996).

Flextime is broadly defined as the ability to rearrange one’s work hours within certain guidelines offered by the company, directed towards a better balancing at the level of work-family interface. Flexplace is broadly defined as giving employees varying degrees of control over where their work is done. Flexplace includes telecommuting, which is the option for employees to work from another, fixed location, usually the home. It also includes virtual office, where employees are given portable means to do their job whenever and wherever it makes sense. The individual, the society and the workplace- all have much to gain from flexibility. Flexibility in family processes diminishes potential family stresses, while flexibility in work processes helps manage contemporary stresses situated at the work-family interface. Workplace social support systems include on-site and near site child and elder care referral services, compressed work-weeks, meal-time flexibility, online and call-in parenting assistance, personal and parenting leave policies, domestic partner benefits etc.

To conclude, before we go ahead whole-heartedly towards revolutionizing the existing social order, all of us have lessons to learn and make adaptations- women, men, family, society and the workplace. Without these adaptations, the path ahead is sure to be fraught with difficulties, may be, even failures. Any change brought on the external plane, without a change on the internal plane, cannot be
successful. Life has to be a melody and not a perpetual struggle with conflicting situations. Life can be that only when one refuses to struggle! This is not to negate the need for working towards positive change, but that there is an art in resisting. Women have to work towards change but in the process do not have to disrupt the rhythm of the melody of life. Love and non-violence are the ways and means towards a melodious and artful resistance. Both of these have no space for atomistic individualism and constant self-seeking, however. So, women have to work, but not to an extent where it amounts to neglect of children or the elderly or the diseased. There is no gender dimension to it. It stands the same for men too. Men and women are not machines. The emotional and spiritual lives have to be lived as much as the material, even if not more. So measures are important, and so caution has to be exercised while making decisions. This is the only way to overcome all conflicts.

If women are all set to transcend the limitations external world has seemingly imposed on them, they have to transcend the limitations within too. They have to go inside themselves to search for the right direction and save themselves from any fallacies. The only final solutions lie in redefining progress, value orientation, and adoption of the path to ‘truth’. The only answer lies in ‘spirituality’. As a young reader of spiritual literature, I once read Sri Aurobindo answering someone’s question that for all the questions and problems of the world, there is only one answer, and that is spirituality. I could not understand it then. I have started coming to that conclusion now.

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Gulf States and the Conflict between India and Pakistan

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Abstract: Traditional cultural and economic ties between the Indian sub-continent and the Gulf region have existed for several centuries now. Strengthened further, both India and Pakistan continue to have important economic and strategic ties with the countries of the Gulf. While the Gulf region offers substantial economic advantages to both, they also have the potential to make positive interventions in the bilateral conflict between India and Pakistan. The following chapter analyses the role and position of the Gulf Arab States - in particular the member states of the Gulf Cooperation Council (GCC), and their potential in acting as a buffer for the Indo-Pak conflict. It will evaluate the official positions of the Gulf countries towards various aspects of the Indo-Pak conflict. The Gulf countries have often voiced their positions at regional and international forums. An additional aspect of this relationship is that the Gulf States are also members of the Organization of Islamic Conference (OIC), a pan-Islamic body which has often addressed issues of contention between India and Pakistan, particularly with respect to Kashmir. Through an academic understanding of the issues and incorporating viewpoints of experts in the area, the chapter seeks to provide fresh insights into an aspect which has the possibility of becoming a crucial incentive for peace between India and Pakistan.

Keywords: Pakistan, India, Gulf States, Conflict, Kashmir

Introduction

Traditional cultural and economic ties between the Indian sub-continent and the Gulf region have existed for several centuries now. Strengthened further, both India and Pakistan continue to have important economic and strategic ties with the countries of the Gulf. While the Gulf region offers substantial economic advantages to both, they also have the potential to make positive interventions in the
bilateral conflict between India and Pakistan. The following chapter analyses the role and position of the Gulf Arab States - in particular the member states of the Gulf Cooperation Council (GCC), and their potential in acting as a buffer for the Indo-Pak conflict. It will evaluate the official positions of the Gulf region towards various aspects of the Indo-Pak conflict. The Gulf countries have often voiced their positions at regional and international forums. An additional aspect of this relationship is that the Gulf States are also members of the Organization of Islamic Conference (OIC), a pan-Islamic body which has often addressed issues of contention between India and Pakistan, particularly with respect to Kashmir. Through an academic understanding of the issues and incorporating viewpoints of experts in the area, the chapter seeks to provide fresh insights into an aspect which has the possibility of becoming a crucial incentive for peace between India and Pakistan.

India and the Gulf Region

India and the Gulf Cooperation Council

The GCC as a collective entity has tremendous significance for India. Separated only by the Arabian Sea, India has a vital stake in the stability, security and economic well-being of the Gulf. As a group, the GCC has been increasingly determining the economic, political, and security policies of its member States and the GCC countries are moving ahead rapidly with their economic integration efforts.

India's old, historical ties with GCC states, coupled with increasing imports of oil and gas, growing trade and investment opportunities, and the presence of 3.5 million Indian workers in the region, are of vital interest to India. India's economic linkages with the GCC have increased steadily during 1970s, 80s and 90s, especially due to growth in oil imports. As analysts point out, a pattern of interdependence is emerging between India and the GCC due to their strategic position and central role in the current energy security discourse. Development induced growth in India during the 1990s resulted in higher energy consumption, increasing oil demand and a growing reliance on oil. The process of deregulation of the petroleum industry
in India was completed in 2002 with a significant lifting of curbs by the Indian government on Foreign Direct Investment in the petroleum sector. On the supply side there has been a declining western market share of Gulf oil and declining oil revenues for the Gulf States. However due to vast reserves and low cost production capabilities, this will stabilize and they will regain their position as key oil supplier. Even though India has taken significant measures to diversify the import sources of oil and gas, the current trends of consumption indicate clearly that the dependence on the Gulf is likely to remain.

From the strategic point of view, India and GCC share the desire for political stability and security in the region. Their common political and security concerns translate into efforts for peace, security and stability in the Gulf region and South Asia and create further opportunities for GCC-India cooperation in the future. The areas for cooperation are also widening beyond investments, trade and commerce and sharing and development of human resources to security.

**India’s relations with GCC countries**

Even prior to the establishment of the GCC, India has enjoyed cordial relations with most of the countries in the region. The following section would highlight some key developments in India’s relations with the Arab Gulf states.

**Economic Cooperation**

Perhaps the most active and significant component of the relationship between the GCC and India is the economic cooperation between the two. The two regions have over the years expanded their traditional trade ties into a sustainable economic partnership, creating a pattern of interdependence. India has established key economic alliances with individual GCC countries as well as with the region as a whole. It has granted the Most Favoured Nation (MFN) status to the GCC countries and a Framework Agreement for Economic Cooperation was signed between India and the GCC in
August 2004. Besides paving the way for initiation of discussions on feasibility of FTA, the agreement provides for setting up of a joint committee on economic cooperation to oversee the implementation of the pact and other bilateral agreements. Both sides have agreed to make arrangements for setting up joint investment projects and facilitating corporate investments in various fields. The first GCC-India Industrial Conference comprising ministerial and business delegations from the GCC States and India was held in Mumbai in February 2004.

The GCC countries have invested around $406.3 million constituting around 1 percent of total FDI received by India. Among the GCC countries, UAE is the largest investor in India, accounting for around 79 percent ($321 million) of the total investment made by the GCC countries followed by Bahrain ($32.7 million), Oman ($24.51 million), Saudi Arabia ($19.18 million), Kuwait ($8.87 million) and Qatar ($0.09 million).1

Apart from the economic partnerships between India and the GCC collective, India has also established stable economic relations with individual GCC states.

**Trade Figures**

<table>
<thead>
<tr>
<th>Gulf Countries</th>
<th>INDIA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Saudi Arabia</td>
<td>$3,442 million</td>
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<tr>
<td>UAE</td>
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<tr>
<td>Kuwait</td>
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<tr>
<td>Qatar</td>
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<tr>
<td>Bahrain</td>
<td>$532 million</td>
</tr>
<tr>
<td>Oman</td>
<td>$900 million</td>
</tr>
</tbody>
</table>

Source – Various governmental sources

1 India-Attractive Destinations for GCC Investments, [http://www.menafn.com/qn_news_story_s.asp?StoryId=1093142677](http://www.menafn.com/qn_news_story_s.asp?StoryId=1093142677)
India and Saudi Arabia - The fourth largest trading partner of India, during the last few years, a number of trade and industry delegations have visited Saudi Arabia to explore opportunities for long-term partnerships and cooperation, including joint ventures. Soon after new investment laws came into force in Saudi Arabia in mid-2000, a number of Indian firms have taken advantage of the new Saudi laws providing for 100% foreign ownership of projects in the Kingdom. Since then, Indian companies have established 108 joint ventures in Saudi Arabia in different sectors. In January 2006, during his trip to India, King Abdullah of Saudi Arabia signed four accords significant among which were the agreement on avoidance of double taxation and the bilateral investment protection agreement.

India and UAE – The relationship between India and the United Arab Emirates (UAE) has evolved into a significant partnership in the economic and commercial sphere with UAE emerging as the second largest market globally for Indian products. At the same time Indians have emerged as important investors within the UAE and India as an important export destination for the UAE manufactured goods.

Many Indian companies have contributed to the growth of a number of sectors in the region, like power generation and transmission, highways, telecommunication, water and other infrastructure development. The presence of warehouses of the different Indian companies in UAE has also resulted in an increase in the trade not only with UAE but also India’s trade with other Gulf countries.¹

India and Oman - Economic and commercial exchanges between India and Oman go back

¹ Embassy of India, Abu Dhabi, http://www.indembassyuae.org/induae_bilateral.phtml
centuries with a merchant community from India in Oman for several generations. This interaction has helped in laying the foundation for a multi-dimensional economic relationship between the two countries in recent years as Oman embarked on its process of development and oil revenues started flowing into the country in the 1970s. In June 1993, an Agreement for Economic Trade & Technical Cooperation was signed between India and Oman. India-Oman trade has been growing and India is the fifth largest source for imports (about 4.5%) into Oman. India and Oman have also finalized a Bilateral Investment Promotion & Protection Agreement (BIPA) and Double Taxation Avoidance Agreement (DTAA).

**India and Kuwait** - The statement by former Indian ambassador to Kuwait is indicative of the strengthening economic relations between India and Kuwait - “I’d say that the political relationship between our two countries has been and is excellent. Our economic relations have been progressing exceptionally well, and our cultural cooperation is moving at a steady pace.”¹ The first ever meeting of the Indo-Kuwait Joint Ministerial Commission for Trade, Economic, Scientific and Technological Cooperation took place in Kuwait in November 2006. The second meeting of the commission was held in July 2008, in New Delhi. From the point of view of the labour sector, a Memorandum of Understanding (MoU) on Labour, Employment and Manpower Development was also

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signed in Kuwait in April 2007. The most important encouragement in terms of economic, trade and investment cooperation is the agreement for Mutual Promotion and Reciprocal Protection of Investments (BIPA) and also a Double Taxation Avoidance Agreement (DTAA) between India and Kuwait. Thus, while there has been investment in marketable securities and investment through third countries, the BIPA and DTAA should provide an opportunity and comfort for direct investments.

India and Qatar - There is a growing synergy between India and Qatar in the hydrocarbon and other sectors. Indeed, the two countries are natural economic partners, with their strengths and potentialities complementing each other. Qatar has made significant progress in the development of its natural gas reserves in the North Dome Field. India is a large and expanding market for export of LNG from Qatar and the geographical proximity of the two countries virtually ensures mutually beneficial interaction in a long-term perspective. In addition, there are enormous opportunities for expanding bilateral trade and other economic linkages, considering the geographical proximity and historical ties between the peoples of both the countries.¹

India is the tenth biggest source for Qatar’s imports and the third biggest market for Qatar’s exports. However, bilateral trade constitutes only a part, though an important part, of the potential for economic cooperation between India and Qatar. The Government of Qatar has made large investments in the development of its two LNG projects and port at Ras

Laffan. With its large, expanding and long term requirements of natural gas, India is naturally keen to take advantage of the existence of a reliable and virtually inexhaustible source of natural gas situated so close to its own consuming centres.

In pursuance of these complementarities, the two sides signed an MOU in January 1998 for cooperation in the gas, oil and industrial sectors. The MOU envisaged a number of steps to exploit the potential in these areas, with the purchase of LNG from Qatar as its primary component. In July 1998, H.E. Abdullah Bin Hamad Al-Attiyah, Minister of Energy and Industry led a high-level delegation to India at the invitation of his counterpart and continued the on-going dialogue for bilateral cooperation in the hydrocarbons sector. India has also signed an agreement to purchase 7.5 million tons of LNG every year from Qatar and the first shipment took place in 2004.

Some of the agreements signed between India and Qatar are:

- Bilateral Investment Promotion and Protection Agreement
- Double Taxation Avoidance Agreement
- MOU on Foreign Office Consultations
- Agreement on Cultural Cooperation
- Agreement on Economic and Technical Cooperation
- Agreement on Organisation of Manpower Employment

**India and Bahrain** - India and Bahrain signed an economic and technical cooperation agreement in April 1981 during the visit of H.H the Amir to New Delhi, following which Instruments of Ratification were exchanged in 1983. The first meeting of the Indo-Bahrain Joint Economic and Technical Committee (JETC) was held in New Delhi in 1986 and the second in Bahrain in 1991. Most recently, the Fourth Meeting of the India - Bahrain Joint Committee on Economic and Technical Cooperation (JCETC) was held in Bahrain on 14-15 November, 2007. The Indian delegation was led by Shri E. Ahamed, Minister of State for External Affairs. The delegation included Joint Secretary (Gulf & Haj),
Ministry of External affairs, representatives from the Ministries of Commerce, Overseas Indian Affairs, Petroleum and Natural Gas as well as Public Sector Undertakings like National Small Industries Corporation and Education Consultants India Ltd. The two sides looked at the possibility of cooperation in areas of petroleum, aluminium, chemicals, shipping, finance and hospitality. The issues of cooperation in financial sector including Avoidance of Double Taxation, health, IT, civil aviation, manpower, education, information and culture and youth and sports were also discussed. It was agreed to carry forward the process of Mumbai Declaration adopted at the Third Indo-GCC Industrial Forum held in Mumbai in May 2007 for economic engagement in areas like energy, petro-chemicals, construction etc. Both the sides wanted closer cooperation in the areas concerning, *inter alia*, World Trade Organization related matters and technical cooperation in areas of standardization and intellectual property rights. A Joint Business Council (JBC) between India and Bahrain was set up on 12th October, 1994.

**Political and Strategic Cooperation**

While the economic relationship between India and the Arab Gulf states goes back several centuries, the nature of the political relationship has changed significantly over the years. When it came to regional politics, Muslim Pakistan was consistently favoured over India. Gulf States sympathized with Islamabad in wars with India and backed Pakistan’s claims in Kashmir. Pakistan has traditionally supplied the Gulf countries with soldiers, pilots and police.

Gulf unease with India was also compounded by New Delhi’s policy of aligning itself with the erstwhile Soviet Union and its concept of a socialist state. This put India at odds with the pro-American policies of the Gulf States. In particular, India’s relations with the Gulf States have been symptomatic of its political partnership with Saudi Arabia. There was a significant cooling off of relations between India and Saudi Arabia in the early 1990s due to several reasons from the destruction of the Babri Masjid in India to the Indian
sympathy for the Iraqi regime during the first Gulf war. The Saudis saw Indian overtures to the newly independent Central Asian Republics as being more in tune with Iran and the Indian side saw Saudi Arabia as more closely aligned with Pakistan.

The landmark visit of King Abdullah of Saudi Arabia to New Delhi in January 2006 was the first visit by a Saudi head of state in 51 years. As chief guest at the Indian Republic Day ceremony, the visit was evidence of a shift in attitudes in India and the GCC. Since then the political relationship has improved. India’s growing closeness to the United States in the post cold war era has also contributed to this changing relationship.

Visits between heads of states from the GCC and India are now a regular feature. To further political cooperation, the landmark ‘GCC-India Political Dialogue’ involving the External Affairs Minister of India with the GCC Chairman, the Secretary General and Ambassadors/representatives from GCC countries was held, for the first time, on the sidelines of the United Nations General Assembly on September 26, 2003.

India is keen on cooperation with the GCC to ensure safety and security of sea lanes and of communication safety and freedom of navigation in the shipping lanes and trade routes, counter religious extremism and transnational terrorism, narcotics trafficking and proliferation of weapons in the region and achieve peace in the sub-continent given Pakistan’s bond with the region.¹

India has over the years made notable developments in its defence capabilities. To capitalize on this, over the years, India and some of the GCC states have also taken significant steps to further cooperation in the field of defence.

India and UAE entered into a Defence Cooperation Agreement signed in June 2003 in New Delhi which provides for cooperation between the two countries in matters related

to security and defence and for annual meetings of 'Strategic Dialogue'. India has been training UAE defence personnel in various disciplines at its specialized institutions. The two countries resolved to examine the possibility of import and export of arms, interact on various aspects of defence policy and security and exchange information on scientific research, humanitarian and peacekeeping operations.\(^1\) The subsequent meeting of the Joint Defence Cooperation Committee was held in April 2006 in New Delhi. Interaction between the Coast Guards of both the countries has enabled identifying possibilities of cooperation in this area as well. UAE defence personnel have also been undergoing defence training in India under Self Financing Schemes.

Considered the closest to India among the GCC countries, Oman is being offered training cooperation of its officers and men in Indian military training institutions. In December 2006, An MoU on Defence Cooperation was signed between India and Oman. The areas of cooperation envisaged in the MoU include exchange of expertise in military training and information technology, utilization of military and educational courses and programs, exchange of observers attending military exercises and exchange of formal visits. The MoU is expected to further enhance constructive interaction between the two countries and facilitate strengthening bilateral defence relations, including the supply of Indian equipment to Oman.\(^2\)

In November 2008, India and Oman agreed to step up defence cooperation by upgrading their joint naval exercises. The issue of stepping up defence cooperation was discussed

\(^1\) “India, UAE Ink accord on defence tie-up”, *The Hindu*, July 2, 2003
http://www.hinduonnet.com/thehindu/2003/07/02/stories/2003070204211200.htm

\(^2\) “India, Oman sign MoU on Defence Cooperation”, *Islamic Republic News Agency (IRNA)* New Delhi, December 2006.
during Prime Minister Manmohan Singh’s three-day visit to the Gulf countries.¹

Singh’s visit also led to a defence agreement with Qatar which includes the possibilities of stationing Indian troops in the Arab country, sources in the Indian Defence Ministry said. The two countries have also joined in a maritime security arrangement, which will be extended to other countries. Earlier in June 2007, the two countries had agreed to jointly produce weapons and equipment. Indian Defence Ministry sources said Qatar is keen to collaborate with Indian private and state-owned defence companies, which in turn have entered into some sort of a tie-up with American companies for weapon and equipment production.²

India is also keen to establish defence ties with other Gulf States and is in dialogue with some of them towards this end.

**Indian Expatriate Community in the Gulf**

Perhaps the most significant element of India’s relationship with the Gulf States is the presence of a sizeable expatriate population in these states. The expats in the Gulf contribute considerably to the bilateral relations between India and the Gulf.

<table>
<thead>
<tr>
<th>Country</th>
<th>Indian Population</th>
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<tbody>
<tr>
<td>Saudi Arabia</td>
<td>1.4 million</td>
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<tr>
<td>Oman</td>
<td>550,000</td>
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<tr>
<td>Kuwait</td>
<td>579,058</td>
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</tbody>
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Statistics collected by the ministry of External Affairs reveal that the ‘socio-economic profile’ of Indian migrants to the Gulf has been shifting in a positive direction since the late 1980s. There has been an upward flow of professionals and white collar workers. Others are engaged in the gold, electronics, motor spare parts or textiles trade, in the construction industry or in managing hotels and restaurants. Each year India receives significant amount of foreign remittance from its nationals in the Gulf – a sum which contributes to India’s financial reserves and is reinvested in development in India. According to a World Bank report in 2007, India is the highest receiver of remittances from abroad. Around 5.7 million Indians from across the world sent $27 billion as remittances in 2007 and the Gulf accounted for a large chunk of it.

Pakistan’s relations with GCC countries
Pakistan enjoys special and cordial relations with all of the Gulf countries, formalized through bilateral and multilateral cooperation on trade, security and economic development. It also benefits through remittances coming from its diaspora in the Gulf and also through the Gulf investment towards development in Pakistan, mainly in telecommunication, construction, agriculture and energy sectors.

Bilateral Relations
With hopes of enhancing economic and trade activities between Pakistan and the GCC, the Framework Agreement on Economic Cooperation was signed in 2004. The meeting held between the GCC Secretary General Abdul Rahman Bin Hamad Al-Attiya and GCC Ministerial Council Chairman Sheikh Muhammad Sabah Bin Salem Al Sabah (also the Foreign Minister of Kuwait) and former President of Pakistan Pervez Musharraf, in Islamabad, was the first step towards
liberalizing trade and thus initiating a discussion on Free Trade between the stakeholders.

Since 2004, there have been a series of negotiations between Pakistan and the GCC to reach an agreement on the Free Trade Agreement (FTA). Considering the ongoing financial crisis in Pakistan, the country is in dire need of the FTA with the GCC to boost its economy. In September 2008, at the second round of negotiations in Saudi Arabia, it was decided that the FTA would be signed by the end of 2008.

In addition to cooperation with the GCC as a regional bloc, Pakistan has also maintained close bilateral relations with individual members of the GCC.

**Pakistan and Saudi Arabia:** Owing to its significance of being the holiest place for Muslims around the world, Saudi Arabia occupies a very sacred place in the hearts of millions in Pakistan. This relationship gets further strengthened every year with about 160,000 Pakistani pilgrims going to Saudi Arabia to perform the Haj, and the number is much greater for *Umra*. Over the decades, Saudi Arabia has also been providing support for Islamic education in Pakistan and has welcomed thousands of Pakistani workers into its labour force. The value of Pakistan-Saudi Arabia relationship is evident through frequent high-level talks between state officials. During his visit to Saudi Arabia in 2006, then Prime Minister of Pakistan, Shaukat Aziz, emphasized Pakistan’s closeness to the Kingdom, “Pakistan will make any sacrifice for the safety, integrity and sovereignty of Saudi Arabia”.¹

In the recent past, the Gulf region has been active in domestic politics in Pakistan, for instance in the form of hosting former Prime Ministers Nawaz Sharif in Saudi Arabia and Benazir Bhutto in the UAE. The recent case of Saudi Arabia putting pressure on Nawaz Sharif to value his deal and live in exile in Saudi Arabia is unique because it was probably the first time the Kingdom got involved in the internal politics of any other country.

There are about 1 million Pakistani expatriates in Saudi Arabia, which is home to overall 4.5 million expatriates.\(^1\) In 2005, in a bilateral exchange both countries explored possibilities of increasing the Pakistani workforce in Saudi Arabia. In 2006, five key MoUs were signed between the officials of two countries in the areas of politics, economic, education, scientific and technical cooperation, during the visit of King Abdullah to Pakistan. Saudi Arabia’s assistance to Pakistan had already exceeded $1 billion when it pledged another $673 million to the relief and rehabilitation of Pakistani areas devastated by the 2005 earthquake. With 110,000 barrels a day, Saudi Arabia is the largest supplier of oil to Pakistan. The decision of the Saudi Fund for Development to provide Pakistan with 100,000 barrels of crude oil per day and 70,000 bpd of furnace oil for five years beginning 1998 on the basis of deferred payment was crucial in Pakistan’s recovery from the economic crisis it faced in the aftermath of the sanctions following the nuclear tests.\(^2\)

The Kingdom is amongst the top 20 major importers of Pakistani goods, including raw cotton, cotton cloth, garments, carpets, furniture, footwear, sports and surgical goods, and food items. In 2005-06, Pakistan’s exports to Saudi Arabia were $330 million and imports were $2994. The business community from both countries has initiated joint projects in industrial and construction sectors. Presently, there are more than 300 Pakistani investors in Saudi Arabia authorized by the Saudi Foreign Investment Authority (SAGIA). To enhance collaboration between the business communities, both countries have set up the Pak-Saudi Joint Business Council (JBC). The JBC has already organized two meetings in 2003 and 2005. In the year 2005-

\(^1\) “Pakistan-Saudi Arabia bilateral relations”, Embassy of the Islamic Republic of Pakistan, Riyadh: http://www.pakembassy.org.sa/bilateral.html

\(^2\) Tanvir Ahmad Khan, "Gulf-Pakistan Relations: A Political Perspective", in Faryal Leghari (ed.) Gulf-Pakistan Strategic Relations (Dubai, Gulf Research Center, 2008): 23-50
06, $272 million came to Pakistan as a Foreign Direct Investment (FDI) from Saudi Arabia.¹

**Pakistan and UAE:** Pakistan was the first country to formally recognize UAE as an independent state in 1971. Continuing the legacy of close relations, the top leadership in the two countries maintains close and frequent contacts. The friendship has been enhanced by UAE’s support to Pakistan in troubled times. In 2005, the UAE contributed $100 million towards Pakistan’s earthquake relief fund. Recently, at a very crucial time of economic downfall in the history of Pakistan, Abu Dhabi (UAE) hosted the ‘Friends of Pakistan’² meeting on November 17, 2008. During the meeting donor countries discussed possibilities of assisting Pakistan in times of economic recession. This historic meeting was followed by President Asif Al Zardari’s visit to UAE to meet President Sheikh Khalifa bin Zayed. At the meeting the possibilities of UAE public and private investment in Pakistan were discussed, specifically in the areas of energy, agriculture, construction and infrastructural development.

