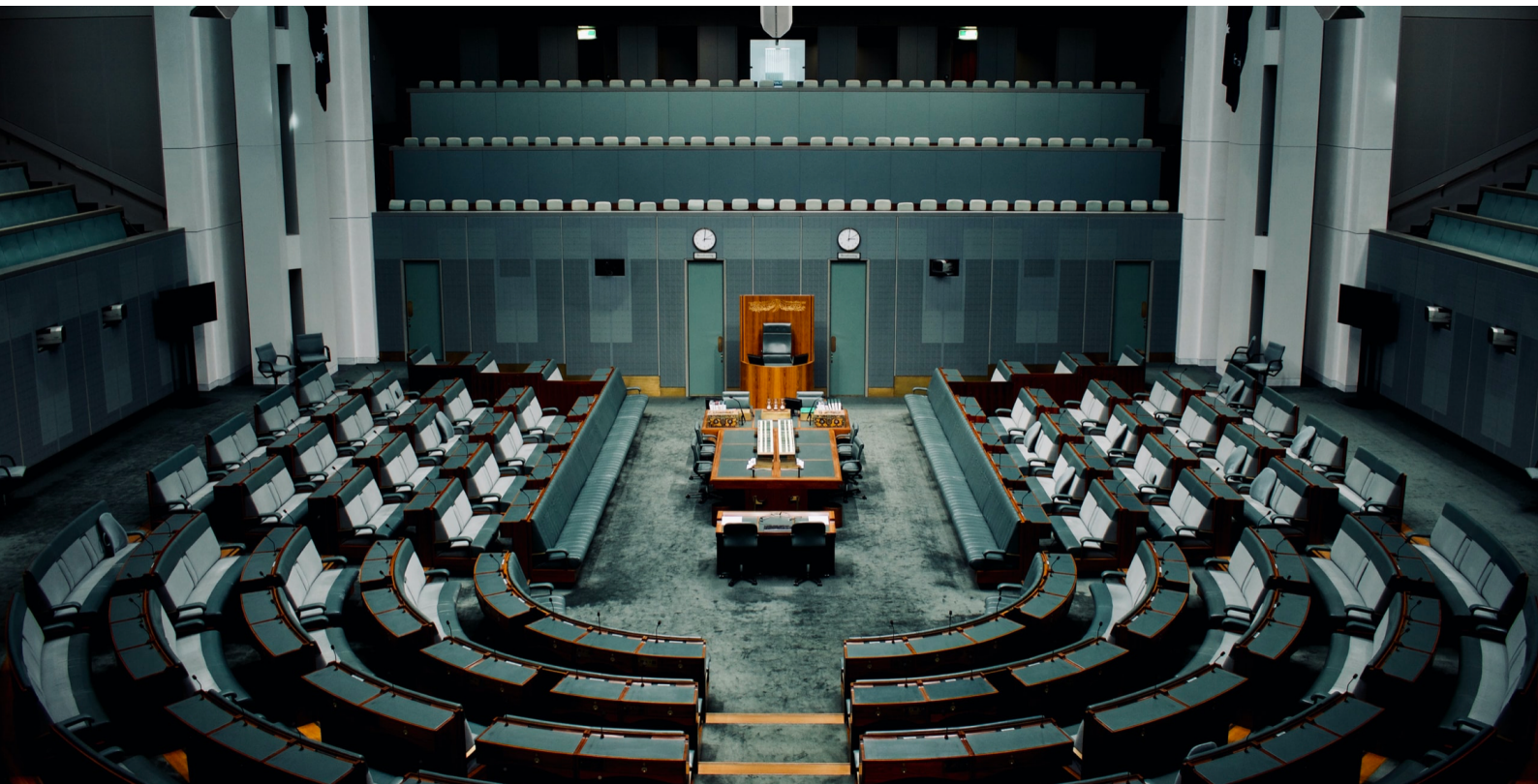


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Promoting Accountability and Transparency in the Customary Courts in Nigeria: Some New Approaches

Abiodun Odusote¹

¹ Senior Lecturer, University of Lagos, Akoka-Yaba. Tel: +2348152136590, Email: aodusote@unilag.edu.ng

Abstract

The Nigerian justice system currently faces significant administration and efficiency problems. It is well-established that the justice system is slow, not accountable, not so transparent and unfriendly to its users and stakeholders. The use of legal terminologies and technicalities are rife and bogged down the wheel of justice. This study aims to determine how the implementation of the customary Law of Lagos State can facilitate quick and efficient administration of justice at the customary courts. Specifically, it investigates whether the implementation of the new customary law of Lagos state and the application and enforcement of the judicial code of conduct can impact the administration of justice, particularly at the customary court level. To test the hypothesis that these legal instruments can positively impact the legal system the research adopts the doctrinal and comparative legal research methodologies. The results showed that the implementation of the new customary laws of Lagos state and the application of the judicial code of conduct at the customary court have the potential to improve the dispensation of justice at this level. Further, the judges must do substantial justice and avoid technical justice to achieve the desired end. These results suggest that in addition, new approaches to the dispensation of justice is required.

Keywords: Customary Law, Accountability, Court System

1. Introduction

It is a widely held view that in Nigeria, an overwhelming majority of cases are decided at the lower courts (Olubor 2021). The Customary Court system is a significant part of the lower Courts. However, there has been growing concern by some critics and stakeholders about the efficiency, transparency and accountability of the Customary Court system. In particular, there has been waning confidence in the efficiency of the justice delivery of the Customary Court and its effectiveness in Nigeria. It has been alleged that compliance of judicial officers and staff with judicial officers' codes of conduct is rarely monitored coupled with the fact that Court officials do not provide good service. Such concerns make it imperative to interrogate the customary Court justice system to promote accountability and transparency in the implementation of the Customary Court law. This research adopts the doctrinal and comparative legal research methodologies to achieve its objectives. In this discourse, an attempt is made to interrogate the peculiar nature of customary laws. It is clear to a discerning mind that because of the simplicity of the customary law and its primary characteristics of being flexible, largely unwritten, changes over some time and a mirror of accepted usage or culture of the people that observe it, it can easily be manipulated and abused. Customary law is elastic and adaptable to time and socio-economic changes. It enjoys validity from the

assent and recognition by the people of the community. It follows therefore that its practice and enforcement through the Customary Court system may be problematic and subject to abuse because customary law is unwritten, may sometimes be vague and exist substantially in the mind of those subject to it and the custodians of the tradition and culture. It is also difficult to apply because of diversity and differences amongst those that are subject to it or those that are the custodians. See *Lewis v. Bankole* (1908) INLR 81 at 100. Amidst plurality of customary laws in urban cities and multiplicity of customs and traditions, it might be difficult to get credible and reliable expert opinions and capable judges to adjudicate in the Customary Courts. It is in this context, that this paper examines and evaluates the nature of customary law, prerequisite and qualification for the appointment of judges at the Customary Court in Lagos State. Next, the paper extensively discusses how adherence to the judicial officer code of conduct in Nigeria and the Bangalore principles of judicial conduct can greatly improve the justice delivery and administration of the Customary Court system. It also argues that the application of the principles of fair hearing and the promotion of substantial justice is essential for the delivery of an efficient customary justice system. In conclusion, the paper makes further recommendations that have the potential of promoting transparency and accountability in the implementation of the Customary Court law.

2. Conceptual Definitions

2.1. *Accountability in the Customary Court*

In this paper, Customary Court accountability includes accountability through adjudicating by observing due process, adherence to the principles of judicial independence, applying the Customary Court law and rules of court diligently, observing the provisions of the Constitution of the Federal Republic of Nigeria 1999 as amended, in particular, adherence to the principles of fair hearing and protecting human rights, applying substantial justice, monitoring the powers of court officials and providing prompt remedies to a litigant.

2.2. *Transparency in the Customary Court*

Transparency is synonymous with righteousness. Its component includes honesty and judicial integrity. A judge should always imbibe and exhibit these virtues, not only in the discharge of official duties but at all times. He must be seen to always discharge his duties without bias and in a manner befitting the judicial office. A judge and the Court must be free from dishonesty, deceit, sloppiness, fraud, and partisanship. He must be good and morally upright in behaviour and character. Transparency is absolute. In the judiciary, transparency is second to none. It is a must-have.

2.3. *Implementation of Customary Law*

It is the Customary Court that has the jurisdiction to interpret and uphold the customary law that is applicable within its jurisdiction. The Customary Court plays an integral role in implementing customary laws, in doing this, the President and members of the Customary Court must be strong and committed to interpreting and applying customary laws to bring reliefs to litigants who had approached the court for redress.

2.4. *Nature of Customary Law*

Obaseki, J.S.C. in *Oyewumi v. Ogunesan* [1990] 3 N.W.L.R. (Pt. 137) 182 at 207 defined customary law as “the organic or living law of the indigenous people of Nigeria regulating their lives and transactions. It is organic in that it is not static. It is regulatory in that it controls the lives and transactions of the community subject to it. It is said that custom is a mirror of the culture of the people. I would say that customary law goes further and imports justice to the lives of all those subject to it”. For Elias, Customary law is “the body of rules, which are recognized as obligatory by its members” (Elias, 1954). C.E. Chukwurah suggests that there are, “three distinctive characteristics of Customary Law: Customary law is essentially a body of unwritten rules applicable to a community, the rules are intended to regulate the relationship and transaction of the community and the community must accept and recognize the rules as binding, that is to say, as having a force of law” (Chukwurah, 2014). For example, Akin Ibidapo-Obe (2014), a foremost Pan-Africanist and Professor of Public Law opined that “the

traditional law of the Yorùbá of Nigeria is mainly found in the Yorùbá oral literature which includes proverbs, *oriki* (praise-poems), festivals and re-enactments ceremonies, carvings, pottery, artefacts, foods, music, myths, folklore, history, àlò (long and short stories) and *ewi*.” Further, in the case of *Zaidan K. v Mohssen F. H.*, (1973) II SC 1 the Supreme Court defined Customary Law as: “... any system of law not being a common law and not being a law enacted by any competent legislature in Nigeria but which is enforceable and binding within Nigeria between the parties subject to its sway”. Essentially, customary law consists of customs and traditions that are generally accepted conferring obligatory rules of conduct, practices and beliefs among the people that are so vital and imperative to the socio-economic system that they are treated as laws, *Sunday Anunobi v. Chief Elias Nwankwo* (2017) LPELR-43774(CA).

3. Establishment of Customary Courts

According to Obaseki J.S.C. in *Loba v. Akereja* 1988 (LPELR-2583 (SC) p. 19 paras A – B Customary Courts are the creatures of statutes or laws promulgated by the various States Legislatures. Section 6(4) of the CFRN as amended provides that the National Assembly and the States Houses of Assembly are empowered to establish courts other than those established by the Constitution, such courts must however have subordinate jurisdiction to that of a High Court. The House of Assembly of Lagos State enacted the Lagos State Customary Court Law 2011 and amended same in 2018. S. 1 (1) gives the Lagos State Judicial Service Commission the power to establish Customary Courts in Lagos State. The LSJSC is to act on the recommendation of the Attorney General and subject to the approval of the Governor in establishing the Customary Courts in Lagos State.

A judiciary with proven integrity is the bedrock of constitutional democracy (Osipitan, 2021) and the enjoyment of rule of law and civility. The judiciary provides strong support and protection for democratic principles that stand as a bulwark against tyranny and a foundation for the enforcement of rights and freedoms. The Customary Court system is a significant but often underrated part of the Nigerian judiciary. The main purpose of setting up the Customary Court is to do substantial justice without the technicalities and the harshness of the common law. The simplicity, non-technical and timeous dispensation of justice by Customary Courts adhere the Customary Court system to the locals. Decisions of the court are expected to be made per the indigenous custom of the people and common sense, not per the Common law and its technicalities. In *Oguanuhu & Ors v. Chiegboka*, (2013) Vol 221 LRCN (Pt. 2) 117 the Supreme Court held that strict rules of pleadings and application of provisions of the Evidence Act are not expected to be observed in the Customary Courts. The decisions of such court must be based on common sense and reasonableness of their findings. However, in recent times the simplicity and user-friendly nature of the Customary Court system is being displaced and eroded by stakeholders. Nwabueze rightly observes that customary law utilized the tools of flexibility, traditional legal education, and the absence of writing and the polycentric nature of its disputes to withstand the societal dynamism engendered by the Western colonial invasion of Nigeria. Ironically, these characteristics, which served customary law well during colonial rule, are now threatened by some reformist activities of post-independent Nigeria and some of its scholars, (Nwabueze, 2002). Counsel now file and exchange pleadings and apply the rules of evidence. The English system has gradually crept into the administration of the Customary Court system with its technical nature thereby now resulting in Customary Court proceedings suffering from incessant adjournments and preliminary objections. The proceedings of the Customary Court ought to be simple and user-friendly. For example, in a land matter, a party relying on traditional history need not give particulars and a Customary Court may *suo motu* invite a witness to testify as was the case in *Onwuama v Ezeokoli* (2002) 5 NWLR (Pt.760) 353 where the Court held *inter alia*:

In considering proceedings of Native, Customary or Area Courts, an appellate Court should act liberally and this is done by reading the record to understand what the proceedings were all about so as to determine whether there is evidence of substantial justice and the absence of any miscarriage of justice. This is because such Courts are not required to strictly comply with the Rules of practice and procedure or evidence, and the rationale for creating them is for the need to make the administration of justice available to the common man in a simple, cheap and uncomplicated form. In the instant case, since the proceedings were that of a Customary Court, the Respondent was not bound to plead particulars in support of traditional history as it would have done if the case was commenced at the High Court. Furthermore,

the fact that the Trial Court called a witness on its own to resolve the conflicting evidence adduced by the parties did not vitiate the proceedings.

The need to promote the Customary Court system is captured in the following passage by Hon. Justice (Dr) G.W. Kanyeihamba of the Supreme Court of Uganda:

The non-recognition of some of the finer points of African Customary law was based partly on ignorance and partly on the incidents of imperialism and colonialism. However, the main reason for denying African Customary law its sanctity and value was colonialism. The policy of colonial rule was based on the theory of the superiority of the imperial race and its culture and laws over the subjugated peoples and their own culture and laws... If the latter were to be allowed to believe in their own culture and values and deem them to be equal with those of their masters, they could challenge the right of imperialism to govern them (Kanyeihamba, 2020).

4. In pursuit of accountability and transparency

4.1. First Perspectives from the Bible and the Qur'an

Moses's father-in-law said to him in Exodus 18:21-22: "You should also look for able men among all the people, men who fear God, are trustworthy, and hate dishonest gain; set such men over them as officers... Let them sit as judges for the people at all times...; Psalm 82:3 Give justice to the weak and the fatherless; maintain the right of the afflicted and the destitute"; Isaiah 1:17, "Learn to do good; seek justice, correct oppression; bring justice to the fatherless, and plead the widow's cause,"; and Micah 6:8 "he has told you, O man, what is good; and what does the Lord require of you but to do justice, and to love kindness, and to walk humbly with your God?".

In the holy Qur'an, according to an eminent Islamic scholar, all human beings are God's servants and are equal before God. Hence, judges should not discriminate against the poor, everyone should be treated equally by the Judge. In the *Adab al-Qadi* (Ibrahim & Surty, 2003), (*The Judge's Etiquette*) by Abu Bakr Ahmad ibn al-Shaybani alKhassaf, an eminent jurist provide a manual to enable judges to administer justice by the teachings of Prophet Muhammad. The attributes of a judge should include; knowledge and patience; ensure easy access to court by all; any falsehood in a case should render the case a nullity; he should be familiar with the culture and custom of the people he has been appointed to judge; he should be trustworthy, and when he sparingly attends social gatherings he should refrain from discussing the matters before him.

In giving effect to the provisions of the Customary Court law and rules and the pursuit of justice at the Customary Court, the adjudicators of the court must possess sterling character and allow the qualities and judicial codes set out below to guide their conducts at all times:

4.1.1. Imperative for exemplary Standard of Conduct

The importance of a good standard of conduct appropriate to judicial office has been amplified by a judge in the terms set out below:

No one doubts that judges are expected to behave according to certain standards both in and out of court. Are these mere expectations of voluntary decency to be exercised on a personal level, or are they expectations that a certain standard of conduct needs to be observed by a particular professional group in the interests of itself and the community? As this is a fundamental question, it is necessary to make some elementary observations. We form a particular group in the community. We comprise a select part of an honourable profession. We are entrusted, day after day, with the exercise of considerable power. Its exercise has dramatic effects upon the lives and fortunes of those who come before us. Citizens cannot be sure that they or their fortunes will not someday depend upon our judgment. They will not wish such power to be reposed in anyone whose honesty, ability or personal standards are questionable. It is necessary for the continuity of the system of law as we know it, that there be standards of conduct, both in and out of court, which is designed to maintain confidence in those expectations (Thomas, 2003).

A judge and particularly a customary court judge is required to maintain a form of life and conduct which is more disciplined, cautious and restricted than that of other people. A customary court judge is not a celebrity in the community and must not be seen to be hobnobbing with politicians and the privileged in society. To preserve the integrity of the justice system, the rule of law and the sanctity of the judiciary, a judge being someone in authority must live a peaceful and quiet life marked by godliness, honesty and dignity (1 Timothy 2:2). Trust in the justice system is anchored not only on the competence and diligence of the judges but also on their integrity and character. A Customary Court judge must not only be a good judge but must also be a morally upright person and a good man. It is acknowledged that it would be unreasonable to expect a judge to completely retreat from society and public life in isolation from family and friends but in socializing, a judge must exercise great caution. This is because it is important for the integrity of the justice system that the judiciary should be perceived as independent. The test for independence should include the perception of being independent. A judge must always act in a manner that reflects the highest ethical and professional standards of conduct and performance that promotes transparency, accountability, integrity and respect for the independence of the Judiciary.

4.1.2. The Nigerian Revised Judicial Code of Conduct (NJC, 2012)

S.318 CFRN defines a judicial officer as follows:

"Judicial office" means the office of Chief Justice of Nigeria or a Justice of the Supreme Court, the President or Justice of the Court of Appeal, the office of the Chief Judge or a Judge of the Federal High Court, the office of the Chief Judge or Judge of the High Court of the Federal Capital Territory, Abuja, the office of the Chief Judge of a State and Judge of the High Court of a State, a Grand Kadi or Kadi of the Sharia Court of Appeal of the Federal Capital Territory, Abuja, a President or Judge of the Customary Court of Appeal; of the Federal Capital Territory, Abuja, a Grand Kadi or Kadi of the Sharia Court of Appeal of a State; and a reference to a "judicial officer" is a reference to the holder of any such office

Though it appears under S.318 of the CFRN, copiously cited above, the customary judge is not a judicial officer under the 1999 Constitution but for administration and dispensation of justice, the Customary Court judges are judicial officers (Anyafulude, 2018). Nevertheless, in the context of the judicial code of conduct, the term judicial officer includes Magistrate, Area/Sharia or Customary Judge or any person holding a similar office in any inferior court. The explanatory notes to the revised code of conduct for Judicial Officers of the Federal Republic of Nigeria throw more light on this issue. It states that:

In this Code, the term "Judicial Officer" shall mean a holder of the office of Chief Justice of Nigeria, a Justice of the Supreme Court, the President or Justice of the Court of Appeal, the Chief Judge or Judge of the Federal High Court, the President or Judge of National Industrial Court of Nigeria, the Chief Judge or Judge of High Court of a State and the Federal Capital Territory, Abuja, the Grand Kadi or Kadi of a Sharia Court of Appeal of a State and the Federal Capital Territory, Abuja, the President or Judge of a Customary Court of Appeal of a State and of the Federal Capital Territory, Abuja and every holder of similar office in any office and tribunal where the duties involve adjudication of any dispute or disagreement between person and person (natural or legal) or person and Government at Federal, State and Local Government levels including the agents and privies of any such person.

The National Judicial Council is established under Section 153(1) of the Constitution with power relating to appointments and exercise of disciplinary control over judicial officers specified in paragraph 21 of Part 1 of the Third Schedule of the Constitution. It also has the power to deal with all matters relating to policy and administration. Following the above, the NJC has put in place the Revised Code of Conduct to regulate the general conduct of Judicial Officers of the Federal Republic of Nigeria.

The Revised Code of Conduct for Judicial Officers of the Federal Republic of Nigeria is set out below (Rules 1-12):

A Judge should avoid impropriety and the appearance of impropriety in all of the Judge's activities both in his professional and private life.; A Judge shall in his or her personal relations with individual members of the legal profession, who practice regularly in the Judge's Court, avoid situations which might reasonably give rise to the suspicion of or appearance of favoritism or partiality; A Judicial Officer should be true and faithful to the

Constitution and the Law, uphold the course of justice by abiding with provisions of Constitution and the Law and should acquire and maintain professional competence; A judge owes it a duty to abstain from comments about a pending or impending proceeding in any Court in this country; but in exercising such rights, a Judge shall always conduct himself in such manner as to preserve the dignity of the judicial office and the impartiality and independence of the judiciary; A judge has a duty to abstain from involvement in public controversies; A judge should not adjudicate over a matter in relation to the Judge's personal and fiduciary financial interest, including the interests of members of the Judge's family; A Judge shall not allow the Judge's family, social or other political relationships improperly to influence the Judge's judicial conduct and judgment as a Judge; A Judge may engage in other activities if such activities do not detract from the dignity of the judicial office or otherwise interfere with the performance of judicial duties; A judge is prohibited from acceptance of a gift, bequest, loan, favour, benefit, advantage, bribe etc A Judicial Officer should diligently discharge his administrative duties, maintain professional competence in judicial administration and facilitate the performance of the administrative duties of other Judicial Officers and court officials; A Judicial Officer should disqualify himself in a proceeding in which his impartiality may genuinely and reasonably be questioned; A Judicial Officer should regulate his Extra-Judicial Activities to minimize the risk of conflict with his judicial duties, A Judicial Officer shall not take or accept any Chieftaincy title while in office; A Judicial Officer should regulate his travels within and outside Nigeria so as not to affect his judicial duties or cause a delay in the administration of justice or detrimentally affect his performance or the overall performance of the judiciary; Judicial Officer while in service shall not publish any book or cause another person, group of persons, publishing house, whosoever, acting on his behalf to publish any book until he ceases to be a Judicial Officer where such publication may infringe in any manner the Code of Conduct for Judicial Officers. In addition, the Bangalore Principles of Judicial Conduct (Vale 1-6) also emphasizes that a judge must imbibe the following attributes: independence, impartiality, integrity, propriety, equality, competence and diligence.

A Customary Court judge, in particular, must ensure that he serves all the people, regardless of ethnic groups, places of origin, sex, religious beliefs or political opinions. That is why the judge must avoid stereotyping, embrace and understand diversity in society as well as differences in people. Hsun Tzu (1967), a distinguished Chinese elder and beloved magistrate counselled:

Fair-mindedness is the balance in which to weigh proposals; upright harmoniousness is the line by which to measure them. Where laws exist, to carry them out; where they do not exist, to act in the spirit of precedent and analogy – that is the best way to hear proposals. To show favouritism and partisan feeling and be without any constant principles – this is the worst you can do. It is possible to have good laws and still have disorder in the state

And the Bible admonishes the judges to “hear the disputes between your people and judge fairly, whether the case is between two Israelites or between an Israelite and a foreigner residing among you” (Deuteronomy 1:16 NIV). In the Qur'an, justice abhors discrimination on the prohibited grounds of ethnicity, rank, language, colour, nationality, sex, status or religion. All humans are created by God and are servants of God, and as such should be treated equally in courts of law (Mo Tzu, Hsun Tzu, & Han Fei Tzu, 1967).

4.1.3. The Capacity of the Customary Courts and Judges

The capacity of the Customary Court to perform its role transparently and efficiently is central to the promotion of accountability and efficiency. Capacity can be enhanced in the proper engagement of the right personnel to man the Courts. Section 2(2) of the Lagos State Customary Court (Amendment) Law 2018 provides that:

A Customary Court is properly constituted with a minimum of three (3) members and a maximum of (5) members one of whom shall be the President.
Provided that one of the members presiding is knowledgeable in Native Law, Custom and Tradition.

A member of the Customary Court is required to hold a degree from any recognized University or Polytechnic.

Section 5 (A) states the qualification to hold the office as a member of the Customary Court as follows:

- (a) a holder of a degree in any recognized University or Polytechnic
- (b) at least (50) years of age
- (c) of proven integrity and good standing in society.

In addition, Section 5 states that to hold office as a President of the Customary Court, the candidate must be a Legal Practitioner or a Law graduate, must be at least fifty (50) years of age and have proven integrity and good standing in society.

It is generally acknowledged that anyone that meets the above qualifications will be competent and skilled. However, it should be remembered that the fact that a Customary Court is presided by a lawyer does not make it lose its peculiarities as a customary law court. Regards must be heard to the facts that the litigants are locals and the nature of customary law courts is plain and simple. Composition of a customary law court by lawyers should enrich rather than impede the application of customary law, no regard should be made to the application of technicalities and strict rules of pleadings and Evidence Act in the customary law court despite its composition made up of lawyers *Ezike Theophilus v Gabriel Ezeh* (2017) 1 ESCCALR 85 at 87. The principle governing the customary court law proceedings is the attainment of substantial justice based on “reasonable practice, tradition and custom of the local people.”

Still on the qualification as president and members of the Lagos State Customary Court, beyond academic and age qualifications, a judge must be able to manage his court efficiently. A judge must manage and also decide cases. Cases must be promptly decided, copies of ruling and judgment delivered must be made available to litigants and their counsel within a reasonable period. And records of the court should be kept safe, Order 12 Rules (3) 1 and 4, the judge must take all reasonable and necessary steps to prevent court records from disappearing. Court records are sacred and should be treated as such. The court will outlive the judges. Court records should be kept in a manner that will make them easy to be retrieved at a later date. In sum, a judge must maintain professional competence and also effectively supervise the administrative and support staff (Integrity Group, 2001). In promoting accountability and transparency it is significantly also important that the judge and the customary court system interrogate the many incidents of court officials requesting unofficial payments. It is pervasive in our climes for court officials to demand unofficial payments for services they have been employed to perform, ranging from the court bailiffs demanding money for service, registrars making unofficial financial demand for the issuing of certified true copies of court processes and the gateman making an unofficial demand for payment before cars can be parked in the court premises!