Over the years, UAE has become home to skilled labour and professionals from Pakistan, particularly from Karachi. It is estimated that around 700,000 Pakistani expatriates live in UAE, and 166,451 Pakistani skilled persons moved to UAE in 2006-07.³ There is a MOU between the two countries in the field of manpower, which enables Pakistan to increase its manpower presence in UAE.

Ministerial level meetings between the UAE and Pakistan have enhanced bilateral trade between the two partners. The

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² ‘Friends of Pakistan’ group is comprised of Saudi Arabia, UAE, China, France, UK, USA, Canada, Turkey, Australia and Italy.

UAE is one of Pakistan’s top three trade partners with a trade volume over $4 billion (2005-06) and it was estimated to reach $5 billion by the end of 2007.\(^1\) With the aim of promoting bilateral trade and economic relations, the Federation of Pakistan Chambers of Commerce and Industry and Federation of UAE Chambers of Commerce and Industry reached an agreement to setup Pakistan-UAE Join Business Council. The agreement came as an outcome of 9\(^{th}\) session of Pakistan-UAE Joint Ministerial meeting in Islamabad in 2007.

In June 1994, Pakistan and UAE established a Defence Consultative Group to plan cooperation in a number of fields including joint defence production and intelligence-sharing. In April 2006, the two countries signed a Defence Cooperation Agreement to step up their collaborations.\(^2\)

**Pakistan and Oman:** Geographical proximity is an asset for both Pakistan and Oman because it increases viability of several bilateral projects. In 2005, the two countries signed a MoU to establish a Political Consultation Mechanism between the Foreign Ministries of Pakistan and Oman. Both countries have also reached the following crucial agreements: Organizing Air Service Agreement in 1976; Promotion of Protection and Investment Agreement in 1997; Cultural and Educational Agreement in 1984; Economic, Technical and Commercial Cooperation Agreement in 1986; and Maritime Boundaries Agreement in 2000. Oman has donated $100 for infrastructural development in the marginalized province of Baluchistan in Pakistan, out of which a significant portion will be invested in expanding the runway at the Gwadar Airport. This funding was committed by His Majesty Sultan Qaboos during his visit to Pakistan in


\(^2\) Tanvir Ahmad Khan, "Gulf-Pakistan Relations: A Political Perspective", in Faryal Leghari (ed.) *Gulf-Pakistan Strategic Relations* (Dubai, Gulf Research Center, 2008): 23-50
2001. Later in 2005, Oman donated $5 million towards earthquake reconstruction work in Pakistan.¹

In March 2005, the visiting prime minister of Pakistan proposed a Free Trade Agreement between Pakistan and Oman, later reiterated in 2006. The Pakistan-Oman Investment Company was setup in 2002, which is an important milestone achieved by the Oman-Pakistan Joint Investment Commission.

The significance of the Pakistan-Oman Investment Company is manifested through the fact that the Pakistan-Oman microfinance Bank was inaugurated by the President of Pakistan in May 2006. It is important to mention that the Oman International Bank now operates in Gwadar, Karachi and Lahore, and recently Bank Muscat has also invested in Pakistan. Hopefully, these investments from Oman will lead to more investments from other countries.

**Pakistan and Kuwait:** The presence of about 125,000 Pakistanis in Kuwait shows the strength of bilateral ties. Kuwait is Pakistan’s third largest partner in the GCC. The $250 million balance of payment support it provided after the nuclear tests of 1998 supplemented the effort of Saudi Arabia and UAE to stabilize Pakistan’s economy. The Kuwait Fund for Arab Economic Development has invested more than $200 million since 1976 in 10 projects which are now complete.² The Kuwait Fund has provided $245 million towards infrastructural development in Pakistan, especially roads, power, water and social sectors.³

In 2004, at a very important meeting of the Pak-Kuwait Joint Ministerial Commission, representatives from both sides

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¹ Leghari, F. *GCC countries’ response to Pakistan earthquake -- an evaluation.* (Dubai: Gulf Research Center, 2005)
² Tanvir Ahmad Khan, "Gulf-Pakistan Relations: A Political Perspective", in Faryal Leghari (ed.) *Gulf-Pakistan Strategic Relations* (Dubai, Gulf Research Center, 2008) : 23-50
³ “Pakistan, Kuwait to Enhance Bilateral Trade to US$ 1 Bn”, *Pakistan Times Business & Commerce Desk*, (Rawalpindi) February 21, 2004.
agreed to enhance bilateral trade from $800 million to 41 billion by encouraging private sector investment.¹

**Pakistan and Qatar:** Since Qatar’s independence in 1971, Pakistan has maintained cordial relations with Qatar. Relationships between the two were initiated through HH Sheikh Khalifa bin Hamad Al Thani’s visits to Pakistan in 1970s and 1980s followed by exchange visits by the Pakistani leadership. There have been frequent high-level meetings between the two countries, specifically on economic cooperation. Bilateral trade has increased since President Musharraf’s visit to Qatar in 2005. In 2005-06, bilateral trade between Pakistan and Qatar reached $529.06 million.² In the aftermath of the earthquake in Pakistan, Qatar sent relief goods of about $20 million and also operated several medical camps in the earthquake affected areas.³

In June 2007, the Qatari finance minister signed several agreements plus a MoU in Islamabad. With a total value of $2 billion, these agreements envisaged among other things industrial zones and power projects. Pakistan expects a spurt in Qatari investment in the years ahead. Apart from a joint Ministerial Commission to oversee cooperation, a Joint Business Council has also been formed.

Both countries are also in the process of reaching an agreement to implement the Qatar-Pakistan gas pipeline project. For this project, the Pakistani Ministry of Petroleum and Natural Resources has signed a MoU with Crescent Petroleum Company International Limited of Sharjah in 2000. The project is envisaged to also provide natural gas to India. At a state-level meeting in 2005, officials of both

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¹ “Pakistan, Kuwait to enhance bilateral trade to US$ 1 Bn”, *Pakistan Times*, February 21, 2004.
² “Media delegation to visit Pakistan”, *The Peninsula* (Qatar), August 23, 2007
³ Leghari, F. *GCC countries' response to Pakistan earthquake -- an evaluation* (Dubai: Gulf Research Center, 2005)
countries agreed for investment in the oil and gas sector. Pakistan and Qatar have signed a MoU to enhance Air Traffic and facilitate the travelling in 2004.

**Pakistan and Bahrain:** Recently Prime Minster of Pakistan, Syed Yousuf Raza Gilani, in a meeting with a visiting official from Bahrain, emphasized that stronger bonds of close friendship and cooperation between the two countries are deeply rooted in common faith and cultural values. In 2006, Shaikh Salman bin Hamad Al-Khalifa visited Pakistan and met the Prime Minister Shaukat Aziz to cooperate in the areas of economic, defence and security, as well as both countries explored possibilities of a bilateral FTA. Trade turnover is relatively small but it has a growth potential, as in 2007 the bilateral trade reached to $250 million. Therefore, a bilateral FTA would be an ideal move to uplift the scope of trade between the two countries. Drafts from both sides on proposed FTA agreement have been exchanged and a formal agreement is expected in the near future.

Number of direct transport routs between two countries could be a measurement of the extent of bilateral relations. In this regard, a landmark Air Services Agreement (2004) was reached between the Gulf Air and Pakistan International Airlines to operate weekly flights from Bahrain to Lahore and Peshawar.

**Defence Cooperation**

Highlighting his government’s new security agenda, newly elected Prime Minister Syed Yousaf Raza Gilani states, “the new government’s key focus, unlike that of the General (ret.) Pervez Musharraf, will be on the countries of the Gulf”.

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1 “Pak, Bahrain relations rooted in common faith, values: Gilani”, *Associated Press of Pakistan*, September 17, 2008.
2 Tanvir Ahmad Khan, "Gulf-Pakistan Relations: A Political Perspective", in Faryal Leghari (ed.) *Gulf-Pakistan Strategic Relations* (Dubai, Gulf Research Center, 2008): 23-50
Considering geographical proximity and religion as the key factors, the expertise and services of Pakistan’s armed forces have been of considerable demand in the Gulf. Security cooperation between Pakistan and the Gulf basically started when Pakistan sent more than 11,000 troops to secure Saudi Arabia, during the war against Iraq (1991-92). In 1983, emphasizing the Kingdom’s internal defence, Saudi Arabia had also signed two security cooperation agreements with Pakistan. In the early 80s, “Hundreds of Pakistani officers and technicians were serving in warships and naval establishments in GCC states, Pakistani instructors were also prominent at the new Saudi naval school in Jubail, open to all six GCC states”.¹ Since then this relationship has been strengthened by Pakistan opening doors of its military academies to security personnel from the Gulf countries.

Cooperation between the Armed Forces of Pakistan and Saudi Arabia spans the last four decades. A protocol agreement signed in 1982 has now been replaced by a more comprehensive Military Cooperation Agreement. There has been emphasis on training and strengthening institutional links between defence establishments of the two countries. Pakistan’s facilities such as the Pakistani Aeronautical Complex, Heavy Industrial Complex at Taxila near Islamabad and the ordnance factories are open to long term collaboration with Saudi defence organizations.² There have been regular bilateral dialogues on security cooperation between armed forces officials from Saudi Arabia and Pakistan. In 2001 Saudi Arabia and Pakistan started a joint project to manufacture light arms and ammunition. Later in 2002, Saudi Arabia provided nearly $400,000 to support Pakistan’s military advancement.³

¹ Hyman, A., Ghayur, M. & Kaushik, N. Pakistan: Zia and After (Asia Publishing House, University of Michigan, 1988)
² Tanvir Ahmad Khan, "Gulf-Pakistan Relations: A Political Perspective", in Faryal Leghari (ed.) Gulf-Pakistan Strategic Relations (Dubai, Gulf Research Center, 2008): 23-50
³ Lavoy, Peter R. “Pakistan’s Foreign Relations” in Devin T. Hagerty (ed.) South Asia in World Politics, (Karachi: Oxford University Press): 49-70
There are strong links between the naval establishments of Pakistan and Oman as exemplified by the elaborate naval exercise, *Thamal al Tayyab*, in the Gulf of Oman in September 2006. A Pakistan-Oman Joint Program Review Group meets every two years to assess and plan defence cooperation.¹

Pakistan has established long-lasting defence collaboration with Bahrain and to expand that cooperation Pakistan’s Defence Minister visited Bahrain in January 2008. In May 2008, defence officials from Bahrain, including Defence Minister Ahmad Mukhtar and Bahrain National Guards Commander Major General Sheikh Muhammad bin Isa Al Khalifa visited Pakistan. Leaders from both countries emphasized the importance of military-to-military cooperation between Bahrain and Pakistan. Pakistan has so far trained about 400 Bahraini military personnel and about 1,200 Pakistani defence personnel with years of experience in the Pakistani armed forces, serve Bahrain’s air force and Navy.² The two countries have a Joint Program Review Group to regulate defence cooperation. In early 2008, a delegation of Pakistan defence officials visited Bahrain to further enhance defence cooperation between the two countries.

Pakistan and UAE have signed the Defence Cooperation Agreement and Pakistan is keen to enhance defence cooperation with Qatar and Kuwait.

**Pakistani Expatriate Community in the Gulf**

No exact data is available to exactly measure the number of Indo-Pak expatriates in the GCC, but the figure is estimated around 6 million Indians and 3 million Pakistanis in

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¹ Tanvir Ahmad Khan, "Gulf-Pakistan Relations: A Political Perspective", in Faryal Leghari (ed.) *Gulf-Pakistan Strategic Relations* (Dubai, Gulf Research Center, 2008): 23-50
² Ibid
Remittances coming from Pakistani workers in the Gulf States are a significant contribution to the home economy. In times of economic recession, struggling Pakistani governments have been relying on foreign exchange through remittances. According to the State Bank of Pakistan, Pakistan received a record amount of $5.493 billion as workers’ remittances during the fiscal year 2006-2007. Saudi Arabia was the outstanding source with $1,024 million with UAE close behind with $866.49 million while Bahrain, Kuwait, Qatar and Oman accounted for $757.33 million.

Governments in both India and Pakistan have also been seriously concerned about the abuse of and discrimination against their citizens in the Gulf countries. In late 2007, Dubai experienced demonstrations from South Asian construction workers demanding better pay and working conditions. This demonstration was the first of its kind and ending up being violent with attacks on police. As a result of this many protesting workers were immediately deported and jailed. Earlier in 2008, a court in Dubai sentenced 45 Indian construction workers to six months imprisonment for their involvement in the demonstrations.

Labour unrest is an ongoing phenomenon with inflation hitting most of the Gulf States and this is mainly due to discrimination against workers from South Asia e.g. low wage and worse working conditions. Recently, policymakers in the Gulf countries, specifically in the UAE and Bahrain, have taken some steps to respond to the demands from the migrant workers in their countries. It is essential as there are approximately 13 million foreign workers in the GCC

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2 Tanvir Ahmad Khan, "Gulf-Pakistan Relations: A Political Perspective", in Faryal Leghari (ed.) Gulf-Pakistan Strategic Relations (Dubai, Gulf Research Center, 2008): 23-50
states, making up about 37 percent of the population.\(^1\) For the Gulf countries to play a significant role towards peace, development and stability in South Asia, it is of utmost importance that migrant workers from the region get better and equitable treatment in the Gulf.

**Indo-Pak Conflict - GCC and OIC**

The dynamics of the relationship between India and the Arab Gulf States have changed over the years and have gradually entered an era of growing cooperation. The relationship has emerged from its traditional trade oriented focus to an all-round politico strategic partnership. India’s growing economic and defence prowess is further attracting GCC investment and collaboration. India as a nation and the South Asian region has now become an economic and political partner. The relationship between India and Pakistan can also be examined in this new light. Along with India, the Arab Gulf states have a strong economic, political and cultural link with Pakistan. Thus, there appears to be a convergence of interests between India and Pakistan in establishing a close partnership with the GCC. In striving for cooperation, it is also possible that the Gulf States act as a buffer between India and Pakistan.

Perhaps as demonstrated by the Franco-German cooperation which accelerated the process of European integration, a similar phenomenon could be seen in the South Asian region. Economic cooperation between the Arab Gulf and India and Pakistan could aid in regional cooperation and a move towards resolving the conflict between India and Pakistan. In an environment of global economic interdependence, both India and Pakistan stand to gain from stronger relations with the Gulf.

The GCC countries have in the past expressed concern over the hostility between India and Pakistan and have urged the

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two countries to resolve the conflict amicably. During much of the cold war era, the Gulf States were wary of India and supported Pakistan in the conflict. Since the end of the cold war, there is a changing geopolitical dynamics in both the regions. Bilateral strategic pacts will help both India and the Gulf countries. The Gulf States play an important role in the OIC and other regional organizations like the Arab League and their political support for India is crucial.¹

In 1999, at the height of the Kargil conflict between India and Pakistan the GCC foreign ministers issued a joint communiqué. It said ...the GCC called on the two neighbouring countries to resort to reason and prudence in solving the problems between them by peaceful means, avoiding force and the inevitable human and material losses for both sides. The communiqué praised Pakistan’s stand and called on the UN to intervene to end the fighting and by enhancing UN Military observer force now in Kashmir.”²

However the changing global political scenario and an improvement in Indo-Pak relations have warranted a change in GCC attitudes too. Saudi Arabia’s involvement in Pakistani politics has also reduced and the GCC as a whole is willing to take a balanced position in the conflict.

**Kashmir Conflict**

In 2005, during his foreign policy address at the Asia Society in Australia, Pervez Musharraf emphasized that “Pakistan is recognized especially by the GCC countries as a factor of stability and security in the region”.³ So the question arises;

² “GCC foreign ministers meet in Jeddah”, *Arab World news story*, July 3, 1999
³ “Pakistan- Challenges, Responses and Opportunities”, *Asia Foreign Policy Address*, H.E. General Pervez Musharraf President of the Islamic Republic of Pakistan, (Sydney), June 16, 2005.
is it true that the foreign policies of the Gulf countries have leaned towards Pakistan because it is an Islamic state. The relations between the GCC countries and Pakistan are deeply rooted in common faith (Islam), and therefore the GCC and also the OIC member states, on several occasions, have expressed serious concerns over the Jammu and Kashmir dispute between India and Pakistan.

In 2006, the OIC Contact Group on Kashmir presented its set of recommendations at the 61st session of the UN General Assembly in New York. The group comprised of Foreign Ministers from Pakistan, Turkey, Saudi Arabia, Azerbaiján and Niger, as well as the OIC Secretary General Ekmeleddin Ihsanoglu. Formed in 1994, the OIC Contact Group on Kashmir has regularly held meetings on the sidelines of the UN General Assembly sessions.

In 2008, there were some serious responses from India to the OIC support to Pakistan’s claim to a plebiscite in Jammu and Kashmir. At its 35th session held in Kampala (Uganda) from 18th to 20th June 2008, the OIC member states adopted a resolution on the issue of Jammu and Kashmir; reaffirming the commitment of Islamic nations towards peaceful resolution of the conflict. In August 2008, the OIC statement in condemnation of the Amarnath land transfer entanglement was released. The OIC statement was met with a furious response from the Indian side. In response New Delhi reiterated, “Kashmir is an internal matter of the

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2 Nothing significant was in the headlines about Kashmir at least between 2002 until July 2008. Last month, July 2008, one state decision sparked frozen conflict in the Jammu and Kashmir valley. It happened when 100 acres of land was being allotted to the Amarnath Shrine Board in Kashmir, which resulted in protests from Kashmiri Muslims, in response to which the state reverted its decision. Later Hindus in Jammu protested, blocking trade/food supply for Kashmir etc. This was the first time when the areas of Jammu and Kashmir were divided internally, further complicating the dynamics of the conflict.
country, the ministry said OIC Council of Foreign Ministers has no locus standi in this and other matters concerning India’s internal affairs”.

Apart from the concerns from the OIC and the GCC bloc on the Kashmir dispute, the OIC also adopted a resolution in response to the demolition of the Babri mosque in 1992. It strongly condemned the destruction of the Babri mosque by Hindu extremists and expressed deep regret over the failure of the Indian government to protect this Muslim holy site. Later in 2001, the Secretary General of the OIC also expressed concerns over the Indian government allowing construction of a temple in place of the Babri mosque. The Secretary General demanded the Indian government to reconstruct the Babri mosque and protect other religious sites too.

India is home to one of the largest Muslim communities in the world, approximately 138 million. Owing to this, it has shown interest in joining the OIC, as an observer nation, as it wishes to play an active role in the forum of Muslim nations. India's inclusion into the OIC as an observer has been supported by several member states, including Saudi Arabia, Malaysia, Iran and Egypt, but is opposed by Pakistan owing to the Indo-Pak rivalry. Pakistan Foreign office spokesperson Tasnim Aslam said that “giving observer status to non-Muslim countries is under discussion. The criteria, apart from what is being worked out, are that any country which wishes to acquire observer status with the OIC should not be involved in any dispute with a member

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2 The mosque was demolished by the Hindu nationalists in December 1992.
4 Census of India 2001, Office of the Registrar General & Census Commissioner, India.
India’s request for observer status at the OIC is doubtful considering Pakistan’s foreign policy towards India and existing disputes between the two nations, especially the Kashmir issue.

**GCC for Peace between India and Pakistan**

There was a period of high tension between India and Pakistan during 2001-02, resulting in a massive troop mobilization along the border on both sides. The international community particularly the GCC was alarmed due to these developments. At the end of the consultative summit of the member states of the GCC in 2002, the Secretary General of the organization, Abdul Rahman Al-Attiyeh, urged both India and Pakistan to settle their disputes through a peaceful dialogue process; “The GCC leaders expressed their deep concern over the dangerous situation in the subcontinent and urged India and Pakistan to show maximum restraint and return to the positive atmosphere they had in the past”. Later in June 2002, at the GCC foreign ministers meeting, the Omani representative Yusuf bin Alawi bin Abdullah stressed the GCC’s dedication to resolving disputes between India and Pakistan.

In 2004, at a meeting between the GCC officials with President of Pakistan in Islamabad, Sheikh Al Sabah from Kuwait cited the “progress in Pakistan-India relations as a positive development for the region. The foreign minister reiterated Kuwait’s position that the Kashmir dispute should

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3 “GCC urges Pakistan, India to end tension”, *Daily Dawn* (Karachi) June 9, 2002
Shifting focus from political relations, one news item is worth mentioning here, which is with regard to the imbalance of trade between India and Pakistan in the fiscal year of 2007-08. The report mentioned that “Pakistan’s trade imbalance with India was at $894 million in first 10 months”. Bilateral trade between the two countries has reduced in comparison to previous years as investors in both countries are unhappy with the instability in contemporary bilateral relations and security ties. However, it is important to highlight that the unofficial India-Pakistan trade through third countries, mostly through the Gulf countries, is estimated at $10 billion. Considering this fact, it is important to realize that the Gulf countries can act as a buffer for India-Pakistan economic development and the peace process can be sustained by encouraging expansion of bilateral trade (official and unofficial) and composite dialogue process. In times of insecurity or instability between India and Pakistan, there is a disruption in direct communication at the state and civil society levels. With the Gulf countries opening the doors for indirect Indo-Pak cooperation, at least the process of economic development through bilateral trade and peace process at the civil society level (track II) will remain intact.

There is another issue with regard to trade between India and Pakistan, which is Pakistan’s refusal to give the Most Favoured Nation (MFN) status to India, even after signing the South Asian Free Trade Agreement (SAFTA). Pakistan’s refusal is a blow to India which had assumed that ratification of SAFTA would automatically lead to the extension of MFN as the agreement envisages a duty-free trading area with SAARC countries (Afghanistan, Bangladesh, Nepal, Maldives, Sri Lanka, India, Pakistan and

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1 “Pakistan and GCC hope new agreement will boost trade”, Daily Times (Islamabad), August 28, 2008
2 “Pakistan’s trade deficit with India at $894 mn”, The Economic Times (New Delhi) June 18, 2008.
Bhutan) by 2018.\(^1\) As this is against the SAFTA rules therefore India could exercise the option of filing a case against Pakistan at the dispute settlement body\(^2\) of SAFTA.

An attempt by any of the Gulf States to mediate on Kashmir is likely to be interpreted by India as a hostile act or interference in her internal matters. With the signing of the Simla Agreement in 1972\(^3\), the Indian government has taken the position that Kashmir is an internal matter and all outstanding issues with Pakistan will be resolved on a bilateral basis. The rejection of all outside interventions and mediation with respect to Kashmir has been the cornerstone of Indian foreign policy since the 1970s. There is no indication that this will change any time soon, despite the plight of the Kashmiri population. However, considering the religious link between the GCC and Pakistan, the former’s mediating role to directly resolve the Kashmir dispute could also lead to hurting the GCC-India relations. Also India might also consider the GCC role as religiously biased.

The 2007 official statistics by the central banks in both India and Pakistan depicts that the bilateral trade between both countries and the GCC bloc is approximately $36 billion. It includes $25 billion between India and the GCC and $11 billion between Pakistan and the GCC.\(^4\) There has been a series of meetings between the officials from the GCC countries with India and Pakistan to sign Free Trade Agreements (FTA). Considering the trade-relations of the Gulf countries with India and Pakistan, it will be of a great significance if the latter help to establish the Indo-Pak Trade Commission for the Gulf Countries. There could also be a

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\(^1\) Sen, Amiti. “Pakistan refuses to give MFN status to India even after Safta ratification”, *The Financial Express* (New Delhi), March 28, 2006.

\(^2\) SAARC trade-related Dispute Settlement Body is yet to be setup in Pakistan, as per the SAFTA agreement.