4.1.4. Substantial Justice

Customary courts are by nature created to do substantial justice under largely unwritten custom and tradition of the people with the only exception that such custom and tradition must not be repugnant to natural law equity and good conscience. Hence, S.25 (1) of the Lagos State Customary Court Law 2011 provides that a “Customary Court shall observe and enforce every customary Law which is applicable and is not repugnant to natural justice, equity, and good conscience or incompatible either directly or by implication with any law for the time being in force, and nothing in this Law shall deprive any person of the benefit of Customary Law”. Kayode Eso J.S.C. in *State v. Gwonto* (1983) 1 S.C.N.L.R. 142 at P.160 also postulated that: “the Court is more interested in substance than in mere form. Justice can only be done if the substance of the matter is examined. Reliance on technicalities leads to injustice.” As a Customary Court, the court is obliged to apply substantial justice because most often the parties to a dispute are no strangers to each other. They share a common bond and culture and are well known to each other. Substantial justice is justice administered according to the substance and not necessarily the form of the law. Nwabueze puts it succinctly as follows:

Another feature of customary law is that parties to a dispute subject to customary law are usually no strangers to each other. There is usually a tie, social, marital or tribal, binding them. For instance, land disputes are usually between people related by blood. This is in contradistinction to modern land adjudication, which may be between parties who are strangers to each other and may even be of different nationalities. Apparently, for this reason, disputes in an African setting are considered to disrupt the societal or family equilibrium. The main aim of the adjudicators will be to restore that equilibrium and this might only be achieved by not deciding strictly on the rights of the parties. Legal rights are not emphasized as much as reconciliation. Thus, an African justice system is mainly reconciliatory (Uchendu, 1965).

This bias for substantial justice is reflected in Section 29 of the Customary Courts Law, 2011 which provides that, “in any proceedings before it, the customary court shall proceed without undue formality and shall ensure that the proceedings are not protracted”. This position appears to be a codification of the Court of Appeal judgment in *Okeke v President & Members Customary Court* (2001)11 NWLR (Pt. 725) 507 where the court held that, “customary courts have their practice and procedure as embodied in the Customary Courts Law and Rules of the States in the country where they are applicable. By the nature and customary laws, they relate to the traditional unwritten law of the people handed down from generation to generation. Where members of the courts are familiar with the custom of a community they can apply it without first requiring evidence *Ehigie v Ehigie* (1961) All NLR 842. In another instance, the court held that failure to comply with the Rules of Court by the Customary Court may not vitiate the judgment of the Customary Court. In *Nwigwe Unonu v. Onweonu Ohabia*, 1964 ENLR 94 the plaintiff filed an action in the customary court for a refund of 67 pounds being the dowry paid based on the unsworn evidence of the plaintiff. He was awarded the refund of the 67 pounds paid for the dowry. At the county court, the unsworn testimony of the Plaintiff was rejected based on Order 25 (1) of the Customary Courts’ Rules, 1957 and the dowry was reduced to 18 pounds. On appeal to the High Court, it was held that the Customary Court is mandated to observe the statutory provisions of Order 25 (1) of the Customary Courts’ Rules, 1957 but in this instance, none observance had not vitiated the judgment, only the weight of evidence was affected. Hence, the plaintiff was entitled to the judgment of 18 pounds despite his unsworn evidence and that of his witnesses. In this case, the courts applied substantial justice *Alice Odewara v. The State* (unreported) HOS/10CA/68.

Furthermore, transparency and accountability require that in proceedings before the Customary Court, all customary laws, principles and rules pursuant to S. 47 of the Lagos State Customary Law 2011 should be applied in the promotion of substantial justice. English laws and common law may not apply to the Customary Court law proceedings except where express provisions are made for English law or common law to apply. Hence, technical issues such as particularization of claims, locus standi, legal personality, abuse of court processes may not apply except where non-application may lead to a substantial miscarriage of justice *Tetter Okuma v. Tsutsu* 10 WACA 89.

Substantial justice further requires the Customary Court to properly evaluate the evidence presented by the parties, make specific findings and give reasons for its judgment. Issues not raised by parties should not be pronounced upon *Adeniji v. Adeniji* (1997) ALL NLR 301. This is a mandatory provision *Nnando v. Diokpa* (1959) WNLR 309. The court must hear the complete evidence before delivering judgment *Essien v. George* (1962) ALL NLR 1064.

A Judge should strive to comply with the provisions of S. 294(1) of the CFRN, 1999 as amended by delivering Judgments and Rulings within 90 days after adoption of written submissions of counsel. Even under the ancient Roman Law, the Twelve Tables (450 B.C.) contains the injunction “the setting of the sun shall be the extreme limit of time within which a judge must render his decision” (Scott, 1932). Finally, in applying sanctions under the customary law system, scholars have argued and correctly so that “sanction under customary law, does not have the same nature as the sanctions of a modern state, with its full machinery for the administration of justice. Customary sanction takes the form of ostracism, compensation, propitiation, restoration or apology” (Nwabueze, 2002)

4.1.5. Application of the Principles of Fair hearing

All courts at all times must observe the principles of fair hearing, it is absolute and there is no derogation about this right. The provisions of Section 36 (1) CFRN as amended applies to the proceedings of the Customary Court. These constitutional provisions relate to a fair hearing. These provisions embraced the twin pillars of natural justice (Oputa, 1981); the two components of fair hearing under natural justice are the rule against bias (*nemo iudex in causa sua*, or better still, "no man is allowed to be a judge in his cause"), and the right to a fair hearing (*audi alteram partem*, or "the other side must be heard") *Alakija v Medical and Dental Disciplinary Committee* (1959) 4 F.S.C 385. The most basic requirements of fair hearing require that adequate notice of the nature and purpose of the proceedings must be given to all the parties; parties must be afforded an adequate opportunity to prepare their respective cases; present facts, arguments and supporting evidence either in writing, orally or by both means; be

represented by counsel of their choice during all stages of the proceedings; consult an interpreter at all stages of the proceedings if required; have their rights or obligations affected only by a decision based solely on evidence known to and presented by the parties to public proceedings, and have a decision by the court rendered without undue delay. Parties must be given the right to appeal the decisions of the court (UN document E/CN.4/Sub.2/1994/24). In the context of the customary law court, in *Falodun v. Ogunse* (2010) All FWLR (Pt. 504) 1404 at 1427 27 the court held that “although Customary Courts are not bound by technical rules of procedure, the provisions of Section 36 of the constitution relating to a fair hearing is a very far-reaching provision. The requirements of fair hearing are so ubiquitous that even proceedings in Customary Courts must observe them” *Kwali v Dobi* (2010) All FWLR (Pt. 506) 1883.

4.1.6. New Approaches Required

Some of the complaints that have been allegedly made against the Customary Court system in Nigeria include judges and staff having immoral affairs with litigants or litigant’s spouses, court staff soliciting unofficial payments to provide services they have been employed to perform which should be free; judges and staff being rude to court users; failure to notify users about hearing dates; poor record-keeping and retrieval of court records; failure to record court proceedings accurately (British Council, 2021) etc. Most litigants that approach the Customary Court may not have the means to seek further remedy and seek remedies from higher courts. Hence, it is suggested that a court inspection system be put in place by the Lagos State Judicial Commission to constantly go around the Customary Court system for inspections. The inspecting body should be independent of the court system and should have the power to review court records, interview members of staff and litigants, observe proceedings and the court setting and infrastructures. This Inspection System has been reportedly implemented in Enugu Customary Court system and it has hugely increased the efficiency of the system and user’s satisfaction. Judges and staff should also be constantly trained to be able to perform their duties effectively.

4.1.7. Application of Information Communication Technology

It is a notorious and worrying fact that the state of infrastructure in most Nigerian Courts is in a state of disrepair. Sometimes the courts would be so filled up that lawyers would not have any seat to sit to present their cases. Many Courts are not accessible to the physically challenged. Some lack basic working tools such as computers, constant supply of electricity, durable tables and chairs. One of the steps to be taken in promoting accountability and transparency at the Customary Court is the provision of relevant ICT tools, including an e-library, relevant soft wares, computers and printers. It is good to know that the calibre of judges and staff at the Lagos State Customary Court are familiar with word processing skills. Equipping the Customary Courts with information technology tools will enable the courts to be able to produce a judgment much faster with computers. And because of the ability to manipulate different documents through copy, cut and or paste, or working from templates, it is far easier to produce a document with the information the court wants to be included in it. In addition, on the same computer, it is possible to store the document, and retrieve it very fast, call up other documents, without having to move from one office to the other. Overall, judgment can be produced much faster and such judgements can go into a court system database and can be easily retrieved in the future. The provision of computers and competent staff to operate them at the customary courts will largely increase the speed and efficiency of the justice system. Storage and retrieval of court processes will become more secure and transparent. It will become easier to access certified true copies of court records and processes. There is no doubt that the application of technology in the Customary Courts will reduce inefficiency, inaccuracy, lack of transparency and promote accountability and integrity.

4.1.8. Training

The importance of training and retraining cannot be over-emphasized; the judges and staff members of the Customary Court should be constantly trained so that their skills and competencies can be updated. Research findings have revealed that training presents a prime opportunity to expand the knowledge base of workers, it makes workers more confident in the performance of their duties, and training also increases efficiency and productivity. Training can take diverse forms; roundtable, workshops, seminars, conferences and attendance of short courses. It makes the judges and staff members feel they are appreciated and valued.

5. Conclusion

This paper has endeavoured to show that the Customary Court system is an integral part of the justice system and that the Customary Court has been charged with the interpretation and implementation of customary laws which are largely unwritten. In doing so, the judges of the Customary Courts are faced with the unenviable task of interpreting customary laws that are intrinsically difficult to interpret and implement. However, in making the challenges faced by the President and members of the court less cumbersome, only individuals with requisite capabilities and qualifications should be appointed to adjudicate at the customary law courts. In addition, those appointed should imbibe the judicial officers' code of conduct and the Bangalore Principles of Judicial Conduct. The Customary Court adjudicators are also required to be of noble character in and out of court, they should diligently apply the principles of fair hearing and ensure substantial justice rather than technical justice. It has also been shown above that there is potential for efficacy inherent in the appointment of an independent inspection body that will act as a watchdog to the Customary Courts. The paper also makes a case for the application of information communication technology which has become an indispensable tool for the modern judicial system. In sum, it is in the religious observance of all the issues raised and discussed above that accountability and transparency can be ensured in the implementation of customary law.

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The Architecture of the Car-Shaped Altar: Anomaly in the Ideological Vehicle of the Gods at Paluang Temple, Nusa Penida, Bali, Indonesia

I Putu Gede Suyoga¹, I Nyoman Suarka², I Ketut Ardhana³, I Wayan Suwena⁴, Ngakan Ketut Acwin Dwijendra⁵

¹ Department of Cultural Studies, Faculty of Cultural Sciences, Udayana University, Bali, Indonesia.
Email: pgsuyoga@gmail.com

² Department of Cultural Studies, Faculty of Cultural Sciences, Udayana University, Bali, Indonesia.
Email: nyoman_suarka@unud.ac.id

³ Department of Cultural Studies, Faculty of Cultural Sciences, Udayana University, Bali, Indonesia.
Email: ketut_ardhana@unud.ac.id

⁴ Department of Cultural Studies, Faculty of Cultural Sciences, Udayana University, Bali, Indonesia.
Email: wsuwenas58@yahoo.com

⁵ Department of Architecture, Faculty of Engineering, Udayana University, Bali, Indonesia.
Email: acwin@unud.ac.id

Correspondence: Ngakan Ketut Acwin Dwijendra, Faculty of Engineering, Udayana University, Bali, Indonesia.
Tel: +6281233009333. ORCID ID: 0000-0003-0070-4254. E-mail: acwin@unud.ac.id.

Abstract

This study describes the architecture iconic car-shaped shrine at Pura Paluang Nusa Penida, Bali. The car-shaped shrine is a manifestation of God's vehicle, which has the title *Ida Bhatara Ratu Gede Sakti Ngurah* and *Hyang Mami* or Lord *Shiva* and *Durga*. The altar resembles a Jeep Jimny and a VW Beetle. This architectural form is what distinguishes it from mainstream cult architectural works in Bali. This study aims to reveal the phenomenon of cultural anomalies based on the ideology of the vehicle of the gods on the car-shaped altar. This study also reveals the process of meaning and local elites who capture ideological knowledge on the car-shaped altar, to use power through cultural discourse. This study uses a qualitative method with an interpretive descriptive approach. Primary data was obtained through observation and interviews with informants determined by purposive sampling, and secondary data through literature study. Data analysis with the post-structuralism approach, Foucault's power genealogy methodology, and theory of discourse-power-knowledge relations are also from Foucault. The results of the study show that the dominance of the discourse of local elites in *Karang Dawa Nusa Penida* causes the ideology of traditional sign language about the vehicle of the gods to be exceeded, and the symptoms of cultural anomalies are strengthened through the power-knowledge-truth relation. The cultural discourse has disciplined the local community and people outside Nusa Penida, to attend prayers or to travel to Paluang Temple.

Keywords: Car-Shaped Altar, Ideological Anomaly, Discourse

1. Introduction

The most powerful phrase car in this study is intended as a work of worship architecture in the form of a sacred building or altar of worship for Balinese Hindus with the icon of a 'vehicle' car or land transportation vehicle, with a smaller size and different materials from the actual car. In the context of the location of this research in Paluang Temple, Karang Dawa, Nusa Penida, Klungkung Regency, Bali, the shape resembles a VW Beetle (VW *Kodok*) and Jeep (Suzuki Jimny). The local community strongly believes that the manifestation of God worshiped in the temple is *Ida Bhatara Ratu Gede Sakti Ngurah* and *Hyang Mami* or *Shiva-Durga* in the pantheon of the gods of Hinduism.

The architectural design of this car-shaped altar, of course, does not use the basic guideline for the design of traditional Balinese worship architecture, as is commonly done in Balinese Hindu society. Hindus in building worship architecture are based on the design guidelines for traditional Balinese worship architecture as contained in the manuscripts of *Asta Kosala Kosali*, *Dewa Tattwa*, *Kusumadewa*, *Ithi Prakerti*, *Padmabhuwana*, *Anda Bhuwana*, and others (Ida Pandita Dukuh Acharya Dhaksa, interview 2020).

This design guide, which is a "cultural discourse," has been adjusted through the policy mechanism of socio-religious arrangement in the era of the Klungkung kingdom, and is considered to have reached the golden peak of Balinese culture under the leadership of Dalem Waturenggong (1460-1490 AD) (Sidemen, et al., 1983). The design guide as a cultural discourse is the production of power relations that exist through discursive formations (Suyono, 2002; Kurniawan, 2020; Paramadhyaksa, 2021; Wirawibawa, 2021).

Foucault emphasizes that the process of disseminating discursive formations is the same as the dissemination of discourse or knowledge that distributes what is considered important and unimportant, considered true and not true. In a sense, each era has its formation and discursive group which is disseminated through discourse and signifies a regime of truth. Foucault views discourse is inseparable from power. Discourse is a means for an institution to gain power through a process of definition and exclusion (Storey, 2003). Furthermore, power is controlled by discourse, and discourse is always rooted in power. Discourse is a social practice that will always shape power relations (Foucault, 1990 in Piliang and Jaelani, 2018).

The power spreads, scattered everywhere, like an entangled net. Barker and Foucault see the productivity of this power forming capillaries that are woven into the fibers of social order, power is distributed in social relations (Barker, 2005; Foucault, 2002). Discourse can strengthen a regime of truth, as well as marginalize other regimes. Internally through the narrowing of meaning in the production and reproduction of texts (discourse) and externally through the formation and dissemination of discourse through institutions (Suyono, 2002).

The relevance of Foucault's thought with the ultimate context of *palinggih mobil* as a cultural discourse lies in the relation of knowledge and power in Bali in producing discursive formations to strengthen a regime of truth. The formation of discursive formations or groups through this "ideological" discourse greatly influences the episteme, range of reasoning, and the Balinese experience of their culture.

This phenomenon is increasingly interesting to study with a critical approach to Cultural Studies, intending to reveal the strength of the discourse-power-knowledge relation that lies behind the ideological anomaly of the vehicle of the gods on the car-shaped altar. A number of these statements can be formulated into research questions, namely: (1) How does the discourse of knowledge behind myths move the agents and community structures of Karang Dawa Hamlet, Nusa Penida so that the convention of the language of symbolic signs of mainstream worship altar architecture is exceeded? (2) What are the symptoms of cultural and ideological anomalies of the vehicle of the gods on the car-shaped altar at Pura Paluang?

2. Discussion

The existence and guidelines for building worship altars in the style of traditional Balinese architecture can be seen in several *lontars*, such as *Asta Kosala Kosali* (Development Team, 2009), *Dewa Tattwa lontar*, *Kusuma Dewa*, *Ithi Prakerti* (Soebandi, 2000), and others. The work of academic researchers related to traditional Balinese architecture and the results of research from domestic and foreign researchers who describe the existence of the *Palinggih* and several temples in Bali are quite numerous, including Books on Traditional Balinese Architecture (Gelebet, 2002), *Pura Besakih* (Fox, 2010), *Architecture Hindu Sacred Buildings Based on Asta Kosala-Kosali* (Dwijendra, 2008), *Bali Sekala and Niskala* (Eisman, 1992), *Island of Bali* (Covarrubias, 1972), *Profile of Kahyangan Jagat Temple in Bali* (Development Team, 2012), *Bali Cultural Heritage* (Laksmi et al, 2011), *Temples of Unity in Diversity in Bali* (Ardhana et al., 2020), and others. A number of these libraries try to provide a description of the temple and its shrine (*Palinggih*) with the perspective of the scientific background of researchers, but are still oblivious to the existence of Paluang Temple with two iconic car shrines (*Palinggih*) located in Nusa Penida. Meanwhile, the results of a study conducted by Suyoga and Anadhi (2018) show the strength of the power-knowledge relationship at Pura Paluang, as well as the results of the Suyoga study (2019) showing some identity struggles from the existence of a car altar at Pura Paluang.



Figure 1: Car-shaped altar at Paluang Temple Nusa Penida, Bali

Source: I.P.G. Suyoga, 2020

Understanding the Ideology of the Rides of the Gods (*Wahana Dewata*)

Ideology in Habermas's thinking or referring to the Critical Theory tradition is not the same as understanding ideology in general. If in general, ideology is defined as a comprehensive and in-depth view or value system about the goals to be achieved by society as well as about the ways that are considered good to achieve those goals (Hermawan, 2001), then in Habermas's thinking or the Critical Theory tradition, the use of the word ideology refers more to "false consciousness or social illusion." In other words, the use of the word ideology by Critical Theory is intended to describe false ideas or beliefs that are widely considered true and are used to support certain institutions and perpetuate domination relations supported by that ideology (Lubis, 2016; Dwijendra, 2003).

Wahana Dewata is an idea about depicting the mounts or vehicles of the Gods (*Dewa*) in Hinduism. *Wahana Dewata* uses the form of mythological animals as described in *Pangideran Dewata Nawa Sanga*. *Wahana Dewata* is one of the complete attributes of the Gods who rule the cardinal directions, in addition to *sakti/istri*, *neptu*, colors, weapons. The *Wahana Dewata* is shown in Table 1.

Table 1: Rides of the Gods (*Wahana Dewata*) in the *Pengideran* of *Dewata Nawa Sanga*

Direction	God (<i>Dewa</i>)	Vehicle (<i>Wahana</i>)
1. East	<i>Iswara</i>	elephant
2. Southeast	<i>Mahesora</i>	Lion
3. South	<i>Brahma</i>	Angsa
4. Southwest	<i>Rudra</i>	Cow

5. West	<i>Mahadewa</i>	Dragon
6. Northwest	<i>Sangkara</i>	Buffalo
7. North	<i>Wisnu</i>	<i>Garuda</i>
8. Northeast	<i>Sambu</i>	<i>Wilmana</i>
9. Middle	<i>Siwa</i>	<i>Lembu Nandini</i>

Lord Shiva's vehicle (*Wahana Dewa Siwa*) in the sensing (*pengideran*) structure uses *Lembu Nandini*, as well as other gods riding certain types of animals or birds that are commonly encountered in the daily life of traditional agrarian societies. Thus the formation of the symbol of the vehicle of the gods (*Wahana Dewata*) is very dominant in the nuances of an agrarian ideology with a strong foundation of mythical and mystical knowledge that has become a habitus in the structure of Balinese society (Dwijendra, 2020).

Unlike the case with the architectural work for the symbol of the vehicle of Lord Shiva (*Wahana Dewa Siwa*) which is held at Pura Paluang, it is depicted as a car. The car is a product of industry and capitalism. Thus the formation of the symbol of the divine vehicle (*Wahana Dewata*) is influenced by a market ideology based on industrial/capitalist culture with the dominant power of realist knowledge and the strong individual norms of its cultural agents. The process of shifting the ideology of the vehicle of the gods occurs because the language of traditional signs is exceeded and cannot be separated from the symptoms of cultural anomalies (developed from Kontuwijoyo, 2006).

Going Beyond Traditional Sign Language

The design standards for traditional Balinese worship architecture are loaded with socio-religious values and norms as a complete link between *tattwa*/philosophy, ethics-morals and ceremonies or rituals. The values that underlie every development are for *parhyangan* architecture (worship), *pawongan* architecture (residential buildings and death buildings), and *palemahan* architecture in the form of spatial planning, land and complementary buildings and public facilities. The guide to mainstream Balinese Traditional Architecture was at least established until the 19th century at the beginning of the colonial era.

Cultural reproduction that appears as a symbolic sign and is based on the norms of the standard is what drives the construction of the worship architecture of the Balinese people. However, if it refers to Foucault's perspective, they are not driven by values and norms but compromise with the discourse conveyed by people who have the power to speak on behalf of these values in building the architecture of their worship (developed from Foucault, 2002). Thus, the form of a car altar that does not follow the values and norms of the construction of a mainstream traditional altar, shows that there is a strong discourse conveyed by local agents/elite so that it is not commensurate with the mainstream Balinese traditional worship building.

Discourse through myth, mentions that *Ratu Gede Ngurah* and *Hyang Mami* as gods (*Dewata*) who reside in Paluang Temple conduct inspections by driving a car to monitor, protect and grant safety to the entire community (Jro Mangku Suar, June 2020). The strong power of knowledge behind the mythical discourse has received a positive response from local elites and various groups in Karang Dawa Hamlet and has mobilized agents or local elites of the Karang Dawa community to realize his vehicle (*Wahana*) in the form of the sacred *Pelinggih* building with the icon of a car.

Cultural Anomaly

The study of the symptoms of cultural anomalies sees a symbolic process transforming. A product of culture can become no longer supported by its social institutions, or by the mode of the social organization of the culture. Cultural contradictions can occur so that they can paralyze their social foundations (Kontuwijoyo, 2006). Kontuwijoyo in the same source previously tried to elaborate on the sociological thought of Williams (1981), that there are three main components in the sociology of culture, namely cultural institutions, cultural content, and cultural effects or norms. In other words, cultural institutions ask who produces cultural products, who controls

them, and how that control is exercised. Cultural content asks what is produced or what symbols are sought, and cultural effects ask what consequences are expected from the cultural process.

Kontuwijoyo then constructs the history of Indonesia and its symbolic process into three historical categories, namely: traditional patrimonial, capitalist, and technocratic. While the symbolic process of each historical category is divided into three, namely institutions, symbols, and norms. The term historical category is used instead of a period, meaning that the categories are not always in alternating order, but can overlap each other, even though there is chronological order. The reconstruction of his thinking is shown in Table 2 below:

Table 2: Indonesian History and its Symbolic Process

History Category	Symbolic Process		
	Institution	Symbol	Norm
Patrimonial Traditional	Abdi Dalem Society	Mythic	Communal
	King		
	Command	Mythic	Obedience
Capitalist	Professional		Individualist
	Market	Realist	
	Tender		
Technocratic	Professional		Modification
	State	Pseudorealis	Behavior
	Order		

Source: Developed from Kuntowijoyo, 2006: 6

Kontuwijoyo further stated the possibility of a cultural dichotomy in one category and also symptoms of cultural anomalies at the end of each historical category. In a patrimonial society, for example, there will be a social and cultural dichotomy between the nobility and the peasants. There is court culture and there is folk culture, each of which has its institutions, symbols, and norms. Likewise in the capitalist category, it has a cultural dichotomy in high culture and popular culture, with its institutions, symbols, and norms. In this case, Sorokin (1964) reminds us that even though the dichotomy exists, there is also cultural mobility, up or down, which causes both institutions, symbols, and norms to transform.

Kontuwijoyo's ideas can be used as a basis for analysis that the iconic *Palingih* car as a symbol of worship shows that the people of Karang Dawa at the time of the idea of building a worship symbol by taking a shape resembling a car, can be categorized into the category of capitalist history. Individual norms as a normative aspect in the symbolic process can be seen from the no longer using the standard form of the traditional Balinese altar to worship idols, but using a new, more realistic form as a vehicle, namely the iconic car. In other words, it can be stated that there has been a shift in the choice of altar form that deviates from the general tradition of worship architecture. This cultural anomaly can certainly be understood from the strong influence of capitalist culture with its market ideology in introducing new things that are more trendy at that time. The realist form of the car as a means of transportation is then considered very adequate to be presented as a vehicle of the gods. Its function is transformed into a vehicle for idols, it is even believed to be able to fly to facilitate the process of supernatural protection and can speed up the process of providing help to people who need it, wherever they are (Jro Mangku Suar, interview June 2020).

The idea of an altar in the form of an individual car was realized at the Paluang Temple which was originally owned by an individual. The history of Pura Paluang tells that at first Pura Paluang was built on dry land owned by a resident so that automatically the temple was a private temple or a family temple. Then after the crowds of people from outside Karang Dawa Hamlet, Nusa Penida came to pray or visit to find out the existence of the car-shaped altar, its ownership and management were handed over to the traditional village institution. Since then its management has been carried out by the temple organization (*Pamaksan*) and the status of Paluang Temple later became one of the properties of the traditional village with the status of a territorial temple. Now the existence of Pura Mobil is widely known, the people who attend are both Hindus and non-Hindus from within and outside the country (Jro Mangku Suar, interview June 2020).

The strength of the power relation of knowledge in myth was developed by intellectual actors, namely religious leaders (*Pemangku*) with traditional leaders and the Karang Dawa Hamlet service. The knowledge behind the myth is captured and developed as power through symbolic signs or the sacred *Palinggih* building in the form of a car. Then the power of discipline relation works to discipline the community body of Dusun Karang Dawa to be obedient and obedient in the practice of worship in the two sacred buildings with the iconic car, and other sacred buildings in Paluang Temple. The power of discipline has even expanded to discipline the community outside the Karang Dawa Hamlet. This body discipline is not only a form of fulfilling desires and expectations, the glue of social relations but has become an ideology.

If you refer to the thinking of Thompson (2003), which reveals that the function of ideology is as a glue for social relations that binds members of society together by applying collectively agreed values and norms. Although it seems that Thompson's statement about ideology is criticized by Foucault who states that people are not moved by conventions of values and norms, but by discourses delivered by people who have the power to speak. However, the power and domination relations that are intrinsic to the depths of ideology reflect the power of discourse. Discourse in the sense of language practice or words carried out by dominant actors in Karang Dawa Hamlet. Thus, the social meaning of ideology is also constructed in the discourse, so that it can be said that solidarity and even solidity are maintained, and the unity of steps is also maintained thanks to the ideology of the vehicle of the gods.

On the other hand, Danesi explains that buildings can be "read" as narrative texts with specific meanings (Danesi, 2012). Thus, architecturally, the design of *Palinggih* cars is influenced by certain car manufacturers' brands (VW and Suzuki). The design of the car (a mass industrial product of the era of the Industrial Revolution 2.0), was transformed into a religious symbol or religious sign. In particular, these two types of cars were quite popular in the colonial era and were seen as being able to represent the Family Wagon-family vehicle (VW Beetle) and operational vehicle (Jimny) which were inspired by the reliable vehicles of today's tourists. Both options are believed to be appropriate for *Dewa Shiva-Durga's* vehicle when only with internal family members, and when he is carrying out field duties monitoring the people or community of Karang Dawa, Nusa Penida either at home or overseas (Jro Mangku Suar, interview June 2020).

The design of the car altar is different from the standard of Balinese traditional worship architecture which stipulates certain provisions in building worship altars (forms, materials, and development ethics) which are categorized as high taste standards, noble values, and are "high culture." Thus, *Palinggih* cars whose designs are outside the traditional values and norms can be categorized as "popular culture." This is following Piliang's thinking, which understands that religious practices in popular culture have developed along with industrialization, mass production, and mass media. Religious practices are displayed, carried out, understood, and carried out as an inseparable part of the process of industrialization, mass production, and mass media. Religion (religious symbol) is presented and carried out as the fulfillment of mass desires (Piliang and Jaelani, 2018; Idedhyana 2020; Wijaya 2021).

Conclusion

The car altar at Paluang Temple, Nusa Penida is a Hindu religious symbol to *stana* the manifestation of God with the titles *Ida Bhatara Ratu Gede Ngurah* and *Hyang Mami* (a term in local theological terminology) or *Shiva Durga* in Hindu theological terminology.

The unique architectural design of this car altar, which is "free" from the grip of mainstream Balinese traditions, has become an architectural existence that is different from several large temples in Nusa Penida. This is inseparable from the dominance of the local elite in capturing and developing the power of knowledge through internal discourse in Karang Dawa, and has even been able to discipline the wider community to visit Paluang Temple.

The strong power of discourse-knowledge-truth behind mythical discourse has moved agents or local elites of the Karang Dawa community to realize their vehicle (*Wahana*) in the form of an iconic car altar so that it can be

categorized as "popular culture." The process of shifting the ideology of the vehicle of the gods occurred because of the transcendence of the traditional sign language and the strong symptoms of cultural anomalies.

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Political Instability and Economic Growth in Ethiopia: An Empirical Analysis

Rania H. Khafaga¹, Samar H. Albagoury²

¹ Faculty of African Postgraduate Studies, Cairo University

² Faculty of African Postgraduate Studies, Cairo University

Abstract

This paper analyzes the effect of political instability on economic growth in Ethiopia since 2004 using ARDL regression approach to identify the existence of this correlation and the channels through which this impact happened. The paper found that political instability has a significant effect on economic growth and this impact is more significant through the direct channels more than the indirect effects through its effect on economic environment or investment and financial flows.

Keywords: Political Instability, Economic Growth, ARDL, Ethiopia

1. Introduction

Historically, Political instability was seen as one of the main obstacles facing African pathway to achieve Economic growth and Development. Many studies try to investigate this relationship and identify the channels through which political instability could affect economic growth.

In Ethiopia, political stability has been considered as one of the main obstacles that hampered economic growth in this country. Although the country manages to achieve a high economic growth recently political instability situation continuously threat the sustainability of this growth through its direct and indirect economic effects. In this paper we try to investigate empirically the linkage between political instability and growth in Ethiopia since the fall of the authoritarian regime of Mengistu using the ARDL regression model.

A lot of studies tried to analyze the nature relationship between political instability and economic growth. These literatures could be divided into two groups: the first focuses on the impact of economic growth on political instability. These studies argue that poverty, lack of resources, bad economic performance, income inequality, and other economic problems usually cause instability and public and social distortions as found in study of (Arriola, 2009) that focused on the main economic and political sources of instability in Africa using the data of 40 African countries during (1971-2001). The study found that economic growth could be considered as one of the main economic causes of political instability.

On the other hand, some studies found that accelerated rates of development in some cases leave some groups behind in what is called in economic literature: growth with no trickle-down effect. This kind of growth is usually associated after a while with political instability and increasing rates of violence. This case usually happens in rentier states when high economic growth generated from natural resources don't distribute equally between citizens and rents concentrated with a certain group in what is called "Dutch Disease" as found in (Lujala, 2010) and (Dwumfour, 2018).

The second group of studies argues that political instability could be considered as one of the main constraints that hinder economic growth and development through its direct and indirect impacts on economic variables. In other words, political instability affects economic growth through its effects on its dynamics as affecting foreign direct investment, financial markets, economic policies efficiency..etc. it also affects development and inclusion of economic growth through its effects on human capital development and income inequality and distribution in the way that could cause more social and political distortions and lead to a voracious cycle of political instability and bad economic performance as found in (Elhawary, 2010) (Samih, 2019) (Abdiweli, 2001) (Hira, 2017) (Kirmanoglu, 2003) (Gunhild, 2008).

To analyze the correlation between political instability and economic growth in Ethiopia this paper is divided into three parts; the first highlights the conceptual framework of political instability, indicators and sources. And then empirically analyzing the linkage between political instability and economic growth in Ethiopia and the last is for results and discussion.

1.1. Political Instability: Conceptual framework

One of the oldest definitions of political stability was offered by Lipstel (1960) who argued that a country is considered as stable if 'it has been a liberal and consistent democracy or dictatorship for twenty-five years. Ake (1975) focused on the type of political exchanges, thus he defined political stability as 'the regularity of the flow of political exchanges. According to his definition, Regular behaviors are those who do not 'violate' the system or the pattern of political exchanges. In other words, political stability is maintained if members of the society restrict themselves to behavioral patterns that fall within the limits imposed by political role expectations. Contrarily, any behavior that diverges from these limits is a manifestation of political instability (Bacha Kebede et al., 2020).

Political instability is also defined as the probability that the government will be destabilized or overthrown by unconstitutional or violent means, including domestic violence and terrorism (Alesina et al., 1996). Gyrimah-Brempony & Traynor (1999) defined political instability as 'the situations, activities or patterns that threaten to change or actually change the political system in a non-constitutional way (Aftab Hussain Tabassam et al.)

The definition was taken one step further by Margolis (2010) as he expands the contours of instability. For him, political stability is far more than just state stability as all political objects other than the state struggle with the question of stability of power relationships. Margolis' understanding of political instability involves two tiers namely the formal and the informal. Where the formal and the informal coincides, political stability is achieved. In his words, 'when the formal roles and structures set by authority match those constructed by informal social interaction, an object is stable.' Alternatively, when either set of roles or structures change so they conflict, an object is unstable.

In the same vein, Morrison and Stevenson (1972) define political instability as 'a condition in national political systems in which the institutionalized patterns of authority break down, and the expected compliance to political authorities is replaced by violence intended to change the personnel, policies, or sovereignty of the political authorities. However, non-violent behaviors that violate institutional and legal means of political change are also instances of political instability.

Literature has also attempted to differentiate between types of 'instability' for example, Morgolis (2010) draws a distinction between 'political stability' and 'state stability' and deems the former as broader than the later.

Furthermore, Morrison and Stevenson (1972) distinguish between three types of political instability namely elite instability, communal instability and mass instability.

Regardless the theoretical definitions of the term, measuring political instability has proven to be a challenging undertake. Since political instability in a given country cannot be measured directly, empirical studies aiming to measure political stability rely on an array of indicators also known as ‘proxies’ such as coups d’état whether they are successful or not (Fosu,1992;2002), political assassinations, revolutions, mass protests, and many other indicators that aim to capture the phenomenon (Richard Jong A-Pin, 2006)

Furthermore, indices have been developed to measure political (in)stability. One of the well-known measures is the Political Stability Index (PS), which measure the expected orderliness of political transitions according to established rules. In this index (PS) is closely related to other variable such as control of corruption (CC), Rule of Law (RL) and Government effectiveness (GE) (Bacha Kebede et al., 2020)

1.2. Political Instability in Ethiopia: Trends, Dimensions, and Drivers

In our analysis of political instability in Ethiopia, we use the world bank political stability and absence of violence index. Based on this index we will highlight the trends concerning political stability in Ethiopia between 2005 and 2019. Given the fact that these general trends mask the main dimensions and drivers of political stability, this section briefly discusses different aspects of political instability as well as the main factors that drive political instability during the period under investigation.

Political stability and absence of violence index rates countries based on their score that could take any value between -2.5 (weakest in terms of political stability) and 2.5 (strongest). Throughout the period under investigation in this article 2005- 2019, it is obvious that that Ethiopia suffers from a high degree of political instability, or as described by Bacha Kebede and his colleagues (2020) as a state that ‘has been unstable ever since its unification.’ The average negative value – even when political stability seems to improve- shows that there is a tendency for political actors to deviate from the patterns defining their political roles. In other words, there was a ‘mismatch between the formal roles and structure set by the authority and those constructed by the informal social interactions’ causing almost ‘perfect instability’ (Bacha Kebede et al., 2020)

The year 2005 signaled the beginning of deteriorating political stability that reached its lowest point in 2007 at -1.8. this was followed by slow and little improvement between 2008 and 2014 when PSI reached the value of -1.3. From this point, a sharp decline started again and continued throughout till 2019 as the country was engulfed again toward political instability.

However, this general picture drawn from the PS index, tells us very little about the drivers of political instability nor the factors that contributed to relative improvement. It also tells us very little about the different dimensions and types of political stability throughout the period under investigation. It is against this backdrop, that we will turn our focus to the different proxies for political instability in Ethiopia namely: violence associated with electoral processes, civilian protests and unrest, and ethnic communal conflicts. We will then briefly discuss the main factors that could explain this state of instability in Ethiopia.

1.3. Electoral process and instability in Ethiopia

Throughout the 15 years that followed the fall of the authoritarian regime of Mengistu, there were five multi-party elections in Ethiopia, none of them was detrimental to Ethiopia’s political stability as the 2005 elections, which explain the declining trend in political stability that started in 2005 till 2007.

The general elections of 2005 were exceptional in more than one aspect (Lahra Smith, 2007). **First**, it was the first election since the 1991 transition that saw a significant participation of opposition political parties, after they boycotted elections in 1992 and 1995. In 2000 elections, some major opposition parties decided to take part, but they were unable to challenge the ruling party effectively and won only twelve seats in the House of People’s Representatives, which remain largely dominated by the ruling coalition. **Second**, it was not the mere participation

of opposition parties that made a difference, but the quality of this participation that seems to challenge the EPRDF control over political life. Leading political opposition namely the United Ethiopia Democratic Forces (UEDF), and the Coalition for Unity and Democracy (CUD), as well as smaller parties such as the Oromo Federalist Democratic Movement (OFDM) all Campaigned on specific promises and policy positions. In the debates that preceded the elections, they tackled difficult issues such as land ownership, economic development, and even the underpinning principles of ethnic federalism itself (Lahra Smith, 2007) **Third**, the political environment was more open compared to previous elections. The ruling coalition agreed to introduce some reforms such as amending electoral law, allowing international observers, and opening up the political space so that opposition parties could enjoy balanced media coverage and fair and equal access to state-controlled media (Christian Opitz et al., 2013)

However, what started as an unprecedented experience in the history of Ethiopia's politics changed drastically to be one of the most violent electoral processes. Preliminary results indicated that the opposition was likely to obtain a surprisingly large numbers of seats in the parliament. When confronted with an unexpected challenge to its dominance, the EPRDF used its power over the NEBE to manipulate the results (Christian Opitz et al., 2013). Final results showed an increase in the opposition share of seats from just 12 to 173 seats with the EPRDF still holding onto its parliamentary majority. These results were challenged by the opposition and its supporters and the opposition decided to resort to civil disobedience, a step that the government considered unconstitutional and a pretext to armed rebellion. Consequently, the government started its clamp-down on opposition with oppositions parties' leaders arrested, and hundreds of people massacred during anti-EPRDF demonstrations. (Melakou Tegegn, 2008 & Lahra Smith, 2007)

Following 2005 elections, the ruling EPRDF managed to eliminate any challenge from opposition parties. In 2010 opposition parties won only one seat in parliament and in the subsequent 2015 elections, the EPRDF won 100% of the seats in parliament (ACLED, 2017)

1.4. Inter-ethnic and communal conflicts

A second line of conflict has been the persisting violent inter-ethnic and communal conflicts. Being one of the most multi-ethnic societies, a consistent feature was conflict between communities over a wide range of issues, ranging from disagreement over *killil* (region of federal unit) borders and grazing lands, as well as power struggles among communal groups to assert their control over regions (Semir Yusuf, 2019).

Unlike the violence associated with the elections, which appears only during periods of electoral processes, community conflicts are a constant feature of Ethiopia's political life. Even though the adopted ethnic federalism system created largely ethnic-based territorial units, these units are multi-ethnic in their composition, rendering competition between these ethnicities overpower, dominance and resources inevitable.

In the Amhara region for example, the Qemant community is demanding autonomy within the Regional State. Although the Amhara government granted self-rule to the Qemant in 69 districts in 2017, there are fears amongst the community that Amhara government officials would gradually seek to control surrounding Qemant kebel. The Qemant issue should not also be isolated from a long-standing Amhara- Tigray deteriorating relations and territorial disputes the leaders of the National Movement of Amhara (NAMA) perceive the issue as a 'form of proxy war waged by the TPLF' (William Davison et al., 2018 & Semir Yusuf, 2019)

Another case to illustrate this aspect of political instability, is the conflict between contending Oromo and Amhara nationalisms over the Oromo Special Zone in the Amhara region. This zone enjoyed self-autonomy for over two decades, however, plans have emerged to scrap that zonal status, creating intercommunal conflict in the region (Semir Yusuf, 2019).

1.5. Civilian Display of Protest

Protest movements are functions in socioeconomic deprivation and/or political marginalization as argued by Leonardo R. Arriola (2013). According to him measures reflecting great control of resources, whether

organizational or material are associated with higher likelihood of protest. Similarly, greater repression of dissent also increases the likelihood of protest related violence.

The most recent wave of political instability that engulfed Ethiopia from 2015 up until 2018 was characterized by mass mobilization and protest movements. From November 2015, anti-government protests-commonly referred to as the 'Oromo protests'- swamped the country. These protests initially erupted in Oromia against the controversial 'Addis Ababa Integrated Regional Development Plan' Also known as the Master Plan. Mass mobilization for these movements started earlier around April- May 2014, when students across several locations in Oromia Regional State protested the Master plan.

Data from Armed Conflict Location and Event Dataset (ACLED) showed fluctuations in the intensity of protests, numbers of protests and riots dropped sharply from 56 in October 2016 to only 2 in January 2017. (ACLED, 2017). This significant reduction in riots and protests, however, was accompanied by an increase of political and ethnic militia activity, as well as battles involving security forces and foreign- based rebel groups, especially in Oromia, Amhara and Tigray. (ACLED, 2017). This could be explained in the light of government's response to these protests that range from imposing the state of emergency, the use of legal tools to criminalize protesting as an act of terrorism, and the excessive use for force by law enforcement agencies. Confrontations between protestors and security forces resulted in resulted thousands of casualties and tens of thousands of arrests for terrorism offences. Few remarks worth mentioning regards the mass protest movements. **First:** that what started as 'Oromo protests' have soon spread to several parts of the country. In the SNNPR for example university students held various protests and sit ins. Those who joined the mobilization and protest movements across the country resented the government response to the Oromo movement. This act of solidarity is particularly striking between the Amhara and the Oromo given the long-standing historical tensions as well as differing political agendas. **Second,** A combination of factors has contributed to the 2015 protests amongst which economic exclusion, lack of economic opportunities, soaring inequality, high rate of youth unemployment, corruption and failure on the part of the state to adequately respond to these problems. **third,** protest movements were in large urban-based. Rural populations are perceived to have achieved small but significant economic and sociocultural gains as material improvements in social services and rural infrastructure have exceeded those of previous regimes in modern Ethiopian History. On the other hand, the Urban population is extremely hostile to regimes in power, and much easier to mobilize (Lahra Smith, 2007). This remark is consistent with various theoretical traditions explaining political instability. For example, proponents of frustration- aggression theory, claim that modernization produces instability because of 'the frustrating ways in which people are pulled out of their different traditional cultures into modern economic and national political systems'(Morrison and Stevenson, 1972). Similarly, proponents of the theory of cultural pluralism, see modernization as a cause of political instability by superimposing lines of economic stratification on lines of cultural cleavage (Morrison and Stevenson, 1972)

2. Political Stability and Economic Growth in Ethiopia:

2.1. Methodology

To investigate the relationship between political instability and economic growth in Ethiopia, Auto Regression Distributed lag (ARDL) Cointegration Approach is adopted. The ARDL Bounds cointegration test was developed by Pesaran and Shin (1999) and extended by Pesaran et al. (2001).

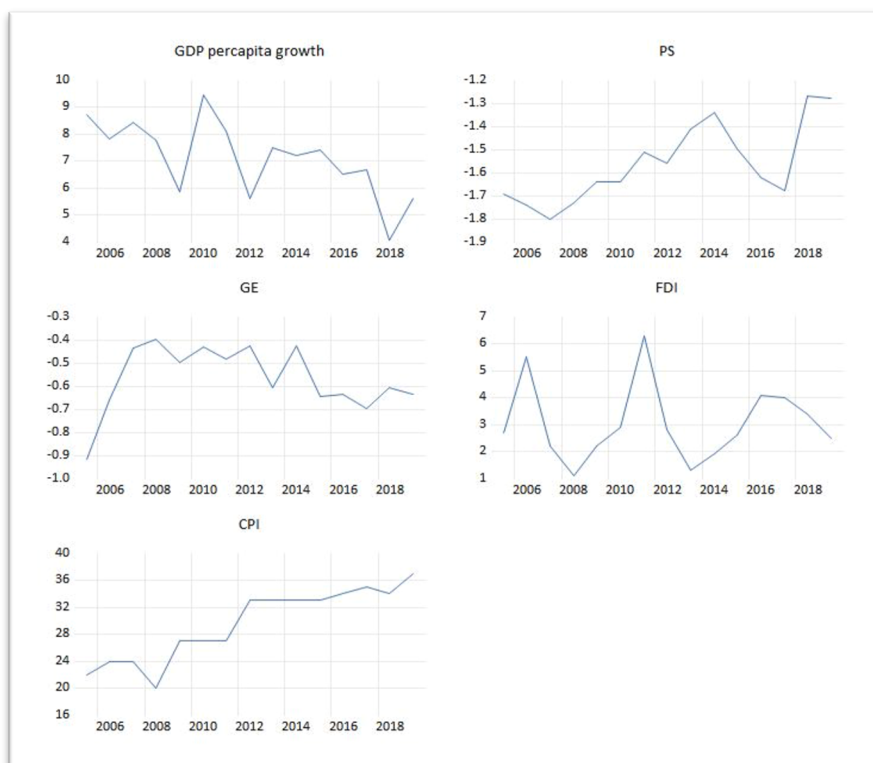
This paper uses annual data on Ethiopian Economy between 2005 and 2019, the variables include both political and economic variables represent the direct relationship between economic growth measured by annual GDP per capita growth rate and political stability measured by world bank political stability and absence of violence index; and the indirect impacts through other variables as corruption measured by corruption perception index, government effectiveness index of the world bank, and foreign direct investment. The following table shows the variable used and its sources.

Table 1: Model variables and their sources

Variable	Definition	Source
GDP	Growth rate of real gross domestic product per capita	World bank on line data bank
PS	Political stability & Absence of violence index (-2.5 weak; 2.5 strong): measures the likelihood that the government of the country will be destabilized or overthrown by unconstitutional or violent means including politically motivated violence and terrorism.	World Bank Governance indicator database
GE	Government Effectiveness index (-2.5 weak; 2.5 strong): it captures perceptions of the quality of public services, the quality of the civil services and the degree of its independence from political pressures, the quality of policy formulation and implementation, and the credibility of the government’s commitment to such policies.	World bank governance indicators online data base
CPI	Corruption Perception Index, capture the country perceived levels of public sector as determined by expert assessments and opinion surveys.	Transparency international report 2021
FDI	Foreign Direct Investment: capture the net flow of FDI	World bank on line data bank

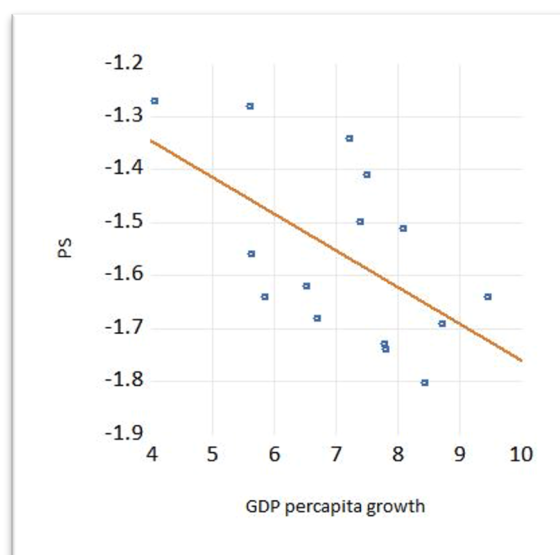
2.2. Data Description

For a better understanding of Ethiopian performance in the areas related to our discussion during (2005-2019) the following graphs shows the annual data of Ethiopia.



From the previous graph, we can conclude that although Ethiopia manage to achieve a relatively high economic growth rates during the study period but in real terms the real GDP per capita growth rates that reflects more the economic conditions of Ethiopian citizens tells another story. The Ethiopian government could not maintain the high growth rates, and the general trend of the per capita growth was decreasing over the study period. This could be understood given that the growth rate driver in Ethiopian economy was not a reflection of a real transformation in its economic structure rather an external push especially in the investment related to infrastructure leads to a non-permanent or temporary growth in service sector value added.

On the other hand, the political stability status in Ethiopia measured by the political stability index shows a decreasing trend during the study period reflecting an enhancement in the political stability status in Ethiopia. Although a sharp deterioration in the index in the period (2014-1017) because of the protests of the Oromo against the government development plans that include the acquisition of Oromo land to Addis Ababa territory. The direct relationship between Economic Growth and Political Stability in Ethiopia during (2005-2019) as shown in figure (2) was negative and strongly significant with (-0.57) correlation coefficient.



2.3. Model Estimation and Results

although ARDL model doesn't assume the same level integration of the variables, the unit root test is still important as pre-test to make sure that the variables are either stationary at level or at the first difference I(0) or I(1). By applying augmented dickey fuller unit root test we find that both GDP per-capita and FDI are stationary at level I(0), while ps, ge, cpi are stationary at the first difference I(1). So ARDL bounds test approach pf cointegration could be applied since all variables are I(0) and I(1).

Table 2: ADF stationarity test results

variable	t-test probability at level	t-test probability at 1 st difference	Decision
GDP per capita	0.0465	--	I(0)
PS	0.0873	0.0044	I(1)
GE	0.3497	0.0003	I(1)
FDI	0.0083	--	I(0)
CPI	0.6686	0.0475	I(1)

E-views 11 results

To estimate the long-term relationship or cointegration ARDL model is estimated. From the estimation result the PS is the only significant factor that affecting GDP. This result suggests that the direct effect of political stability on economic growth is more significant than any indirect effects in Ethiopian case.