\(^3\) Followed by the war between India and Pakistan in 1971, the Simla Agreement was signed in July 1972.

possibility of inter-regional agreement on free trade between GCC and SAARC which will lead to improvement in relationships at the inter-regional level as well as simultaneous economic development in South Asia. This way it will be easier to quickly implement trade initiatives. Also this initiative will offer another forum, a CBM, for India and Pakistan to cooperate, which will hopefully lead to further economic development in India and Pakistan.

As a result of ongoing development and rapid population growth rate, energy requirements both in India and Pakistan are on constant rise. Considering the rich oil and natural gas reserves in the Gulf States, they are capable of fulfilling the demands of India and Pakistan. Both India and Pakistan have been taking steps to ensure a steady supply of oil and gas from the Gulf. In this regard, one gas pipeline project has been discussed, which will bring gas from Qatar to Pakistan and then India. The proposed pipeline is 1,186 km long, will go undersea from Qatar to the UAE with a short overland section in Oman, and then again undersea to Pakistan. Later on the extended pipeline will provide gas to India, as Qatar is more interested in reaching out to the Indian market by proposing Pakistan for transit facilities. Energy cooperation between the Gulf and India and Pakistan will in the short-run fulfil energy demands of the latter but will have greater regional implications by enhancing interdependence between the South Asian rivals, and hopefully this in the long-run will result in further enriching regional cooperation in South Asia.

The desire to protect the Gulf and Indian Ocean region from becoming a part of superpower competition led to India and Sri Lanka coming up with the principle called the “zone of peace”. In December 1971, the United Nations General Assembly resolved to declare the Indian Ocean “for all time as a zone of peace”. It is evident that the maritime security in the Indian Ocean has been of great concern. And there have been threats to particular countries to protect its Indian Ocean territories from illicit acts. Therefore in May 2008, at a conference on “Partnering for Safer Seas” of the Indian
Ocean nations in Maldives, the countries collectively decided to launch the South Asian Regional Port Security Cooperative (SARPSCO).\(^1\) It is an important initiative to implement collective security in the Indian Ocean to ensure extra level of protection to trade through this route, and not to let it become a target for criminals, terrorists, pirates and weapons’ trade. Therefore, it is considered to be the time for the revival of the principle of the “zone of peace” in the South Asian and West Asian context, as most of the security concerns are mutual, e.g. terrorism, drug and human trafficking etc. So probably, it is the right time in the 21st century to focus on inter-regional security cooperation.

Arab Gulf states and India have also sought to enter into maritime cooperation agreements. India and Oman are founding members of the Indian Ocean Rim-Association for Regional Cooperation (IOR-ARC), of which the UAE is also a member. It is an international organization with 18 member states and was first established in Mauritius on March 1995 and formally launched on 6-7 March 1997. The Association disseminates information on trade and investment regimes, with a view to helping the region’s business community better understand the impediments to trade and investment within the region. These information exchanges have been intended to serve as a base to expand intra-regional trade.

**Conclusion**

For centuries, there have been close ties between the countries in the Gulf and South Asia. The relationship that began with trade links was further enriched with the advent of Islam and the influence of the Arab and Persian civilizations could be seen in South Asian communities. In the most recent past, the two regions have been cooperating at a much bigger scale through joint ventures mainly in trade, politics, defence and most recently in agriculture. Countries in South Asia see the GCC bloc as an economic partner and this is evident through both India and Pakistan

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\(^1\) SARPSCO member countries are Bangladesh, Comoros, India, Madagascar, Maldives, Mauritius, Oman, Pakistan and Sri Lanka.
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desiring a FTA with the GCC. Also it is clear that to either sustain or grow at the rate of development in South Asia the countries are depending on precious natural resources (oil and gas) mainly from the Gulf region.

Closely linked to food exports from India and Pakistan, it is predicted that the Gulf region could go through serious food shortages. In 2007-08, Pakistan struggled to provide enough wheat and sugar to its people, due to inaccurate government projections on per annum wheat production and smuggling of wheat primarily to Afghanistan. However, both India and Pakistan are looking forward to benefit from the energy resources in the Gulf countries, and therefore it will be a win-win situation if the issue of food insecurity in the Gulf could be resolved through compensating energy imports from India and Pakistan. Recently, during a visit to the UAE, the Indian Foreign Minister Pranab Mukherjee stated, “I see India’s requirement for energy security and that of the Gulf countries for food security as opportunities that can be leveraged to mutual advantage”.

The Gulf countries are keen to invest in farmlands abroad so to address its food insecurity, and recently through an aid of $6 billion to Pakistan, Saudi Arabia has managed to get thousands of acres of agriculture land in Pakistan. Also it was reported that the government of the UAE and its private companies have already acquired approximately 324 thousand hectares of farmland in Pakistan. In the long run, investment in the agriculture sector in countries like Pakistan is supposed to fulfil the growing food demands in the Gulf countries, which will be cost-effective too.

Inter-regional cooperation has to catch up in response to growing inter-regional dependence and mutual areas of interests, therefore a stable and secure South Asia is very

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1 Meena, Janardhan, “Gulf eyes oil-for-food pacts”, Asia Times (Hong Kong) June 21, 2008.
much in the interest of the Gulf region. A consolidated GCC would provide the core around which there would be a second group of friendly nations that derive significant benefits from their interaction with this core. Pakistan as a trusted friendly neighbour and virtual extension of the GCC coastal belt with Gwadar fitting into a chain of fraternal ports, and India, an emerging military and economic power, can contribute significantly to a new balance of power. If an effective mechanism for their association with GCC is created, India and Pakistan may find it to be a factor in their present movement towards a broad South Asian entente. It has been internationally noted that Gulf Arabs would be favourably disposed to this rapprochement and that the economics of energy is one of the principal sources of strength for sustaining it. In this analysis, Pakistan's special ties with the Muslim world become an incentive for good relations with India.¹

¹ Tanvir Ahmad Khan, "Gulf-Pakistan Relations: A Political Perspective", in Faryal Leghari (ed.) Gulf-Pakistan Strategic Relations (Dubai, Gulf Research Center, 2008): 23-50
Weapons of Mass Assimilation: A Critical Analysis of the Use of Education in Thailand

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Abstract: The present paper aims to problematize education in Thailand. Jan Nederveen Pieterse’s model of ethnic domination is used as the theoretical framework to reveal the important and often ignored role of education in perpetuating socioeconomic and political elite dominance in Thailand. Ethnic domination is complemented with Paulo Freire’s liberation pedagogy. The paper shows how ethnic and economic domination of a small Central Thai elite over the vast majority of the population is achieved through a concerted propaganda effort integrating primary and secondary education with tight control over religious practices and strict censorship of the media. Case studies are provided of the role of Ministry of Education in the central government’s attempt to forcefully integrate the Muslim Malay population in the Southern Provinces and the Lao (Isan) region in the North. Finally, the contested role of private education is discussed in relation to central control over education. The paper concludes that civic and religious education in primary and secondary schools is part of a broader strategy for the perpetuation of a narrow ethnocracy, and that the recent growth of the private education. An education model based on Freire’s concept of “conscientization” is proposed as guiding principle to empower the peoples of Siam.

Keywords: Education, Liberation Pedagogy, Ethnic Domination, Thailand

Introduction

Thailand, formerly known as Siam, means “land of the free” (Rhum, 1996). However, the name is a play with words since “land of the Tai” is pronounced the same in Thai. The Tai are an ethnic group which migrated from southern China and settled in the Chao Phraya river basin more than four hundred years ago (Wyatt, 2003). More than fourteen million
students, at all educational levels, are taught a curriculum based on the idealized history of the Tai ethnic group, while only a third can be said to be Tai (Ministry-of-Education-of-Thailand, 2005). This is more than just another example of virulent nationalism of the post-colonial sort, but rather represents a concerted effort to keep power in the hands of a small Tai traditional elite and their entourage. What is at stake is not only the content of history textbooks but the security of thousands of people belonging to ethnic minorities, their incomes, the natural resources of the country, and the economic opportunities of millions of people in the provinces. Thus, education is linked to political and economic development. Democracy and economic equity are directly affected by education and in turn set the limits to individual capabilities and opportunities.

This paper explores how the present hegemonic Tai based curriculum favors a certain socio-cultural stratum of the population and brings about negative externalities such as the asymmetric development of the country, predatory resource extraction, decreased levels of human and social capital, and ultimately violent conflict. The following section introduces the theoretical background of this study as well as the normative assumptions of the recommendations provided in the final section of the paper.

**Theoretical Framework**

This study follows the critical research tradition in that its main purpose is to unveil hidden structures of oppression and domination and by doing this promoting the empowerment and actualization of those in need (Murphy & Dingwall, 2007; Stuart Sim, 2005; Willis, 2007). The theoretical approach followed is a hybrid between the concept of Human Security, based on the need for “freedom from want” and “freedom from fear”, Amartya Sen’s concept of development as freedom, and Paulo Freire’s liberation pedagogy (Berthoff, 1990; Feigenblatt, 2009a; King & Murray, 2001; Sen, 1999). There is a clear normative bias in favor of those suffering from absolute and relative deprivation in comparison to a small Bangkok based elite which controls most of the natural resources and virtually all
of the formal political power. Therefore the approach of this paper is neo-marxist in that economic factors are taken into consideration but also constructivist in that norms and symbols are equally emphasized. Thus, culture is not only a functional tool in the hands of those in power, but is also part of the public sphere which is constantly in flux and contested. Jan Neverdeen Pieterse’s concept of ethnic domination is applied to culture as a useful heuristic device to explain the role education plays in influencing defining national culture and the effect it has in determining what and who is considered the “other”. Finally, the paper applies liberation pedagogy and the concept of “conscientization” to the case of Thai education so as to promote change from below and thus empower individual citizens to name their own world and by doing that, take control of their own lives and future.

**Historical Background**

Modern day Thailand is an amalgam of peoples and territories with very diverse histories and cultures. As mentioned in the introduction of this paper, Thailand means “land of the free” but also implies “land of the Tai”. Present day Thai culture is an idealized version of the values of the Tai ethnic group historically based in the Chao Phraya River basin in present day central Thailand. Nevertheless the present day version of official Thai culture is not a carbon copy of elements that can be considered traditional of its precursors such as Sukkothai and Ayothaya but rather a mix between a strict version of Theravadha Buddhism, with Cambodian Kingship worship, and some aspects of 19th century European romantic nationalism. There are also some elements of early 20th century fascism in some of the more ritualistic representations of the national pathos. In order to understand how Thailand is what it is today, the following paragraphs will trace the migration of the early ancestors of the Tai from Southern China to present day Thailand and the development of a series of political entities or proto-states leading to the formation of Siam, the direct predecessor of modern Thailand.

The Tai ethnic group can trace its origins to Southern China from where it migrated to Southeast Asia. During this
migration, more than four hundred years ago, the Tai ethnic group split into several subgroups which settled in different geographical areas. Some groups moved into modern day Laos, another group into parts of Burma, and a third group ended up in Vietnam. Needless to say, each subgroup developed its own language and their culture diverged over the years. The group that moved to the Chao Phraya basin and central modern day Thailand also divided over the years, with some settling in Northern Thailand and others living in secluded villages in the mountains. Three important Thai centers developed, one in Northern Thailand, the other one, in Laos, and the third in central Thailand. The three most important centers of Tai political power remained separate from centuries until the one based in central Thailand managed to exert some measure of control over them through vassalage and tribute. It should be noted that the proto-states of the time did not have a modern idea of the territorial nation-state and the main resource was labor rather than land. This led to a series of cycles in the relative power of the central Tai proto-state vis a vis the other center of power. To the West of Thailand an important contender for power developed, Burma and to the South the Malay world had developed and thrived since before the Tai ethnic group migrated from Southern China.

The early identity of what came to be known as Siam was partly formed in opposition to Burma. Thus, Siam came to be defined as opposed to the aggressive “other”, Burma. Several feudal entities developed and eventually joined under the loosely exercised control of Bangkok. It should be noted that Siam was a multicultural realm at this point and that it encompassed a great variety of languages and religious practices. However, the rise of the European power and the subsequent influence they started to have in Southeast Asia alarmed the ruling elite, mostly composed of ethnic Tais. It was feared that Great Britain and France would use the loose structure of the realm as an excuse to either invade the country or to make some of its vassal states protectorates. During the nineteenth century Britain controlled most of the Malay world and France controlled Vietnam, Cambodia, and Laos.

Another important historical development during this period was that a greater number of Siamese aristocrats
travelled to Europe in order to get a modern education. Those graduates returned to Thailand with European ideas of nationalism and attempted to implement them in Siam. King Chulalongkorn, also known as Rama V, became a symbol of this modernizing impulse and heralded a new era in Siamese history. However, it was a superficial modernity that was brought and imposed on Siam. It was about form rather than essence and mainly had the effect of centralizing power in Bangkok and standardizing State rituals. The model followed resembled the Prussians rather than the more liberal English and was superimposed on a Cambodian model of kingship strengthened by a tightly codified and controlled Theravada Buddhism.

The dawn of the 20th century saw further movement towards a military model and ultimately led to the end of the absolute monarchy in the 1930s. Nevertheless, the coup that ushered the first constitution of Thailand was later on co-opted by right wing elements and reinterpreted to fit into the traditional model of divine kingship. Marshall Pibum Songkran rose to power through a military coup and further perfected an extreme Tai ethnic chauvinism based on the fascist model of the axis powers. Predictably Thailand, the name given to Siam by the ultranationalist Songkram, joined the Japanese cause during World War II. This period saw greater censorship of history textbooks and also the closing of hundreds of Chinese and Muslim Malay schools. The end of World War II briefly brought about a period of greater period and the ouster of Songkram. Nevertheless the communist threat in Southeast Asia and the beginning of the Cold War changed the geostrategic priorities of the victorious allies. Great Britain had an interest in cooperating with Thailand in order to fight the Communist Party of Malaya and the United States wanted to have a strong anti-communist government in power (Neher, 2002). This led to the return of Songkram to power and the establishment of what Duncan MacCargo calls the network monarchy. Royalist elites allied with right wing elements of the monarchy and the sangha in order to establish a socio-political system with the three pillars of religion (Buddhism), monarchy (revived Chakris), and nation (Tais) at the core (McCargo, 2009).
Control over the media and information in general become more and more important with the development of new information technologies such as the internet and cell phones. The many military coups were internal reshuffles of the leadership rather than true changes in leadership. Power was and mainly in the hands of a conservative Bangkok based elite. During the post-war period control over the education system became ever more important. It was becoming more difficult to control the growing educated middle classes since of its new members were not conservative. The governing elite found itself in a complex paradox that the country needed more education in order to “modernize” and “develop” but at the same time that same education weakened the traditional power of the elite. It was a matter of “guiding” or controlling education so as to make it just another tool rather than as a way for the population to reach self actualization.

The next section deals with the instrumental use of primary and secondary education in order to control the population. Several examples are provided of how education became a tool for the government to extend its control over non-Tai minorities as well as their resources. Power went hand in hand with education and the Ministry of Education grew in importance.

An Introduction to the Thai Education System

The education system in Thailand originally designed two separate curricula compatible for two types of population; the ruler and the subordinates. The rulers were defined as governors and religious leaders. Education for governors involved the subject areas of literature, mathematics, law, history, leadership, and methods of authorizing regulations.

At the same time, education in religious institutes involved several levels of education from basic literacy and mathematics to the analysis of abstract concepts that were profound. People who graduated from religious institute were able to apply advanced literacy and analytical skills to study curriculum for the governors as well. Therefore, Thai people use religious institutes (temples) as the opportunity to improve their social level in future generations. However,
such opportunity is only to improve their social level to the extent of being military leaders (and police) instead of being a part of civic bureaucracy or lordship. The reason is because positions in civic bureaucracy were obtained only through connections of lordships that were inherited for generations.

The subordinates were merchants and farmers whose education involved only basic skills of writing numbers and combining alphabets into small words for recording names. Merchants applied the skills in recording the customers’ names and the number of merchandised purchased. More merchants were involved in basic education than farmers due to the fact that they have more interactions with customers on a daily basis.

The education system in Thailand remained segregated between the two classes until Rama IV period (YEAR) when the British Bauring Treaty became part of Thai society. The importance of bringing all the Thai citizens to reach the highest standard had become necessity. By the early period of Rama V (YEAR), the education system in Thailand had been reformed to provide Thai citizens the skills for working as part of the bureaucracy. Temples were changed to become formal schools to promote 12 years education among farmers and merchants in addition to promoting the opportunity of becoming bureaucrats. At the same time, the institute for training and recruiting bureaucrats for post secondary education was founded and later changed the name to “Chulalongkorn University”.

Meanwhile, the alternative branches of education other than bureaucracy also reached Thailand such as Western Medicine, foreign language, international trade, etc. The missionaries founded schools for educating Catholic religion in addition to mainstream subject areas. Most Catholic schools are non-co Ed. At the same time, Chinese merchants started to establish and fund schools for Chinese teaching Chinese language and other mainstream subject areas as well.

King Rama V (YEAR) began to centralize the education system in Thailand by establishing the ministry of education. The main purpose of the ministry of education is to give citizens in Thailand, regardless of race, the sense of nation.

Chinese schools were viewed as the institute for recruiting communists and therefore General P.
Piboonsongkram had an order to limit the Chinese school hours to be operated at the maximum of one hour per day. Many Chinese schools were closed for teaching longer than one hour per day. The schools were constantly screened and evaluated by people from the Thai government. Most of the time, the arrangement were settled prior to the evaluation day and therefore some Chinese schools survived from being sanctioned.

Postsecondary education in Thailand was reformed during the 1930’s along with the political reformation (the beginning of democracy). Several political parties were established as well as Thammasat University. Thammasat University trained students to work in ministries and other civic organization including the training for working in the justice system such as Judge, police, sheriff, etc. The mission of the university is to fulfill the purpose of political reformation for democratic system. Private universities were opened for different missions such as a university for business administration. At the same time, private schools also offered vocational courses such as schools for commerce and schools for assembling hardware.

The mainstream K-12 education in Thailand nowadays is integrated between the original system designed after the United Kingdom during the mid 1800’s, Chinese education system, and the American system. Thai education consists of lower primary (1st-4th grade), upper primary (5th-6th grade), lower secondary (7th-9th grade) and upper secondary (10th-12th grade). Primary grades are called “Pratom 1 to 6” and secondary grades are called “Mattayom 1-6”.

Students from 1st to 9th grade receive mainstream education which all the texts and curriculum are designed for all learners. Students at 9th grade who which to continue the standard k-12 education needs to choose the major to continue in the 10th to 12th grade. There are three majors for upper secondary level; science-mathematics, standard major (same as k-9 subjects but for high school level), and language.

Students are required to take additional physics, chemistry, biology but less language class that the other two majors. Standard major requires students to take the same number of mathematic classes as science mathematic major but less science class. Language major requires students to
take less science and mathematics that the other two major. However, students of language major have to take additional English language class in addition to choosing one alternative language such as Japanese, French, German, or Chinese.

The instructional pedagogy in Thai Education is integrated between traditional British system and American system. Originally, students are taught through memorizing the texts and what teachers explained on the board. In 1995, the system called “child center” was integrated according to the American System. Students are required to attend classroom regularly but part of the assignments required students to conduct independent research and the works are collected as portfolio. Moreover, teachers are also trained to encourage students to participate more in the classroom.

This system has been quite a challenge in Thailand due to the limitation of academic resources outside of classroom. Moreover, students have always been taught as passive learner and therefore it is difficult for students to conduct analytical skills and self-questioning strategies. In addition, teachers tend to refuse giving active roles to students as it is against the authoritarian characteristics of Thai society.

Thai education also follow the Chinese system of conducting standardized test as an indicator to screen applicants for their annual academic performance or the admission. Students are not allowed to submit reports instead of attending the examination. The decision of whether the tests will be norm-referenced or criterion-reference depends on the schools and teachers who are responsible for the subject taught. Teacher can choose whether to accommodate students with low academic achievement or not.

Students in rural areas receive long-distance learning through the use of live video recording from the model public schools in urban area. The use of computers and other technology is still quite limited in Thailand due to the amount of funding and the teachers’ knowledge in using the technology.

In terms of classroom management, students are mostly seated according to their heights and behavioral or academic performance. Students at the front roles are mostly
short or unable to cooperate during the class. The classrooms are arranged in a way that students are seated facing the blackboard in front of the class. Most schools apply the British system where teachers are rotating to classrooms while students remain seated in the same room throughout the day. Students are usually rotated to another classroom only when specific facilities are required such as biology lab and PE class.

Most classrooms apply high control approach as the model of discipline along with the characteristics of authoritarian society in Thailand. Teachers are the only persons who decide classroom rules and daily functioning for students to follow. The use of reinforcement and punishment is quite apparent in schools in Thailand although the Ministry of Education already limited corporal punishment to be conducted in certain ways.

Exceptional education in Thailand does not have inclusive classroom policy with general education students. Exceptional schools in Thailand include only schools for students with intellectual disabilities and schools for students with visual and hearing impairments. Children with severe intellectual disabilities are mostly in specialized orphanage or staying at home. The term “specific learning disabilities” is not yet acknowledged in Thai education. Students with specific learning disabilities attend general education and are viewed as “lazy students” or “misbehaved students” without any accommodations.

Use of Primary and Secondary Education

Greater educational opportunities were viewed as important by the Bangkok elite as a way to jump on the modernization bandwagon (Wyatt, 2003). Nevertheless it should be noted that this instrumental need for education viewed people as tools for economic growth. Children were supposed to learn how to become efficient and obedient workers and subjects. The goal was not for most of those children to enjoy the fruits of development during their lifetime but rather for them to work for the good of the “nation” which truly meant the growth of Bangkok and the interests of the elite (Ungpakorn, 2007).
The school curriculum was designed to fulfill those needs and therefore included a disproportionate number of classroom hours in morals and religion. Students were and are still taught mostly about how to behave and what to believe in primary school. Only about thirty percent of classroom instruction at the elementary school level is devoted to substantive subjects such as writing and math. In addition to that, that thirty percent contains a hidden curriculum in that the passages students are told to write deal with the moral values that they were taught in the other seventy percent of the day. Thus, the entire curriculum is devoted to teaching the values of obedience, respect for authority, a narrow version of Theravada Buddhism, and a distorted view of history. Rather than the different aspects of the curriculum fitting together naturally they are shaped in order to promote the ‘three pillars’ ideology mentioned in the introduction to this paper.

Primary and secondary education have two main purposes in Thailand which are firstly to assimilate the entire population into the elite worldview based on the three pillars and secondly to prepare them to participate in the national economy as tools of economic development (Feigenblatt, 2009c). The ideal is to shape children into submissive workers who are satisfied with what they have and who do not question authority. This is done through teaching a narrow view of Buddhism which favors a deterministic view of the world. According to this view a person has little power over his or her destiny and should therefore accept it and prepare for the next life. Furthermore, reaching nirvana is impossible for most according to this view of Buddhism and therefore it is not a very egalitarian philosophy (McCargo, 2009). It should be noted that the values taught by official Theravada Buddhism favors conformism and the status quo.

Mass assimilation is done through the combination of distorted history lessons, civics, and Buddhism. The history books used in schools provide an idealized view of Thai history from the point of view of the Bangkok elite. According to this view of history, Thailand was predestined to exist since before the Tai people moved to the Chaophraya river basin. Moreover, historical events are centered around powerful individuals while the people are made invisible and
become part of the background. Thus, reading official history books is like reading a list of “great men of history” who single handedly changed the destiny of the nation. According to Patrick Jory this genre can be traced back to the work of Prince Damrong in the fifth reign and was later perfected by the military governments following the end of the absolute monarchy in 1932 (Jory, 2003). This Nationalist Historiography achieved hegemonic status in Thailand and permeated every aspect of the educational system. Due to its retrospective nature, Thai Nationalist Historiography, favors the mythic history of those in power, namely the Tai Bangkok elite. Therefore, the result is a view of history that ignores or omits the history of other important ethnic groups in Siam such as the Hmong, Malay Muslims, Indians, and Chinese. Members of those ethnic groups only appear in history if they have assimilated by adopting Thai names and customs and most importantly acted supporting the three pillars. The next section discusses how primary and secondary education was used as a weapon of mass assimilation in the case of several important ethnic groups in Thailand. Jan Neverdeen Pieterse’s model of ethnic domination is used as the theoretical framework for the discussions to follow (Pieterse, 2007, 2008). Basically, ethnic domination refers to how one ethnic group can exert power over others in a nation-state. While ethnic domination includes aspects such as control over resources and economic inequality this paper concentrates on the discursive and ideational issues. Pieterse describes how ethnic domination can translate into ideational and discursive control in the following passage: “Discursive power lies with the center. The center establishes the boundary, the ranking discourses that frames the meaning of difference (Pieterse, 2007, p. 93).”