For estimating the direct impact of PS adopting the bounds test of cointegration between gpd per capita and political stability, the test assures the existence of a cointegration or a long-term relationship between political stability and growth as F-statistics is higher than the upper limit of the bounds test.

```

Autoregressive Distributed Lag Estimates
ARDL(0,0,0,0) selected based on Akaike Information Criterion
*****
Dependent variable is GDP
19 observations used for estimation from 2001 to 2019
*****
Regressor          Coefficient      Standard Error    T-Ratio[Prob]
PS                 -6.1092         2.1260           -2.8736[.012]
GE                 6.2306         4.4783           1.3913[.184]
FDI                .24485         .59599           .41083[.687]
CPI                .0030041       .11545           .026020[.980]
*****
R-Squared          .27098         R-Bar-Squared     .12517
S.E. of Regression 3.4161         F-Stat.   F(3,15)      1.8585[.180]
Mean of Dependent Variable 6.1077         S.D. of Dependent Variable 3.6523
Residual Sum of Squares 175.0449         Equation Log-likelihood -48.0556
Akaike Info. Criterion -52.0556         Schwarz Bayesian Criterion -53.9444
DW-statistic       2.1041
*****

```

Dependent Variable: GDP_PERCAPITA_GROWTH
Method: ARDL
Date: 07/02/21 Time: 14:41
Sample (adjusted): 2004 2019
Included observations: 16 after adjustments
Maximum dependent lags: 4 (Automatic selection)
Model selection method: Akaike info criterion (AIC)
Dynamic regressors (4 lags, automatic): PS
Fixed regressors: C
Number of models evaluated: 20
Selected Model: ARDL(4, 3)

Variable	Coefficient	Std. Error	t-Statistic	Prob.*
GDP_PERCAPITA_GROWTH(-1)	-0.227391	0.124433	-1.827416	0.1104
GDP_PERCAPITA_GROWTH(-2)	-0.376030	0.123258	-3.050760	0.0186
GDP_PERCAPITA_GROWTH(-3)	0.120477	0.107713	1.118500	0.3003
GDP_PERCAPITA_GROWTH(-4)	-0.227427	0.117859	-1.929663	0.0950
PS	-6.443102	2.494018	-2.583422	0.0363
PS(-1)	0.036359	2.547961	0.014270	0.9890
PS(-2)	5.740647	3.173744	1.808793	0.1134
PS(-3)	-8.669348	3.332377	-2.601550	0.0353
C	-2.279373	4.773340	-0.477522	0.6475
R-squared	0.777185	Mean dependent var	7.321619	
Adjusted R-squared	0.522539	S.D. dependent var	1.595242	
S.E. of regression	1.102288	Akaike info criterion	3.330975	
Sum squared resid	8.505278	Schwarz criterion	3.765556	
Log likelihood	-17.64780	Hannan-Quinn criter.	3.353229	
F-statistic	3.052026	Durbin-Watson stat	2.355686	
Prob(F-statistic)	0.079652			

*Note: p-values and any subsequent tests do not account for model selection.

Levels Equation				
Case 2: Restricted Constant and No Trend				
Variable	Coefficient	Std. Error	t-Statistic	Prob.
PS	-5.458138	1.723959	-3.166048	0.0158
C	-1.332678	2.691532	-0.495137	0.6357
EC = GDP_PERCAPITA_GROWTH - (-5.4581*PS - 1.3327)				
F-Bounds Test				
Null Hypothesis: No levels relationship				
Test Statistic	Value	Signif.	I(0)	I(1)
Asymptotic: n=1000				
F-statistic	28.17176	10%	3.02	3.51
k	1	5%	3.62	4.16
		2.5%	4.18	4.79
		1%	4.94	5.58
Finite Sample: n=35				
Actual Sample Size	16	10%	3.223	3.757
		5%	3.957	4.53
		1%	5.763	6.48
Finite Sample: n=30				
		10%	3.303	3.797
		5%	4.09	4.663
		1%	6.027	6.76

ARDL Error Correction Regression
 Dependent Variable: D(GDP_PERCAPITA_GROWTH)
 Selected Model: ARDL(4, 3)
 Case 2: Restricted Constant and No Trend
 Date: 07/02/21 Time: 14:45
 Sample: 2000 2019
 Included observations: 16

ECM Regression				
Case 2: Restricted Constant and No Trend				
Variable	Coefficient	Std. Error	t-Statistic	Prob.
D(GDP_PERCAPITA_G...	0.482980	0.158544	3.046341	0.0187
D(GDP_PERCAPITA_G...	0.106951	0.109701	0.974932	0.3621
D(GDP_PERCAPITA_G...	0.227427	0.101962	2.230515	0.0609
D(PS)	-6.443102	1.841227	-3.499352	0.0100
D(PS(-1))	2.928700	2.089427	1.401676	0.2038
D(PS(-2))	8.669348	2.729157	3.176566	0.0156
CointEq(-1)*	-1.710371	0.164078	-10.42413	0.0000
R-squared	0.968536	Mean dependent var		0.656563
Adjusted R-squared	0.947560	S.D. dependent var		4.245149
S.E. of regression	0.972127	Akaike info criterion		3.080975
Sum squared resid	8.505278	Schwarz criterion		3.418983
Log likelihood	-17.64780	Hannan-Quinn criter.		3.098284
Durbin-Watson stat	2.355686			

* p-value incompatible with t-Bounds distribution.

To estimate the short-term effect of political stability on economic growth, an error correction model is estimated. The result suggests the existence of the effect of political stability on economic growth in the short term with a correction level of -1.71.

The previous model tried to estimate both direct and indirect impacts of political stability on economic growth in Ethiopia. The result suggests the existence of a direct impact of political stability on Ethiopian economic growth and to analyze this effect in more detail, the paper estimate both long term and short-term impacts of political stability using ARDL bounds test approach of cointegration and error correction model. The results suggest that political stability have a significant impact on economic growth both in short and long term.

3. Conclusion

This paper has analyzed the effect of political instability on economic growth in Ethiopia since 2004 using ARDL regression approach to identify the existence of this correlation and the channels through which this impact happened.

The previous model tried to estimate both direct and indirect impacts of political stability on economic growth in Ethiopia. The result suggests the existence of a direct impact of political stability on Ethiopian economic growth and to analyze this effect in more detail, the paper estimate both long term and short-term impacts of political stability using ARDL bounds test approach of cointegration and error correction model. The results suggest that political stability have a significant impact on economic growth both in short and long term.

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Social Warranty in Group Migrant Informal Sector Vendors

Slamet Santoso¹, Ishomuddin², Rinikso Kartono³, Tri Sulistyarningsih⁴

¹ Universitas Muhammadiyah Ponorogo, Ponorogo, Indonesia

^{2,3,4} Universitas Muhammadiyah Malang, Malang, Indonesia

Correspondence: Robby Darwis Nasution, University of Muhammadiyah Ponorogo, Ponorogo, Indonesia.

Email: darwisnasution69@gmail.com

Abstract

This study aims to understand the form of social action in the kinship of migrant informal sector vendors and understand the values that underlie the formation of social warranty. The research paradigm used in this study is the social definition paradigm, using a qualitative approach and an ethnographic type of research. The technique of determining the research subjects used purposive sampling and data collection techniques using interview and observation techniques. Data analysis techniques using interactive models and data validity checking techniques using data source triangulation. The results of the study conclude that: a) The social action of migrant *angkringan* vendors in deciding to open an *angkringan* business in Ponorogo City is an Instrumental Social Action (Zwerk Rational); b) The existence of the *angkringan* merchant group cannot be separated from the kinship values that underlie the relationship between them; c) Kinship relations, whether based on marriage or social kinship, have fostered values of mutual assistance or mutual assistance, mutual support for business, and tolerance between Vendors, which supports the continuity of the *angkringan* business in Ponorogo City; d) The values that have become customary in kinship groups of migrant *angkringan* vendors have formed social warranty, and e) Social warranty makes the business of the migrant *angkringan* vendor's group stronger, able to face business competition, and able to meet the economic needs of their families

Keywords: Social Warranty, Informal Sector, Migrant Vendors

1. Introduction

The existence of the informal sector can be viewed from both a negative and a positive side. From the negative side, the existence of the informal sector is often considered to interfere with traffic, city beauty, and cleanliness. The existence of the informal sector is often considered to interfere with the smooth flow of traffic in urban areas so local government officials always try to bring it into order. These control efforts often get resistance from informal sector business actors. Demonstrations of informal sector business actors protesting the efforts to control the informal sector businesses are often found and often end in clashes between local government officials and business actors (Rukmana, 2008).

There are still many local governments that do not anticipate the development and unavailability of business places for informal sector business actors, especially street vendor businesses, in urban areas. This has an impact in urban areas where many community activities are always used as business locations for street vendors because the area

is considered strategic for developing their business. Areas that are often considered strategic include residential areas, trade, offices, and other public facilities. Unorganized places of business with various physical forms and seem perfunctory are considered to disturb the beauty of urban areas that have been built with good and beautiful planning. The activity of street vendors in strategic areas, according to the local government, reduces the quality of the urban environment which should be neatly organized and kept clean (Maladi, 2014).

Seen from the positive side, the existence of the informal sector has turned out to be able to independently create a job, be able to absorb labor as an effort to reduce unemployment, and provide basic material needs for the community, especially the middle to lower economic class. In this case, the informal sector has been able to become a community economic savior that has been tested and has not been shaken by the impact of the economic crisis (Brata, 2010). The informal sector has proven to have been able to become one of the economic activities that grew in urban areas starting from the economic crisis in 1998. This is corroborated by Bappemas notes that during the economic crisis the role of the informal sector became important as an alternative to providing employment opportunities when development programs were still unable to employ in the formal sector (Dimas, 2008).

Apart from the negative and positive sides related to the existence of informal sector businesses, one interesting phenomenon to be studied in more depth is that informal sector businesses can develop and survive in the face of intense business competition in urban areas. The ability to survive cannot be separated from the kinship that exists between them in which there has been an attitude of mutual help and an attitude of helping each other.

In general, kinship relations start from the existence of ties of descent and marriage, but in the development of increasingly complex social life kinship is also intertwined because of the similarity of fate, the similarity of the area of origin, and the existence of social ties within a group. This kinship by Schneider (1984) is referred to as social kinship. What is very important about kinship is the effort to build harmony in kinship relations. This harmony cannot be separated from the attitude of cooperation, a sense of togetherness, and a sense of tolerance in sorrow and joy. This sense of mutual help and mutual assistance (often called cooperation) is closely related to their various social life activities (Koentjoroningrat, 2015).

A sense of wanting to help each other and a sense of togetherness in kinship relationships create a life of mutual help and this becomes the foundation for their survival. Through this life, human attitudes or behavior are manifested in carrying out their responsibilities in fostering relationships and continuity of life between people. A life of mutual help is based on an atmosphere of openness among others, trust in each other, and finally, a reciprocal relationship that is given and taken.

The habit of carrying out mutual assistance or cooperation in kinship relationships becomes very important and valuable for human life in building togetherness and a sense of sharing in facing various life problems. Thus, it can be seen that the helping behavior of the community is a manifestation of the personality identity contained in cultural forms, where every form of culture certainly has a function for the supporting community.

The relationship of kinship has a close relationship with survival, especially for business actors in overseas areas. Business actors in overseas areas or often called migrant vendors, often form groups based on kinship relationships and establish relationships that help and cooperate. According to Harahap (2011), this kinship turns out to have a big role for overseas business actors (migrant vendors) to get the opportunity to develop their economic businesses in their overseas areas.

2. Method

This study uses a social definition paradigm that emphasizes meaningful actions from individuals as long as their actions have subjective meaning or meaning for themselves and are directed to the actions of others. Weber defines social relations as the actions of several different actors insofar as those actions contain meaning and are linked and directed to the actions of others (Ritzer, 2004). While the type of research used is an ethnographic type, which

is a type of qualitative research to investigate a cultural group in a natural environment over a long period in collecting primary data, observation data, and interview data (Creswell, 2010).

The location of this research is in Ponorogo which is one of the districts in the western part of East Java Province and is bordered by Central Java Province. The technique of determining informants uses purposive sampling, namely the researcher chooses deliberately and fully planning the individuals who are the research subjects and research locations so that they can assist researchers in understanding the problems studied (Creswell, 2010). Techniques for extracting data or information with in-depth interviews and observations. As for the data analysis technique using an interactive model (Miles, Huberman, and Saldana, 2014) with triangulation of data sources as a technique for checking the validity of the data.

3. Results

Migrant *angkringan* vendors entered Ponorogo City after the 1999's (post-monetary crisis). They run their business from the afternoon until midnight using small kerosene-fueled lamps (Java: *thinthir lamps* or *teplok*). *Angkringan* vendors in Ponorogo City are migrant vendors from cities in Central Java Province, such as Jogjakarta, Surakarta, Sukoharjo, and Wonogiri. They run and develop their business not individually but form a group. An *angkringan* merchant group is chaired by one vendor and has between two and six vendors as members.

The head of the *angkringan* merchant group, usually they call the boss, is an *angkringan* vendor who lives in a contact's house or owns a house in Ponorogo City with his family, owns his cart and makes his food, snacks, and drinks. Meanwhile, members of the *angkringan* merchant group are those who live in Ponorogo City, boarding houses or staying at the group leader's house, owning their cart or getting a loan from the group leader, and taking food, snacks, and drinks from the group leader. Nevertheless, both the chairman and members of the *angkringan* merchant group still received snacks from the community (especially Ponorogo City) in the form of crackers, mushroom satay, and several other snacks.

A brief description of the profiles of the informants of this research are as follows:

1. **Sandiyo.** An *angkringan* vendor from Bayat District, Klaten Regency, Central Java Province. Before opening a business in Ponorogo City, Sandiyo helped his uncle's *angkringan* stall business in Solo City from 1998 to 2000. Due to the high competition for *angkringan* stalls in Solo City and the impact of the monetary crisis, finally at the end of 2000 decided to look for business opportunities in other cities. and chose Ponorogo City to open his *angkringan* business. Before deciding to open a business in Ponorogo, Sandiyo conducted surveys and observations related to the habits of the people of Ponorogo City. According to him, the people of Ponorogo City have a habit of drinking coffee at night and almost every night the condition of the coffee shop in Ponorogo City is always crowded with buyers. The coffee shop in Ponorogo City is in the form of a permanent coffee shop, so according to Sandiyo, if there is an *angkringan* shop on the side of the road (roadside) it will be interesting and have the opportunity to develop.

Sandiyo started an *angkringan* business in Ponorogo City starting in 2000 with the location of his *angkringan* stall on Jalan Gajah Mada, east of Toko Gatutkoko. When he first opened an *angkringan* shop, the business was managed individually with the help of his wife, who made snacks, food, and drinks at the rented house on Jalan Sukarno Hatta Gang I (Jalan Aru). However, after his business developed and according to him there were good prospects, Sandiyo invited his relatives and neighbors to open an *angkringan* stall business in Ponorogo City.

The relatives and neighbors who were invited by Sandiyo to Ponorogo City immediately became members of the group of Sandiyo's *angkringan* stalls because they sold *angkringan* stalls by taking snacks, food, and drinks produced by the Sandino family. At the beginning of the business, Sandiyo still took care of the members of his group, that is, if they were not able to find a rented house or boarding house themselves, they were allowed to live together at Sandiyo's house and if they did not have an *angkringan* cart, they would borrow it because Sandiyo had five *angkringan* carts in his house. In addition, Sandiyo also sought permission from the owner of a shop or house whose front sidewalk will be occupied by his subordinates or members to open an *angkringan* stall business. Currently, Sandiyo can have his own house Jalan Dr. Sutomo Gang II Number 2 Ponorogo, and there are still two members living in the house.

2. **Winarno.** An angkringan vendor in Ponorogo City from Sukoharjo Regency, Central Java Province. Previously, Winarno was also an angkringan vendor in Sukoharjo Regency, but due to business conditions in the district, there were already many of the same Vendors and there were not many buyers, so he planned to move to another area. In 2001, Winarno decided to join his brother-in-law who had opened an angkringan stall business in Ponorogo City as well as to see business opportunities to open an angkringan stall as well. At the beginning of his entry into Ponorogo City, Winarno did not immediately open his own angkringan business but still helped his brother-in-law's angkringan shop business, and his brother-in-law still covered his housing and living needs. After about a month and convinced that there was a business opportunity, Winarno opened his angkringan shop on Jalan Diponegoro, south of the Tambakbayan intersection, but because his family had not yet come to Ponorogo City, snacks and food were still taken from his brother-in-law. Over time, around early 2002, Winarno took his family to Ponorogo City to develop an angkringan stall business. Winarno decided to contact the house on Jalan Astrokoro Ponorogo so that his wife could make her snacks and food for her angkringan business, so that from then on, Winarno became an independent angkringan vendor. As with his brother-in-law, seeing the angkringan stall business opportunity that could still be developed in Ponorogo City, Winarno also began to invite his relatives and close neighbors to open an angkringan stall business in Ponorogo City. At the beginning of the angkringan stall business for its members, Winarno took care of the members first. The members, because they are not married, are allowed to stay at Winarno's house. Winarno still borrowed the angkringan cart before its members were able to make or own it themselves. The place or location for the angkringan stall business for its members was also sought by Winarno for permission to the party whose terrace or sidewalk is used by the business. Snacks and food and drinks are also taken from Winarno. Currently, from his angkringan stall business, Winarno can buy his own house on Jalan Jula Juli Ponorogo (east of the house that was rented) and there is still one member from Sukoharjo who is still borne and lives at home. Members of the group that Winarno used to support and live in the same house have now rented out their own houses because they are already married.
3. **Slamet.** An angkringan vendor who comes from the city of Yogyakarta. Before opening an angkringan stall business in Ponorogo City, he had run a herbal medicine business in Semarang City, Central Java Province. However, because the condition of the herbal medicine business was not good, finally around 2004 the herbal medicine business went bankrupt. Despite experiencing business bankruptcy, Slamet never gave up and tried to open a new business. One of the possible businesses to run is the angkringan business because the angkringan business has been occupied by his wife's family for many years. Initially, Slamet planned to open a business in Yogyakarta, but because there were already many angkringan businesses in the city and they had spread to various places, he planned to open an angkringan business in other cities. Based on the results of information obtained from his neighbors that in Ponorogo City there are still opportunities to open an angkringan business, Slamet finally came to Ponorogo City to observe and see angkringan business opportunities. Finally around 2004, Slamet decided to open an angkringan business in Ponorogo with a business location on Jalan Soekarno Hatta (in front of California Karaoke). Initially opening an angkringan business in Ponorogo City, Slamet was still a boarding house, but along with the rapid development of the business, Slamet was finally able to build a house in the Jengglong area where he and his family lived. In that house, apart from his family, Slamet is also willing to take care of members of his group who cannot afford their own boarding house and no rent is charged for these members. Apart from providing housing, Slamet also provides angkringan carts for group members who are not yet able to make their carts.
4. **Rianto.** An angkringan vendor from Sukoharjo City, Central Java Province. In Ponorogo City, he became a member of the Winarno group. Before opening an angkringan stall business in Ponorogo City, he had opened a fried rice business in Makassar. However, because the cost of living overseas was large and his business was very competitive, he finally returned to Java and decided to help the Angkringan Winarno business in Ponorogo City. After knowing the condition of Ponorogo and also the many opportunities to develop his Angkringan business, starting in 2004 he opened his own angkringan stall business and remains a member of Winarno's angkringan group. When he helped Winarno's angkringan stall and initially opened his own angkringan business, because he was not able to rent his own house or boarding house, Rianto still lived at Winarno's house every day. At the house, he was not charged a rental fee, but when selling angkringan stalls he took food and snacks made by the

Winarno family. Likewise with the angkringan cart, initially he got a loan from Winarno and was not charged a cart rental fee, but after having sufficient funds he finally made his angkringan cart and returned the old cart to Winarno to be rented out to other Vendors in need. Regarding the angkringan stall business, Rianto also received assistance from Winarno, namely choosing a strategic place and helping to find a permit to occupy the chosen location. Until now, the location of Rianto's angkringan stall business has not moved because it is widely known by the public as the Jabrik angkringan on Jalan Juanda.

5. **Agus Wahyudi.** An angkringan vendor in Ponorogo City from Wonogiri Regency, Central Java Province. Agus already has experience opening an angkringan stall business with his friends in Malang City. After some time, according to him, he had enough experience in opening an angkringan business, Agus decided to start his own angkringan business. Because in his native area, Wonogiri, there were many angkringan stalls, he tried to enter Ponorogo City. When looking around Ponorogo City and hanging out at Sandiyo's angkringan stalls, he got a lot of input about the business opportunities of angkringan stalls in Ponorogo City. Finally around 2001, Agus started to open an angkringan stall in Ponorogo City and became a member of Sandiyo's angkringan group.

Initially choosing and determining the location of the angkringan business, Agus was greatly assisted by Sandiyo in finding a strategic location and seeking permission from the party whose front yard or front porch was occupied, namely on Jl. Soekarno Hatta Ponorogo. As for the carts and equipment for the angkringan business, because Agus already has the experience and own capital, he already has a cart and equipment to run an angkringan business in Ponorogo City, but for snacks and food, he took from Sandiyo.

6. **Tanto.** An angkringan vendor in Ponorogo City from Bayat, Klaten Regency, Central Java Province. Before opening an angkringan business in Ponorogo City, he had opened an angkringan in Yogyakarta City and lived with his uncle's family. During the time he opened the angkringan business in the city of Yogyakarta, he often felt reluctant to live at his uncle's house and had the desire to open a business in another city. When Tanto returned home, he met Sandiyo, who was a close neighbor and also a close relative. Tanto received a lot of information from Sandiyo about the opportunity to develop an angkringan business in Ponorogo City, which is still very open. Finally, in 2000, Tanto decided to open a business in Ponorogo City, but at first, he still helped Sandiyo's angkringan business while looking at business opportunities, especially choosing a strategic location for his business. When he was still helping at Sandiyo's angkringan, Tanto was covered for daily living and lived at Sandiyo's house. After several months and have found a strategic location for his angkringan business and also getting help choosing a location and permission to occupy the location by Sandiyo, Tanto finally opened his own angkringan business on Jalan Sultan Agung in front of the Joglo Restaurant and he also chose a boarding house near his business location. Although Tanto opened his own angkringan business, for the snacks and food served, he took it from Sandiyo as the leader of the angkringan group.
7. **Yusnito.** An angkringan vendor in Ponorogo City from Purwantoro, Wonogiri Regency, Central Java Province. In Ponorogo City, Yusnito's angkringan business has been a member of Slamet's angkringan group from the start. Before opening an angkringan business in Ponorogo City, Yusnito had worked as a snack salesperson in Purwantoro, but because he felt bored and had the desire to have a small business that could provide daily income, he finally decided to change jobs. When Yusnito was walking in Ponorogo City and stopped at Slamet's angkringan, he got a lot of information about the angkringan business opportunities in Ponorogo City. In addition, Slamet is also ready to help if Yusnito wants to join his angkringan group, either in finding and choosing a strategic selling location, seeking permits, or helping with carts and angkringan equipment. Finally, after being convinced, Yusnito started an angkringan business in Ponorogo City in 2007 and Slamet chose the business location on Jl. Raya Ponorogo-Wonogiri (Tambakbayan) Ponorogo.

The social action of migrant angkringan vendors who decide to open an angkringan business in Ponorogo City is an instrumental social action (*Zwerk Rational*) (Johnson, 1994; Ritzer, 2004). They take action with careful consideration or choose steps to maintain their lives based on rational choices that are directly related to the goals to be achieved. This social action is an action that has the highest rationality because the choice of action to be taken to achieve the stated goals has been through the results of careful and reasonable thought or consideration.

This instrumental social action as conveyed by the informant as follows:
Sandiyo said that:

“... previously I had been an angkringan vendor in Solo and it had been about four years. Because there are so many angkringan vendors in Solo and many competitors, I decided to move. In Ponorogo I did not immediately open a business, but I first observed the situation. If I see that the people of Ponorogo love to hang out at night, it is evident that the coffee shops in Ponorogo are very popular. Finally, I decided to open a business in Ponorogo ...”

Winarno said that:

“... I once opened an angkringan business in Solo... In the city of Solo, there are so many angkringan businesses and it is difficult to develop them. I received information from my sister-in-law, who has opened an angkringan business in Ponorogo city on Jalan Urip Sumoharjo in front of DKT, that in Ponorogo city there are still not many angkringan businesses and their businesses are selling well. After consulting with my wife, starting in 2002, I moved my business to the city of Ponorogo...”

Slamet said that:

“... I once opened a herbal medicine business in the city of Semarang... Due to the bankruptcy of my previous business (herbal medicine business), I kept trying to find business opportunities. The closest business opportunity to me is the angkringan business because the angkringan business is a business that my wife's family has been doing for years. Since the angkringan businesses in Yogyakarta and the surrounding cities were full, I looked for other cities that would allow the angkringan business to develop. In 2004 I finally chose the city of Ponorogo as the location of my business because that year several angkringan businesses could develop well...”

Rianto said that:

“... once selling fried rice in Makassar... Due to the high cost of living overseas and for the businesses of many competitors, I finally went home and joined my brother (Winarno) in the angkringan business in Ponorogo. Because I already know the condition of Ponorogo and there are still many opportunities to develop an angkringan business, in 2004 I opened my own angkringan business...”

Agus Wahyudi said that:

“... once joined my friend's angkringan business in Malang... I want to open my own angkringan business. When I was hanging out in Ponorogo, at that time at Sandiyo's angkringan, after chatting with familiar and long-term friends, I was finally interested in joining Sandiyo's group to open an angkringan business in Ponorogo. I started to open an angkringan business in Ponorogo in 2001...”

Tanto said that:

“... previously I had opened an angkringan business in Yogyakarta and there I lived with my uncle ... Because the angkringan business in Yogyakarta had many competitors and my uncle's family (his wife and children) also lived in Yogyakarta, I became reluctant to live with them. When I returned to Bayat Klaten, I was offered by Sandiyo, a neighbor of the village (still a close relative) who had opened an angkringan stall business in Ponorogo city, to join the angkringan business to Ponorogo city. Finally around 2000 I went with Sandiyo to the city of Ponorogo. The first time I still came and helped Sandiyo. After several months and getting to know the conditions in the city of Ponorogo, I wanted to open my own angkringan business and this desire was supported by Sandiyo...”

Yusnito said that:

“...before the angkringan business, I worked as a snack salesperson in Purwantoro...because the income I earned was not appropriate or insufficient. I want to have a trading business even if it is small, have a permanent place, and earn daily income. When I met Slamet, I was offered to join his group of angkringan stalls, and finally, in 2007 I started an angkringan stall business in Ponorogo...”

Migrant Vendors who engage in angkringan business in Ponorogo City, do not operate individually or separately from one another, but they form a group. An angkringan group, usually chaired by an angkringan merchant, has several angkringan vendors members. The group leader is a well-established angkringan vendor, who already has his own house in Ponorogo City, makes his food and snacks, and owns several angkringan carts. Meanwhile, the members are those who take food and snacks from the group leader, sometimes use the group leader's angkringan cart, and sometimes stay at home or stay at the group leader's house.

Efforts to develop angkringan business in groups from these migrant vendors cannot be separated from the kinship values that underlie their relationship. These values include the habit of helping each other or helping each other,

supporting each other's efforts, and developing the value of tolerance between them. The head of the angkringan merchant group has a big role in helping from the start of opening a business to the running of the angkringan business for his group members. Assistance in the form of providing information and at the same time ensuring that there are angkringan business opportunities that are still wide open and choosing a strategic business location as well as seeking permission for home or shop owners to occupy the angkringan business in front of their homes or shops for new group members.

Assistance in the form of information, choosing locations along with permits, and capital assistance in groups of migrant angkringan vendors can be described as follows:

Sandiyo said that:

"... I also help find the location of a place to sell and at the same time seek permission from the owner of a house or shop whose front yard can be occupied for angkringan. I did all that because if my group members sold well, it would also affect my business. So mutual need and mutual benefit ... I and my group members always have a family relationship, because I remember that my members are from the same area, my neighbors and relatives. I help each other, for example, members of my group can live in my house and are not charged, I also help with capital for members who cannot afford..."

Winarno said that:

"... I always try to establish good and family relationships with members of my group... For example, until now I don't charge those who live in my house in Ponorogo but when they sell they take snacks from my wife. I also have a cart run by someone else and he also takes snacks from my wife. For the first two months or so, I didn't dare to withdraw my cart rental fee because the business was still not busy. And now that it's grown I'm pulling a cart rental of IDR 3,000 a day..."

Slamet said that:

"... I establish relationships with my subordinates based on trust. I will always help my subordinates if they have difficulty and tell me, for example, problems with business capital, location and at the same time permits to open a business, as well as financial problems..."

Rianto said that:

"... I finally went home and went with my brother (Winarno) who already had an angkringan business in Ponorogo. Because I already know the condition of Ponorogo and there are still many opportunities to develop an angkringan business, in 2004 I opened my own angkringan business, but for snacks and food I took from Mr. Winarno as the group leader ... the cart I made myself, it cost around IDR 1,000,000 more ... because I am with Winarno and my family, we are often helped when we are in trouble..."

Agus Wahyudi said that:

"... When I was hanging out and hanging out in Ponorogo, at that time at Sandiyo's angkringan, after chatting with rap for a long time, I finally became interested in joining Sandiyo's group to open an angkringan business in Ponorogo. I started to open an angkringan business in Ponorogo in 2001 ... because I am a subordinate of Sandiyo, I take my snacks and food from Sandiyo, but for the cart, I make my own ... Mutual respect and feel like family. The group leader often assists when there is a business problem..."

Tanto said that:

"... when I returned to Bayat Klaten, I was offered by Sandiyo, a neighbor of a village (still a close relative) who had opened an angkringan shop business in Ponorogo city... The first time I was still there and helped Sandiyo. After a few months and getting to know the conditions in the city of Ponorogo, I wanted to open my own angkringan business and this desire was supported by Sandiyo, even though I was looking for a place and at the same time permission to the person who had the yard that I would live in ... snacks and food I took from Sandiyo (Group Leader). If I make my angkringan cart, it costs around IDR 1,250,000... I am allowed to live at Sandiyo's house. Apart from me, at Sandiyo's house, there are also group members who have not been able to rent their own house..."

Yusnito said that:

"... When I met Slamet, I was offered to join his group of angkringan stalls, and finally in 2007, I started an angkringan stall business in Ponorogo... I took snacks and food from Slamet plus some people entrusted them. As for the cart, I rented it from Slamet for IDR 3,000 per day ... if I convey the problem of the angkringan business, it will be helped to solve ..."

4. Discussion

Angkringan vendors are one type of street vendor business that has spread widely in the center of Ponorogo City. They are not natives of Ponorogo but are migrants from cities outside Ponorogo Regency or are called migrant vendors. Although the angkringan business has spread on the sidewalks of the main street in the center of Ponorogo City, the vendors are not separated individually but form groups. A group of migrant angkringan vendors is chaired by one of the vendors and has several group members who usually still have kinship relations.

Awareness to form a group of migrant angkringan vendors is important for them because they must be able to work together, help each other or help each other, and support each other to smooth business so that existing angkringan businesses can continue to survive, be able to face competition, and provide good results. for his family's economy. The migrant angkringan vendors do not directly open an angkringan business when they enter Ponorogo City. They got various information about angkringan business opportunities in Ponorogo City, both from relatives in the area of origin and the results of brief discussions with migrant angkringan vendors who have been in business for a long time in Ponorogo City. They make real observations in the field and at the same time work together to find a strategic location for their business. According to Weber's Social Action Theory, the social actions taken by migrant angkringan vendors to open a business in Ponorogo City are called Instrumental Social Actions (*Zwerk Rational*) (Johnson, 1994; Ritzer, 2004), because they have carefully considered all their actions based on real observations and various rationally acceptable ways to achieve the goal of improving the family's economic condition through their angkringan business.

The existence of a group of migrant angkringan vendors has its value in maintaining the continuity of their business in Ponorogo City. Kinship relations, whether based on marriage or social kinship (Schneider, 1984), have fostered the values of helping each other or helping each other, supporting each other's business, and tolerance between vendors. These values have been understood and implemented by them, thus making a habit that supports the continuity of the angkringan business in Ponorogo City.

Ahead of a group of angkringan vendors consciously provides information on angkringan business opportunities that are still open in Ponorogo City to his relatives and is willing to have discussions about these business opportunities. Efforts to convince his relatives to participate in opening the angkringan business were carried out by inviting them to see and observe firsthand the condition of the existing angkringan business opportunities. During the process of observing real conditions in the field, the group leader provides assistance in the form of warranty or covers the daily life of the relative, is allowed to live in the same house with the group leader's family, and looks for a strategic business location as well as seeking permission to open a business in that location.

A person who is convinced and decides to open an angkringan business in Ponorogo City, based on the results of the location chosen by the group leader, of course, requires capital to start a business. The conditions for new angkringan vendors are of course not the same. If they have the capital, they can make their angkringan carts and prepare the necessary equipment. However, if they do not have sufficient capital, so that they can remain confident in starting an angkringan business, the group leader provides an angkringan cart for use by the new vendors who have become members of the group. Likewise with housing problems, usually for the initial conditions to start their business they stay at home with the group leader's house. Those who are still living or can live in their own boarding house continue to run the angkringan business while still taking snacks and food made by the family of the group leader.

The values that have become a habit in kinship groups of migrant angkringan vendors, both in the form of awareness of providing information on business opportunities, choosing strategic locations and permits to occupy, *taking* on business capital (angkringan carts), or bearing the place of residence, are forms of social action in the relationship. kinship group angkringan vendors. The social action from the group leader to the members of the group is aimed at fostering confidence in the members about the prospects of the angkringan business they are running. The values that they have built and applied in these social actions have formed a social warranty.

A social warranty is a form of warranty or coverage that is manifested in a group of migrant angkringan vendors who have given confidence to members of the angkringan group in running an angkringan business in Ponorogo City. This social warranty does not only manifest at the beginning of starting a business for the members of the angkringan group, starting from the awareness of providing information on business opportunities, finding and choosing strategic business locations along with business placement permits, providing angkringan carts, to providing housing. The social warranty also grows when they run a business, namely, they can still run a business even though the group leader who usually makes snacks and food is home from campus. At that time they were still allowed to take snacks and food from other groups, and usually groups from the same area.

5. Conclusion

Based on the results of the research and discussion described above, the conclusions of the research results can be described as follows:

1. The social action of migrant angkringan vendors in deciding to open an angkringan business in Ponorogo City is an Instrumental Social Action (*Zwerk Rational*). Social action is an action that has the highest rationality because the choice of action to be taken to achieve the stated goals has been through the results of careful and reasonable thought or consideration.
2. Migrant angkringan vendors run their business in Ponorogo City, not individually or separately from one another, but they form a group. The existence of the angkringan merchant group cannot be separated from the kinship values that underlie the relationship between them.
3. The existence of a group of migrant angkringan vendors has its values to maintain the continuity of their business in Ponorogo City. Kinship relations, whether based on marriage or social kinship, have fostered the values of helping each other or helping each other, supporting each other's business, and tolerance between vendors. These values have been understood and implemented by them, thus making a habit that supports the continuity of the angkringan business in Ponorogo City.
4. The values that have become customary in kinship groups of migrant angkringan vendors have formed a social warranty, in the form of warranty or coverages that have given confidence to members of the angkringan group in running the angkringan business in Ponorogo City.
5. Social warranty can give confidence to every member of the angkringan group in running an angkringan business in Ponorogo City. The existence of a social warranty makes the business of the migrant angkringan merchant group stronger, able to face business competition, and able to meet the economic needs of their families.

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Murals as Social Criticism: Movements of Resistance and Urban Liberation Against the Authoritarian of Regimes

Luthfi Habibullah A¹, Bagus Haryono², Argyo Demartoto³

¹ Faculty of Social and Political Science, University of Sebelas Maret, Surakarta, Indonesia.

Email: viefy.elhabib@gmail.com

² Faculty of Social and Political Science, University of Sebelas Maret, Surakarta, Indonesia.

³ Faculty of Social and Political Science, University of Sebelas Maret, Surakarta, Indonesia.

Abstract

The Economist Intelligence Unit's report (EIU) shows that the democracy index score in Indonesia has decreased in the last 5 years, and that number could decrease even more when the state makes society an object of conflict in which public criticism is threatened and silenced. There is an unfavorable relationship between power and society in the state process. Art in the concept of urban society is understood as a medium of awareness and liberation. Public awareness will give birth to a critical culture in identifying injustice and how to change it. Muralism is a form of criticism movement due to the disappointment and dissatisfaction of the Indonesian people towards the performance of the State and the power of authoritarianism in the midst of social, health and economic crises due to the Covid-19 pandemic. This thought movement was carried out through mural writing on the walls as a form of intellectual resistance to the authoritarian style of power and its policies which were far from the expectations of the people. This study uses a qualitative method with a phenomenological approach. The results of the study show that the freedom of expression carried out by urban communities through mural writing, graffiti, satire is always responded to by repressive actions by the authorities, ranging from arrests, silencing, deletion of murals, hacking social media, doxing, verbative intimidation, and other forms of threats. This condition turned into a curse for the style of authoritarianism. Currently, various vices and crimes of power are starting to be revealed, such as corruption, pandemics becoming business projects, tax smuggling by state officials, acts of violence, human rights violations, sexual harassment by state officials and others. This became a prolonged dark spot and became the basis of community resistance to make fundamental changes to the condition of the State.

Keywords: Mural, Social Criticism, Social Movement, Authoritarianism

1. Introduction

The Covid-19 pandemic has many implications for a country, one of which is a setback in the democratic process which previously did not appear to be a new polemic in the midst of a pandemic. For example, a number of countries have banned civil liberties, threatened freedom of expression, and failed to carry out democratic accountability due to the pandemic. Globally, Indonesia is ranked 64 out of 167 with a score of 6.3%. This means that Indonesia is included in the category of flawed democracy or imperfect democracy.

The Economist Intelligence Unit (EIU) report shows that the democracy index score in Indonesia has decreased in the last 5 to 10 years, and that number could fall even worse when the harmonization of society with the state is disrupted by the authoritarian style of power with anti-criticism actions. Looking at several studies conducted by three main reports, namely the 2020 The Economist Intelligence Unit (EIU) Indonesia Democracy Index 2019, and the 2021 Democracy Report, the three reports show that the quality of democracy has shown a significant reduction that does not only touch aspects of civil liberties and pluralism, but also the declining function of government.

Indonesia's democracy index score previously peaked at 7.03 in 2015. However, the score had to drop to 6.97% in 2016. The country's democracy index score fell again to 6.39% in 2017 and 2018 Indonesia's democracy index score had increased to 6.48% in 2019, but fell again this year. The indicators of democracy in Indonesia can be seen as follows:

Table 1: Indicator of Indonesia's democracy index

Indicators	Before (in a matter of points)	Difference (in percentage)	After (in point)
The election process and pluralism	6,92	Up by 14,45%	7,92
Government functions	7,5	-	7,5
Political participation	5,56	Up by 9,89%	6,11
Political culture	5,63	Down by 22,2%	4,38
Civil liberties	7,06	Down by 20,82%	5,59

Source: The Economist 2010-2020

Freedom of expression directly or through information technology media is the right of every individual since birth which has been guaranteed by the constitution, including forms of public expression through murals or street art. Mural is a street visual art that serves as a forum for the community to express ideas. The murals in this study are more of an attempt to convey critical ideas about the political system or power. In this context, it can be understood that the urban community's thinking raises many alternative thoughts to respond to a developing issue. That freedom is then restricted either directly or virtually on social media is a form of excessive action.

In the context of this research, art and politics cross paths in the social process of society, not finding a harmonious meeting point. The over-interpretation is also shown by the authoritarian power through the apparatus, which then takes action against all murals with deletion and threats of laws regarding violating public order. This reaction arises because of an imbalance in dealing with social problems in the community, so that the creation of mural art is interpreted as a form of violation and crime. Historically, murals are one of the critical attitudes of urban society towards the power and condition of the political system in Indonesia.

This case is in accordance with the theory of Deaux and Wrigtsman (1993), weapons affect the acts of aggression of the apparatus in taking action against something that is considered contradictory. Weapons are not only because of their function to make aggression effective and efficient, but also because of their presence which can influence the aggressive behavior of the apparatus themselves.

According to Berkowitz and LePage (in Sarwono, 1997) anger requires certain stimulants and inducements to become real aggressive behavior, and weapons can be a trigger for the aggressiveness of the apparatus in limiting freedom of expression or opinion. The anger occurred when criticism made by urban communities

through murals occurred throughout Java, which was considered the center of power. This shows the authoritarian style of power.

Power and law, practically become two entities that interweave themselves very closely together, where law is made and ratified by power consciousness which is always trying to break through to easily engineered loopholes so that law is felt more as a tool of rulers, rather than as control of power (Philippe Nonet). & Selznick, 1978: 4).

The way an artist or muralist engages in politics is by using himself as a vehicle for social catharsis or a form of releasing emotions, complaints, and disappointments due to bad social conditions. This is a new political style, which we can call the term daily politics carried out by the community to exercise control over power.

The urban community movement through murals is part of a new social movement that concentrates on contemporary issues, which clearly seeks social change. This movement is an attempt to convey social criticism of power. However, the community movement through murals as a social critique brought by muralists is more concerned with aspects of the power of intimidation. State power here is referred to as the paradox of institutional position. The state has a large space to maintain security (human rights protector), but the nature of this privilege often causes the elements of authority and power to be interpreted unilaterally and misused, resulting in forms of violations in which law enforcement officers in the second scenario can become human rights violators or new atrocities.

Castells (1983) describes that the focus in the urban society movement has gone beyond the transformation of production, communication, and counter-government (the state); however, this is an effort to change social when the urban society movement is able to produce opposition to the dominant structure, or in other words change the meaning of the city's social structure (urban meaning) and produce a utopian reactive condition in society.

According to Marx, the state does not serve the interests of society, but only serves the interests of the oligarchic class by becoming an instrument of power to maintain their position. Marx assumed that the existence of the state was caused by a fundamental lie that was hidden from society. The state is also accused of carrying out the hegemony of repressive power to force its people to submissive. Hegemony is always related to the arrangement of state power as a dictatorial class.

The aims and values of this movement are essentially universal, that is, they are directed at providing protection and maintaining human living conditions in a better direction. Mural art in urban society is understood as a medium of awareness and liberation. Paulo Preire revealed that artistic expression is essentially a form of education to society in a more meaningful way. Preire also emphasized that public awareness will give birth to a critical culture in identifying injustice in the midst of social life and a critical attitude in trying to change conditions for the better.

2. Method

The approach to this research is to use a phenomenological approach that according to Husserl the phenomenon is everything that in a certain way has appeared to be in the human consciousness. Whether in the form of something real or design or in the form of reality or ideas (Delfagauw, 1988: 195). According to Husserl, the goal of phenomenology is to return in its own reality (Abidin, 2002:7). The purpose of phenomenology also wants to clarify a person's life in everyday life in accordance with the situation experienced. How they were arrested, silenced, threatened for daring to criticize state power.

Phenomenology attempts to manifest itself to observers by describing symptoms. Symptoms here mean symptoms that can be seen directly by observation based on five senses (external symptoms) and symptoms that are almost able to be felt, experienced, thought or imagined by researchers without the need for empirical reference (internal symptoms) (Abidin, 2002: 6).

3. Results and Discussion

3.1. *Mural as Social Critic*

Murals are one of the artists' efforts to create discourse from the messages they convey visually in public spaces. Discourse itself can be explained as a practical language formed from general assumptions (Abercrombie, et al., 2010; Mills, 2003).

Artworks are born from the dialectical results of society towards a social phenomenon that exists in the surrounding environment. Mural in this concept is a medium in voicing ideas and ideas as a communication strategy in presenting various social dimensions (Wicandra, 2005: 129).

Mural is a form of street art, becoming a medium of communication that is quite often used by the public in conveying messages, hopes and criticisms to parties who have certain privileges or powers. Murals have deeper meanings and messages, are related to the historical context of the murals themselves and become a cartactical vehicle for muralists or other artists who better understand the nature of murals.

Regarding the terminology of murals as acts of vandalism, damaging scenery or unauthorized or violating the law of public order, it is certainly a paradox. Technical arguments are possessed by the official power as a form of anti-criticism response to the urban community movement. This condition is inversely proportional to the group that has the privilege of using billboards and media strategies, while people who do not have privileges and clogged delivery rooms decide to use murals as an effective aspiration channel.

In ethics and licensing regarding placement in public spaces, it can be seen from several dimensions. If it is related to the ethical dimension, of course, ideally public property cannot be used without permission. However, this becomes a paradox when viewed from the dimension of resistance, such as being against ethics, being considered to pollute walls, damage public facilities and others. Because his name is also social criticism and becomes a symbol of resistance, urban society should not seek approval from power.

Mural art that is growing widely, almost entirely mural critical of the course of power as well as cumulative turmoil, one of which is due to the COVID-19 pandemic crisis two years ago, which created many vulnerabilities high in the community, and social inequality that occurred to have an impact on the social conditions of small communities.

Mural art is a public message from the point of anxiety, uncertainty, resignation, disappointment about current living conditions. That resignation is expressed through the writing on the wall and hopes that there is a new miracle and God's love that is needed at this time, rather than certainty from the government or the State. Although some of the mural expressions were directed to God, the authorities still responded repressively because they were considered provocateurs. They did not provide solutions to the conditions of hunger, daily needs, food, social assistance but instead silenced and arrested the muralists. There are several similar murals that were removed by the authorities.

Table 2: Context Mural

No	Context Mural	Action
1.	“God I'm Hungry!!”	Removed by the authorities due to the use of the exclamation mark symbol which seems provocative
2.	"The Real Plague Is Hunger"	Removed by the authorities under the pretext of multiple interpretation messages and destroying the beauty of public spaces.
3.	“Poor People Don't Get Sick”	Removed by the authorities for disturbing public order and not having a permit
4.	"Corruptors Embraced, Little People Beaten"	Removed by the authorities.
5.	“We Live In A City Where Murals Are Considered a Crime and Corruption Are Considered Cultural”	Removed by the authorities for disturbing public order and not having a permit.
6.	"Activities are limited to the point that people forget they need a mouthful of rice" “#Help us Government of god”	Removed by the authorities.

In the mural world, conveying social criticism is one of the efforts or ways to carry out its normative function as a means of social control in society. Delivering social criticism to the community through the media of street walls, has a meaning as a way of how the position of the mural in conveying the voice of social criticism. The public's thoughts are conveyed as a bridge to connect the government and power as well as one way to make *visual art* media, in this case murals, a vehicle for social criticism.

3.2. Movement of Resistance Against Authoritarianism

Urban society has great social power, and the form of that social power is social movement. The urban community movement raises strategic issues in urban areas as the main issue by involving all elements of social class in society. The study of urban movement is not a question and explanation of victory or defeat in the context of conflict. However, furthermore, the urban society movement has contributed to making social change from small level to structural policy.

Tarrow states that social movements are collective opposition/resistance by people who have the same solidarity and goals in a continuous process of interaction with elites, opponents and authorities (Quah & Sales, 2000: 236).

Social movements express people's collective efforts to demand social equality and justice and reflect people's struggles to defend their identities and cultural heritages. Social movements and collective action have become a universal force of historical institutions and actions in society. Therefore, social movements and social actions do not just appear in society, but appear along with a conflict concerning issues of inequality, instability, domination, silencing of freedom and social injustice.

Authoritarianism leads to conflict and social disintegration in society. Power seeks to control all aspects of people's lives. Authoritarianism goes against the natural human desire to be free. People living under the shadow

of government repression are like a ticking time bomb that will one day explode. As soon as the momentum arrived, the pent-up desire exploded out of control.

How is the resistance of people or groups who are powerless against the domination of the ruling party such as workers, farmers, small traders, join together with artists, muralists, students, regardless of class and class to fight, criticize power groups.

These groups come together to create conversations that represent criticism of the power of authoritarianism to plan strategies by forming resistance through mural art. Various murals were made secretly to avoid threats and arrests by the authorities. Most of the murals on the walls are done at night to avoid the original identity of the creator. This urban community movement is carried out on street walls, under bridges, shops, traditional markets, traffic intersections, or strategic places where many people pass. The goal is nothing more than to get attention and response from the State regarding current social problems. Looking for the best solution for the unstable condition in society. However, the facts on the ground, that the response was not an improvement, but rather abolition, arrests, threats, acts of violence, intimidation and repression were actually shown by the apparatus.

Scott (1990) explains that there are three models of domination that give rise to different forms of resistance. The three forms of domination include: (1) Material Domination; (2) Status Domination; and (3) Ideological Domination.

In the results in the field of material domination, it is explained that the practice of domination appears in the form of deprivation of intellectual rights of opinion, physical violence that injures the body, removal of murals that are considered criminal, arrests of students, muralists, and so on. While in status domination, the practice of domination appears in forms such as committing human rights violations, violating privileges, humiliating, and carrying out attacks on one's dignity. Whereas in ideological domination, the practice of domination appears in the form of privileges from the rulers against groups that are pro-ruler and carry out verbatim resistance to small communities who criticize and resist. Provision of positions for groups that are pro and maintain a feudalistic culture within the body of power to continue in power.

The democratic system guarantees the people's freedom of expression, in the context of murals, people move within the context of fairness and are not carried out by destroying public facilities, violence, intimidation and anarchism. But the mural movement is still considered a criminal effort and resistance to the State. Indeed, openness or democracy in Indonesia cannot guarantee stability.

For example, the mural "God, I'm Hungry" is a form of public expression through writing on the wall as the last hope due to the death of justice and the death of the conscience of corrupt state officials in the midst of a pandemic. Small communities live in the midst of uncertainty, authoritarian style of power, feudalistic culture, authoritarian law domination and use of violence in the relationship between the State and its people. God's miracle is the last hope of society in waiting for their destiny and changes in social conditions for the better.

Indonesia's poor democracy index in 2020-2021 is a warning due to authoritarianism's excessive control over social processes in society. The strengthening of psychological obedience to those in authority and power in the political, economic order gives a new direction of cruelty. What is considered not to be subject to the will or interests of power becomes an enemy of the State. All state equipment and equipment have been controlled and submitted according to the interests of power. People who become subordinate groups only have three choices between pros, cons or apathy towards state conditions.

The death of democracy will eventually become a social explosion. The murals that were previously written on the city walls will be rewritten on the tombstones of power due to the failure to maintain the harmony of the nation. The mural that contains complaints, hope to God is a small piece of people's despair in facing the problems in their lives. God's intervention in the hope of society to get a better life Indonesian people are known

as religious people who are the most patient in accepting all problems. Try to get back up and not live too long in sadness.

The miracle of God comes by revealing the real form or face of the real power, how can it not be that the official state institutions, state legal institutions are proven to have deliberately violated many laws. Sexual harassment, rape, intimidation, physical violence, corruption, racism, murder, corruption in aid of the Covid-19 pandemic, human rights violations, and other violations. This condition explains that the element of power is a bad example and a story of a decline in morals, ethics and civilization of power. Not only the index of democracy, but the index of humanity and social justice is far from the expectations of the Indonesian people.

The community resistance movement through murals is only limited to conveying their thoughts, ideas and viewpoints to criticize power. Mural art does not contain messages to indoctrinate or force the public to agree with the thoughts of muralists, artists, artists who convey visually on street walls, but through this mural it seeks to invite people to reflect, think, ask what is wrong with our country, invite the community to seek answers together about the various upheavals that often occur. When state institutions, state institutions or power are no longer a hope for society, the best hope is the hope from God.

4. Conclusion

The urban community movement through murals is part of a new social movement that concentrates on contemporary issues, which clearly seeks social change. This movement is an attempt to convey social criticism of power that is not institutionally against the law or carried out in structured ways.