“Educating” Minorities

Thailand is home to a large number of minority groups but few are as distinct from the official view of national cultures as the Malay Muslims in the South and the Hill Tribe people. Both groups have historically developed completely separately from the Tais of the central river basin. Malay Muslims belong to the Malay cultural world and share with it
not only a joint history but also religion as well as language (Perkasa, 2008; Roux, 1998; Syukri, 1985). Hill Tribe people reside in mountainous areas of Thailand and also speak a different dialect and have their own customs. From a religious point of view they are animists and were not touched by the waves of Indian and Buddhist influence that shaped Tai culture. Due to their cultural resilience and clearly distinct identities, both groups were targeted by the central government for education. In this case the role of education was not only instrumental in the sense of teaching them useful skills for economic purposes but the goals were also cultural and political.

Malay Muslims have traditional schools called pondoks which teach religion, Malay language, and local Patani history (McCargo, 2008). Pondoks tend to be boarding schools and are central cultural parts of the community in the South of Thailand. The central government perceived the independence and local nature of pondoks to be hampering the national assimilation process and thus in the 1960s started to bring them under its control. Both incentives and coercion were used in order to bring them under the government fold. The first attempt involved setting up competing Thai public schools in the deep South and making attendance compulsory (Perkasa, 2008). This was not effective because parents refused to send their children there while they continued to attend pondoks. During the 1970s and 1980s a different approach was attempted which involved both compelling pondoks to register with the ministry of education as well as offering financial incentives to those schools that combined the traditional Thai curriculum as well as religious teaching. Thus the government attempted to introduce a Trojan horse into the pondok system by offering money in exchange for control over the curriculum. This approach was highly effective and discredited some pondoks in the eyes of the local population. As a result of this the number of pondoks has greatly decreased during the last decades. Nevertheless there is still broad opposition in the Deep South to public schools teaching Buddhism, Thai official national culture, and Thai language. The local population interprets the central government’s attempts to spread public education in their region as an attempt to forcefully assimilate them and thus
deprive them of their group identity (Feigenblatt, 2009b). In summary, Malay Muslims resent the central government’s disregard for their own local history, their language, and their religion and thus view public primary and secondary education as just another method of oppression and forceful assimilation wielded by the central government.

The situation for the Hill Tribe people has been even more difficult in terms of education. Their group lacks such a strong civilization background as that of the Malay Muslims and their education was informal and concentrated on preparing children for subsistence in the mountains and some rituals for animism. Due to this, development projects launched by the central government to help the hill tribe people in terms of economic growth were easily combined with education (Mulder, 2000). Public schools were built to cater to them and they were staffed with young central Thai interns. The curriculum taught by those schools was the nationally approved one. Therefore hill tribe children were taught a history in which they are invisible, they are taught central Thai language rather than their own dialect, and the hidden curriculum is based on a Buddhism which is foreign to them. This approach proved to be very effective as a way to assimilate them into the dominant national culture and it did not meet as much local resistance as other similar attempts in the Malay South. Nevertheless it should be noted that the result has been to alienate the new generations of Hill Tribe people from their own history and the older generations.

**Effects of Thai Nationalist Education**

The imposition of Thai Nationalist Education on the entire country has had many important effects both on the country as a whole as well as on its minorities. One of the most important effects has been the strengthening of a central Tai elite centered on the Monarchy and Bangkok (Ungpakorn, 2007). Education justifies the concentration of power through a combination of history, ethics, and religion. This has both economic and political consequences. Since children are taught to obey and not to question the status quo it leads to conformism and to political apathy. Evidence
of the two previous assertions are the lack of understanding when it comes to concepts such as democracy and the rule of law shown by the majority of the population as well as popularity of the monarchy among a large part of the population (Albritton & Bureekul, 2004, 2007).

Another important effect has been the spread of the myth of an ancient Thai unitary Nation-State destined to become present day Thailand. It is surprising how uninformed the average Thai citizen is about history. Due to the distorted version of history they are taught in school they learn historical propaganda rather than what actually happened in their region. One prominent example is the history of Thai script. Most experts agree that it slowly developed from Lao and that it was not properly codified until the late 18th century, however official Thai history claims that it was singlehandedly invented by King Ramkhamhaeng at a much earlier date (Perkasa, 2008). Other examples of distorted historical views involve the role of Thailand during World War II, in which it was allied with the axis powers. The main result of education in relation to nationalist history is to justify the present by making up the past.

A related effect has been the forceful assimilation of most minority groups in Thailand. As it was explained in the introductory sections of this paper, Siam was a multicultural state rather than a unitary nation-state. Regional variation in terms of culture has suffered a gradual erosion due to public education. Local practices have given way to national civic culture in both the cultural and religious realms. Some minorities such as Chinese outside of Bangkok have undergone cultural assimilation to such an extent that they have given up Taoism and do not speak any dialect of Chinese.

Instability has resulted in some regions due to opposition to the previously mentioned attempted cultural assimilation. The most prominent case is that of the Muslim South in which schools and temples are often attacked by militants as clear symbols of central Thai oppression (McCargo, 2008). In this case education is an important grievance held by the local population and at the same time a powerful weapon in the hands of the central government. Both sides attempt to use education to preserve their group
Liberation Pedagogy

Freire’s liberation pedagogy can serve as a good model for education reform in Thailand. This approach to education was developed for a Third World country, Brazil, and it is meant to be elicitive rather than prescriptive. What this means is that liberation pedagogy is supposed to guide the student in the learning process rather than impose a single path. In other words, liberation pedagogy is about empowering children to learn, by giving them the opportunity to name their world. By naming their world, what is meant is that students are encouraged to go beyond the veil of official discourse set by the center and are allowed to describe things as they see them (Berthoff, 1990). Their perspectives are not only welcomed but are given primacy over official orthodoxy. The results of this approach to education go beyond the attainment of instrumental knowledge but also help develop the overall character of the child. Empowerment is achieved by awakening the potential already possessed by the child. Thus the goal of liberation pedagogy is to free the minds of children and improving their self-esteem. It is clear that some of the goals of liberation pedagogy are necessary in order to institute sustainable participatory democracy. Therefore, the application of this model for Thailand would have positive effects not only in terms of economic growth, greater creativity, but also in educating the future generations to be better citizens.

Some Possible Changes to the Thai Education System

Taking liberation pedagogy as the guiding theoretical framework several important changes could be made to the present Thai education system. First of all the curriculum should reflect a greater emphasis on analytical tasks and creativity rather than simply rote learning. One way in which this could be achieve is by eliminating some of the periods devoted to Buddhism, morals, and ethics and merging them into a course called social studies. This new course should
also include civics and its goal should be to introduce students to important issues in democracy and citizenship. The goal of this course would be to help the students think of themselves as capable and interdependent citizens who are engaged with the political and social future of their country. Multiculturalism should also be included in this subject in order to reflect the diversity of the country’s population. Reform is also necessary for history lessons. The overwhelming emphasis of national history for most of primary and secondary education should be changed to a more balanced coverage of world, regional, national, and local history (Sweeney & Zandan, 1981). Interdependence should be emphasized and national events should be linked to regional ones and so on so as to show students the complexity of the historical process. This would help correct the distorted view of history previously taught at schools and thus empower members of groups whose histories have been marginalized.

Another important reform would involve the previous emphasis on instrumental knowledge and modernization. Teaching farming in urban schools, vocational mechanics to future politicians and ignoring social studies in the education of future engineers are important flaws of the current system. The present system concentrates on passing on factual knowledge to students so that they can learn a trade and help in the modernization process of the country. The problem with this system is that it is instrumental and treats people as tools. One of the results is that students who take the math and science track in secondary school have deficient language skills and little knowledge of the outside world. The Thai education system should be reformed in order to concentrate on what the Germans call bildung which refers to the search for knowledge in order to gain understanding and thus becoming a better person. This view of education is more holistic and preparers students not only to learn a trade but to become responsible and informed citizens. Another added advantage of this approach is that students are taught how to think analytically and thus gives them more flexibility to change career paths in the future if they wish to do so. A change to bildung in Thailand would involve the elimination of the three tracks presently offered in Thai secondary schools in favor of a single one in which
basic subjects are encouraged and problem solving is emphasized.

In summary the Thai system needs to be reformed in order to be more student-centered as well as more holistic. The goal should be to empower students rather than shape them into mindless tools for the economic development of the country. The proposed changes should be applied flexibly and taking into consideration the local context but the sooner they are put in place the better the future of the country and of the present generations will be.

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Weapons of Mass Assimilation: A Critical Analysis of the use of Education in Thailand


Why the West should Discourage Japanese Military Expansion

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Abstract: Japanese foreign policy has gradually changed since the Cold War, as Japan’s allies have encouraged it to abandon the Yoshida Doctrine’s institutional pacifism and adopt a pro-active role in maintaining global security. This paper will examine the transition of Japanese foreign policy towards becoming a ‘normal’ state, and consider the questions of whether their quest for a United Nations Security Council seat should be supported, and if Asian nations are justified in emphasising Japanese war crimes in opposition to Japan’s expanding role. I will argue that replacing the Japanese army with an American security treaty helped to maintain Asian stability in the late Twentieth Century, and that most scenarios of expanding Japanese military power indicate an increased likelihood either of regional conflict or decreasing Western influence in the Asia-Pacific. Japan should thus be discouraged from developing its Self-Defense Force beyond minimal requirements. In this context Japan’s membership of the UN Security Council should not be supported, and references to past Japanese atrocities remain relevant and appropriate in discussions of Japan’s international role.

Keywords: Japan, Militarism, Pacifism, Yoshida Doctrine, Security

Japanese foreign policy has gradually changed since the Cold War, as Japan’s allies have encouraged it to abandon the Yoshida Doctrine’s institutional pacifism and adopt a pro-active role in maintaining global security. This paper will examine the transition of Japanese foreign policy towards becoming a ‘normal’ state, and consider the questions of whether their quest for a United Nations Security Council seat should be supported, and if Asian nations are justified in emphasising Japanese war crimes in opposition to Japan’s expanding role. I will argue that replacing the Japanese army with an American security treaty helped to maintain Asian stability in the late Twentieth Century, and that most scenarios of expanding Japanese military power indicate an increased likelihood either of regional conflict or decreasing Western influence in the Asia-Pacific. Japan should thus be discouraged from developing its Self-Defense
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Force beyond minimal requirements. In this context Japan’s membership of the UN Security Council should not be supported, and references to past Japanese atrocities remain relevant and appropriate in discussions of Japan’s international role.

The pacifist Yoshida Doctrine, which advocated the devotion of Japan’s national resources to economic development and an almost total reliance on the United States for defence, dominated Japanese foreign policy thinking throughout the Cold War. Henry Kissinger thought those “Japanese decisions [were] the most farsighted and intelligent of any major nation in the post-World War Two era” [Pyle, 1998, pp123-124]. Under the Yoshida Doctrine Japan resisted Western pressure to rearm and instead traded military bases to the US for protection. Japan was thus largely relieved of the burden of maintaining a military, and also benefited economically by supplying American forces in both the Korean and Vietnam Wars [Pyle, 1998, pp123-124]. Of course, the historical context of this pacifism was Japan’s destruction in World War Two, following more than half a century of imperialist Japanese foreign policy. Japan had fought wars in East Asia against China in 1894-95 and against Russia in 1905; annexed the Korean Peninsula in 1910, and devoted 70,000 troops to the allied invasion of Russia following the Bolshevik Revolution. They were subsequently the main imperialists in Asia during the 1930s and 40s, invading Manchuria in 1931, and sparking the Second Sino-Japanese War from July 1937 onwards through their continued encroachment into Chinese territory. The aim of conquering Chinese territory and creating a ‘Greater East Asia Co-prosperity Sphere’ led to Japanese military expansion throughout the region, and World War Two in the Pacific [Mackerras, 1998, pp37-38].

After the war the United States occupied Japan, and secured their long-term military presence through the 1951 Security Treaty [Mackerras, 1998, p41]. In these circumstances the sublimation of Japanese energies into economic activity was both appropriate and welcomed by a region who feared them, and a Japan who could be said to fear itself [Matthews, 2003, p76]. With this new focus Japan re-emerged as a
major economic power in the 1960s, and by the 1990s was the world's second largest economy [Mackerras, 1998, p49]. While some analysts have characterised Japan's subservient foreign policy as 'karaoke diplomacy', Richard Samuels argues,

   it is not the passivity of karaoke but the defensive nature of the martial art aikido that best characterizes Japanese security policy. ... As long as the United States was a credible partner, Japan was smart – indeed strategic – in building a military that could deter but not punish [Samuels, 2007, p3].

While Japan might have seemed like a 'reactive state', they also exhibited a 'pragmatic nationalism' that advanced Japanese self-interest in the unusual circumstances that existed [Pyle, 1998, p122]. This enabled Japan to rebuild from the ruins of war and achieve the highest life expectancy in the world [Mackerras, 1998, p53]. By the 1980s Japan became a large international investor (of over US$2 trillion by 1991) and a leader in regional development [Pyle, 1998, p128].

While the US had urged Japanese remilitarisation since the late 1960s, it was only after the collapse of the Soviet Union that Japan was forced onto this path [Mackerras, 1998, p49]. Bhubhindar Singh notes that the Gulf Crisis demonstrated a new element of uncertainty in international affairs which could best be dealt with through multilateral military cooperation [Singh, 2008, pp313-314]. Thus in 1991 Japan was called upon to support the war against Iraq amid an unexpected "storm of international criticism" [Pyle, 1998, pp126-127]. In 1992 the UN Peacekeeping Operations Cooperation Bill allowed Japan to deploy troops overseas in limited logistical and humanitarian roles, which they did in Cambodia [Pyle, 1998, pp126-127]. This was a shift in Japanese strategic attitudes. Ichiro Ozawa, who oversaw Japan's political realignment from 1993, “expressed his desired course for Japan to be a ‘normal country’ that pursues its own interests by using all the foreign policy tools that other countries use: economic might, military prowess,
and diplomatic skills” [Sata, 2001, p200]. Since then the Self-Defense Force has been authorised to use an increasingly wide range of weaponry in their operations, and public support for Japan’s use of force for defensive purposes has risen [Inoguchi, 2006, pp4-5]. So far Japanese security policy remains triangulated between its still-pacifist constitution, the UN Charter, and the US-Japanese Security Treaty [Singh, 2008, p314]. However, sections of the Japanese media and political establishment increasingly call for Japan to acquire a greater range of defence systems, including long-range fighters, nuclear submarines, a missile defence system, and intelligence-gathering satellites [Inoguchi, 2006, pp13-15]. Self-Defence Force spending is increasing dramatically, and there are calls to amend Article 9 of the constitution, and even to produce nuclear weapons [Matthews, 2003, p76]. Eugene Matthews argues that Japan nationalism is rising and, “This development could have an alarming consequence: namely, the rise of a militarized, assertive, and nuclear-armed Japan” [Matthews, 2003, pp74-75].

Japan is slowly shifting its political attitudes and institutional capabilities towards force projection outside of its borders, with the encouragement of the United States. Matthews writes that mainstream Japanese nationalists want, “the respect, political influence, and power commensurate with being the world’s second most important economy and a major contributor to world affairs” [Matthews, 2003, p85]. Meanwhile, for America there is less motivation to carry Japan’s defence load, as technology lessens the US Navy’s reliance on Japanese bases – which are themselves high-value targets for enemy nations [Samuels, 2007, p192]. Japan’s new strategy involves contributing to the international community responsibly, while being seen as increasingly independent from the United States [Singh, 2008, p316]. Pyle notes that, ironically, in the past the Yoshida Doctrine actually denied Japan the opportunity to demonstrate its responsibility as a military power [Pyle, 1998, p130].

Most analysts recognise that a more independent Japanese foreign policy will lead to divergences from American policies
and goals [Sata, 2001, p2198]. Pyle writes that Japanese cooperation,

is not so much the result of shared values as it is of the realist appraisal of the value of the alliance. ... Japan will seek maximum autonomy for its own purposes ... It will not wish to be hostage to the global strategy of the United States or to its relations with China and Korea [Pyle, 2007, p368].

Inoguchi and Bacon hypothesize that the new relationship might conform to patterns such as the ‘British Model’ of a special relationship, a ‘German Model’ of ‘regional embeddedness’ and institutionalism, or a ‘French Model’ of strong autonomy [Inoguchi, 2006, pp4-5]. But these limited scenarios echo the sentiment of George Friedman that, “Conventional political analysis suffers from a profound failure of imagination” [Friedman, 2009, p3]. While Japanese political moderates may maintain the current relationship with America, more nationalistic elements could,

shift Japanese doctrine from a tethered, defensive realism to an untethered, offensive realism, in which strategists would be ever alert to exploit opportunities to expand Japan’s power. ... It would join the other great powers in a permanent struggle to maximize national strength and influence [Samuels, 2007, p193].

American domination of Japanese foreign policy helped to stabilise Asia during the Cold War. Détente with China, founded on having a common Soviet enemy, would have been complicated by an independent Japan; and removing any Japanese threat to Southeast Asia helped to focus their efforts on combating Communist influence. It is possible that a newly-militarised Japan may either pose a renewed threat to other Asian states, and thus generate instability, or alternatively enhance its relationship with regional powers like China, potentially to the detriment of US regional influence.
Japan’s Self-Defense Force is already considered a powerful regional force, and Japan’s previous decisions not to acquire nuclear weapons have been, “on purely strategic grounds, unrelated to antimilitarism or pacifism” [Bukh, 2010, pp7-8]. As Japan has a stockpile of plutonium and extremely sophisticated rocket technology, the possibility remains that Japan could become a major nuclear power within a decade if sufficiently provoked by regional competitors like North Korea [Matthews, 2003, p78], and neo-realist Kenneth Waltz has argued that Asia’s security environment will eventually compel Japan to nuclearise [Mirashita, 2001, p5]. China and Japan are each dominant in the others’ strategic thinking regarding economic, political and military issues, and the enhancement of Japanese military power must influence China’s own strategic vision [Pyle, 2007, p312-315]. China and Korea also remain “convinced that Japanese militarism, supported by an invigorated nationalist right wing, lurks just beneath the surface” [Samuels, 2007, p2]. At the very least Japan’s new foreign policy could escalate into a regional arms race, with the potential for both Japan and South Korea to nuclearise. Issues like control of the Senkaku Islands, the division of Korea, and Chinese claims on Taiwan provide continuing fault-lines around which conflict might develop [Matthews, 2003, p81].

China also has the potential for internal instability, as its social and political tensions threaten economic slump and social unrest, perhaps even leading to territorial disintegration. In a situation of political factionalism or civil conflict in China, Japan would be unlikely to remain a neutral onlooker, and might become a ‘king-maker’ on the mainland [Pyle, 2007, p337]. Japan’s willingness to influence smaller Asia-Pacific nations, in opposition to Western goals, manifests today in forums dealing with whaling and endangered species protection [Phillips, 2010]. Meanwhile, issues of biased histories in Japanese schoolbooks, and high-profile ceremonies at Japan’s Yasukuni Shrine prompt observers to fear that new generations of Japanese may forget the horrors of war, and how easily nationalism may turn into imperialism [Matthews, 2003, pp79-80]. On the other hand, hostility between China and Japan is not predestined, and they are two economies that already engage
in the largest volume of bilateral trade in history. They are intertwined with investment, production and consumption, and 10 million Chinese work in Japanese firms [Samuels, 2007, p136]. In a situation of rising Japanese and Chinese power and cooperation, it is likely that Western influence in Asia could decline, and attempts by the US to retain such influence could lead to resentment and conflict [Matthews, 2003, pp88-89].

While America dominated Japanese foreign policy, hostilities by Japan or alliances forged in opposition to Western interests were precluded. This facilitated détente with China, and pro-Western policies throughout Southeast Asia. Encouraging independence in Japanese foreign policy holds a wide potential for developments inimical to Western interests. As this is the case, expressions of this independence should be limited as much as possible. While the likelihood of Japan attaining a UN Security Council seat is extremely low, and China has already made its opposition clear, the West should oppose the goal in order to limit Japan’s ‘Great Power’ ambitions [[Pyle, 2007, p334]. And if rising Japanese nationalism can be seen as a threat, then reference to past Japanese war atrocities remains important for discouraging the careless embracing of those ideas by the Japanese public, and maintaining the vigilance of the international community against their repetition. As much as many analysts want to promote Japan’s new foreign policy as the ‘natural’ transition to becoming a ‘normal’ power, I believe that the American decision to encourage this transition is short-sighted and may result in detriment to Western interests.

References


Democratization and Military Reform in the Philippines

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Abstract: The Philippines are one of the most successful Asian democracies, with regular elections, a broad electorate, and peaceful transfers of power between parties. However, the country’s political development is threatened by multiple armed factions. Muslim insurgents, private armies, and communist guerrillas pose a challenge to democratic rule as each tests state capacity and drives the state to use repressive measures. These threats persist because of the lack of professionalism in the Philippine Armed Forces – a military that is plagued by corruption, abuse of civilians, and ineffectiveness against the insurgents. This essay shows that an essential step in the Philippines’ continuing democratization is to reshape the AFP into a more effective and politically neutral force.

Keywords: The Philippines, Democracy, Military Reform, Elections

Introduction

The Philippines are often considered one of the participants in the third wave of democratization, but its path toward democracy has been erratic. Even before Marcos’ dictatorial reign, the country’s democracy was marred by heavy electoral violence and corruption. In the years leading up to the declaration of martial law in 1972, the government displayed many signs of a healthy procedural democracy. Elections were held at regular intervals, there was high participation, and there were strong political parties. There was also a low rate of incumbency – no president was reelected for a second term between 1946 and 1969 (Kann, 1974; 612). This streak was only broken when Marcos won his second term. However, the country was still substantively undemocratic as it was sharply divided and political violence was rampant. There were insurgencies, many private armies, and a high rate of violent crime that surged during election season (McCoy, 2009; 14). In fact, Marcos’ reelection in 1971 set a record with 223
people killed and 250 wounded (Thompson, 1995; 42). Redemocratization began when Marcos was forced from power in 1986 and while the country is on the right path to development, its progress will be threatened until the government can deal with the country’s numerous militant factions.

Huntington selects the Philippines, along with Brazil, India, and Peru, as one of the most threatened third wave countries. It faces major insurgencies, poverty, socio-economic inequality, a large external debt, and problems created by state economic regulation (S. Huntington, 1993; 253-5). Other specialists on democratization agree with this assessment, and highlight the Philippines as one of the most problematic of the transitioning countries (Diamond, 1999, 2008). These are serious problems, made worse because they reinforce each other. The endemic violence is fueled by inadequate resources for military training, the prevalence of elite-controlled private armies, and mistrust between different classes. The violence, in turn, works to justify class inequalities and social repression. If the Philippines have any hope of continuing along their path of democratization it is essential that politicians address national security in order to put an end to the use of violence by non-state organizations.

The key to maintaining security is a more effective military that is capable of fighting guerrillas and disarming private armies. Hitherto, these goals have been unattainable because of rampant corruption, abuse of civilians, and the politicization of the military. There is a strong need for increased government capacity, but that it cannot be closely attached to a particular person or party as state security forces have been in the past. The Armed Forces of the Philippines (AFP) should be strengthened to fight the guerrillas, but improvements to it must not be made if they risk making it capable of overwhelming the government. The key to improving the state’s capacity to deal with insurgents and private armies, while at the same time strengthening the democracy, is to develop a professional military that serves the president out of loyalty to the state rather than personal loyalty. The military must become a depoliticized bureaucratic force as is common in western democracies. As this essay will show, this is a realistic goal as the country
already receives extensive help from the US military and there is an incentive for politicians at the national level to work toward this objective for their own long-term security.

The Problem of State Incapacity

Charles Tilly’s work is a useful starting place in the study of Philippine democracy as he focuses on interactions between security and regime type. He argues that state capacity is one of the primary influences on democratization, however, there is not simply a positive linear relation between capacity and democracy. The interaction between democracy and state capacity is complex, with extremes of high or low capacity contributing to dedemocratization. Weak states are less likely to become democratic because they generally lack strong trust networks, must deal with social inequalities, and have to fight autonomous centers of power (Tilly, 2007; 175). On the other hand, when the government has too much power it can suppress popular movements and control elections. Ideally, there should be some balance of state capacity to ensure that government can perform its duties without overstepping them. This balance is precisely what The Philippines lack.