The urban community movement through street art or murals is an effort to convey thoughts, ideas and points of view to criticize the hegemony of power over all basic problems in people's lives. In making murals, it is not created constantly, but adjusts to the factual and actual conditions that occur. So that the mural does not contain a message to bring hatred, hostility or invite the division of community groups. Artists, muralists, artists, and other community groups only try to invite people to think again, clear their hearts, seek answers together about problems that are never finished and only make it difficult for small people from the dirty behavior of authoritarianism. Encouraging all social strata of small communities with minimal resources to stand up and wait for God's miracle to complete and change social conditions to be better than before.

5. Recommendation

Form the research that has been conducted by author about related parties regarding this social movement, the recommendation that will be given include :

5.1. The Government/Office Stakeholders

- a. The government needs to open the insight and knowledge to develop the scientific discussions related to common interests, especially criticism from the community should be handled with calmly and openly. Government services to the community is part of the mandate of the law, to educate the people of Indonesia with the mind or the idea of intellectual civilized and socially just.
- b. Improving the professionalism of the bureaucracy and realizing sense of the humanity of state apparatus especially in dealing with the diverse forms of community pluralism.
- c. In the context of a democracy, the people are the structures most powerful power. So the aspirations and the voice of the people be a part of the course of government. The government can not impose his point of view against the people, especially the limit and remove the voice of the people in relation to the state.

5.2. Social movements, Groups, Group, Community other

- a. Every improvement effort requires the path and the way it should be regardless of the action-violence, crime, criminality, terror and actions that pose negative aspects.
- b. Educate the public in general through the importance of the value of the criticism that was built with good thoughts, ideas, one of them is through line art. The art of giving a manner different that the

purpose of criticism is no longer on the result, but the process and the substance of which is easily accepted and does not lose its essence despite the distance and time that happened a long time ago.

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Exploring Socio-Cultural Identity: Characteristics of the Architectural Design of Kori Agung Bangli

Ida Bagus Gde Wirawibawa¹, I Dewa Gede Agung Diasana Putra¹, Anak Agung Ngurah Aritama¹

¹ Department of Architecture, Faculty of Engineering, Udayana University, Bali, Indonesia

Correspondence: I Dewa Gede Agung Diasana Putra, Department of Architecture, Faculty of Engineering, Udayana University, Bali, 80362, Indonesia. E-mail: diasanaputra@unud.ac.id

Abstract

The existence of vernacular architecture has given characteristics to the built environment and area. Vernacular architecture has become into a distinct personality that differentiates one location from another. Bangli architecture is one of the various kinds of architecture that evolved in Bali. Bangli architectural style has evolved from the 15th century to the 18th century AD. The characteristics of Bangli's distinctive architectural design can be seen in the main entrance building called *kori agung*. Today the architectural style in Bangli began to be replaced by the entry of other architectural styles in the surrounding area. For this reason, documentation efforts are needed to explore the identity and characteristics of Bangli architectural design. This article describes the identification of Bangli's architectural style characteristics through the *kori agung* as an object of the investigation. Data collection was carried out through field measurements, interviews and historical literacy. Architectural inspection techniques and graphical analysis are used in the analytical method, with architectural drawings and forms serving as the primary instruments. As a result, drawings, sketches and visual analyses are used to describe the architectural qualities of *kori agung*, which are typical of Bangli.

Keywords: Architecture, Characteristics, *Kori Agung*, Bangli

1. Introduction

The local architectural style in a place is an identity, characteristic, and aspect that distinguishes one place from another (Hoop, 1949). Local architecture, which is often termed vernacular architecture, is a built environment formed from the community's social needs (Salman, 2019). Exploration and excavation of past cultural traces can be done by tracing local architectural forms. Preservation of old buildings is one way to maintain local culture whose physical traces can be seen in architectural works. In addition, the excavation of cultural identity can be done by documentation and identification of architectural objects that have historical value.

Each region in Bali has architectural values that distinguish it from other areas. Cultural practices and rituals, including architecture, express their influence and distinctive identity (Nordholt, 1986). In practice, architectural styles in each area aim to reveal self-identity and create boundaries with other areas (Satria & Putra, 2020). Characteristics of architectural style can be seen from the shape, proportion, scale, shape, facade, and ornaments (Utami et al., 2013). In addition, the architectural style can also be seen from the ornaments. The decoration in

Balinese architecture cannot be separated from every part of the building in appearance and its meaning in appearance and its meaning (Gelebet, 1998).

Bangli Regency is one area with a long history that starts from pre-historic times to the era of modern Bali. These historical traces have formed unique architectural characteristics and can only be found in Bangli. The architectural style of the *kori agung* in Bangli is one part of the cultural roots of the Bangli people. The wealth of cultural values is a form of human culture reflected in the shape and form of architecture (Piutanti, 2015). Based on historical research, the existence of Bangli architecture has emerged since the Bali Aga era. This architectural style continues to grow until it finds its shape and characteristics during the middle Balinese/kingdom era. The legacy of Bangli's architectural style can be seen in various buildings scattered in *pura* (temples) and *puri* (palace) scattered throughout Bangli.

The evolution of the Bangli architectural style is inextricably linked to the *pura* and *puri* roles. As a building with an essential function, *pura* acted as the center of worship while *puri* served as the center of government. Some temples that have historical value and have a Bangli architectural style include the Pura Kehen, Pura Desa Taman Bali, Pura Dalem Penunggekan, and Pura Puncak Penulisan. All of these temples are scattered in various parts of the Bangli Regency. Meanwhile, two *puri* (palace) have Bangli architectural styles, including Puri Agung and Puri Denpasar, Bangli. In addition, there are also traditional settlements whose existence can still be seen today, including Trunyan Village, Penglipuran Village, and Sukawana Village. All of these architectural objects give an image of the architectural characteristics of Bangli.

However, with the development of technology, the existence of the Bangli architectural style has experienced various kinds of degradation. Multiple types of degradation are caused by biological age and the need for space and function to change the architectural style. In addition, exploration and study of Balinese architectural styles, which explores the character of southern Balinese architecture, causes the Bangli architectural style to get less attention. Modernization and mechanization of construction equipment have caused Bangli's architectural style to be replaced by contemporary architectural styles, which are easier and cheaper to work on (Achmadi, 2007). This phenomenon becomes a cultural problem. The existence of a place's identity is highly dependent on its spatial quality, including its architecture, culture, and history (Amundsen, 2001).

This paper investigates Bangli's architectural style's characteristics by exploring cultural identity by exploring *kori agung* as one of the representations of Bangli architectural style with distinctive characteristics. *Kori agung* is one of the buildings that use the most easily observed Bangli architectural style. Three *kori agungs* were selected for the objects of investigation, including Pura Desa Taman Bali, Puri Bangli and Pura Penataran Gaga. Identification of the characteristics of the *kori agungs* in this study using visual observation techniques through photo and video documentation. An in-depth interview is carried out through a dialogue between the researcher and the community around the object to get a physical conception of *kori agungs* and descriptions related to history, rituals and related activities in it.

2. Balinese Architecture in Bangli Regency

The development and progress of Bangli architecture are closely related to the historical journey of the area. Based on historical searches, settlements in the Bangli area have emerged since prehistoric times. Prehistoric relics in Bangli were found in the southeast part of Lake Batur, precisely around Trunyan and Abang. Prehistoric relics in that place are tools made of stone, including hand axes and drawstring tools (Wikarman, 2013). In addition, evidence of architectural progress from the *perundagian* period, when the people used building experts to construct buildings, was found. During the *perundagian* period, humans were settled and could also produce tools made of stone and made of metal, bronze and iron. Some architectural objects that became relics and were found in Bangli include stone statues and menhirs. Most of the cultural heritage of prehistoric times is in the form of relics of worship facilities and tools and equipment for community life.

In the ancient Balinese era, evidence of heritage can be seen in the existence of the system, village patterns, and architecture of the Bali Aga. It can still be seen in Trunyan Village, Penglipuran Village, and Sukawana Village.

In addition, evidence of architectural developments during the ancient Balinese era was recorded in the Cempaga Inscription in 1103 Saka or around 1181 AD. Based on the inscription notes, it is stated that a kingdom has been established led by Maharaja Sri Haji Jayapangus, which is located in Pinggan Village, Bangli (Wikarman, 2013). From this evidence, it appears that human culture and architecture had developed in Bangli. This period of ancient Balinese civilization ended with an expedition against Bali by Mahapatih Majapahit Gajah Mada in 1265 Saka.

Gelgel's power marked the middle Bali period as a representative of the Majapahit Kingdom in Bali. At this time, the Bangli region was under the control of the Gelgel Kingdom in Klungkung. The Bangli Kingdom can be said to be self-sufficient after the rebellion of I Gusti Agung Maruti in Gelgel in 1686 AD (Wikarman, 2013). Over time, various kinds of development were carried out to form the area and center of government of the Bangli Kingdom. The spatial and regional structure at the center of the Bangli Kingdom began to appear with *puri*, market, the main intersection called *catuspatha*, and other *puri* for the king's relatives. Some of the relics from this period are *kori agung* Puri Bangli which is still intact. The subsequent development was during the colonial period. However, there are few architectural remains of the colonial period in Bangli. This is due to the relatively short colonial period and the use of a government pattern centered on the king who acts as an *adipati*, the representative of the colonial government, by using the *puri* as the center of government.

3. Method

To explore the design characteristics of *kori agungs* in Bangli a descriptive exploratory research approach was used. The exploration of the historic character and value of Bangli architecture was carried out simultaneously with the exploration of the physical aspects, namely the investigation of identity, the study of mass, proportions, materials, and ornaments. Meanwhile, the non-physical aspects were obtained by searching for historical aspects, community activities, and socio-culture, which were carried out through interviews. The interview method was conducted to find out the history of the establishment of *kori agungs* and the interventions and transformations that have been carried out (Aritama & Putra, 2021). The variables used were proportion and scale, materials and textures, and ornaments. These variables were used to analyze the shape and design characteristics of *kori agung*.

Physical data collection is carried out through field surveys. During the field survey, measurements and data were collected on the physical form of *kori agung*. This data collection was done through photo documentation, measurements, and sketches directly in the field. Theodolite measurement aims to measure the layout of buildings whose positions cannot be reached by humans. The first process was to sketch the object, and measurements were made by determining several points as a reference, then the data were processed by computer media. Photo documentations are focused on the objects. They were measured regarding the details of the ornament, appearance, and object's perspectives. Data collection using architectural documents (drawings, sketches, photos, and layouts) is also used as a tool to explore the relationship between architecture and spatial activity (Lozanovska, 2002).

The processed data were displayed in tables, graphs, sketches, and drawings were then analyzed through the architectural examination method. This analysis was carried out by reading the results of research in the form of images and architectural forms as the primary tool in analyzing, then described descriptively about the condition and distinctive character of the *kori agungs* in Bangli building through a display in the form of graphics and pictures (Putra et al., 2019). The conclusions were in the form of characteristics, patterns, and architectural styles that distinguish the Bangli style *kori agung* and the characteristics of its identity.

4. Result and Discussion

Bali's historical developments, including Bangli history, cannot be separated from architectural objects such as the *puri*, the king's residence in the past, *pura* as a place of worship and a traditional settlement. Architecture as a cultural product expresses people's daily lives, traditions, and developing localities (Satria & Putra, 2020). Community characteristics will influence the development of architecture and buildings in the area. Each region has its characteristics. The uniqueness of architecture can be in the form of orientation, spatial, diversity of architectural designs, and the use of local materials (Wirawibawa et al., 2021).

Bangli architecture style is a characteristic that is embedded in every form of design for their *kori agung* in *puri* or *pura*. A *kori agung* is the entrance and exit door to the different hierarchical spaces. A *kori agung* in an aristocratic house in Bali represents the power and social status of the owner (Wirawibawa et al., 2021). Meanwhile, the existence of a *kori agung* in temples symbolises the level of sanctity of space in the temple area. In general, a *kori agung* consists of three main parts: the head, the body, and the legs, which are termed *tri angga* (Eiseman Jr, 1989; Gelebet, 1998; Hobart, 1978).

4.1. The Kori Agung of Pura Desa Tamanbali

Pura Desa Tamanbali, also called *Pura Taman Narmada Bali Raja*, is located in Tamanbali Village, Bangli. The *kori agung* at this temple has existed since ancient times and has not undergone a restoration process. It uses a variety of detailed architecture and complex carved ornaments. The *kori agung* is one of the entrances to *utama mandala*, the main area. Based on the measurement results, the dimensions and proportions of the *kori agung* are an overall length of around 5.52 meters and a height of around 9.87 meters. It uses a combination of brick stone and sandstone, but it is more dominant in using sandstone. The *kori agung* is divided into three main elements according to the concept of *tri angga*, namely the head, the body, and the legs. The legs consist of the based element called *bataran*, stairs, and stair railing ornaments in the form of ornaments that reflect the shape of the elephant with pedestals. The height of the legs on *kori agung* is 3.27 meters. In addition, there are also two statues in the front of the *kori agung* that are usually called *Dwarapala*. The middle part consists of several parts, namely the *pengawak* (the main body of *kori agung*) and *lelengen*, the parts beside *pengawak*.

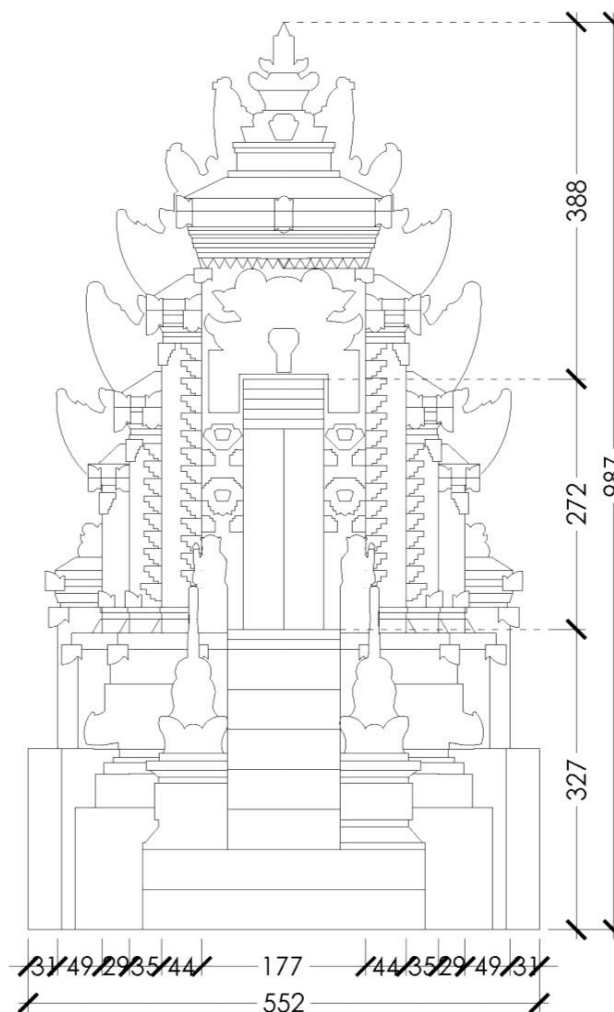


Figure 1: Kori Agung of Pura Desa Tamanbali

The head consists of several parts, including the *ulap-ulap*, above the main entrance. At the top of the *ulap-ulap*, a *karang boma* is a giant face ornament. Like other *kori agung*, the head consists of a two-level roof decorated by *util*, the scorpion tail shape, *karang goak* (raven head), *patra punggel*, *patra samblung*, and *patra punggel* and flower petal carvings (Suryada, 2012). *Patra samblung* is an ornament that uses many parts of golden pothos or creeper ceylon (*Epipremnum aureum*). *Patra punggel*, as the shape of plants inspires the other ornament. It is the mimesis of natural elements such as *batun poh* (mango seeds) and *don paku* (young leaves still circular on the stalk of diplazium esculentum). This ornament also consists of *jengger siap* (crown of roosters), *ampas nangka* (wrapping skin of jackfruit which is inside jackfruit), *kuping guling* (the roosted suckling pig's ears), *pepusuhan* (new shoots), and *util* (the mimesis of scorpion's tail) (Gelebet, 1998).

At the top, there is a crown ornament called *murda*, made of sandstone. In addition to several ornaments that are the main elements of *kori agung*, there are also ornaments attached to certain parts of *kori agung*. In addition, there are mask ornaments called *karang tapel*. *Karang tapel* represents a giant face with bulging eyes, an open mouth. The giant face is accompanied by teeth, fangs, and a protruding tongue. However, *karang boma* on *kori agung* Pura Tamanbali Village have different characteristics, the significant difference is the absence of a pair of hands gripping the vines. The carving was replaced with *patra punggel*, *bungan tunjung* (water lily flower) and *patra samblung*.



Figure 2: The Parts Ornament of Kori Agung of Pura Desa Tamanbali

4.2. Kori Agung of Pura Penataran Gaga Tamanbali

Pura Penataran Gaga Tamanbali is located in Banjar Gaga, Tamanbali Village, Bangli. This temple is one of the oldest temples in Bangli, which existed before the Tamanbali Kingdom. According to people's beliefs, this temple was previously used as a *pasraman*, a dormitory for people to study religious knowledge, which can be seen from many traditional buildings called *bales* in this temple. The temple area is divided into three areas, namely *jeroan* (main area), *jaba tengah* (middle area), and *jaba sisi* (outer area). In the *jaba sisi*, there is a *wantilan*, a traditional building to perform many traditional music and dance. In *jaba tengah*, there is a *kori agung* which connects the *jeroan* and *jaba tengah*. The *kori agung* Pura Penataran Gaga is located at *jaba tengah* area, as access to the *jeroan* area. Based on the measurement results of the dimensions and proportions of the *kori agung*, the overall length is around 5.35 meters and the height is around 7.69 meters. The *kori agung* uses a combination of red brick and sandstone, the dominant ornament uses sandstone and the dominant part of the *kori agung* uses red brick.

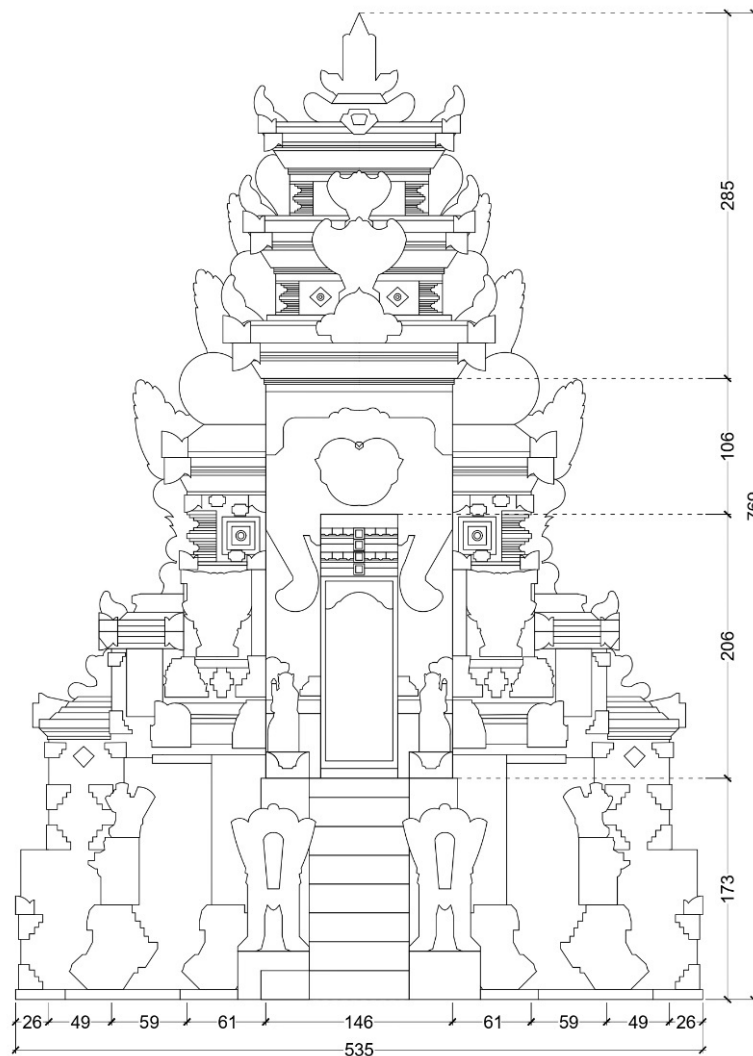


Figure 3: Redraw Kori Agung of Pura Penataran Gaga Tamanbali

The *kori agung* Pura Penataran Gaga is divided into three main elements according to the *tri angga* concept, namely the head, the body and the legs. The legs consist of the *bataran*, stairs, and stair railing ornaments that represent the shape of an elephant. The use of the elephant ornament at the bottom has the meaning of a strong elephant character so that it can give the image that the *kori agung* is a majestic and strong impression. The shape and variety of ornaments on the *bataran*/legs are unclear. This is because the surface of the material is covered with moss. However, some parts that can still be seen include *karang gajah*, the ornament of elephant face, at each corner of the based part called *bataran* of the *kori agung*.

The body consists of *pengawak*, entrance holes, and caping on the right and left. In the *pengawak* part there are ornaments in the form of *kakul-kakulan*, the snail ornament, *keketusan kuta mesir*, the representation of Egypt decoration and *karang boma*. There are various decorations in the form of patches of *garuda* (eagle) statues on the walls. Unlike the previous object, the *karang boma* ornament is equipped with a pair of hands equipped with carvings of vines. The *karang boma* becomes an ornamental variety filled with sculptures in the form of leaves and plants. This follows the mythological story of *boma* in Balinese culture, which describes *Boma* as *Banaspati*, large trees in the middle of the wilderness (Hobart 2003).

The head consists of three *tumpang* (level) of the head. Each *tumpang* consists of ornaments, including *karang goak*, *karang sae*, *bungan tuwung*/representation of eggplant flower shape, and *util*, made of a combination of brick and sandstone materials. At the top, there is a *murda* ornament conical to the top and flanked by *karang goak* on all four sides of the *murda*.

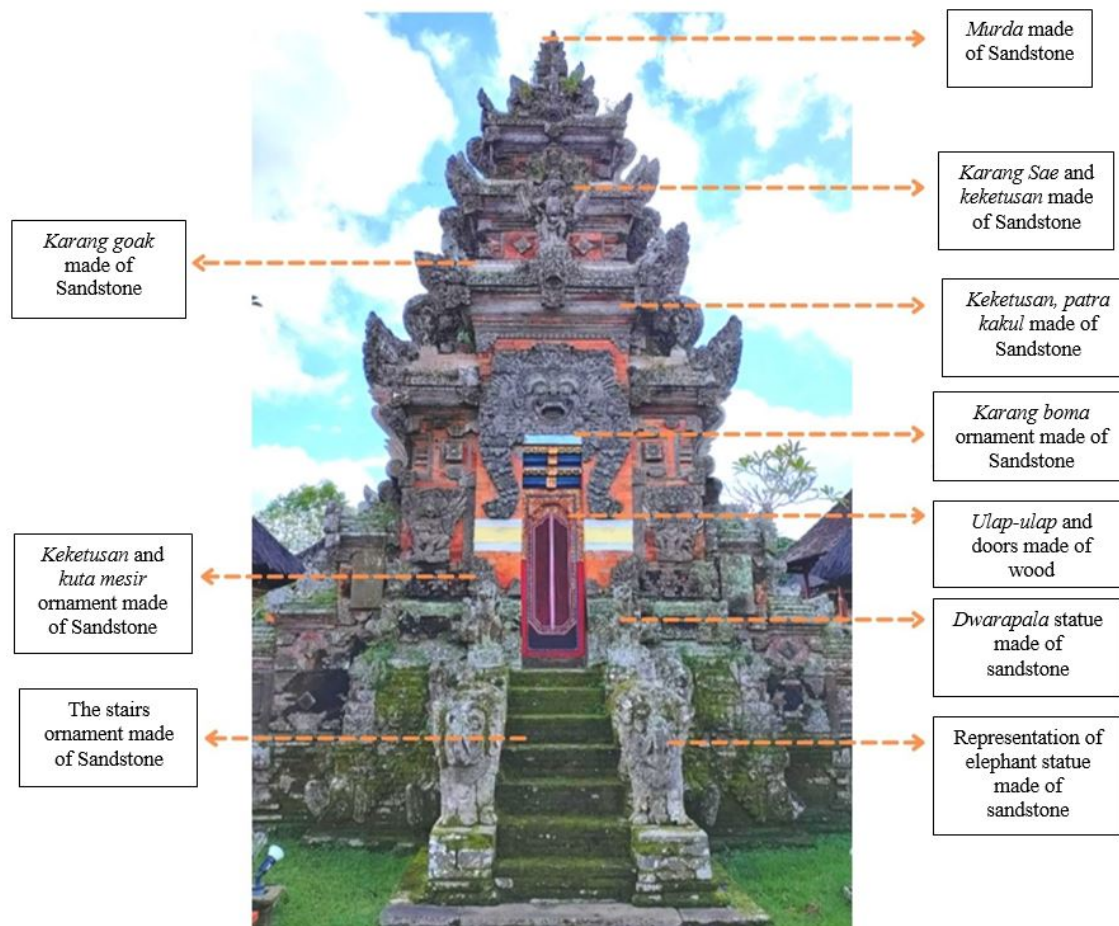


Figure 4: The Parts Ornament of Kori Agung of Pura Penataran Gaga Tamanbali

4.3. Kori Agung of Puri Agung Bangli/ Bangli Kingdom Palace

Puri Agung Bangli is located in the center of the town of Bangli, which was established in 1518 AD (Wikarman 2013). Puri Agung Bangli is a palace that became the initial center of government of the other *puri* in Bangli. The ancient relics are classified as highly preserved for their authenticity, including the kori agung, which is still preserving the authenticity of the carving styles and various Bangli architectures. Based on the interviews and field observations, the *kori agung* is an object that has never been renovated. So, it is estimated that it is an architectural object that originated from the early establishment of the Bangli kingdom. As the main entrance to the palace, the *kori agung* is made with large dimensions enough to give a majestic impression and provide security for the king and his family. These dimensional differences distinguish the most powerful traits around the region.