Security is one of the defining features of government capacity, and perhaps even the most important one (Tilly, 1985). It is at the heart of the Weberian definition of state as having a monopoly on legitimate use of violence (Weber, 2004; 33) that is widely used by political scientists. The difficulty in dealing with capacity as a corollary of democracy is determining exactly what kinds of increased state capacity might be beneficial in a given context. The Philippines are in desperate need of greater security, yet simply increasing the size and power of the military would likely prove counterproductive as it is one of the greatest threats to the government. The problems of poor civil-military relations and weak civilian control over the military are common among new democracies (Bland, 2001), but few countries experience such a complex interaction between military factions as the Philippines.

The high capacity and low capacity threats to government may be distinct in some countries, but in the Philippines, they reinforce each other. Non-state violence gives politicians
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an excuse to increase their own power and bring state resources under personal control. It also justifies the formation of private armies and vigilante groups. Marcos, the country’s exemplar of misused executive power, was only able to declare martial law and retain his office because of the perceived threat from militant factions (McCoy, 2009; 16), and in turn, martial law helped to increase the power of the country’s guerrillas by pushing moderates to endorse anyone challenging state power. On the other hand, misuse of the Armed Forces of the Philippines and the police plays a significant role in increasing support for militant factions.

No recent Philippine politicians can really be described as running high-capacity governments. Marcos had the greatest power of any president during his period of martial law, but even then, he could not disarm the country’s private armies or defeat the insurgents. He ruled by virtue of relative capacity, holding enough power to defend his patrimony but lacking the force to control the entire archipelago. His form of rule – sultanistic governance in which power is maintained by the threat of force and all competing parties are excluded from governing – is what we might expect from a high-capacity regime. Indeed, if he had been more powerful, the problem of his dictatorial rule would certainly have been exacerbated. He shows the risk at the high state capacity extreme of the spectrum without achieving the benefits of stability and unity that may accompany authoritarian rule.

Democracies need autonomous bases of power that can challenge the state when politicians overstep the limits of their office. In most democratic societies, the checks on government power are peaceful groups that can work through state institutions or use non-violent tactics like strikes and demonstrations. Autonomous bases of power are essential for democratic rule, but when these are armed and maintain a local monopoly on violence, as they often do in the Philippines, non-governmental power is antithetical to good government. Thus, political development depends on eliminating these threats, while at the same time not imbuing security forces with excessive power or allowing them to become the basis for dictatorial power.
Security Threats

The importance of improved security can be seen when we look at the preponderance of challengers to the state’s authority and their persistence over decades. The Philippines are a perfect setting for insurgency and local political domination. The size of the archipelago alone – 7,107 islands covering an area of around 300,000 km2 – is enough to cause problems for policing. With much of the land covered by thick jungles, there are many places for guerrillas to hide and many remote settlements that can be isolated from national power. Just as important as the geographic predisposition for the development of autonomous bases of powers is the prevalence of military equipment. During the Second World War, Japanese and American soldiers left thousands of weapons in the hands of resistance fighters. These became the armament of the private armies and guerrillas that emerged in the post-war period. Since then foreigners, particularly businessmen, have smuggled in weapons and ammunition to militants (Van der Kroef, 1987). As the supplies left from the Second World War became antiquated, guerrillas and mercenaries were able to replace these with supplies stolen from the national military or purchased from the soldiers (Kessler, 1989). There is also reason to revolt. The country is badly polarized economically, and these class differences are entrenched and ingrained in the popular consciousness (Bello, 2005). For these and other reasons, the country has been host to insurgencies for much of the last century and continues to be a battleground.

One of the threats to national security comes from the Moro Islamic Liberation Front (MILF) and the Moro National Liberation Front (MNLF) that fight on behalf of the Muslim minority in the country’s southern Islands. While the population base for these movements is likely too small to ever seriously challenge the Philippine government, they have been tenacious fighters and have succeeded in inflicting heavy damages. Marcos concentrated his counterinsurgency forces against the Muslim separatists, realizing that this was one of the most economically costly insurgencies (McKenna, 1998; 165). Although no cease-fires have been lasting, the fighting has become less intense since its peak in 1976. Che Man argues that despite its weakening, the movement is likely to continue into the future as it is based in a group
that was once autonomous and which is clearly distinct from the rest of the population. “The persistence of the movements will reflect their will to survive, and their struggles will likely be characterized by periodic resurgence and recedence depending on the internal and external factors which trigger or retard them” (Che Man, 1990; 178-9).

The power of Muslim insurgents has declined steadily over the past decade, making them less a priority for the AFP. Nevertheless, it is essential that they devote much of their attention to finishing their work against MILF and MNLF. The MILF still has around 12,000 members (Wiencek, 2005; 251). – enough to continue the fight for years. The fight against Islamic insurgents must also be intensified as a way of guaranteeing continued international aid. The military reforms recommended in the final section can be best achieved with the help of American advisors. The Filipinos need to connect their security trouble with the American war on terror by targeting Islamic insurgents as a way of eliminating a domestic threat while simultaneously gaining more training resources.

The second major threat to domestic security comes from the local officials who maintain their own forces. With the national government often unable or unwilling to provide defense against guerrillas, many governors and mayors are forced to rely on private armies for protection. Moreover, politicians need armed supporters to be viable candidates. They must often defend against rivals vying for the same seat and may be called on to support their patrons in the national government by pressuring constituents to vote for a particular candidate. Thus, there is some need for these private armies to provide security, but they are often abusive and need to be eliminated to allow for fair voting.

Although private armies have become less powerful after repeated attempts to suppress them, no reforms have been sufficient to eliminate them. They were made illegal in 1987 by Constitution (Article 18, Section 24), but little has been done to enforce the ban (Riedinger, 1995; 134). According to Defense Secretary Noberto Gonzales, there are still around 132 private armies in the country, totaling around 10,000 armed members (“Private Armies in the Philippines: Guns and Goons,” 2010). These forces continue to be major
obstacles to democratization as armed followers are often used to intimidate voters and dominate the local economy, and neither the need for these groups nor the material basis that supports them have received enough attention. Clearly, making them illegal has accomplished little as over two decades have passed and the laws have only caused a small decline in their numbers. Amnesty programs and voluntary weapons surrendering have also proved ineffective. The strategies used against private armies have failed because they do not address the reasons that the armies exist. They are made possible by the concentration of wealth in the hands of a few oligarchs (Wurfel, 1991). Inequality drives this system in which lone individuals and families can afford to employ armed supporters (Sidel, 1999). More importantly, the need for them has not gone away. Without a national armed presence in the provinces dominated by private armies some provinces have little protection against insurgents. There is also no way for politicians to protect themselves and their followers against rivals without private armies or some neutral arbitrating force. The solution to the problem of private armies must be found in improvements to the state’s capacity to protect the provinces and ensure fair elections. However, even where security forces are stationed commanders are often so corrupt that they do little to guarantee free elections or protect the local civilian population. Kahl argues that the prevalence of private armies actually increased the intensity of insurgencies. “Taken together, these non-state sources of physical insecurity had the same effect on the growth of the insurgency as those emanating from state-affiliated actors: they increased incentives for the poor to seek out the Communists for protection” (Kahl, 2006; 109). Thus, the private armies are linked to the country’s other security concerns; in order to deal with them the AFP must eliminate the guerrilla forces that justify the existence of non-state security forces.

The Philippines have a long history of communist insurgency. In the years following WWII the Hukbalahaps, who were created to fight against the Japanese, waged a revolutionary war against their own government. The largely peasant army focused on winning militarily and excelled in fighting, even coming close to capturing Manila at their peak in 1951 (Kessler, 1989; 116). The Huk rebellion failed, but it
was replaced by the Communist Party of the Philippines (CPP) and the New People’s Army (NPA). These insurgents became powerful during the period of martial law in the late 1970s and early 1980s when mass discontent with Marcos’ rule and the absence of moderate alternatives drove many to support armed resistance. Since María Corazón Aquino’s reestablishment of democratic rule the communists’ power has declined, but massive economic inequalities are enough to ensure that they have enough popular support to fight the government to a stalemate. The communists continue to be the state’s greatest threat (Wiencek, 2005).

The Huks’ made the mistake of fighting a revolutionary war focused on military victory. Like many other failed revolutionary movements, they prioritized combat effectiveness over all else and this did little to make them seem like a viable alternative for governing. The CPP wisely changed course. Their strategy is primarily oriented toward cultivating mass support rather than fighting (Jones, 1989) and this helps to explain the organization’s longevity. Members are far more interested in building infrastructure in the villages they control and establishing themselves as a credible alternative to the state than in beating the AFP. By contrast, the state still focuses on beating the insurgents militarily. This not only attacks the problem without addressing its root causes but is also a fight that the AFP seems poorly suited for, judging from its past performance.

The country’s autonomous bases of power serve as justifications for strengthening the central government, thereby harming democracy, and must therefore be eliminated. Yet, simply disarming these groups would leave the government unchallenged and the country open to the dominance of another strong executive. More importantly, the country’s security forces do not yet have the ability to defeat any of these movements, but this is largely the consequence of its own mismanagement. For decades, the country’s military and police forces have been as threatening to the well-being of ordinary citizens as the non-state militant factions.
A Troubled Military

Much of the state’s poor response to insurgence can be explained by the low level of professionalism. The lack of financial resources and inadequate numbers of soldiers contribute to the government’s vulnerability, but even those soldiers who are in the field have proved ineffective at fighting the insurgents or disarming the private armies. Therefore, the problem cannot simply be solved by adding more soldiers since those that are in the field are often misused whatever their strength. Politicians have often tried to improve their fighting capacity with better weapons, but this approach is also misguided. While sophisticated weaponry would certainly help the AFP, improved material capacity to wage war will be insufficient for victory as long as the soldiers themselves lack the professionalism to necessary to employ their weapons effectively and win the battle for public support. Security forces face three fundamental problems: they lack legitimacy, they use poor counterinsurgency tactics, and they are often politicized and put into the service of one faction of politicians working against others. Each of these problems is rooted in the behavior of the AFP officer corps.

Although the Philippine military is a domestic force, it is so alienated from the population that it faces many of the same challenge that an outside occupier would, especially in those regions where the population desires independence. Like any counterinsurgency force, the AFP must work for legitimacy by winning the support of the host population. Until the soldiers are seen in a positive light, they have little chance of discouraging cooperation with the guerrillas and hence little chance of winning the war. Like the American military during the Vietnam War or the French in Algeria, the Armed Forces of the Philippines fight a losing battle for popular support and their failures are largely attributable to this. However, unlike the Americans and the French, the AFP has not been winning militarily (Pobre, 2000; Magno, 1986). Thus, it is doubly disadvantaged.

The trouble seems to be with prioritization. The AFP focuses on fighting rather than earning the people’s trust – a strategy that has repeatedly led to failure for counterinsurgent forces (Ellis, 1995; Feifer, 2009; Joes,
Much of the communists’ success is due to their focus on providing local security and services – acts that win the support of local civilians (Jones, 1989). By focusing on a futile war of tracking down the highly mobile guerrillas, they have not only missed an opportunity to build grassroots support in the neglected villages, they have often provoked more anger by abusing the people. There are numerous reports of soldiers attacking civilians for information and even for fun – a problem that the Philippine government has recognized, but not resolved. Reid reports that “Officials themselves complained that the military could more effectively win over the people if soldiers refrained from drunken brawls with the locals” (Reid, 1995; 115).

The police likewise suffer from a lack of legitimacy. Abuses of power and corruption are common. Some officers even work for the country’s private armies or work as part-time enforcers for criminals, leading to rampant criminal behavior among the police. “Over the past decade, out of a police force of 98,000 nationally, over 2,000 officers have been dismissed for crimes including murder. It is reported that over 5,000 more are ‘under investigation’”(Steinberg, 2000; 218). This suggests that between 1990 and 2000 between 2 and 7 percent of officers may have been engaged in illegal activities and even this estimate might be low since it only accounts for incidents that were discovered. “In many cases, the police functions as an armed representative of the private interest of local powerholders. Policemen are used as private enforcers of strongmen and local elite’s interests on a regular basis” (Kreuzer, 2009; 52).

A related problem is the AFP’s heavy politicization. Marcos used the military and police as extension of his personal power, expanding each and concentrating them around Manila to serve as personal guards. He recreated state security forces by politicizing them and promoting loyalists rather than the most talented. There is strong evidence to suggest that high-ranking officers collaborated in the assassination of Senator Benigno Aquino on August 21, 1983 (Hernandez, 1985) – violently supporting one official against another. In the years following Marcos’ rule, the military has ceased to be so uniformly dedicated to a single politician, but it has continued to threaten national stability by intervening in politics. The transition to democracy was
itself a sign of the political power of AFP officers. The AFP played a key role in removing Marcos from power; simply withdrawing their support was enough to leave him nearly defenseless against protestors after the fraudulent 1986 election. However, this only compounded the problem that Marcos started. The ranks were already packed with officers used to acting based on personal ties, but the transition to democracy allowed them to feel a greater sense of influence over the political sphere. They had a positive role insofar as the intervention made the country more democratic, but it established a dangerous precedent. In the years following Aquino’s ascension, officers’ new sense of entitlement led them to attempt at least seven attempted coups between July 1986 and December 1989 (Thompson, 1995; 168). Subsequent presidents have also found it difficult to ensure their own safety against the forces that are supposed to protect national interest. On July 27, 2003, an attempt to remove President Maria Gloria Macapagal-Arroyo from power showed how fragile the country’s democracy still is.

Since Marcos, presidents have tried to eliminate the promotion based on loyalty system, but have only succeeded in moderating and displacing it (Croissant, 2009). Now, every officer ranked colonel or above is appointed by the president and confirmed by the Commission on Appointments. Like any confirmation process, this one has a tendency to eliminate some of the best candidates because of their unpopularity among those who make the final judgments. “Nomination may have been based on the political judgment of professional peers, but confirmation was strictly political” (Wurfel, 1991; 80). Not only does the politicized army threaten to destabilize the government, it also diverts the attention of top commanders from military operations and these are in desperate need of reconsideration.

Finally, the Philippine Armed Forces have not been very effective in combating the guerrillas. Most units lack the capacity to perform raids deep into the jungle as such missions require a level of unit cohesion, morale, and initiative among the lower ranks that is undermined by corruption and the mutual mistrust that it creates between officers and their subordinates. Even under martial law, the AFP and Philippine Constabulary were far too weak to control the entire country. When Marcos declared martial
law in 1972 the AFP only had around 65,000 men and the Philippine Constabulary 25,000 – far too few to make its presence felt across the country (Kann, 1974; 622). It has been substantially enlarged since then, growing to around 153,000 (Global Security). Nevertheless, numerical strength has not made a decisive difference.

The military has made a noteworthy effort to fight insurgents by matching their tactics. Long Range Reconnaissance Patrols have been particularly adept at fighting in the jungles. Because of their use of unconventional tactics, forces like these are probably the best hope for winning militarily, but without reliable commanders, the special units are prone to using their autonomy for private gain. The prevalence of “lost commands” is a prime example of how counterinsurgency operations granted a great deal of autonomy have drifted away from their original mission and abused their power (Ugarte, 2009). One such group was created by Colonel Carlos Lademora to fight against communist and Muslim guerrillas in Mindanao. The men were selected for their suitability for unconventional warfare, but clearly the selection did not include a thorough test of loyalty. “In time, moving beyond Agustan and creating its own unauthorized spin-off bands with the same name, its operations became indistinguishable from the random death squad activity, terroristic vigilantism, extortion, gambling, and criminal racketeering characteristic of other armed gangs” (Van der Kroef, 1987; 9). Worst of all, Colonel Lademora, continued to affirm that he operated on behalf of the Philippine government. In cases like this, the use of unconventional forces has only contributed to the erosion of legitimacy.

The military is supposed to fight the country’s guerrillas, but in practice, it does much to aid them by driving more civilians to join their ranks. In the Philippines, there is a strong correlation between government excess and extremism – the pinnacle of communist power was reached under martial law precisely because authoritarianism provoked a strong reaction. “The communists had always smugly described Marcos as their best recruiter, and his sudden exit in 1986 – and the rise of the popularity of Aquino – threw the movement into disarray” (Jones, 1989; 7). Thus, we must guard against attempts to improve
security that may inadvertently make the population feel more threatened. The improper conduct of politicians like Marcos and officers like Lademora only contribute to the problems they purport to be solving, even though this may win some small military victories.

The Path to Reform

On the surface, autonomous bases of power appear to be conducive to democracy and perhaps even necessary to it. However, not all autonomous power is of the same kind. The problem for the Philippines is that much of the power at all levels is in the hands of self-interested elites and militants. The country’s challenge is to cultivate alternate bases of power in spheres that will not resort to violence against the state and that cannot accumulate the level of wealth that permits raising an army and reducing the power of the elites who dominate regional governments. Only by doing by both of these simultaneously can state capacity increase without risk of becoming authoritarian. At present, few institutions seem like plausible candidates for filling this role. However, the potential for a healthy democratic public sphere would be greatly improved by the creation of a professional military that can drive out armed competitors and resist cooption by politicians who want to attack peaceful competition.

Military reform, focused on the creation of a professional, apolitical officer corps should be the Philippines’ first priority in their continuing project of democratization. Such a force would need to focus on overcoming the mistakes outlined in the last section. Implementing a meritocratic promotion system would make the AFP more effective against the guerrillas. In a meritocratic military, the officers with the best performance could rise to the top without being subjected to political screening. This would also discourage officers from becoming involved in politics, thus reducing the risk of corruption and allowing them to focus on restoring national security. By eliminating the politicized promotion system, officers would no longer have to worry about winning a popularity contest and would thus be free to make unpopular decisions like disciplining corrupt subordinates or
waging a less glamorous, but more effective counterinsurgency focused on winning popular support.

Reform must also be directed at making the AFP capable of resisting political pressures. Officers should be trained to act as agents of a semi-autonomous organization that is answerable to the government, but that does not simply serve elites. “The government has traditionally employed the AFP to protect elite interests, not to ensure the national defense. Thus it has functioned as the primary tool to frustrate social reform” (Kessler, 1989; 105). This history of conservatism is one of the reasons why the AFP is widely distrusted. When officers are taught to respect individuals and see authority as something inherent in particular people rather than the offices they hold, the foundation is set for them to shift personal alliances. “Civilian control is thus achieved not because the military groups share in the social values and political ideologies of society, but because they are indifferent to such values and ideologies” (S. P. Huntington, 1956; 381).

Military reform is even in the interests of the Philippine politicians. As Marcos’ case shows, a military of personal loyalties is an unreliable ally. Even after all his efforts to fill the top ranks with supporters, most soldiers sided against him in the uprising that removed him from office. For the executive, an army that acts out of personal loyalty is no more reliable than an apolitical force and perhaps even less so. In many cases, officers promoted based on personal ties have been quick to defect against the politicians who tried to buy their loyalty (Munck, 1987), whereas the bureaucratic armies of the western democracies, whose loyalty is to the state and not a particular person, rarely mount insurrections. The mistake Philippine politicians make is to act as though loyalty can only be based on a personal relationship. They cultivate connections among the top ranks and use personal loyalty as the basis of advancement in order to guarantee their own security, but their security would be better served by a military that is loyal to the office of the executive rather than to the individual holding that office.

Politicians at the national level also have reason to depoliticize the army for their own protection. Philippine presidents have a low rate of incumbency, and even those
who do win a second term will at some point be forced to leave unless they declare martial law or otherwise subvert the democratic process. This means that the ability to use the AFP as if it were a private army is limited. Command will always shift to new leaders and this could potentially threaten any president who used the time in office to politicize the military. However, a president who works to make the AFP into a neutral force can leave office knowing that it will not pose a threat to personal security just because command has changed.

Likewise, a more professional AFP is in the interests of allies, especially the United States. Since 9/11 the American military has steadily increased aid to the AFP, sending equipment and advisors to help train counterinsurgency forces (Che Man, 1990; McKenna, 1998). While these soldiers do not take part in the fighting, they are taking an active part in helping the AFP develop better relations with the country’s Islamic minority (“American Forces in the Philippines: Front-Line Vets: Drawing Lessons from a Rare Success,” 2010). The close ties between the AFP and US military can facilitate more than just operational training; it can also help to show soldiers in the AFP a different kind of military culture, and over the long term this kind of training would be far more valuable than any tactical lessons. Because a stronger military would improve security and threaten Islamic insurgents, the Philippine government can likely secure more American aid and advisors to support this project.

References


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An “army of bachelors”? China’s Male Population as a World Threat

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Abstract: The recent formation of the field of security demographics has drawn attention to the importance of population as a security issue. For example, Hudson and den Boer argue that the populations of Asia’s largest countries are a threat not because of size but because of an unusual composition – excess males. Their argument is based on the observation that, after thirty years of population limitation policies, the Chinese population has a distinct gender bias. There are millions more males than females, creating what has been dubbed a ‘bachelor army.’ Hudson and den Boer posit that the problems caused by this ‘bachelor army’ may lead to war. This paper argues that fear about China’s population is not new but has shaped the way China has been portrayed since the foundation of the PRC. The large size of the Chinese population was originally seen as a weakness likely to bring down the government. However during the 1950s and 60s the industrious and organized nature of the Chinese population earned the Chinese people the moniker ‘blue ants.’ It seems more than coincidental that the development of recent fears about China’s population coincides with the emergence of China as a major economic power. After analyzing the development of the gender ratio imbalance, this paper concludes that the re-surfacing of fear about China’s male population continues a tradition of Orientalist stereotypes.

Keywords: China, Population, Marriage, Public Policy

1. Population in China

In 2020 it may seem to China that it would be worth it to have a very bloody battle in which a lot of their young men could die in some glorious cause.

Andrea Hudson, co-author of Bare Branches, 2006.

There is one universally known and inescapable fact about China: it is the country with the largest population in the world. With over 1.3 billion people, China is a population behemoth. At the beginning of the twenty-first century, this
fact has been frequently repeated in a multitude of newspaper articles, books and commentaries on China. The size of the population is one of the framing ‘truths’ of China; an unavoidable statistic which can be imagined simultaneously as an opportunity and a threat. China can be a nation of a billion producers of both cheap goods and environmental pollution. It can also be framed as a nation of a billion consumers of imported products and also natural resources. The implications of the size of China’s population are huge – and not only for China. Any discussion of Chinese population can most fruitfully begin with an exploration of the broader issue of how population in China itself has been constructed and understood both within China and in the west.

The contradictory nature of China’s population has been addressed within China. The dualistic nature of China’s size has been noted by the current Chinese government as apparent in recent changes of discourse regarding China’s development. President Hu Jintao has shifted discussion from the slogan popular at the start of his presidency concerning China’s ‘peaceful rise’ to a nationwide campaign for ‘harmony’ in society. ‘Harmonious China’ is an imaginary place where the internal contradictions amongst the people to use earlier, Maoist, terminology) have been smoothed out. As China aims to take its place as a responsible world community member, the proffering of a ‘harmonious China’ aims to offer less threat to the world’s hegemonic powers than the vision of a rising China.

The prospect of ‘harmonious China’, however, appears inadequate for soothing world fears about China’s increasing economic and military power. A flurry of recent literature demonstrates that China is still perceived as a threat, thus building on a long history of fear about China (communist takeover, ‘yellow peril’). China is judged by more than how ‘population’ is constructed as an object of government regulation, intervention, and control. As this article demonstrates, fear of both the size and the composition of China’s population is central to the notion of China as threat, both economically but also militarily.

From the 1990s onwards a plethora of ‘security experts’ and political pundits revisited the Cold War notion of China as a military threat. This time it was China’s
dramatic economic development and the resumption of business as usual (after the Tian’anmen massacre of 1989) that sparked off concern. For the first time, China was perceived as an economic threat. China has since been described variously as the awakening dragon, a growing power, a potential super-power, and so on. (Yee and Storey, 2002: 8). A huge scare-mongering publishing industry has sprung up. Many of these books argue that China is targeting America directly, as well as developing into a military threat. Some examples are The Coming Conflict with China (Bernstein and Munro, 1998), The China Threat: How the People’s Republic Targets America (Gertz, 2002), Red Dragon Rising: Communist China’s Military Threat to America (Timperlake and Triplett, 1999), China: The Gathering Threat (Menges, 2005). The argument that China was behind the 9/11 attacks in 2001 can be found in Seeds of Fire: China and the Story behind the Attacks on America (Thomas, 2001), Unrestricted Warfare: China’s Plan to Destroy America (Santoli, 2002). Others describe China’s grand plans for

1 Written after the tense military stand off over Taiwan in 1996 and before the hand back of Hong and Macao, this book argues that war between the United States and China is unlikely but that conflict will continue to arise in the Asian region as China flexes its muscles.

2 Thomas’s book is predominately an account of the 1989 Tian’anmen massacre. The ‘attacks on America’ referred to in the title are the events of September 11 which are made relevant by Thomas declaring in a short epilogue that much of the money for terrorism comes from China. There are no sources or back up references for this claim.

3 This book purports to be a translation for the CIA of a ‘manual for warfare’ by China against the US. The subtitle was added by the editor, a Viet Nam war veteran who heads the Asia America Initiative which claims to promote US international politics as a way of guaranteeing universal human rights. Santoli has also worked as an aid to US Congressman Dana Rehrabacher, who advocated denying China ‘Much Favored Nation’ status during the 1980s and 90s. Although Santoli attempts to draw strong connections between bin Laden and the Chinese military in his introduction and by using a sensational cover photograph of planes crashing into the World Trade Center on September 11, a close read of the text reveals the book as nothing more than a description of new forms of warfare written by a writer from the air force’s political
world domination: Hegemony: China’s Plan to Dominate Asia and the World (Mosher, 2000), The New Chinese Empire: And What it Means for the United States (Fishman, 2005), China, Inc,: How the Rise of the Next Superpower Challenges America and the World (Terrill, 2005). Taken as a corpus, these books seek to clearly establish China as an active threat to U.S. hegemony in the world and to argue for China’s containment. This is a claim that the Chinese government rejects vociferously (Thyer, 2002). Other authors contend that China may ‘become like us’ due to the proliferation of fast-food outlets like McDonalds and KFC although China will always remain ‘fundamentally different’ to western countries (Bernstein and Munro, 1998). One of China’ key differences which draws the attention of many of these commentators is the large Chinese population and the way that population is regulated.

Population is perceived as both a strength and a weakness. Indeed, before 1950, the size of the Chinese population was seen as a weakness of China serious enough to undermine any new government. Some commentators at the time portrayed the Chinese population as ‘swarming millions’, thus describing China as a nation of mindless ‘blue ants’ who could be made to achieve superhuman feats through sheer people power. Anti-communist and essentialising attitudes persist into the twenty-first century around two themes: first, the cruelty of Chinese communism towards the population, and secondly, the threat to peace posed by China’s worsening gender imbalance. This article takes up the issue of what has been labelled China’s bachelor army to further emphasise how population in China has been central to fear about China in the past and remains the case today.

2. The ‘swarming millions’

Even before the proclamation of the People’s Republic of China in October 1949, the Chinese Communist Party’s ability to feed the people of China was under question. In a department and a political commissar from the air force. Both are colonels.
note accompanying the China White Paper on United States’
relations with China, the United States Secretary of State
Dean Acheson (1949) claimed that successive Chinese
governments had always failed to meet the nutritional needs
of the most populous country of earth. Acheson predicted
that even the new Communist regime would also struggle. In
Acheson’s view, ‘the first problem which every Chinese
government has had to face is that of feeding its population.
So far, none have succeeded.’ (Acheson, 1949: iv). Revolution,
according to Acheson, was prompted by over-population
which had plagued China since the size of the population
had doubled through the 18th and 19th centuries. Acheson
argued that ‘By the beginning of the twentieth century, the
combined force of over-population and new ideas [from the
West] set in motion that chain of events which can be called
the Chinese revolution’ (Acheson, 1949: iv).

Acheson’s views were considered controversial both in
the United States and China. The White Paper was intended
by President Truman to provide an objective record of events
which would demonstrate that U.S. policies, aid and military
assistance supporting the Nationalist government in China
had been correct. The underlying belief was that ‘the
impending fall of China to the Communists was in no way
attributable to American policy’ and that the facts as
outlined in the White Paper would substantiate that belief
(Van Slyke, 1949). For Acheson, it is clear that events in
China cannot be blamed on American policy, action or,
indeed, non-action.

The Chinese Communist Party (CCP)’s response to
Acheson’s paper came in the form of five short essays by
Party Chairman Mao Zedong. In ‘The bankruptcy of the
idealistic conception of history.’ Mao makes a famous and oft-
quoted statement on the population question: ‘Of all things
in the world, people are the most precious.’ He goes on to
claim that, ‘Under the leadership of the Communist Party, as
long as there are people, every kind of miracle can be
performed...before long there will arise a new China with a
big population and a great wealth of products, where life will
be abundant and culture will flourish’ (Mao, 1969: 454).

The Chinese government’s riposte – that the large
population was an asset for China – replicated elements of a
longstanding but largely unrecognised debate within the
nascent field of Chinese demographic study. Bao Shichen (1775 – 1855) had argued that ‘the land of China is sufficient to support the people of the country. His argument was that more people meant more labor; and that labor is the basis of wealth, not the cause of poverty’ (Bao, 1999: 167). For Mao Zedong the Chinese term for population (人口 renkou) clearly incorporates notions of both production as well as consumption: 人(ren – person, hands) and 口(kou- mouth). In Chinese, each mouth comes with two hands (White, 1994). The answer to famine specifically and poverty in general was to utilise the large population in production:

It is a very good thing that China has a big population. Even if China’s population multiplies many times, she is fully capable of finding a solution; the solution is production...revolution plus production can solve the problems of feeding the population.’ (Mao, 1949: 483)

For Mao, the Chinese population, not despite its size but because of its size, already held the answer to the problem of food production. Mass effort in production would overcome all obstacles. Furthermore, Mao’s retelling of an old Chinese tale in a well-known speech during 1945 (published as The foolish old man who moved mountains’) drew attention to the other qualities he thought were needed for China to prosper: determination and tenacity. As Mao told it, an old man in ancient times decided to remove a mountain in front of his house. In reply to sceptics the old man explained that although his own individual efforts could not achieve the aim, he would be succeeded by infinite generations who will then continue the work until the mountain is removed. As a political policy, the tenacity and determination alluded to in Mao’s “parable” were enacted through the mass mobilisation campaigns of the 1950s. Labour-intensive campaigns such as land reclamation, flood control and irrigation schemes, and even pest control (killing sparrows, flies, rats and so on) demonstrated the value of a large population.
The West’s pessimistic view of the population situation in China was politically motivated, claimed Mao. Not only would the CCP be able to meet the needs of the population, extreme measures such as birth limitation policies were unnecessary. For the CCP, political and social circumstances had led China to famine in the past and, through good government famine could be averted in the future. The government would use food rationing, a compulsory grain procurement policy, new forms of agriculture (such as new planting techniques, use of fertilisers, crop choices) and reforms of the land ownership system (introduction of cooperation and collectivisation) throughout the 1950s as measures to maximise the benefits of a large, and predominately rural, population (Lin, 2004: 34).

For many external commentators, the breath-taking size of the Chinese population could neither be ignored nor valued as an asset. Indeed, the very conditions being lauded by the new Chinese government as the new base for a prosperous China were seen by others to be setting China up for potential demographic disaster. Peace and economic stability had led to a post war baby-boom which saw the population size increase rapidly. At the end of 1954, the results of the 1953 population census were released. Instead of the estimated 475 million people being used by the CCP at the end of the 1940s, the population of mainland China was calculated at 583 million, an increase rate in the 1950s of two percent per year (White, 2006: 27). China’s critics saw the census results as further proof that the challenges facing the Chinese government were insurmountable. swarming millions’ were a concern for all, not just the Chinese government (Paloczi-Horvath, 1962: 11).

One major conflict brought the question of the value of a sizeable Chinese population to the fore during the initial establishment phase of the People’s Republic of China. During the war in Korea (1950 – 3) the United Nations forces commander, General McArthur, suggested that the most efficient way to stop the Chinese forces would be to deploy the newly developed nuclear military weapons that were considered at the time to be so effective against Japan (Kane, 1987). In response Mao boasted to the Indian President Nehru that an American nuclear attack on China may be devastating but would still fail to force China’s submission:
Chinese people power would always triumph. According to Mao, China’s 600 million people and 9,600,000 square kilometres of land would ensure China’s survival (Shapiro, 2001: 31). As one frequent visitor to China noted at the time, ‘Faced with the ever more dangerous consequences of the Chinese population explosion, the Mao leadership is less worried by a possible nuclear explosion than any other government in the world’ (Paloczi-Horvath, 1962: 394). For China’s rulers, therefore, China’s population was its most valuable asset yet for China’s critics population remained a liability.

The critics’ concern about the inability of China to feed its people later seemed justified when the extent of the famine and the other difficulties faced in China during the years 1958 – 61 was fully revealed. At the time the extent of the famine was not known even within China’s leadership and, although food aid had been offered to China, China was still exporting grain (Becker, 1996). The policies of the 1958 Great Leap Forward mass campaign (such as the focus on steel production and the reorganisation of farming by expanding socialist cooperatives into collectives) combined with the effect of difficult weather conditions led to a famine. The extent of the famine is still contested and estimates of the number of deaths vary widely. The more extreme claims are clearly flawed, as they rely on a simplistic method of calculation which fails to take into account the number of births that did not occur due to the difficult conditions such as lack of food (Kane, 1988). The Chinese government, however, acknowledged the famine in the 1980s and blamed the ‘three difficult years’ primarily on the extremist policies of Mao Zedong (CCP, 1981). The famine, in their view, was not an inevitability. Rather it was due to Mao’s failure to ‘seek truth from facts’, a euphemism for taking a political and idealistic view rather than the more pragmatic approach later followed by Deng Xiaoping.

The famine appeared to show not only that in the 1950s China was incapable of feeding its large population but also that Dean Acheson’s predictions were accurate. After the famine, however, the government maintained power despite Acheson’s conclusion to the contrary. There was no political uprising and the Government did not collapse. Acheson’s connection between inability to feed the
population and government breakdown seemed disproved. Indeed, internal manoeuvrings within the Party saw Mao seemingly sidelined and another approach taken to economics and production. Large scale political and economic campaigns continued. The fears that China’s critics held about the power of the Chinese masses remained.

For China’s critics, however, the Chinese population was problematic for more than its size. Paloczi-Horvath claimed that the way the ‘swarming millions’ were organised revealed ‘the pattern of the most thoroughly total dictatorship the world has ever known’ (1962: 11). For Paloczi-Horvath, at the heart of this chilling organisation was a basic aspect of humanity which Chinese people seemed to lack: individuality. According to this view, China’s people were not only too numerous but also closely resembled insects in their acceptance of mass organisation. The Chinese worker’s ability to subsume personal desire for the common good and endure hardship and suffering whilst working collectively in large numbers earned them the moniker: the Blue Ants.

3. The Blue Ants

Post-revolution China was commonly portrayed outside China in the 1950s and 60s as an organised anthill. All Chinese were alike, according to the French writer Robert Guillain (1957). That is to say, both men and women were uniform and sexless. As an industrious collective, the Chinese people were numerous, productive, and unstoppable. What made communist China so threatening was the ability of the government to tap into what Guillain implies is an inherent characteristic of the Chinese people: collectivism and an unlimited capacity to subsume the personal good for the collective goal.

This is exemplified in another text from the same period. The caption to the opening photograph of Lucas’s *Women of China* (1965) shows a hillside bare of vegetation leading down to a river bed. The hill and riverbed are covered with hundreds of Chinese workers. According to the caption, these workers are clearing out the riverbed in preparation for a new dam in Shandong province. For Lucas, the photograph
is an illustration of Guillain’s description of China in the 1950s: ‘A human anthill – industrious, uniform and sexless.’

The mass mobilisation strategies adopted by the Chinese government emphasised the value of collective action. Mass action was a fruitful approach, particularly in the absence of high levels of industrialisation, expertise, and even literacy. Mao’s comments on the power of a large population motivated by revolutionary fervour seemed borne out by the success of campaigns like the ‘Death to snails’ anti-schistosomiasis campaign of the 1950s and 60s. This campaign relied on engaging the entire population of an infected county to wipe out the snail hosts of the parasitic disease schistosomiasis. As the eye-witness observer Dr Joshua Horn noted, this public health campaign was based on political strategies developed during the civil war which combined people power with military style planning. The mass line approach used to eradicate snails required more than issuing shovels and instructions. It required firing the people ‘with enthusiasm, to release their initiative and to tap into their wisdom’ (Horn, 1969: 97). Every battle was planned and ‘all weapons brought into play’ At the heart of the success of the campaign, however, was mass labour. In one county, Horn estimates that ‘300,000 man-work days’ were used in a two month period to eradicate snails from a town which used to swarm with them (1969: 102).

The force of the ‘anthill’ could be used not only for the public good (e.g. the anti schistosomiasis campaign) but also as a force of destruction, as the mass campaigns such as the eradication of the four pests (chu si hai – sparrows, rats, flies, mosquitoes) of 1958 and the Cultural Revolution (1966) demonstrated. These campaigns showed the obvious dangers in mass physical action. Reducing the numbers of sparrows, one of the targeted four pests, proved to be disastrous as sparrows were shown to eat less grain than the grubs which flourished in their absence. Amongst other consequences, the environmental impact of the Great Leap Forward included extensive clearing of forests for fuel to feed steel furnaces which led to serious erosion and other land problems. In sum, it was the sheer number of ‘blue ants’ and the ability of the Chinese government to mobilise the ‘anthill’ as one for achieving goals which caused concern for China ‘watchers’.
The concerns of commentators such as Lucas, Paloczi-Horvath and Guillain regarding ‘blue ants’ resurfaced in the late twentieth century around two aspects of the Chinese population. The first is the remarkable phenomenon of the ‘floating population’, an annual migration of an estimated 140 million workers from China’s provinces to towns and cities primarily on China’s eastern seaboard (Liang and Ma, 2004). The productive power of this newly mobilised workforce has seen concerns raised about China’s growing power in the world economic market. The sheer size of the ‘floating population’ has ensured an endless supply of cheap labour for the construction of China’s cities and for the vast network of manufacturing enterprises which have sprung up since China ‘opened its doors’.

The second issue is that of food. The concerns regarding food seen first in Acheson’s report of the late 1940s have now been expanded. Now no longer limited to whether or not the Chinese government can feed the population, two other questions have been raised: food quality and threat to the larger world food supply. As recent food contamination scandals have highlighted, the production of food in China is under-regulated and policed. Extensive pollution of Chinese land, water, and air means that, even without illegal substances being added, food may not be safe for human consumption. In the twenty-first century, the question to be answered is not whether or not China can feed its population but, as the milk scandal of 2009 demonstrated, can China do so safely? The second aspect is China’s impact on the world. Are there enough resources in the world to feed the increasing Chinese appetite for natural resources? As China modernises and the standard of living rises for large sections of the population, the dietary demands increase. A recent cartoon succinctly captures the threat some see in China’s change of diet (Guevarra, 2009):
Here Chinese people are caricatured as cheerful, badly dressed communist cadres, old men and peasants, all with squinty eyes and protruding teeth. Waving armfuls of cash, they strike fear in their potential food source animals which flee before them. The cartoon resonates with the image of Chinese people as uncouth eaters of anything that moves. As the well-known Chinese saying states: ‘So long as it has legs but is not a table or chairs it can be eaten.

Although published in 2009, the cartoon draws on a long argued debate about the security of the world’s food resources in the face of a developing China. Some scholars have argued that the prospect of a prosperous and developed China was more menacing than that of a starving China (Brown, 1995). Brown painted a grim picture for the planet if China achieved the level of prosperity reached by most developed countries of the world. A cashed up, wealthy and rapacious China was a frightening apparition. Earlier fears about the impact of China’s large population and its mass-like nature are invoked in these examples (Brown’s vision
and the cartoon of rapacious Chinese). Like a nightmarish army of driver ants, the Chinese clear all before them.

4. Chinese population as threat? – the gender imbalance

Population in China has been incorporated into a discourse of China as threat. In general, books dealing specifically with the ‘China threat’ rarely address the question of Chinese population directly. Concern with Chinese population size, population composition, and population policies and practices overshadow many of the ways in which China is discussed, debated and analysed outside China. The concern with sex-selective abortion in China has been used to support anti-abortion campaigns in places like the United States as well as to prove an ongoing argument against the apparent inhumanity of the Chinese government.

There is a tension here which is never discussed: population policies are condemned as inhumane and oppressive yet the size of the population and the potential threat from not only hungry but dispossessed Chinese men lends to tacit support for population control. Until recently the concerns of the security contingent of political pundits and the anti-abortion, anti-population control did not merge. This has changed with the emergence of what is being called ‘security demographics.’ In a post 9/11 climate, the tag ‘security’ garners attention, support and resources from policy makers and governments especially in the United States. Population and environment organisations are using national security as a strategy to ensure that international family planning programs receive assistance (Hartman, 2005). These groups are returning to arguments from the 1954 Population conference in Rome which emphasise the danger posed by population growth in developing countries. Security demographic locates four main sources of security problems: a youth ‘bulge’ in a population, competition for land and water, rapid urbanisation, and increased mortality rates of people in the prime of life due to HIV/AIDS deaths (Cincotta, Engelman and Anastasion, 2003). Since 2002 the
Chinese ‘bare branch bachelor army’ has been added to the list.

Chinese men currently outnumber Chinese women by between 32 million (Zhu, 2009) and 111 million (Manthorpe, 1999). As a result, China has a high number of bachelors.\(^1\) Even before the full effect of the reproductive control policies introduced by the government in the late 1970s took effect, Chinese bachelors outnumbered spinsters significantly. The 1980 census revealed a sex ratio at birth (SRB) of 108.5 males for every 100 females, a slight deviation from the international accepted norm of 105 - 107 males for every 100 females at birth (Johannson and Nygren, 1991). In 1982 only 1% of women but 9% of men had never married (Thorborg, 2005: 6). Since the 1980s, the imbalance in the sex ratio has grown substantially. During the 1980s the SRB reached a national figure of 111.4 by 1990 and 115.6 by 1995. The most recent census revealed an alarming national ratio of 116.9 males for every 100 females in 1999 (Lavely, 2001). The problem of large numbers of men being denied access to marriage is set to get worse as the imbalance in sex ratios is most marked in the youngest age group, 0 – 4 (Banister, 2004).

The sex ratios vary widely from place to place and from ethnicity to ethnicity. Some areas of China have extremely high ratios - Hainan (135.64), Guangzhou (130.30), Hubei (128.18) and Anhui (127.85). Other areas are close to the international norm - Guizhou (107.03) and Yunnan (108.71). In large cities there is a difference between the resident population and the ‘floating population’ of migrant workers. Ethnicity is important, with provinces not dominated by Han Chinese slower to show a rising sex ratio. Only Muslim Xinjiang (106.12) and Tibet (102.73) provinces did not show high sex ratios at the 2000 census. Even within the same province there may be vast differences between ethnic groups. In 1990 the Dong ethnicity (SBR of 112) had the highest SBR of the 12 largest minority groups in Guizhou province (Yusuf and Byrnes, 1993). It is difficult to generalise

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\(^1\) In demography a ‘high sex ratio’ is one which exceeds 106 males at birth for every 100 females. Because males die at slightly higher rates than females due to innate biomedical genetic factors the rate of 105 – 107 at birth declines to 102 – 107 for the 0 – 4 age group.
across urban and rural areas. Some provinces record higher
sex ratios in rural areas (Anhui – urban SBR 118.80, rural
SBR 130.87) while others show the opposite (Beijing urban
SBR 112.57, rural 104.89) (Greenhalgh and Winkler,
2005:267). Provincial level statistics occlude differences
between counties. In Yisong County, Anhui, and Xingan
County, Jiangxi, ratios of an almost unbelievable 185 to 190
were recorded in the 2000 census (Greenhalgh and Winkler,

In the 1980s and 1990, some demographers began to
see the ‘missing girls’ problem as transient – a temporary
result from a massive change in China’s social, economic
and fertility traditions. Others were less optimistic. All,
however, acknowledged that the ‘missing girls of China’
continues to be a real and existing problem. As Banister
states, ‘By now [2004] essentially all PRC and foreign
demographers agree that, after adjustment for any such
errors [e.g. under enumeration], the relative shortage of girls
and the distorted sex ratios at birth are still very
pronounced. This means that the high sex ratios in PRC
demographic data are approximately true, not merely an
artefact of faulty data (Banister, 2004: 20)’

Demographic statistics have been notoriously
inaccurate in China due to the size of the population and the
sheer difficulty of collecting accurate information. From 1949
to 1982 China carried out only two censuses – 1953 and
1964. After 1980, however, the collection of demographic
statistical data and the dissemination of results improved
dramatically (Greenhalgh and Winkler, 2005). Inaccurate
statistics cannot account for the total girls ‘missing.’ Smith
argued that even the wildest estimates of over-reporting of
stillbirths and under-reporting of infant deaths could not
account for the sex ratio imbalance (Smith, 1994). Some
other mechanism is needed to explain the fact that many of
the girls had either not been born or had died after birth.
Yong and Lavely have argued that of their estimated 12.8
million fewer girls in the cohorts born between 1980 to 2000
only 8.5 million were actually missing (Yong and Lavely,
2003: 25). A combination of infanticide, under-reporting,
abandonment and a new explanation - sex-selective abortion
- was posited as the reason (Ma, 2005).
Abortion, legalised in 1957 after a long battle by women within the Communist Party, was not commonly performed until the introduction of a national family planning program in the 1970s (Tu and Smith, 1995). The number of abortions increased in 1983 due to the implementation of a strict one child per couple policy. In 1984 a relaxation of the policy allowed many rural couples to have a second child if the first was a girl. As a result, the number of abortions fell dramatically. By the late 1980s the number of abortions had again increased when family planning restrictions mandated a spacing of some years between first and permitted second births. By the 1990s a cultural acceptance of abortion was enhanced with the technical means to discover the sex of the unborn child. This had a dramatic effect on the practice of abortion.

As new technology became more readily available throughout the 1990s sex-selective abortion became the most likely explanation for the missing girls.1 The Ministry of Public Health had forbidden foetal sex determination in the mid-1980s and further legal regulations were issued in the 1990s. The aborting of planned pregnancies was forbidden. This was significant. For couples to give birth legally they needed to have permission. Once permission was granted and the pregnancy had occurred, any abortion not linked to deformity was almost certainly as a result of sex determination of the foetus. If the couple had decided the sex of the baby was not what they wanted, they would seek an abortion. The regulations applied to more than the individual, however. All government officials were directed to ‘take effective measures’ for the good of ‘the nation and descendants’ (Peng and Huang, 1997: 500) Strong penalties were introduced for those who breached the regulations (Johnson, 1996: 81).

Despite government intervention in the form of regulations, laws with harsh penalties, and education campaigns, a large number of Chinese couples continued to express their preference for a son through illegal sex

1 The first ultrasound machine was manufactured in China in 1979. By 1987 at least 13,000 locally made and imported machines were in use. By 1991 the largest Chinese manufacturer of ultrasound machines had an annual production capacity of 5,000 machines.
selective abortion. With the rise in living standards and a government supported shift towards an increasingly urbanised society, it may be presumed that the desire for sons would actually fall. After all, the desire for a son, many researchers argued, was due to the need for productive farm labour as a form of social security for the rural elderly (Davin, 1987). The underlying attitudes towards son preference seem to continue to guide reproductive behaviour.

The Chinese sex ration imbalance can be understood in two ways: as a problem of ‘missing girls’ or as an excess of males. It is this latter view which has attracted the attention of those working on security issues. The notion of a bachelor army of excess males ties neatly into the long-held fear outside China of China’s population.

4. Threatening the world – Chinese ‘bare branches’ and security demographics

In the controversial book, Bare Branches: The Security Implications of Asia’s Surplus Male Population, Valerie Hudson and Andrea den Boer claim that the long term security and stability of China (and thus, the world) will be threatened by a surplus of males (Hudson and den Boer, 2004). Internal instability, they argue, is heightened in nations with exaggerated gender equality as indicated by high sex ratios. The consequences are serious and hold global implications. Peaceful foreign policy and meaningful democracy are less likely in such nations, they claim. Hudson and den Boer have flipped the attention being paid to high sex ratios. Instead of focusing on the plight of neglected, murdered or aborted girls, they want to shift the debate to the potential plight of unmarried men, a ‘bachelor army’ which has even been described as the ‘world’s largest lonely heart’s club.’

The ‘bare branches’ threat argument relies on crude evolutionary theories and animal studies. Hudson and den Boer claim that ‘Beginning with non-human primate studies and moving up the evolutionary chain to humans, when females are scarce, the only reproductive failures are low-status males.’ They argue that many social problems are caused by excess male hormones which is dangerous when combined with class as ‘the lower class is physically more
aggressive and violent in its social relations than the middle class’ (Hudson and den Boer, 2004: 197) Sexual selection, they aver, has favoured ‘male temperaments that revel in high risk/high gain ventures...men drive cars faster or gamble more intensely or perhaps play sports more recklessly than women...In groups males quickly become aggressive and lethally serious.’ These claims, despite their weakness, form the base upon which Hudson and den Boer build their argument about China’s excess bachelors.