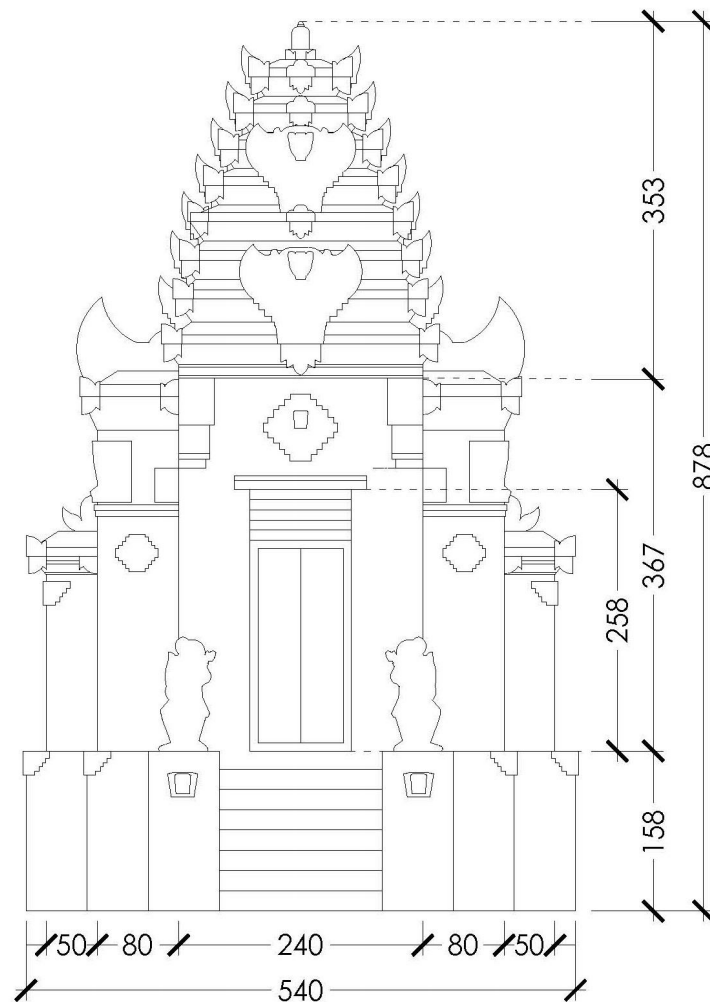


Figure 5: Redraw Kori Agung of Puri Agung Bangli

Based on the results of documentation and measurements, the total width of *Kori Agung* is 5.4 meters, while the height up to the *murda* is 8.78 meters. Overall, the *kori agung* Puri Bangli uses a combination of brick and sandstone. The material used is quite hard on sandstone material, almost like stone, so that the existence of *Kori Agung* is still intact and can survive the influence of weather and climate.

Kori Agung Puri Bangli has a *tri angga* concept, consisting of three main parts: the legs, body, and head. The legs consist of the base, starting from the *bataran* (based part) to the stairs leading to the door. The body consists of *pengawak* with two *lelengen* on the right and left and is equipped with a *caping* (small part next to *lelengen*) on the left and right. The height of the door is 2.58 meters. At the top of the door, *ulap-ulap* is made of carved and unfinished wood. At the top of the door, ornaments are made of sandstone. While on the left and right, there are *karang goak* (raven ornament) with sandstone material.

The top is the head which consists of nine *tumpang* (roof level). Each *tumpang* consists of ornaments, including *karang goak* and *karang boma*, which are more superficial. On each *tumpang* lift on the right and left, a ledge has a geometric shape that tends to taper off using sandstone. Each *tumpang* has ornaments, so the higher the geometric shape of the roof the higher it gets smaller. At the very top of *Kori Agung*, *murda* is used as a top ornament.

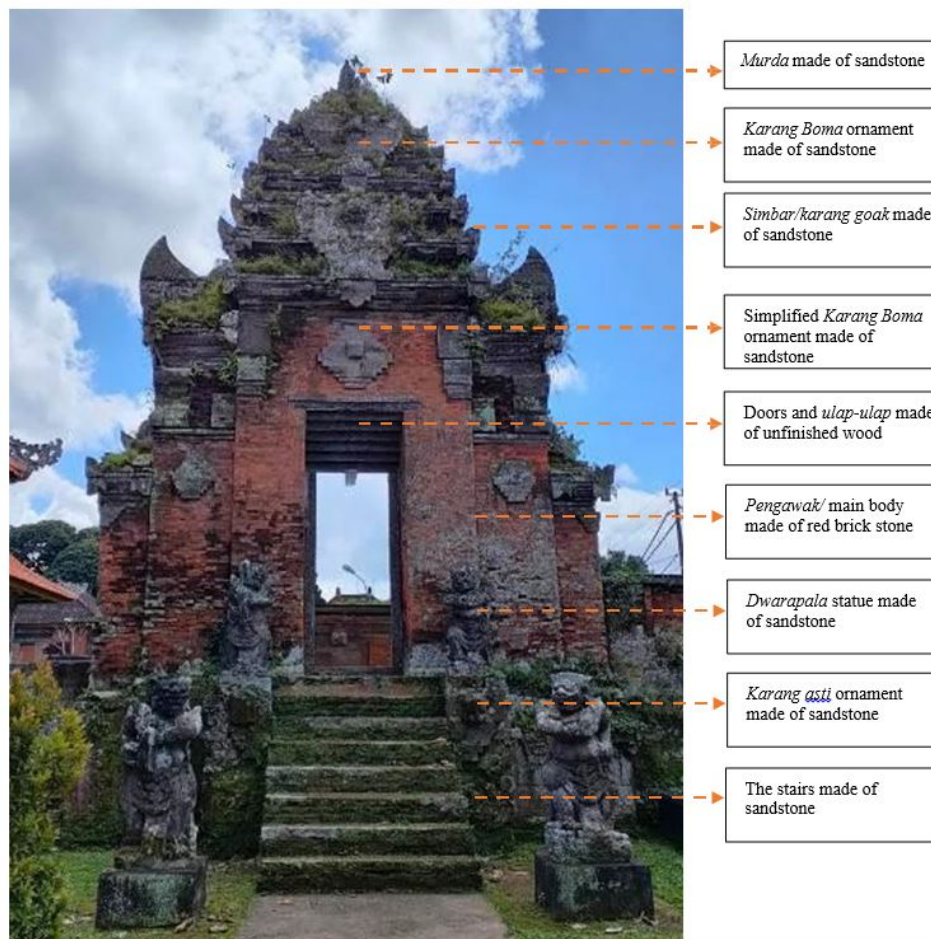


Figure 6: The Parts Ornament of Kori Agung of Puri Agung Bangli

5. Conclusion

The development of Bangli architecture cannot be separated from the role of history and the factor of change in power that gives color and characteristics to its architectural style. From the analysis that has been carried out, the architectural characteristics of Bangli can be seen from the form, building elements, materials, and ornaments used in each field. In Bangli architecture, the *tri angga* concept is classified into three distinct components: the legs, the body, and the head. With the mass composition on the head, the proportion of the *kori agung* in Bangli appears rather slim. Additionally, this pattern is distinguished by the appearance of util on both the right and left sides of each *tumpang*. The continued existence and preservation of architectural objects in Bangli reflects the community's resolve to protect its cultural heritage. The preservation and uniqueness of these architectural objects may represent an opportunity for cultural tourist growth.

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Leisure of Internally Displaced Marawi Families

Rhoma Grace V. Pandan¹, Alberto L. Dimarucut²

¹ Department of Physical Education, College of Arts and Sciences, University of the Philippines Visayas.

Email: rvpandan@up.edu.ph

² College of Human Kinetics, University of the Philippines Diliman. Email: aldimarucut@up.ed.ph

Abstract

Family is a strong foundation of a successful nation and participating in leisure activities contributes to a happy and functional unit of society. However, in unfavorable situations, there are families who were drastically displaced in order to survive such as the Marawi siege which had brought massive internal displacement in the history of the Philippines. Using ethnographic research fieldwork methods, this study examined and explores how family leisure is exercised in unfamiliar territories among internally displaced Marawi families and the impacts it had on family leisure experiences in three key concepts: space, activities, and time. The findings revealed that displacement enforced unique constraints on leisure, such as those related to the overlap of work and leisure time and space, limited finances, preference for money accumulate overspending on leisure, have led internally displaced families to discontinue some previous practices, and pursue passive and home-based leisure activities. Displacement, however, also led families to be resilient, adapt to new leisure activities, and contributed to the development of new family leisure values. The family's solid perspective on the role of leisure in strengthening family bonds trumps the limitations and challenges set by current circumstances.

Keywords: Family Leisure, Internal Displacement, Leisure Activities

1. Background of the Study

To be with one's family is a major element of leisure since family life is exceptionally and closely entwined with leisure (Roberts, 1978). Over the years, scholarly research show the positive correlation of family leisure with family cohesion, family adaptability, and overall functionality and satisfaction with family life (Agate, Zabriskie, & Eggett, 2007; Zabriskie & McCormick, 2001; Zabriskie & Freeman, 2004). As such, families engaged in a variety of family leisure activities can experience pleasure, comfort, and warmth (Melton, Zabriskie, 2016), that could eventually make them productive units of society. But what about families displaced today due to disasters and armed conflict? Focusing on families displaced in Metro Manila brought about by the armed conflict in Marawi City in 2017, this paper discusses how family leisure is exercised in unfamiliar territories.

Specifically, this study explores the concept of "family leisure" in three key concepts: space, activities, and time. A study by Melton and Zabriskie in 2016, suggested that families participating in anticipated activities in familiar environments are happier. But will this still be the case if families are (dis)placed in a new environment or space? A new environment or 'space' has a profound impact on the family, especially in the case of displacement. It entails the families to adjust psychologically, socially, emotionally, physically and financially, to ensure their security and well-being as a functioning unit.

As mentioned previously, leisure activities practiced and continued brings cohesion and a greater sense of adaptability to the family (Zabriskie & McCormick, 2001). If a family is displaced, however, these activities may be difficult to practice, adapt, or continue.

As for time, leisure is a vital component of any family schedule, as it provides members the opportunity to interact, communicate, and learn together in this time of activities (Walton, 2018). It is therefore pertinent to recognize how leisure time is seen, used, and managed by families who are currently displaced. Given these, the goal of this study is to explore and analyze the leisure of some of the internally displaced Marawi families under the lenses of the three abovementioned concepts. In doing so, pre- and current displacement leisure will be classified and identified, to have a better discernment of the changes in family leisure and among members themselves, in the provided timeline.

2. Review of Related Literature

2.1. Leisure

While there is a multitude of Filipino languages, there has been no established term that specifically defines "leisure" that would cover the three key concepts in this study. But "leisure" after all, is a multidimensional term.

For Shaw (1985), the definition of "leisure" is something inherently symbolic in nature, where if three or more positive triggers are organically felt by the members involved, "leisure" is actualized. Meanwhile, Kelly suggests (1996) that "leisure" is not solely a product of individual thought. Rather, it is derived from the combination and inclusion of experiences in both the micro and macro levels of society where availability of space, activities, time, facilities, government policies, and awareness play key roles (Kelly, 1996; Stodolska, 2006.). Stodolska (2000, 2006) and Livengood (2006) add that leisure time activities not only facilitate in-group and intergroup relations, but also provide a sense of familiarity with the new culture, and help the preservation of desired cultural elements.

2.2. Family Leisure

In 1978, Roberts was able to analyze that being with one's family is a major element of leisure. This was further supported by Agate, Zabriskie, Agate and Poff in 2009, where they concluded that family leisure provides opportunities for members to bond with each other, resolve problems together, and strengthen relationships. Benefits related to family leisure were also identified, including increased communication skills (Huff, Widmer, McCoy & Hill, 2003), problem-solving efficacy (Wells, Widmer, & McCoy, 2004), development of life skills and social skills (Mactavish & Schleien, 1998), and satisfaction with family life (Zabriskie & McCormick, 2003). In all these studies, variables considered were family size, income, structure, history of divorce, and age. Responses from the parents indicate that "family leisure involvement was the single strongest predictor of their satisfaction with family life."

On family satisfaction on the basis of leisure, it was revealed that core and balance play significant roles in the family's cohesion, adaptability, and overall function—as consistently attested by parents, young adults, children, and the family as a unit, when expressing their perspectives (Agate et al., 2007; Freeman & Zabriskie, 2003). Such has been concurred by various family types, including two-parent families (Zabriskie, 2000; Zabriskie & McCormick, 2001), transracial adoptive families (Zabriskie & Freeman, 2004), single-parent families (Hornberger, 2007; Smith, Taylor, Hill & Zabriskie, 2004), Mexican-American families (Christenson, Zabriskie, Eggett & Freeman, 2006), divorced families from non-resident fathers (Swinton, 2006), and families with a child with disability (Dodd, 2007). While studies conducted are undoubtedly broad and diverse, no research has been conducted yet in analyzing family leisure in the context of internally displaced families, and even among Muslim families.

2.3. Leisure and Positive Family Functioning.

As mentioned, research on family leisure implies an increase in perceptions of family function, cohesion, bond, adaptability, communication, and life satisfaction (Holman & Epperson, 1984; Orthner & Mancini, 1991; Poff, Zabriskie & Townsend, 2010; Smith, Freeman, & Zabriskie, 2009; Zabriskie & McCormick, 2003). It provides opportunities for members to bond, resolve problems, and strengthen their relationships (Agate, Zabriskie, Agate & Poff, 2009), which are emphasized further when viewed in a family system perspective. These shared experiences highlight the distinctiveness of each member, resulting in closer relationships and stronger family bonds. In a family system perspective, family leisure allows members to express their perceived freedom, releasing intrinsic rewards such as pleasure, happiness, humor and playfulness (Russel, 1996). Leisure spent together by the family not only strengthens their bond, but also unleashes new sources and avenues that will further fortify their foundation. With family being the first and basic intimate community of an individual, pursuing family leisure activities is an intrinsic part of the unit's nurturing and development. Such may be the impact too, when pursued by internally displaced families.

2.4. Family Leisure in Time, Space, and Activities

Family leisure experiences are the products of iterative interactions between family and activity domains, which are situated in Time. These experiences emerge when two or more family members participate in the same recreational activity. Activity represents the interaction among family members within their space and environment, where each has shared and non-shared experiences in the same activity participated on. The time-space order in family leisure must be seen in the context of the transition from a family's previous residence at a different space structure and time, to their present one.

When studying leisure, it must be through the interrelated concepts of time, practice, and mental conditions. For instance, leisure may be considered as a time decided to be spent by a person, free from any feelings of obligation to comply with work, family, religion and other duties the individual finds relevant. But this description doesn't provide a complete definition of leisure. Factoring in both practice and mental conditions, leisure is an exercise of activities that provide mental and physical comfort to the individual (Pourmohammadi, 2011). Such activities may include watching television, playing sports, and listening to music.

In another study, leisure can be considered as a most opportune time in human life, especially if one knows what to pursue. For instance, believers relish moments of prayer with their god as scientists and thinkers would in time of musing and contemplation, or as artists have in time of creation and innovation. When the individual is undecided on what to do, frustration becomes inevitable (Rezzadeh & Yazarloo, 2017).

In relation to time-space order, how must one look into the changes in leisure behavior that coincides with the family's transition from one environment to another? When discussing cessation in family leisure participation, it should be in reference to the other aspects that brought out the changes in the leisure behavior, so not to produce misleading conclusions. These changes can only be explained adequately if other phenomena, such as initiating new activities, are taken into account.

Jackson and Dunn (1988) elaborate on this further in their study on the patterns identified and combined, in the process of starting and/or ceasing participation in Alberta, Canada. From this study, they were able to identify four distinct types of individuals:

- (1) *Quitters*. Those who have discontinued some activities and have not started new ones;
- (2) *Replacers*. Those who have ceased some activities but started new ones;
- (3) *Adders*. Those who have started new activities aside from continuing previous one; and
- (4) *Continuers*. Those who have neither ceased current nor started new activities.

From these, the authors learned that there is a strong correlation between a person's age and the tendency to continue, discontinue and/or add leisure activities. A reduction to replace and add activities come with advancing age, while younger age groups are more susceptible to quitting.

While these may not be directly applicable to changes in leisure activities aggravated by the displacement of Marawi families, such identifiers will provide a useful framework in analyzing leisure practices following their displacement.

2.5. Internal Displacement in the Philippines

The armed conflict that took place in Marawi City, Lanao Del Sur, Philippines in May 2017, was marked in national history as the biggest internal displacement not caused by a natural disaster. More than 350,000 people were displaced in the city and the surrounding region. And while the armed conflict was officially settled in October 2017, 290,000 were still displaced (DROMIC 2017; DREAMB 2017, DSWD 2017 and GRID 2018). By the end of July 2018, an estimated 1,675 families were found to be staying in 23 evacuation centers in Regions 10 and BARMM; 11,131 families are displaced in houses from Regions VI, VII, IX, X, XI XII, CARAGA, BARMM and other regions in Luzon (News from Social Marketing, August 7, 2018).

2.6. Internal Migration of Muslim Filipinos outside Mindanao

Salam Compound in Brgy. Culiati, Quezon City, is a migrant Muslim community in Metro Manila. Its residents are Muslim refugees--individuals, groups and families-- who suffered from political oppression and economic discrimination. Aside from looking for livelihood opportunities in a new territory, it is also the community's endeavor to preserve their Muslim identity while combating cultural marginalization.

"Morospora" is a term coined by Regadio in 2018 to advance the understanding of the Muslim-Filipinos' disposition in their efforts to integrate into their host communities after migrating from Mindanao to the different regions of a Christian-dominated country. From this emerged "*kadatuan* within," a type of governance that facilitates their attempt to establish permanent communities outside Mindanao (Regadio, C., 2018). Such attempt is also their way of alleviating their inceptive fear of not being accepted by their host communities, yielding autonomous cultural and social needs (Watanabe, 2008), that include the building of mosques and other local associations that will bring into social consciousness their interests and needs. For instance, the "masjid" or Mosque, is a manifestation of the communal spirit of Muslim-Filipino migrants, and a reminder of their religious diversity to ethnic out-groups (Watanabe, 2008).

3. Methodology

In attaining the objectives of this study, the researcher had an empathic disposition to thoroughly understand leisure in the perspective of the internally displaced families. Thus, an interpretivist approach fused with ethnographic fieldwork methods (life stories, interviews and participant observation) were applied by the researcher, yielding an exploratory and descriptive qualitative study containing an etic analysis—so to recognize that in spite of the empathic mindset, the references and analysis on the subject are interpretations of the researcher's (Bhattacharya & Given, 2012).

3.1. Sample for the Study

Participants are internally displaced families in Quezon City affected by the Marawi Siege. They are commonly known as *bakwit*, a Tagalog vernacular for 'evacuee'.

The age range of selected participants are between 10 to 60 years old, with the parents' age ranging from 25 to 65 years old. For the purposes of this study, an offspring will be considered a child if they are of elementary level of school age; and an adolescent if of secondary level. Out of the number of *bakwit* at the Salam Compound, N=5 families will participate in this study: N=2 families with children, and N=3 families with adolescents. These two types of families have been chosen by the researcher for the following reasons: For parents with children, leisure is experienced by the latter not only at home, but in the community as well. This is the stage where parents encourage their children to maximize activities in the community and at school. In return, the child shares these learnings with the parents, increasing engagement in leisure activities. Meanwhile, parents with adolescents may

have a decrease in family leisure activities, as adolescents yearn for more independence in exploring their physical and social environments, entailing parents to create flexible boundaries to maintain family bond. For the purpose of this research, the two families with young children will be called Family A and Family B, while those with adolescent children will be called Family C, Family D, and Family E.

3.2. Data Analysis

Content and thematic analyses were used to assess the participants' perspectives on family leisure. Data were progressed through initial/open coding, focused coding and axial coding (Straus and Corbin, 1998). In the open coding process, the data were classified into initial codes (e.g., time, space, and activities before and during displacement). Raw data were gathered with common points or responses identified and coded. Themes were derived from interviews, as well as subthemes, based on the description, explanation, and opinions expressed by family members on family leisure and its activities. In the focused coding phase the data were identified and classified as the most frequent and meaningful open codes (e.g., continued, quitted, added, and replaced). The frequency of the data gathered was incorporated to support the themes (and subthemes) identified. Last phase, was axial coding was performed to find the inner connections between the categories (Strauss & Corbin, 1998). For accuracy and credibility, these information was cross-checked by the respondents.

All responses were grouped by the researcher into two: before displacement and during displacement. These are equivalent to the following:

- *Always* - for leisure activities done daily
- *Sometimes* - for activities done 2-3 or more times a week
- *Seldom* - for activities done 1-4 times in a month or year
- *Never* - for activities lost or no longer practiced

In identifying the prevalence of these frequencies to the respondents' family leisure participation before and during displacement, the researcher used the following qualifiers:

- *Quitter (Q)* - Always/Sometimes/Seldom to Never
- *Continuer (C)* - Always to Always
- *Adder (A)* - Never to Sometimes/Always
- *Replacer (R)* - Always/Sometimes/Seldom to substitute activities

To ensure that there were no biases on the part of the researcher, the study underwent peer and participants' validation.

4. Results

4.1. Leisure Meaning among Internally Displaced Marawi Families

"Leisure" is not a familiar term for the participants, except for family members with college backgrounds. The term used to describe worthwhile activities done during free time is *katembangan*. A Maranao word, the Marawis consider *katembangan* closest to the western concept of 'leisure,' as *katembangan* is a break from or a time for physical relaxation during labor. There is another Maranao word, *da psowaan*, which may represent pastime for hobbies, or doing nothing at all. However, Islamic faith encourages families and individuals to engage in sensible and meaningful use of time. More so, when looking into the concept of leisure for this study, *katembangan* has a deeper correspondence to leisure, covering the subjective use of time, space and activity.

Muslim families are bound with duties and obligations wherever they go, even during displacement. Prayers and reading the Qur'an were of great help to these families in coping with the demands of living in a new environment. This has been one of the resolves for the father of Family C.

"Prayers gave us hope and strengthened our faith that, in the midst of chaos and uncertainties, our faith and lives as good Muslims remain. Our family became closer. Here, we have no one to depend on except each other to survive."

His wife agrees.

"That is why we always allot time to pray. Through prayers, we can relax, unwind, and talk to Allah."

4.2. Leisure of Internally Displaced Families in Terms of Time

Before Displacement

Prior the armed conflict, most of the participating families had businesses, allotting a window time for prayer and *katembangan* during their break from work on weekdays. For these families, they associate leisure time with the activities they do after prayer time. Prayer time has a fixed schedule. It is obligatory and even more, a daily habit, for the Muslim people so to be rewarded by Allah.

In the case of Family B, the mother describes her family's *katembangan* before the siege and when all her children were still of elementary age, as follows:

"We do storytelling, head lice picking, embroidery; we play scrabble or another board game after finishing our prayer at 12:00 noon or 3:00 pm, and if we don't have any more pending tasks at work. Between 12:00 noon and 4:00 pm is when we get to do the things we like to do."

While adults properly observe and adhere to prayer time, children don't have adequate understanding yet of Muslim faith to follow and practice prayer time like their parents do. To make up for this and to slowly incorporate the religion to their children, parents teach the children songs, read them the Qur'an, and explain to them the value of prayer.

During Displacement

Even while in displacement, these families still consider after prayer time as their time for leisure. In fact, almost majority of the respondents have had ample time for leisure and new activities, during the early stages of their settlement in Metro Manila. This was the case of the mother for Family B.

"I was actually confined inside our house and didn't go out because I have no friends. But time seems to be moving very fast here, when I realized three months have already passed. An opportunity to go out came when I was informed of a free health aid training seminar organized by TESDA. So I seized that opportunity. Eventually, I took the skills test and exams, and passed. Now, whenever the barangay needs health aid assistance, I offer my services. It became therapeutic for me, volunteering as a health provider. I am happy."

But the quick passage of time in Metro Manila did not have the same appeal for the mother of Family D. Having been used to doing business back in Marawi, she also ventured towards entrepreneurship while in displacement, as did other mothers from the community. For them, traffic in Metro Manila was the enemy, making transactions with clients difficult, as traffic consumes most of their time. "We do not experience this kind of traffic in Marawi. There, we have enough space and there are only a few vehicles moving around the city."

4.3. Leisure of Internally Displaced Families in Terms of Space.

During Displacement

Barangay Culiati is a very humid, noisy and crowded place. The streets are narrow, vendors are everywhere and so is the garbage, attracting pests such as rats and cockroaches, even in the Muslims' dwelling place. This condition isn't something the displaced families are used to prior displacement, but adjustments must be made. Included too, were social and cultural adjustments that also brought about limitations and difficulties for them to engage in leisure.

Mother of Family B, shares her thoughts:

"It's a different place. Initially, it was really difficult because I didn't know anyone, the people are different, the alley leading to our house is dark, my family and I are cramped in this small room, and it's really hot here unlike in Marawi, where the climate is cooler."

However, other families don't mind the small space, sharing that this and the house structure of their current residence during displacement don't differ from what they had in Marawi. One stark difference is property ownership, since these families are only renting their current living spaces. Other differences worth noting, are the cleanliness and orderliness in Barangay Culiati, which affect the living conditions of the displaced families.

A child from Family D states:

"Our house before was pretty much the same: two-storeys but with no underground. From our house, we can walk to and from school. Our house and street were clean because there were only a few children. Here, the surroundings are dirty because there are so many children littering."

4.4. Leisure of Internally Displaced Families in Terms of Activities

During Displacement

There were some leisure activities that the families continued to practice, and there were activities that were no longer applicable upon displacement. Families also found new leisure activities in replacement of ceased ones or in addition to the continued practices. Topping the leisure activities done while in displacement is watching TV. Only one of the five families don't practice such leisure since they don't own a television. Mother of Family E shares her family's leisure activities, "We talk during lunch and dinner, we watch TV and debate on issues. These are what we usually do during family time and what I consider our bonding moment."