Because of high sex ratios caused by sex-selective abortion and other practices in China a generation of ‘surplus’ restless males, known as ‘bare branches’, will grow up without the possibility of marriage. Hudson and den Boer argue that the fields of history, biology and sociology all yield proof that societies with large numbers of males have high levels of crime and social disorder. The security logic of high sex ratio societies, they contend, differs tremendously from those nations with normal sex ratios. In order to contain these ‘surplus’ males the governments of countries with skewed sex ratios such as China and India will have no choice but to build up the number of troops in the armed forces. (The only other less viable option, Hudson and den Boer argue, would be to encourage vice such as prostitution and the trafficking of women in order to keep the bachelors happy).

The authors support their arguments with statistics on crime, violence, drug use and prison incarceration. Nearly all of this research, however, is focused on populations of men outside of China. That China has a different cultural, societal, and governmental structure and history seems to be of no concern to Hudson and den Boer. This is a problem. Work by Chinese criminologists on the ‘floating population’ of internal migrants is appropriated and used out of context. According to Hudson and den Boer, ‘surplus’ males form transient populations with no ties to the communities they pass through. They create a ‘bachelor subculture’ and are social outcasts. The question of whether this argument holds in China then arises.

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1 The term ‘bare branches’ (guanggun) can also be used colloquially in Chinese for a bandit (Ownby, 2002).
Within China, anxiety about ‘excess’ bachelors is palpable. Media reports (in both English and Chinese) concerning ‘bachelor villages’ are common. In a country with an almost universal marriage rate, lack of opportunity to marry is seen as a serious concern. Sons of farmers are now in the position of having to compete for the affections of the few women in their rural area. There is an upward trend in the abduction and selling of women into marriage or prostitution. It may seem to rural men in remote areas that buying a wife is the only way they can get married. They may go to further extreme lengths to keep possession of the woman they have purchased. As one policeman said in reference to the difficulty of rescuing a 12-year-old girl sold as a wife, ‘Villagers like that aren’t afraid of anyone or anything; even if we turned up there, they’d torch our cars and beat up our officers. They will go to incredible lengths to make sure that their family lines are perpetuated so as not to sin against their ancestors by failing to produce and heir.’ The kidnapping and selling of women has even featured in a recent Chinese film, *Blind Mountain* (*Mang shan*).

However, as one researcher scathingly points out, most of the concern expressed in China is regarding the marriage-less future for China’s young men rather than for the conditions for women. Ci Qinying’s survey of online Chinese language references to the sex ratio showed that a much greater proportion discussed the marriage difficulties for men compared to the rights of women and that the news media had a strong bias in favour of the countless ‘bare branches’ and the marriage squeeze (Ci, 2006). Ci argues that the sex ratio is closely linked to the low economic status of women in China. To devote so much attention to the situation for males is to be distracted by the trivial. In China, therefore, the ‘bare branches’ debate has mostly focused sympathetically on the plight of men.

Alarm has been expressed in China about a rise in crime particularly in city areas. This concern is often directed at the large population of migrant workers who suffer from discrimination and stereotyping. Since the early 1980s the floating population has grown enormously and has been the subject of much research, both within and outside China. City dwellers are often heard to complain about the ‘floaters’ and these migrants are blamed for crime,
violence, overcrowding, disease and so on (Bakken, 200; Kochhar, 2008). Those who make up the floating population are second-class citizens in the cities. They do not have full citizenship rights and are forced to pay for housing, education, health care and other services which are provided free or at low cost for city dwellers. The work they perform is essential for maintaining China’s ongoing economic growth yet prejudice against them is strong (Solinger, 1991). This prejudice is not only directed at male ‘floaters’. The 2000 census shows that women migrate in comparable numbers to men. Both men and women are treated as second class citizens in the cities. The most common complaint against the migrants is that they are bu wenming (uncivilised), suzhi di (of low education, genetic, moral quality) and prone to crime. The floating population may only be temporarily based in the cities but instead of being anonymous transients, the migrants tend to stick together according to their place of origin. As a result, they form a visible and identifiable minority population of ‘others’ which, conveniently, can be blamed for some of society’s ills. Migrant workers, rather than ‘bare branches’ are seen as the cause of crime.

The ‘bare branches’ argument, however, has hit a nerve with the American press and public. The book was extensively publicised and covered in sources such as the New York Times, Washington Post, Wall Street Journal, Christian Science Monitor, U.S. News and World Report, The Chronicle of Higher Education, Boston Globe, Washington Times and broadcast on VOA, and CNN. The story was also reported in media across Europe and Asia: The Times (London), Financial Times, International Herald Tribune, China Daily, Straits Times, South China Morning Press, Times of India and broadcast on the BBC. It has had an immediate impact on the U.S. security field. The House International Relations Committee discussed the book in their hearings on China’s one-child policy in December 2004. Both authors were interviewed by CIA agents who wanted to know what attitude the US government should take towards sex ratios in Asia (Glen, 2004). Hudson has been quoted as saying that ‘In 2020 it may seem to China that it would be worth it to have a very bloody battle in which a lot of their young men could die in some glorious cause’ (Glen, 2004).
outside China, this confirms fears concerning China’s recent so-called military build-up (Roy, 1994; O’Rourke, 2008).

Conclusion

The ‘bare branches’ argument presented by Hudson and den Boer ties into old fears about China in two ways: overpopulation (the supposed military threat caused by an excess of men) and the dangerous or aberrant Chinese bachelor. A key component of their argument is that single men are more likely than other males to turn to vice and violence and to spend their meagre wages on gambling, alcohol, drugs, and prostitution in short (but intense) sprees (Hudson and den Boer, 2004:194). They argue that unmarried men have higher serum testosterone counts which are linked to criminality, and alcohol and substance abuse. It is worth noting that the research quoted by Hudson and den Boer was conducted in the United States and that the epidemic of crack cocaine and methamphetamine use cited in reference to single males is not relevant to China. Hudson and den Boer resort to an old stereotype – the Chinese opium addict – to connect all drug use with crime:

Opium, the Chinese intoxicant of choice, was a powerful tranquilizer. Those who were under the influence seldom exhibited the irritable aggressiveness of men drinking liquor in saloons, nor did they beat women and children. But opium smoking did lead to theft by impoverished addicts...an [was] an indirect cause of criminal violence in the form of rivalry among the tongs’ (2004: 198)

Despite the pacifying effects of opium, Chinese men are portrayed as dangerous. Even the Chinese term ‘bare branches’ (‘guang gun’) seems to back this up with its double connotation: it can mean both ‘ruffian/hoodlum’ or ‘bachelor.’ With a large population of poor people, a large ‘floating population’ of migrant workers and a large population of single men, Hudson and den Boer claim that
‘China, it seems, is recreating the vast army of bare branches that plagued it during the nineteenth century’ (2004: 212).

The subconscious image of Chinese men evoked here is not new. Portrayals of Chinese men as a vice prone, lascivious ‘yellow peril’ that needs to be contained date back over one hundred years. Hudson and den Boer have the laudable aim of introducing a concern for women’s status and rights into security studies. Unfortunately, their book does not critically analyse anti-Chinese racism nor engage with the notion of orientalism. Their argument, therefore, reinforces powerful orientalist images of China which have long held a powerful hold over the Western imagination.

References


An “army of bachelors”? China’s Male Population as World Threat


An “army of bachelors”? China’s Male Population as World Threat


The Perspective of Arabic Muslim Women toward Sport Participation

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Abstract: The purpose of this study is to examine perspective of Arabic Muslim women toward the involvement in sport and physical activity. A sample of 15 Arabic Muslim women (age between 14 to 30 years old) who sojourn in Malaysia (i.e., studying, visiting, or housewife) have agreed to participate in the interview. All of them have signed an informed consent letter to be tape recorded. The recorder interviews were transcript and content analysis processes were conducted to identify the answers given in the semi structured questionnaire. Result shows that the women in this study are strongly influenced by the processes of cultural maintenance and identify with their parent’s ethnic group. Twelve Arabic Muslim women from 15 belong to different Arabic countries answered on question 3 with negative aspect as an example of the women who positions themselves clearly within the framework of their ethnic identity. The participating for the young Arabic Muslim woman in sport is seen as a challenge to the boundaries of their ethnic identities. The young Arabic Muslim women who position themselves clearly within the framework of their ethnic identities are not interested in sport because doing sport is not seen as a respectable femininity. Perhaps, these Arabic Muslim women who challenge their ethnic identities by participating in sport have experienced being harassed because they participate in sport. Recommendations for future research were also suggested in this paper.

Keywords: Islam, Sports, Arabic Women, Participation

1 Introduction

Within sport research, the focus on race and religiosity from a social science perspective has for a long time been a marginal research area. Today, much of the early research on race and sport has been criticized for being ethnocentric (Fleming 1994) with stereotypes like ‘Arabic countries are not interested in sports’ or ‘Muslim girls are constrained by their parents from participating’. How accurate are those deductions need further groundwork examination. As the insider who understand the Arabic women culture and
behavior, perhaps, this research will answer all the unforeseen circumstances in the issues of Arab women.

2.0 Literature Review

Sport participation scientifically can provide these benefits: lowers your risk of getting heart disease, stroke, high blood pressure, colon cancer, and diabetes lowers high blood pressure, reduces anxiety and depression and improves your mood, helps you handle stress, helps control your weight, gives you more energy, helps you sleep better and helps you look better (Moore, 2007). In spite of the benefits, the nature of women physical and emotional affects their interest in participating in sports as they become older. The girls are active in their younger age, but the attitude towards sports start decreasing as they achieved their puberty aged. Perhaps the sudden feminine body growth and the hormonal un-stability like regular menstruation period among these young ladies change their interest from ‘get active’ to ‘lady-like-person’ such as making up, shaping up and doing household works. This feminine attitude was actually a universal phenomenon once a girl became a lady. Thus, it is not only became constraints for a particular religion such as Islam. Even though the concepts of Muslim women in sport considering that sport accommodate the good health and fitness as well as a principle, however it was found that some Arab women still hiding themselves in the house rather than get involved with outside activities (Women's Sport and Fitness Foundation, 2008). According to Walseth (2006) there were two models that link young Muslim women’s identity work to their participation in sport and physical activity. First model: Being a young woman and participating in sport is seen as a challenge to the boundaries of their ethnic identities. Second model: among those who regard religion (Islam) as a more important source of identification than ethnicity. Perhaps, by understanding the reasons of sedentary behavior due to ethnic or religious identities among Arab women who sojourn in Malaysia will help the respective authorities to create a more appropriate program so that this particular population can also participated in
The Perspective of Arabic Muslim Women toward Sport Participation

Sports. Feasibly, it will help them to socialize with other local women that also help to improve their body shape, fitness and health.

The sedentary behavior among those women who dislike sport must also be broken otherwise it could affect a women’s input into society, as well as her relationship with her husband and family. The dispute of unfeminine because of their involvement in physical activities should be eliminated because it ruined women vitality. As for that, Prophet Mohammad had also advised his Muslim followers to participate in many forms of sport, which even today are considered of the best form of exercise. The Apostle of Allah himself would engage in archery and horse-riding, racing, wrestling and swimming (Hikmat Beirut, 2004). In relation to that, Al-baiti Rasulala and Sahaabah were aware of these issues, and would exhort others for the same. Aisha (Prophet Mohammad wife) was on a journey along with the Prophet Mohammad, she had a race with him and anteceded him. As time passed, the Prophet wanted to avenge for his loss, so he raced Aisha. Again in which case he anteceded her, and remarked for that anteceding. Moreover, Ali bin Abi Talib (Muslim Khalifah) said: 'Refresh your minds from time to time, for a tired mind becomes blind.' Abu Darda’ (Muslim ingenious) also commented: 'I entertain my heart with something trivial in order to make it stronger in the service of the Truth' (Hikmat Beirut, 2004).

In spite of the worthiness, the ethnic and ideologies do not always promote exercise and physical activity for women. Perhaps, due to religious misunderstanding and/or a lack of awareness in the society some of them prohibited themselves from sports. Despite, Islam promotes good health and fitness for both men and women, there are several misconceptions regarding Arabic Muslim women participating in sport. Arabic Muslim women are represented as maltreated and unable to engage with society and in sports. However there are guidelines within which sports can be practiced; this entails women following their faith by not engaging in mixed gender sports and by observing a dress code. This consists of covering the hair and wearing modest clothing by covering the arms and legs (Yuka, 2002). Islam encourages building up an integrated personality and stresses sports such as swimming, archery and horse-riding, encouraging both men
and women to engage in physical activity in order to maintain healthy lifestyles. The practice and interpretation of Islam are affected by nationality, cultural and ethnic factors. Due to religious misinterpretations or simply a lack of awareness, many Muslim women have been prevented from participating in sports (Walseth, 2003). More study on how to improve the rate of participation among Muslim women should be considered (Famida Begum, et al, 2008). What actual reasons Arabic women disinterest to participate in sport, yet be understood. Is it an opportunity or treat for them to participate if their faith will not allow them to mix with other gender and dress code? Or is it because of the society who unable to accept their non-mixed culture and dress code that is uneconomical to entertain?

3. The Blue Ants

3. The Purpose of the study

The purpose of this study is to focus on the relationship between young Arabic Muslim women and sport. More specifically it also will explore how young Arabic Muslim women are influenced by their ethnic although the Islam religion as a more important source of identification than ethnicity, being physically active is seen as important because of Islam’s health aspects? Thus, through this research it helps to doctrine the reason of not participating in sports.

4. Methodology

The sample of 15 young Arabic Muslim women who came to Malaysia to study as well as becoming housewife and as a tourist. The nationalities of the respondents are from five different Arab countries such as Iraq, Saudi Arabia, Jordan, Sudan and Yemen. Their ages are from 14 to 30 years old. Out of that 12 of them wear the hijab.

Interview Schedule
One of the challenges when doing life history interviews is to make the stories anonymous, as the informants were
promised full anonymity. Presenting one’s life history is very personal and it seems obvious that the informants would not have been as personal if they were not guaranteed anonymity. At the beginning the first author organized invitation to meet with our research sample (20 young Arabic Muslim women). However, only fifteen of then agree to participate and have signed an informed consent letter to be tape recorded. She had interviewed each woman alone. The discussion was very candid, trueness and honest. The interviewed was conducted in a mixed languages which are Arabic and English that are accepted by the respondents. The in-depth interview discourse about the wide concept achievement about Muslim women participation in sport experiences, the interviewees often give very extensive explanations and informative interesting information.

The semi-structure interview
The semi-structure questionnaire that was piloted with one of the Arab woman who is not a respondent was finalized. The interviews consisted of two parts, the first part covered personal information including:
Tell me about your personal background (age, family, education, job, interest and hobbies)

The second part of the interview consisted of a more thematic focus where the researcher asked questions about topics of interest related to the purpose of the study, the questions are:
Do you like sport? Why?
What is your explanation about Islam religion encouragement to participate or exercise of women in sport?
You are Arabic what is your opinion about ethnicity? Is your ethnic identity has any impact on your sport participation? Why?
Suppose you like sport, do you think the veil has any impact on your sport participation? If yes, how?
Do you think your engagement with your family or job has any impact on your sport participation? How?
Do you have a hobby? Is the sport one of your hobbies? If no, does has any impact on your participation in sport?
5. Results and Discussions

Results have shown that the respondents have positive values on sports because of their own interest in sports and religion influences, however, their ethnic and culture have prohibited them to get involved in sports (Table 1). The respondents have confirmed that their interests to participate in sport are for health, fitness and wellness. It is interesting to find out also that religious beliefs have sound values on their affection to participate in sports. In general, Islam promotes good health and fitness and encourages both men and women to engage in physical activity to maintain healthy lifestyles. However, their ethnicity (i.e., society, dress code and family) have discouraged their interest in sports participation.

Table 1: The frequency for young Arabic Muslim women with positive aspect

<table>
<thead>
<tr>
<th>Questions</th>
<th>Frequency with positive aspect</th>
<th>Frequency with negative aspect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Do you like sport? why?</td>
<td>14</td>
<td>1</td>
</tr>
<tr>
<td>What is your explanation about Islam religion encouragement to participate or exercise of women in sport?</td>
<td>12</td>
<td>3</td>
</tr>
<tr>
<td>You are Arabic what is your opinion about ethnicity? Is your ethnic identity has any impact on your sport participation? why?</td>
<td>3</td>
<td>12</td>
</tr>
<tr>
<td>Suppose you like sport, do you think the veil (dress) has any impact on your sport participation? If yes, how?</td>
<td>4</td>
<td>11</td>
</tr>
<tr>
<td>Do you think your engagement with your family or job has any impact on your sport participation? How?</td>
<td>6</td>
<td>9</td>
</tr>
</tbody>
</table>
Do you have a hobby? Is the sport one of your hobbies? If no, does has any impact on your participation in sport?

| 12 | 3 |

It was also found that Arab Muslim women religious beliefs give meaning to the ways in which they structure and approach their life. Islam is a fundamental aspect of their identity and their approach to sport is often determined by cultural and ethnic factors. Yet, Women’s Sports Fitness and Foundation (2008) said that many Muslim women have been prevented or not felt able to participate in sports this is relation to their religious and cultural. However, this study found that the cultural (ethnic) that includes parents, dress code, and family are the main reasons prohibited them from sports participations (Figure 1, 2 and 3). Islam encourages building up an integrated personality, Islam stresses sports such as swimming, archery and horse-riding, encouraging both men and women to engage in physical activity (Women’s Sports Foundation, 2007). The practice and interpretation of Islam are affected by national, cultural and ethnic factors. Due to religious misinterpretations or simply a lack of awareness, many Muslim women have been prevented from participating in sports these contribute to Muslim women’s comparatively.
Figure 1. Illustrate the frequency answer for the young Arabic Muslim women with positive aspect.
Figure 2. Illustrate the frequency answer for the young Arabic Muslim Women negative aspect.

Figure 3. Illustrate the comparison between positive and negative aspects

**Ethnic, dress code and family implications**
The issue of ‘Muslim girls are constrained by their parents from participating,’ that was argued as the stereotypes. This is currently seen as a result of an uncritical and essentialist
use of the concept of culture (Carrington & McDonald 2001). But, this study had found that it is not the religion (Muslim), however it is because of the ethnic, dress code and family.

One of the respondents, Khadeja (Not true name) dictates her experienced:

Khadeja who is religious, but most of her knowledge of Islam is embodied knowledge transferred through traditions. However, she is interested in physical education at school. Khadeja has never participated in any form of organized or non-organized physical activity in her leisure time. From the time when she was 6 until the age of 12 she went to Koran school to learn to read the Koran in Arabic, and spent two hours every afternoon at the mosque. When she was 9 years old she wanted to start doing self defense sport together with her brother, but her parents didn’t think it was suitable for a girl. She accepted this and it was not a big deal for her.

Thus, this shows that Khadeja was strongly influenced by the processes of cultural maintenance have developed through socialization an embodied femininity marked by prudence and inactivity. This does not mean that a femininity marked by prudence and inactivity is to be interpreted as an exclusive femininity.

On the contrary, Haifa one of them from Jordan has a very complicated relationship with her family. She is often in conflict with her mother over issues of gender and what is appropriate behavior for a young woman. In her story:

Haifa’s mother and some of Haifa’s peers (with the same ethnic background as herself) represent the agents who are occupied with Haifa’s cultural maintenance. Haifa calls herself Muslim, but does not pray. Haifa’s knowledge of Islam is limited to her partial knowledge of her tradition. For her, how to practice one’s religion is a question of personal choice. ‘I am a Muslim at heart,’ Haifa says. Haifa opposes her parents and her ethnic group and operates more disembodied from her family’s values. This is seen in her sport involvement. When Haifa was 12 she started to play basketball after her teacher had succeeded in convincing her mother to let her play. Her teacher was also her coach and Haifa played together with girls from her school class. Haifa’s mother does not approve of her participation in basketball.
and complains that she uses too much time on a sport that this is not suitable for a young woman. She also complains that Haifa is mixing too much with her friends of majority background and that this is not good for her. Her mother’s demands resulted in Jess leaving her team at the age of 17, but after a while she started playing again: Haifa is now playing basketball at a high level. Haifa’s sport participation is seen as a challenge to the notion of what is implied to be a young woman of Jordan origin. Haifa’s sport participation is challenging the boundaries of her ethnic identity. The life histories of other young women who participate in sport also contain stories of what happens when they are challenging the boundaries of their collective identities.

Two of them dictate:

Noor from Yemen and Aisha from Saudi Arabia talked about the veil (hijab) the wide and length wear how can we play with it and without it this wear that non halal. In our society as well as in our family, as a woman, you must wear hijab to show our feminist. It is unethical if you don’t wear hijab.

And others like to participation in physical activities but there are problems about it:

For example, the burqa, a hooded cloak that covers a woman’s body from head to feet can limit movement, peripheral vision and choice of physical activities. There are many women refuse the participation in physical activities for this Problem:

With their heads wrapped in scarves, hijab-observing women drape their bodies in long, flowing folds of cloth Mixed-groups - This poses major problems as many Muslim women are put off the Dress code - The question of dress code sport clothes.

Therefore, there’s definitely a need for modest sportswear, even beyond Muslim communities (Cutrao, 2009). Perhaps, the advances in sportswear have helped boost the participation of Arab Muslim women, as well. For example, the invention of full-body, wear clothes that cover all her body, wear long trousers to cover all of her legs in swimming will help to improve Arab Muslim women to participate (Murray, 2008). The Arab women parents will certainly disallow their female children to participate without wearing a modest sport wear.
On the other hand, the family responsibilities also play the unfavorable influence for Arab women to participate in sports. Nine of 15 women said family gave negative impact to them: Zaynab from Iraq, Sara from Yemen and Aisha from Saudi Arabia talk about their job and family, they said (It is beginning from 8am to 4pm and for 5 days in week besides children and home responsibility) they also suggest for finding sport Islamic wear that can used in physical activities. Women of Islam are represented as oppressed and unable to engage with society and in sports. In fact Islam promotes good health and fitness for both men and women.

This study develops the concepts of Muslim women in sport considering that Islam is good health and fitness as well as a principle. It has been to demonstrate the relationship between the young Muslim women and sport. Different nationality, cultural and ethnic traditions create considerable variety in the way Islam is practiced and interpreted. Due to religious misunderstanding and/or a lack of awareness in our society of how to cater for this varied group, many Muslim women have been prevented from participating in sport. In this study explanation of low rate participation, has putting more weight on ethnicity than religion. Thus, Islam religion support good health to men and women, Koran actually encourages physical activity among women - it is the interpretation and extremity of application of the Prophet's words that dictate the practical applications of Islam relative to women. Now, more than ever, we must raise our gaze and open our gaze and open our understanding of women's sports to include the diverse experiences of our Arab Muslim sisters. Further understanding should be considered with other ethnic such as Asian, American, European, or Australia continents on Muslim women perceptions and attitude towards sports participations.
The Perspective of Arabic Muslim Women toward Sport Participation

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Macro-Historical Parallelism and the China “Puzzle”

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Abstract: China’s rapid development in recent years has puzzled not only the world but also the Chinese themselves. Growth on such a massive scale and at such an astonishing speed might seem miraculous and incomprehensible to many. Confronting the ‘puzzle’, it could be meaningful for us to notice the fact that between China’s sinking to its nadir toward the end of the 19th century and its unmistakable rejuvenation after 1949, there was a lapse of only about fifty years. This is a very short time indeed in macro-historical terms. Or we could adopt a different way of periodizing, putting this period of time between the Opium Wars of the 1840s, when China was defeated by Britain and signed unequal treaties with the Western powers, and the 1990s, when China’s economy began decidedly to take off. In the latter case, a lapse of one hundred and fifty years is still a very short time macro-historically.

Keywords: China, Development, History, Parallelism

China’s rapid development in recent years has puzzled not only the world but also the Chinese themselves. Growth on such a massive scale and at such an astonishing speed might seem miraculous and incomprehensible to many. Confronting the ‘puzzle’, it could be meaningful for us to notice the fact that between China’s sinking to its nadir toward the end of the 19th century and its unmistakable rejuvenation after 1949, there was a lapse of only about fifty years. This is a very short time indeed in macro-historical terms. Or we could adopt a different way of periodizing, putting this period of time between the Opium Wars of the 1840s, when China was defeated by Britain and signed unequal treaties with the Western powers, and the 1990s, when China’s economy began decidedly to take off. In the latter case, a lapse of one hundred and fifty years is still a very short time macro-historically.

So the question is: why has this happened?

For a meaningful explanation, to adopt a macro-historical perspective might be conducive. Historical studies in the
Eurasian civilizations and especially recent researches in the world system indicate that the major civilizations of the Eurasian Continent have for a long time been developing parallelly in economic, social, administrative and intellectual terms. To put it simply, the China ‘Puzzle’ to a great extent could be accounted for by the major civilizations’ parallel progresses throughout history. But what is this parallelism after all?

It is for the various civilizations of the world to share the same historical course, nature or tendency. It is for them to have macro-historically equivalent development levels. In some cases the development of the civilizations is synchronous with each other in terms of proto-capitalism or commercialized agriculture and credit, proto-industrialization (or mechanized handicraft industries), population density and size, urbanization, and sophisticated government. Yet these are only ‘hardware’ parallelisms. There are also ‘software’ parallelisms between the civilizations in the way of education and of philosophic, literary, artistic sophistication. Although in some aspects one particular civilization can do better than the others, its lead is generally temporary and insufficient to disrupt the overall equivalence pattern.

One example is that before democratization the West European countries all underwent a historical phase of absolutism or centralized government (think of the Spanish, French and English monarchies); yet before 1800 China for two thousand years had had this piece of ‘modernity’. Another example is that in the process of democratization and modernization, West Europe adopted civil service and an exam-based institution of selecting civil servants, so as to replace the prevailing mode of government that was monopolized by the aristocracy and was undemocratic, inefficient and unable to meet the needs of a new society; yet twelve hundred years before this, China had introduced its own civil service and the related Keju or imperial examinations to select civil servants fairly, even democratically. In fact, the Western idea of civil service was borrowed from China. However, the lead China enjoyed in these aspects could not possibly have tipped the overall parallelism pattern.
It was up to the Industrial Revolution in the West to really succeed in destroying the pattern. Recent studies reveal that Europe did not really surpass the rest of the world until 1800, when the Industrial Revolution was fully under way. This would suggest that the advantages now enjoyed by the West could not last for long. At present, when the rest of the world has finished industrialization or is being industrialized rapidly, major shifts in the balance of power will occur sooner or later. Yet the idea of equivalent development has another implication: there had been cultural compatibility convergences between the civilizations long before 1800 in the way of economic growth, social progress and intellectual development. To a very great extent, this could explain the spectacular speed of Asia’s ‘modernization’, however glaring its differences from the West might seem at a first glance.

For now I will not elaborate further on the historical facts to validate the parallelism thesis. Historians like Kenneth Pomeranz (author of The Great Divergence: China, Europe and the Making of the Modern World Economy, 2000) and world-system theorists like Andre Gunde Frank (author of ReOrient: Global Economy in the Asian Age, 1998) have done a superb job. It is therefore necessary to have a look at their basic arguments.

For Pomeranz, Europe’s ‘divergence’ from the Old World in the 19th century owes much to the fortunate locations of coal, which was essential to trigger off the energy-intensive mode of production. It was locations that made Europe’s failure to use its land intensively (especially when compared with China) much less of a problem, while allowing growth in energy-intensive industries. Another crucial difference has to do with trade. It was West Europe’s fortuitous location that made the Americas a greater source of primary products for it than it was available for any part of Asia. This additional advantage allowed Northwest Europe to grow dramatically in population, specialize in manufactures, and remove labor from the land, using imports from the New World rather than maximizing yields at home. Together, convenient coal and the American colonies allowed Europe to grow along energy-intensive, labor-saving paths. Some reasoning could be offered here: had China or India been similarly located, the massive growth brought about by the Industrial Revolution in the past two hundred years would have occurred first in
China or India, rather than in West Europe. In other words, the advantages enjoyed so far by the West are accidental, having nothing to do with ‘culture’, let alone race.

Frank’s approach is complementary to Pomeranz’s but is even more macro-historical. He argues from the assumption that Europe’s success was nothing unique; it had been the lesser compared with the other players in economy, technology, and industry until about 1800. To Frank, from 1500 BC to 1800, China, India, South-East Asia, and the Middle East were the main players of the global trade; these regions had better infrastructure in roads, bridges, canals, river and ocean transportation, greater industrial and commercial enterprises, more advanced technology, more efficient government, more sophisticated arts, literatures, philosophies and music styles than Europe. Of great importance is the fact that silver the Europeans obtained from the New World (and the wealth accumulated from the slave trade) played a key role in helping Europe develop industrial capitalism so as to become a major player in the global trade. Because silver gave it the purchasing power to buy Chinese silks, tea, porcelain and other products, and to buy Indian cotton textiles and South-East Asian spices and gems. Silver was in fact an important contributor in West Europe’s industrialization.

Yet the question still remains: why has that parallelism, which threatens the very validity of the modernity discourse, been possible?

To answer it we should remember that, initially, there was no equivalent development whatsoever between Europe and the other regions. In fact, when the Egyptian and Sumerian civilizations emerged around 3000 BC, its European counterpart was nowhere to be seen. Europe at the time was miserably confined to the periphery. It had to wait for twenty-five hundred years before finally coming up with something comparable: the Classical Greek Civilization. This civilization coincided in time with the Syriac Civilization in the Levant, and Sinic and Indic Civilizations in East and South Asia. Only from now on could we talk about parallel progresses of the civilizations (In so doing, we skip the Neolithic and Bronze Ages, historical periods which feature uneven development between the various regions, yet all
nations have to go through). From now on, there was a key factor unifying all the civilizations, including the Hellenic civilization, that is, iron. In fact the widespread use of iron played a role very similar to that played by energy-intensive industries in our era, that is to say, from the mid-18th century to the present time.

As we know, Karl Jaspers the philosopher put forward in The Origins of History (1949) his famous thesis of the Axial Age. It refers to a specific period of time, roughly from the 8th to 2nd centuries BC, in which parallel intellectual phenomena like Confucianism, Taoism, Buddhism, Jainism, Zoroastrianism, Hebrew prophetic teachings and Greek philosophy flourish and the moral teachings of intellectual leaders begin to be canonized. All these happen simultaneously, apart from each other and in totally unconnected cultural milieus. Jaspers particularly highlights the ‘philosophical breakthroughs’ that occur synchronously in the hitherto unconnected regions. Yet in his argument, he leaves out an extremely important point: how is this parallelism possible? Obviously, simultaneous Enlightenment in the different regions cannot have happened by chance. It must have had a material basis which the civilizations somehow have all acquired in the period he generalizes about.

This material basis might be multifaceted, but iron here is of paramount importance. With iron, more agricultural surpluses become available and the alphabet and coin are invented. As individuals can now reclaim land much more easily, they become less dependent on the powerful few or the state. Free market begins to grow. Equally worth noting is that with the use of iron, the building of roads, canals, irrigation ditches, etc are greatly facilitated. Enhanced efficiency of tools and reduced transport cost leads to a universal increase in productivity. Populations explode, waves of urbanization sweep across Eurasia, and great empires emerge. All these developments will in one way or another find expression in the spiritual domains, be it religious, philosophical, literary or artistic. Hence Jaspers’ Axial Age. It should be noted here that towards the latter half of this phase, China was probably doing better than other regions in terms of a huge population, massive infrastructure projects (broad roads, long canals and the
Great Wall), standardized weights and measures and a sophisticated government, which is so conspicuous in Max Weber’s rationality discourse on the civilizations.

Though Jaspers does not explain why ‘Enlightenment’ or ‘Philosophical Breakthroughs’ appear synchronously in the hitherto unconnected regions in the 8th – 2nd centuries BC, that he draws attention to this very fact itself is worth noticing. It suggests that until about 1800, a major characteristic of the civilizations was their essentially equivalent development. In plain words, no region was fundamentally more (or less) advanced than any other regions. This would mean that the parallel intellectual advance of the different regions noticed by Jaspers and superbly captured in his Axial-Age thesis applies not only to the 8th to 2nd centuries BC, but also to the two thousand years that lapsed between then and 1800. His argument has other implications as well: it applies not only to the spiritual domain but to the material advance of the civilizations, as it is the socio-economic nature of their material development that determines the rationality level of their intellectual progress.

Now the question is: why are there after all such parallelisms in the material growth of the civilizations? We have mentioned iron, upon which the simultaneous ‘breakthroughs’ in the different regions depends and which makes a polycentric ancient world possible. This would suggest that the different regions by the Axial Age have all acquired the technology of separating and removing iron from iron ores. The Mesopotamia may be the first area to have it, and then it is Asia Minor’s turn. Exactly when the Greeks, Persians, Indians and Chinese come to know the secret is uncertain, but up to the Axial Age, iron has been widely available in most parts of Eurasia. After all, the continent is one single geographical plate. Whatever meaningful innovations occur here in this corner will soon disperse elsewhere.

Although in contemporary times new ideas and technology will quickly spread, say in a couple of months or even days, whereas in antiquity, due to obstacles in transportation and communications, it could be a matter of years or even decades, yet in macro-historical terms this
slower pace could still guarantee parallel access of the civilizations to the latest inventions. The civilizations might have grown independently of each other for a long time, yet from the Axial Age onward, long-distance trade was conducted between China, India, West Asia and Rome, and between China, East Asia and India. This would mean that the different parts of the world now were already interconnected and interdependent, though not in such an overwhelming manner like today. Not only did the ‘Silk Road’ serve this purpose, but lots of other trading routes by land or sea. Here humans should pay homage to the horse, who in the past played a key role in inter-civilization transport and communications. Without this gift for us to overcome distance and thus hugely facilitate transport and communications, civilization of today would be unthinkable, probably not very far removed from the Stone Age.

From the above discussion it is clear that globalization had been going on long before 1500. Yet Emmanuel Wallerstein the world-system theorist would not allow it to happen until 1500. Whether globalization was already under way in antiquity depends on a definition of ‘globalization’. Yet we may probably use a new concept—‘pre-1800 globalization’. Yet we should remember that the industrial capitalism is by no means a historical feat of Northwest Europe, something it churned out single-handedly in a closed system, totally independent of the other regions in the world system. It is a fairly well-known fact that some kind of proto-capitalism and proto-industrialization had been going on in the Italian cities hundreds of years before the industrial revolution of England which began in the latter half of the 18th century. Yet the reason why it was Venice, Genoa, Pisa, Florence, etc rather than the other regions that led Europe out of the Dark Age deserves greater attention. To a large extent, this could be explained by their locations. Due to proximity to the East, the Italian cities could easily take advantage of the capital, knowledge and technology from the pool of the world-system, which had never ceased to grow even when Europe was having its Dark Age, but from which Europe had been cut off since the 4th and 5th centuries, when Rome declined and fell.

The importance of the Italian cities’ trade with the East is not to be underestimated, as industrial capitalism is very
much the product of a series of other types of capitalisms and industrializations that had been happening in the world-system for hundreds of years. As is discussed above, due to parallel access to the latest innovations, the ancient civilizations shared the technology of iron before and during the Axial Age. From this follows that the agricultural surpluses, infrastructures including roads, canals, and terraced and irrigated fields, handicraft industries, commerce, credit and overall capital accumulation in the different regions of the world would for a long time remain at an equivalent level; and that because of parallel access to the latest inventions, the different regions far apart from each other would acquire gun powder, paper, compass, printing techniques, Arabic numerals, silk, windmill, etc in a relatively synchronized manner. Most of these inventions would prove essential elements for the industrial ‘modernity’ we know today.

All in all, before 1800, all the civilizations remained at roughly the same development level. Given that West Europe had for hundreds of years progressed in parallel with the other regions but was the sole place to enjoy proximity with the Americas, and given that when England was about to trigger off the Industrial Revolution, coal was luckily located on the island (Compare the proto-capitalism of China’s Jiang Nan, which failed to launch its energy-intensive industries in the 16th and the 17th centuries to a great extent because of unavailability of coal), it is natural that industrial capitalism could only have occurred first in West Europe rather than anywhere else, even though for thousands of years there had been equivalent development and convergences between the ideas and technologies of the different regions. As we know, this energy-intensive, labor-saving type of industrial capitalism or ‘modern’ capitalism released tremendous productive forces mankind had never seen before. This and the related developments, like constitutionalism, liberal democracy and the related ideologies, have long been regarded as ‘modern’. But these have undoubtedly been built upon the other regions’ economic and technological achievements made in the world-system before 1800, as have been called ‘early modernities’ by academics. Only by partaking of the capital, technology and knowledge of Asia,
beginning from the 12th century, did the stagnant Medieval Europe begin to revive and grow.

If for fortuitous reasons the Industrial Revolution happened first in West Europe, it is natural that it will be increasingly harder for the West to retain the advantages the revolution had brought it initially. If partial globalization in the past could constantly have resulted in shifts of power, the present-day globalization on such a massive scale will surely do a similar job. After all, parallel growth of East, South and West Asia had kept these regions at a development level fundamentally equivalent to West Europe before 1800. Thus, if a civilization-state like China has been ‘modernizing’ itself at such a dazzling speed in recent decades, we should regard it as a translation of one type of modernity into another rather than as some kind of magic of turning out a flying white pigeon out of nothing. From a macro-historical point of view, when Western ‘modernity’ intruded upon that of China, its economic and social development level, its efficient government and its intellectual and artistic sophistication had essentially been on a par with the West. In this sense, the concept of modernity really needs reexamination.
The Subaltern and the text: Reading Arundhati Roy's *The God of Small Things*

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More than sixty years have passed since Indian gained its political autonomy, but the fact remains that women and untouchables living in Indian society are yet to witness freedom in a truer sense. Women, of course, have witnessed some improvement in their status, and now most of them are getting education, which was previously declined to them. But their conditions remain problematized as they continue to be at the receiving ends both - in their own houses as well as outside their domestic spheres. Untouchables, on the other hand, continue to occupy the lower strata in the social hierarchy. Still, they are considered to be defiled creations of this earth having no rights for their (re)formation. Post-colonial India has given birth to various political parties but even they have failed to strengthen the deplorable condition of untouchables. Ironically, many political parties merely use them as perfect weapons to secure their personal favours and as many votes as possible. This increasingly paradoxical status of untouchables – although they are powerless yet they have an inherent capacity to give power to others – is one of the most contested issues, along with the empowerment of women, which lies central to the field of post-colonial studies. The present paper seeks to explore the maltreatment meted out to the subalterns in Arundhati Roy's *The God of Small Things* (1981, to be cited hereafter as TGST). It will highlight the various ways in which the rights and privileges of both these classes are generally ignored or cancelled out even in the present era of post-colonialism.

Clearly a novel which deals with the troubled history of females and the untouchables, Arundhati Roy's *The God of Small Things* has already received high critical acclaims. The novel fetched her the valued Booker Prize in 1997, the year which brought double glories to India, since the year also marked the Golden Jubilee year of India's Independence and put a brake to the self-glorifying statement of Lord Macaulay made in 1835 that "A single shelf of a good European library in worth the whole native literature".1 Roy has become
decidedly one of the chief figures in the history of Indian English literature. The novel draws attention to the mental as well as physical exploitation of both the females and the untouchables. The contrast between males/females, and touchables/untouchables is explicit throughout the novel. These unfair and destructive binary divisions disclose the bitter reality of India progressing towards prosperity.

The maltreatment of the subaltern is one of the major issues in *TGST*. Before we move ahead, it may not be out of place to have a look at the meaning of the term "subaltern". The term was popularized by Antonio Gramsci, an Italian Marxist in the 1920s and 1930s as a surrogate for the term "proletarian class" in order to counter Fascism. In India, the term was catapulted by the Subaltern Studies Collective writing in 1982 on Southern Asian history and society from a "subaltern perspective". In the Preface to Subaltern Studies, Vol. I, Ranajit Guha propounded a working definition of "subaltern". "The word "subaltern"... stands for the meaning as given in the *Concise Oxford Dictionary*, that is of inferior rank. It will be used as a name for the general attitude of subordination in South Asian Society whether this is expressed in terms of class, caste, age, gender and office or in any other way." In this paper, the term "subaltern" is applied to two groups- the woman (Ammu) and the untouchable (Velutha). The third chapter of the novel entitled “Big Man the Laltain, Small Man the Mombatti” artistically symbolizes their subalternity. Ammu and Velutha represent the *Mombatti* whereas those opposing their unorthodox love affair represent the Laltain. The other characters- Kochamma, Mammachi, Chacko, Estha, Rahel, Vellya, and Inspector Mathew- are caught up in a complex web of actions and reactions in their daily affairs with one another and with the outer world. Physical and moral corruption is linked with the social and political corruption of Ayemenem.

Untouchability, the worst form of social rigidity which is still prevalent in India is the outcome of the snobbish *rishis* living in ancient days. It rightly reduces a man of the lower strata of society to nothingness, thereby reminding us of Wordsworth’s famous lines "And much it grieves my heart to think/ What man has made of man", Even the *Rig Veda* has
some instances of inter caste marriages of Brahmanas with Rajanya Women, and of the union of Arya and Sudra. The treatment meted out to the untouchables and Velutha in TGST is a matter of concern for all right-thinking people.

Placed in the southern Indian state of Kerala and divided chronologically between the late 1960s and the early 1990s, the plot of The God of Small Things (cited hereafter as TGST) revolves around a forbidden relationship between a Syrian Christian divorcee, Ammu, and a low caste carpenter, Velutha. It is a story about the rights of the women and the untouchables versus age-old restrictions imposed by the traditionalist Indian society which still remains both heterogeneous and heterodox. The story tells us about Ammu's twins called Estha and Rahel, about the inter-caste affair, about the subsequent beating and killing of Velutha by the police of Ayemenem, a village in Kerala, and about the death by drowning of the children's cousin, Sophie Mol. The entire human drama in the novel takes place in the context of the division of India through caste and class, polluting thereby the natural beauty of the human world.

The novel also has references to caste conversion of a number of people, including Velutha's grandfather Kelan, and their becoming Christians, such people joined the Anglican Church in the hope of getting freed from the course of untouchability. They converted in order to get some food and money, and in some cases even a job. But this conversion did not efface their problems and they continued to occupy the lower position in the society. They were still discriminated against and were provided with separate priests and separate churches. They were never measured in an equal scale of humanity. Freedom of the nation had not brought much relief to the untouchables. No doubt, they were being given job reservations, but this reservation was in a greater sense, meant only for those people who had some money to spend on education. The question, then arises; what 'post' do we witness in their status? Roy states in this regard that: "Fifty years after independence, India is still struggling with the legacy of colonialism, still flinching from the cultural insult (and ....) we are still caught up in the business of "disproving" the white world's definition of us".3
Roy does not only make us cognizant of the colonial past, but also makes us look at the shadow of an older pre-colonial history.

The word 'caste' is derived from the Portuguese world 'casta' which means pure or unadulterated (sharing a Latin root, with the word 'chaste'). The rigid caste system which provided the individual with different cultural apparel became evident in India in the early Vedic age. In due course of time different castes emerged in India, setting the ball rolling for the pre-Dravidian of India. They put a ban on the taking of food cooked by the Sudras, and the inter-caste marriage was totally banned. It is in this historical perspective that Roy treats the inter-caste love affairs of Ammu and Velutha and of Chacko and Kochamma. The intense anxiety of Vellya Paapen regarding Velutha's unorthodox affair with Ammu should be read in this context. Paapen is an old Paravan and therefore does not dare to disturb the social hierarchy as he is fully cognisant of the harsh treatment meted out to persons who attempt to transgress the rigid social order. The dizygotic twins are told by Mammachi that Paravans are expected "to crawl backwards with a broom, sweeping away the footprints so that Brahmins or Syrians Christians would not defile themselves by accidentally stepping into a Paravan's footprints" (pp. 73-74). She still remembers the demonic treatment of the untouchables, who are not allowed to walk on public roads, who cannot cover their upper bodies and who are forbidden to carry umbrella so that they are sun burnt. These untouchables are required to cover their mouth with hands while speaking so that their polluted breath does not contact the high caste persons.

Velutha, on the other hand, is a young man who fails to understand all these nonsensical rules and regulations for untouchables. He is adept in his mechanisms of carpentry and unsuccessfully tries to represent the changing face of India – an India which is marching on the road of progress, but all the same the India where untouchability is still practised. Velutha does not sanction this social discrimination. The subaltern in this novel wants to speak, but he is beaten to death by Inspector Mathew in police lock-
up, thus substantiating the views of Gayatri Spivak expressed in her famous article, "Can the Subaltern Speak?"

    The subaltern cannot speak. There is no virtue in global laundry lists with "woman" as a pious item. Representation has not withered away. The female intellectual has a circumscribed task which she must not disown with a flourish.5

Spivak entrusts, in a way the responsibility on the intellectual class of society to represent the subaltern by raising their suppressed voices. This change can only be brought about by an insurgency that is why Roy remarks "Things can changes in a day", thrice in the novel on page numbers – 164, 192 and then on 202. She makes the readers aware that the world can be changed in a day, but it needs a revolution. Roy states in TGST that "Revolution is not a dinner party. Revolution is an insurrection, an act of violence, in which one class overthrows another"(p. 280). It is a real pity to see how inferior class and sex have been mistreated both in the precolonial as well as the post-colonial era. The present era is marked with rapid changes and progression. It is an era where the entire world has become a global village and where multiculturalism is being bred and encouraged. Such is the paradoxical nature of this present era that on the one hand we encourage the functioning of multicultural societies, and on the other, we practice all these atrocities which forcefully put women and untouchables on an enervating track.

In such a rotten society, Roy pleads to the readers to adopt the innocence of the dizygotic twins – Estha and Rahel who inspite of living in India do not know any caste, religion and boundaries. They are completely innocent in this cruel world. Indian social fabric is a curse for those advocating or practicing the rituals of modernity, since time immemorial, it has restricted the romantic movements of lovers despite the fact that Krishna violated this traditional practice, and so did Vishwamitra and many others. Still we have profound regards for them, but when the same love affair is rehearsed between Ammu and Velutha it becomes hostile towards them. This exposes the dual character of our patriarchal
society. Why is it that only man has got the right to (dis)own a woman, to define a protocol for female, and to exploit her feminity? These are vexed issues which need to be looked at with open minds. It is time that we jettison the old incoherent order of traditional practices with new vibrant ideologies so that females do not feel subjugated anymore. Just listen to what Linda Duits and Pauline van Romondt Vis express in the following lines:

I had this thing that I think Pink also had: like, look, I can do what I want and if you don’t want me like that, well, that’s your loss … I have this thing like: yeah, if you don’t like me, you don’t like me. That’s something I didn’t have before. Before I really cared about what other people thought, but now that’s less. But not as extreme as her [Pink], but just a bit that I… I don’t give it a shit.6

In the above lines, we can clearly witness the sense of bragging in the females. It is an eye opener statement for those women who are being suppressed in their domestic sphere and outside it. One has to assert itself if one has to survive in the society. One has to realize its innermost strength and stop being submissive to others.

It is really frustrating to notice the way elitist are suppressing and declining the rights of the lower class, and in the same way males are fervently trying to demonize the pure image of women. This explicit differentiation is a matter of concern and some measures should be taken to ensure that their rights are protected. This can only be possible when the government ensures that every member of the society gets an equal opportunity to participate in democracy, they get equal rights, and that their human rights are protected. What I am trying to say is the fact that it is high time for us to take steps so that all these diabolical binary divisions should be effaced, and the world should become a proper place to live in, only then the subalterns will get a chance to speak, and it is then that we can call it a truly post-colonial era.
It is here that the institutionalization of subaltern studies plays a vital role. Ever since its inception, this group is trying its best to protect the rights and highlight the cause of subaltern class. Arundhati Roy has (un)consciously also extended the views of this group by highlighting the pathetic condition of these subaltern in India. The Subaltern group has held many Conferences so far, and it is here that new ideas are being churned out so as to protect the rights of this subaltern class.

We find a moving description in *TGST* when Ammu falls in love with Velutha, an untouchable carpenter, and starts having furtive meetings with him across the river in the haunted house. Her daring love affair with Velutha undoubtedly incited a sexual desire in Baby Kochamma to some extent. She cannot digest this affair as she herself is denied the carnal pleasure. Baby Kochamma’s sexual jealousy rises to such a height that she obliterates her niece and indirectly contributes to Velutha’s castration and death by the police officers. Ammu could not tolerate this loss and consequently she also meets a tragic end.

To conclude, we can say that Arundhati Roy’s treatment of the subaltern in her novel, triggers the mnemonic of a colonial India. By her treatment of the subaltern, she raises a moot question about their pitiable position in Indian society, but fails in her effort to give them their voice. Nevertheless, she urges them to shatter all conventions of the traditional society in order to fetch an identity for themselves.

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(CAI-APS)

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In a picture, director of the CAI-APS meeting the SAARC Secretary General, Dr. Sheel Kant Sharma at the SAARC Secretariat in Kathmandu, Nepal, 14 September 2009
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