Out of the five mothers, four found leisure in their work. Mother of Family D expounds:

"Most of my time is focused on business. I sell RTW (ready to wear) clothes, toys, cigarettes, candles and accessories. All day, I am just sitting, waiting for customers and looking at passersby. But that's also the time I get to talk to my children, or chat with fellow vendors."

For the mother of Family B, it is attending free training seminars like the ones for health care providers that she considers her own leisure, to combat boredom.

As for the fathers, earning money is their top priority, and they spend *katembangan* the same way as the four mothers would: while at work or during break time. *Katembangan* for the fathers would include sharing laughs with colleagues, or talking about current events.

Father of Family A explains:

"It's all work here. Leisure at work will just be me chatting with my co-workers. We take our rest during break time and resume work right after. When I get home, sometimes I'll just eat and then sleep. Sometimes, I share stories and play with my wife and kids."

As for the adolescents, the use of cellphone and surfing the internet top their leisure activities.

For the children, *katembangan* comprises of various types of play. One of the sons from Family A sees leisure as playing games and hanging out with friends. Games played are mostly Filipino ones enjoyed by other children across the country. Children have a spontaneous disposition when it comes to leisure, doing whatever comes to mind. The son from Family A shyly shares:

"We play different games. Hide and seek, video games, and sometimes we play basketball if there are no adults playing in the covered court...it depends on what we feel like doing."

4.5. *Categorization of Family Leisure Activities into Quitters, Adders, Replacers and Continuers of internally displaced Marawi families after displacement*

Undoubtedly, there were changes in the families' leisure activities during displacement. This study breaks down these activities into two types for better understanding of these activities.

Type I are activities that can be characterized as familiar, predictable, and done regularly at or near their homes. Meanwhile, Type II are activities that are either new or unfamiliar, occasional, exercised far from home, and would sometimes require planning and other resources such as money and time. The displaced families consider financial instability, and the adequacy of time and space as factors in deciding whether to quit or continue pre-displacement leisure activities, or add or replace these existing activities with new ones.

Table 1 summarizes the leisure activities distinguished according to type (I or II), and categorized further according to the status of participation, as derived from the prevalence of practicing the activities before and during displacement.

Table 1: Type of Family Leisure Activity Participation

Family	FLAP	Time	Prevalence (Before)	Prevalence (During)	Space	TFLPF
TYPE I						
A	Watching TV	After Dinner	Always	Always	At home	Continuer
	Reading of Qur'an	Weekend/Prayer Time	Sometimes	Sometimes	At home	Continuer
B	Board games	Anytime	Sometimes	Never	At home	Quitter
	Watching TV/Gardening	After Dinner	Always	Always	At home	Continuer
	Storytelling with kids and siblings	AM/PM	Sometimes	Never	Garden	Quitter
	Head lice picking	Anytime	Always	Always (kids) Never (sibs)	At home	Continuer
	Work/House chores	Anytime	Sometimes	Sometimes	At home	Continuer
	Conference call with siblings	Break Time Anytime	Never	Sometimes Sometimes	At store At home	Adder Adder
C	Watching TV/Gardening	After Dinner	Always	Always	At home	Continuer
	Listening to the radio	AM/PM	Sometimes	Never	Garden	Quitter
	Head lice picking	Lunch Time/PM	Always	Never	At home	Quitter
	Work	Anytime Anytime	Sometimes Sometimes	Sometimes Sometimes	At home At home	Continuer Continuer
D	Praying/After Prayer	Prayer Time	Always	Always	At home	Continuer
	Storytelling with kids and siblings	Anytime	Always	Sometimes- Never	At home	Quitter

Family	FLAP	Time	Prevalence (Before)	Prevalence (During)	Space	TFLPF
	Watching TV/Gardening	Anytime	Always	Never	At home	Quitter
	Work/Business	AM & PM	Sometimes	Never	Garden	Quitter
	Internet	Anytime	Sometimes	Sometimes	Store	Continuer
		Anytime	Never	Sometimes	At home/Store	Adder
E	Watching TV	Anytime	Always	Always	At home	Continuer
	Listening to radio	Anytime	Always	Never	At home	Quitter
	Gardening	AM/PM	Sometimes	Never	Garden	Quitter
	Cooking	Anytime	Always	Never	At home	Quitter
	TYPE II					
A	Celebrating during the end of Ramadan	End of Ramadan	Always	Never	Outside community	Quitter
B	Taking the family to the beach	Summer Break	Sometimes	Seldom	Iligan City/Bulacan	Continuer
	Attending celebrations/parties	Anytime	Sometimes	Never	Venue	Quitter
	Watch movie in cinema					
	Watch a live TV show					
	New year countdown in MOA	Anytime	Never	Sometimes	Mall	Adder
	Videoke	Whole day	Never	Sometimes	Studio	Adder
		Evening	Never	Sometimes	MOA	Adder
		Evening	Never	Sometimes	At home	Adder
C	Going to relatives during celebration	Lunch Time	Sometimes	Never	Relative's house	Quitter
	Feast					
	Sharing food	End of Ramadan	Always	Sometimes	Community/Compound	Continuer
	Strolling in the mall	End of Ramadan	Always	Never	Mall	Quitter
	Watching movies in cinema	Anytime	Never	Seldom	Cinema	Adder
		PM	Never	Seldom		Adder
D	Going to the beach with the clan	Vacation	Sometimes	Never	Iligan City	Quitter
	Attending weddings	Anytime	Sometimes	Seldom	Outside	Continuer
	Party	End of Ramadan	Always	Never	Outside	Quitter
	Feast	End of Ramadan	Always	Never	Outside	Quitter
E	Attending celebrations of relatives and friends	Anytime	Sometimes	Never	Neighborhood/Compound	Quitter

The data suggests that most respondents have become quitters (18) on various types of katembangan/activities while in displacement. Still there are some continuing (14) existing activities, and also adding (9) new ones.

5. Discussion and Analysis

5.1. Factors that Changed Leisure of Internally Displaced Marawi Families

Factors observed to have changed and affected leisure participation among the families and its members are time, space, gender, age, socio-economic status, language, and religion.

Leisure Time

There is still a strong linkage between leisure and prayer time, as families would still practice the former after the latter has been fulfilled. While this may be the case, activities done during leisure time vary on a daily basis. However, one core and common leisure activity among families after prayer time in the evening is watching TV. According to a study by Rezazadeh & Yazarloo (2017), leisure time can be considered as the greatest opportunity in human life. When this is applied to the way Muslims observe prayer time, one could say that they take advantage of this activity as a moment with Allah. As watching TV after evening prayer is a stable leisure for these families, such activity strengthens their bond, giving them comfort at the time of displacement.

Leisure Space

The Maranao group of people--whom the Marawis are indigenously identified with, are extremely clannish and family-centered. Hence, it is only natural for them to look for familial and ethnic connections in far off places, as it will help ease the adjustment and adaptability of the families to the area where they will be displaced. This is the case when the displaced families chose the Salam Compound in Quezon City or other Muslim communities in Metro Manila, as their resettlement area.

Aside from maintaining ethnic and religious links and identities, the language barrier was also mitigated by such a strategy (Sime, D. & Fox, R., 2015). Metro Manila is a dominantly Tagalog and English-speaking region, which makes it difficult for some newcomers to have access to services especially if they're not familiar with the languages. Having and knowing someone speaking the local language of the displaced makes it easier for the latter to get access to services and diminish--if not overcome, the limitations they have set for themselves upon setting foot in Manila.

Usually, it is in the home where leisure activities are pursued. However, the limited space that these families have in their current residence during displacement, have refrained them or worse, completely stopped them, from continuing the common leisure activities they regularly practice before the Siege. Gardening, for instance, is impossible to do during displacement because all the family has is a small single room where they are to eat, mingle, and sleep. Such living condition is most frustrating for mothers. With their traditional role of housekeeping being confined into one small space, the chance to excel on their idea of motherhood, as well as realizing their full potential, have been taken away from them. What was supposed to be their safe place, became a trap that made them distant and separated from the world (Domosh and Seager, 2001).

Outside the home and prior the armed conflict, these families had Lake Lanao as another social space for their leisure activities where they enjoy swimming, and interacting with friends and relatives. This kind of social space is not available in the confined, urban landscape they find themselves in during displacement.

In urban planning and development, an important aspect to look into is the socio-economic development indicators of such plan for the city. This means looking into the quality of work, residence, transportation and life basically, and what leisure facilities and infrastructures can be placed to make such qualities manifest (Rezazadeh & Yazarloo, 2017). It is therefore necessary to explore the social dynamics and relations in leisure spaces.

In particular, studies show that social spaces are not neutral, benign, nor just a mere backdrop for leisure. Rather, these spaces are central to the production and reproduction of social and cultural inclusion and exclusion (Knowles, 2008). In this regard, the state of the internally displaced Marawi families must be looked into with the same perspective.

5.2. Constraints in Leisure Activities

Quitting

With more activities ceased than continued and added, one possibility why this is so is due to the families' experience of their transition from migration to displacement (Junio, 2002). Such displacement has a more profound impact on the parents as compared to their children, because it is up to them to ensure the security--both economic and social--of their family. Displacement for the parents meant being aware of the limitations set by an unfamiliar region that include time, space, livelihood opportunities, culture, religion, and language. These are also the same factors that prevented the continuation of past leisure activities wherein displaced families are struggling to establish connections to the host population and, at the same time, losing links to the community back home (Smith & Guarnizo, 2006).

In terms of time, parents are more focused on work, in the hopes of earning sufficient money so that their family can move back to Marawi once rehabilitation is complete, and live the way they did, pre-conflict. For space, what they have in Metro Manila isn't enough to conduct the leisure activities they would do back home. Livelihood opportunities are scarce too, hindered by cultural, religious and language differences.

Weaving, is a good example of a ceased leisure activity due to the factors mentioned above. Weaving, for the women, is a source of enjoyment and livelihood that helps sustain their families. The connotation "*naaliw ka na, kumikita ka pa*" (enjoying while earning) succinctly represents this leisure activity. Weaving in Marawi is an illustrious industry, revitalizing indigenous Marawi textiles and making them available on the market. But the availability of materials and space are impossible to find in Metro Manila, leaving the women no choice but to quit such activity.

Looking at 'displacement' in its literal meaning--which is to move someone or something from its usual place, physical and social changes were huge causes for the change in leisure participation (Stodolska, 2000). The need to adapt to their new environment meant realizing that a huge part of their leisure practices in Marawi can no longer be applied in Metro Manila. If these barriers were brought into consciousness, lifted, and acted upon, the displaced families may actually get to practice a few of their former activities once more (Wall, 1981.; Dunn, 1988). On a microscopic level, the view towards displaced families must be akin to observing members of the general population according to their life stages (Stodolska, 2000). When a person reaches a certain level of financial stability, the person can then participate in activities that he didn't have access to previously due to the lack of resources. If displaced families are given the same treatment, then a number of their leisure activities will be able to continue.

Starting, Replacing and/or Adding

Prominent in the new leisure activities added by the family members were the use of cellphone, social media, watching movies and/or strolling at the mall, and videoke. These activities were easily adapted and enjoyed by family members.

According to Iso-Ahola (1989), one reason for pursuing new types of leisure is to temporarily evade everyday problems or stress, or also, find motivation when confronting daily routines. For internally displaced families, adding, replacing, or starting new activities may be their way to forget the trauma caused by the Siege.

5.3. Continuing and Preserving Leisure Activities during Displacement

But families too, chose to continue some of the previous leisure practices. For Stodolska (2000), when immigrants choose to maintain old leisure practices, it is because they desire to distance themselves from problems associated with their new life in a foreign country. More so, it is also their way of continuing and preserving their own traditions and practices in a differently-cultured territory.

For Muslim families, leisure activities tied to religious celebrations are something that they would continue, even during displacement. Continuing these practices encourages the younger generation to preserve their culture and religious identity. In a dominant Christian territory, it is a challenge for these families to protect their religion as well as their culture, as Metro Manila has their own cultural norms and lifestyle that can attract younger generations.

Nowadays, the displaced members--particularly the children and adolescent ones, are adept to the modernization brought about by technology. Still, they make sure to observe culturally-linked leisure even when in displacement. One cultural and traditional leisure activity pursued by the displaced family members is the preparation and consequent consumption of food. Maranao cuisine is mostly spicy because of their distinct and staple condiment, *palapa*, which is a common main ingredient in almost all their dishes. A mixture of different spices that include native scallion bulbs, chili and ginger, the process of making *palapa* is a leisure on its own, where conversations and storytelling take place from the kitchen where they are preparing *palapa* and their main dishes, to the dining area where they consume these together.

6. Conclusion

Constraints in time, space and activity have led internally displaced families to discontinue some previous practices, and pursue passive and home-based leisure activities. These constraints also revealed factors behind the family members' lack of engagement to some activities: age, socio-economic status, gender, religion, and language.

Furthermore, it has been noticed that most family members' lack of community participation is due to difficulties adjusting to existing societal norms, thereby reducing opportunities for them to socialize, and resulting to them to pursue leisure activities focusing on childcare, and convenient ones that may be done at home or while at work.

The trauma and pain experienced in Marawi are some of what they constantly struggle with, aside from the stress induced by the adjustments needed in displacement. Starting from basically nothing in a new place where time and space are constricted led to the discontinuation of previous leisure activities, especially if they would want to get back on their feet swiftly. But it doesn't mean that they have completely foregone such practices, nor are open to new ones in their new environment. Once immigrants become accustomed to their current residence, they begin to see new opportunities and leisure activities and are more inclined to participate (Stodolska, 1998; Stodolska & Jackson, 1998). In time, previous activities could resume and even be enriched by the new ones they have learned to adapt to during displacement.

Family Resiliency as Priority in Selecting Leisure Activities

Leisure activities are chosen through the mutual interest that when pursued, values, communication, and interaction among the family further develop (Roberts, 1978). When a family is hit with a crisis such as war and consequently, displacement, they have no one to depend on but each other. Transitions while in displacement affect family life and function, leaving a profound impact that would entail them to start new routines and practices. But because of their shared values and co-dependency, the change in leisure patterns will not cancel out activities they consider essential.

Prayer is not just an obligatory time with Allah but also, a time of solace that they retain during *katembangan*. This means a deeper, mutual understanding is inherent to them to sustain such a peaceful disposition (Rezzadeh & Yazarloo, 2017), even if it's just watching TV.

Except for one family, it has been observed that the top and common *katembangan* among the families is watching TV after their evening prayer. Given that socio-economic status is one of the factors that refrain them from pursuing previous and new leisure activities, a core *katembangan* such as watching TV is actually economical. And when done together as a family where they get to talk about what they're watching, or what happened to their day during commercial breaks, their bond becomes stronger. Engagement in family leisure activities provide opportunities for interaction among members and with the changing environment (Zabriskie & McCormick, 2001)

Leisure Changes among Family Members

It is evident that leisure activities do not affect the family's Islamic faith. It even serves as their driving force to improve their relationship and guarantee that essential Islam practices are maintained. But as members serve different functions, it helps to analyze why displacement caused members to discontinue, maintain, or add activities during displacement.

Focusing on sustaining the family's basic needs, fathers quit on particular leisure activities so they may be able to concentrate on work. While mothers choose to continue some leisure activities, the frequency of these has lessened during displacement, as work became a priority as well.

Children and adolescents are more open to exploring new activities while also continuing some leisure practices when they were still in Marawi. Still, they have an understanding that because of the disadvantages caused by displacement, their parents are doing what they can to make ends meet, and at the same time, spend some quality time with them. Hence, while their degree of freedom when it comes to time is greater than that of their parents', they are conscious too of the limitations their parents are dealing with. This makes watching TV together after prayer time in the evening, more profound.

The Value of Leisure for the Displaced Families

While limitations in terms of time, space and activities affected the leisure patterns of the displaced families, it did not deter them from doing *katembangan*. It can therefore be concluded that the family's solid perspective on the role of leisure in strengthening family bond, trumps the limitations and challenges set by current circumstances. Agate, Zabriskie, Agate and Poff in 2009, where they concluded that family leisure provides opportunities for members to bond with each other, resolve problems together, and strengthen relationships.

7. Limitations and Recommendations

With the study's overall conclusion that family leisure is essential in overcoming challenges during displacement, limitations to the concluded study have been observed, as well as recommendations for future studies on the topic of family leisure patterns of internally displaced families caused by war.

Quantitative Research on Displaced Marawi Families

As this is the first study ever conducted on displaced Marawi families, the research is limited to acquiring the family's individual perspectives on family leisure in the time of displacement. This was done through interviews and participant observation. With the number of displaced Marawi families situated in Metro Manila (not just in Al Salaam Compound) and other regions, a quantitative study of these families is encouraged and recommended, to have a more deeper understanding of how displacement has affected families, and if family leisure strengthened their bond in spite of the difficulties they are enduring.

Research on Inclusivity Programs of Receiving Regions

Displacement due to war and/or natural calamities is beyond anybody's control, and national and local governments must do what they can to ensure that the basic needs of the displaced are met. The displaced families'

leisure activities are limited due to their ethnicity, religion, social class, area of displacement, and their perception of the governing authority's fairness in terms of providing services to them. A research on the national and local governments' programs for the internally displaced is recommended, and if possible, a dialogue with the governing authorities to get their understanding of the displaced Marawi families in terms of their predicament, and their ethnic, cultural and religious identities. This is to alleviate the limited perception of the displaced towards them.

Research on Evacuation Center and Urban Planning and Housing Spaces

With the notion that displacement can occur through natural and unfortunately, man-made calamities, review and inspection must be done on both planned evacuation centers and urban housing spaces. It has been discerned in this study that family leisure is essential to prevent the disintegration of family members. Therefore, it is recommended that evacuation centers, albeit temporary, must consider allocating spaces where families can have their leisure activities. Local authorities should also hold simple leisure activities to assure the displaced families are being taken care of. In the same way, future urban housing projects must include in their plan spaces and simple facilities to encourage leisure activities for all types of families to enjoy, as family leisure is integral to the development not just of the family, but of the community.

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Site of Memory, Site of Trauma: The Memorial Hall of the Victims in Nanjing Massacre and China-Japan Reconciliation

Mariya M. Yarlykova¹

¹ School of Public Affairs, Zhejiang University, Hangzhou, China

Correspondence: Mariya M. Yarlykova, School of Public Affairs, Zhejiang University, 866 Yuhangtang Road, Hangzhou, 310058, China. E-mail: yarlmm@mail.ru

Abstract

Preserving the theme of victimization as a pivotal in China's remembering of the War of Resistance Against Japanese Aggression, the Memorial Hall of the Victims in Nanjing Massacre serves as the main symbol of traumatic memory in China. The Nanjing Massacre plays a big role in the Chinese people's consciousness and is considered as one of the most debated historical issues between China and Japan. Differences over war memory have negatively impacted Sino-Japanese relations for many decades. But in China, the Nanjing Massacre is regarded as a national trauma that will never be forgotten. This research is aimed to analyze the role of the Memorial Hall of the Victims in the Nanjing Massacre in the construction of attitudes toward Japan and Japanese society in China. And answer what kind of the historical representation of the Nanjing Massacre are shaped by the Memorial Hall? Does the Memorial Hall activate the emotional perception of history? Does it initiate advance reconciliation among former enemies, or, in contrast, deteriorate social reconciliation?

Keywords: Nanjing Massacre, Second World War, China-Japan Relations, Social Reconciliation, Nanjing Massacre Memorial Hall, Historical Memory

History and interactions between states and nations usually shape a certain perception and memory about each other. Mass consciousness is an extremely complicated and contradictory phenomenon. It intertwines elements of social psychology, politics, and culture, moral and ideological preferences. But in our day politics impacts the evolution of mass consciousness more and more. Perceptions and historical memory are salient and important for understanding not only the relationship between people but also for analyzing the foreign policies of states. A consistent policy of memory including historical consciousness and awareness of essential past events can be regarded as a strategic basis for developing society and the state. Thus, memory can not only shape the domestic situation but also constructs the international behavior of a state bringing improvement to the international environment or making it more complicated. However, even good cooperative relationships can be paralyzed by tensions over the historical issue.

This is undoubted, that the memory of the Second World War still provokes intense controversy and continues to shape public debates and regional policies in East Asia. While the Nanjing Massacre, which took place during the

Second World War, remains to be one of the controversial political issues and periodically impedes Sino-Japanese relations.

The Nanjing Massacre plays a big role in the Chinese people's consciousness and is considered as "one of the most debated historical issues between China and Japan" (Wang, 2021: 208). Differences over war memory have negatively impacted Sino-Japanese relations for many decades. But in China, the Nanjing Massacre is regarded as a national trauma that will never be forgotten. "Rape of Nanjing" has become a part of Chinese identity (Fogel, 2000). Scholars emphasize that the memorialization of wartime sufferings in China shape not only Chinese national identity, but also impacts on China-Japan relations, especially the role of the Memorial Hall for compatriots killed in the Nanjing Massacre by Japanese Forces of Aggression (the Memorial Hall) in the national building process and its effects on Chinese international relations (Denton 2007, 2014; Violi 2012; Yoshida 2014, Qian, 2009). The Memorial Hall also is a part of the patriotic education bases of patriotic education campaigns in China and provides special excursions for school children to the museum (PRC, 2021; Zhao, 1998; Yoshida, 2009). Annually museum hosts a variety of events and days of commemoration for reminding people about their traumatic past (Renmin Ribao, 2020; Xinhua, 2021a; Xu, 2021). Taking into account that the Memorial Hall not only serves for the preservation of the traumatic memory of the Nanjing Massacre in China but also aimed to counter the Japanese denial of the event (Armstrong, 2012; Lies, 2017) and response to the Japanese school history textbooks (Zhang, 2017; Qian and Liu, 2019: 83), which mention the Massacre only briefly and downplay Japanese aggression (Schneider, 2008; Shin and Sneider, 2011). In this regard, the research is aimed to track the interpretation and transmission of the collective memory of China's wartime victimization constructed by the Memorial Hall and its impact on the social reconciliation between China and Japan.

The structure of the article is as follows. The first section analyses the existing literature on the role of the Nanjing Massacre on China-Japan relations and introduces the methods of the research. The second section introduces the Memorial Hall for compatriots killed in the Nanjing Massacre by Japanese Forces of Aggression, as well as the representation of the Massacre, traumatic memories and the image of the Japanese army depicted in the Memorial. And finally, in conclusion, the article discusses the role of traumatic memories of the Nanjing event in China constructed by the Memorial Hall and its impact on the process of reconciliation between China and Japan in the post-war period.

1. Introduction

After the Second World War Sino-Japanese relations have had a complicated evolution and faced a lot of challenges standing in the way of reconciliation and cooperative relations. Being a part of the Pacific Theatre of the Second World War, the Chinese People's War of Resistance Against Japanese Aggression (also called the Second Sino-Japanese War, or the War of Resistance) was a military conflict that was primarily waged between the Republic of China and the Empire of Japan conventionally dated to the Marco Polo Bridge Incident on 7 July 1937¹ and continue until September 1945 and took the lives of tens of millions of people. And even the War of Resistance was finished more than 75 years ago, nevertheless, Sino-Japanese relations are still stuck in the process of mutual distrust generating conflicts in bilateral relations. And the roots of the lack of reconciliation and periodical deterioration of interstate relations between the former enemies in peacetime can be a result of the politic of memory carried by states.

The Second Sino-Japanese War is interpreted differently in mainland China and Japan and serves different political and ideological purposes. As for China, the history of the war is widespread and used as a patriotic tool: the narrative of China's resistance to the invasion of Japan is served for the glorification of the nation and the ruling party providing national cohesion and international sympathy by recognition of the traumatic event. While in contrast, in Japan the war history is marginalized. It is aimed to promote nationalism and improve national self-view: represent the war history in the way to justify the struggle of Japan against Western colonizers in Asia to liberate Asian nations, thereby minimizing the historical representation of the war crimes and rehabilitating the actions of the Empire of Japan during World War (Gu, 2021: 2; Liu 2017: 206-207).

As the result, divergent views and evaluations of the war periodically lead not only to political disputes and social media confrontations between China and Japan but also impact on mutual perception and relationships between the two societies. And one of the most controversial events of the Second World War represented differently in China and Japan, which periodically escalates the Sino-Japanese hostility is the Nanjing Massacre.

In accordance with joint Japan-China Public Opinion Survey conducted annually by the Genron NPO and China International Publishing Group since 2005, in 2021 year 56,4% of the Japanese and 80,6% of the Chinese respondents still consider historical issues as main problems in Japan-China relations. In particular, the number of Chinese who think that historical issues "can hardly be solved" in 2021 has increased from 37,1% to 46,9%. In the same time, 63,8% of Japanese respondents points that "China's anti-Japanese education and textbooks" is the main stumbling block between China and Japan. While Chinese people highlight "Japan's perception of the War of Resistance" (72,2%) and "Japan's perception of the Nanjing Massacre" (64,4%) as the crucial constrains for improving bilateral relations (The Genron NPO, 2021).

The Nanjing Massacre or the Rape of Nanjing was an episode of mass murder and mass rape committed by Imperial Japanese troops against the Chinese civilians and disarmed Chinese soldiers of Nanjing, at that time the capital of China. The massacre occurred over a period of six weeks starting on 13 December 1937, immediately after the occupation of the city. During this period, as it was estimated by the International Military Tribunal for the Far East in Tokyo, the total number of civilians and prisoners of war murdered in Nanjing and its vicinity was over 200,000 (IMTFE, 1946:1015), while China's official estimate is more than 300,000 victims (PRC, 2018). This traumatic event is also described in the Documents of Nanjing Massacre, which was inscribed in the program of the Memory of the World of UNESCO dedicated to the protection and promotion of documentary heritage (UNESCO, 2015).

Being one of the patriotic education bases which belong to patriotic education campaigns in China, the Memorial Hall for compatriots killed in the Nanjing Massacre by Japanese Forces of Aggression (in Chinese 侵华日军南京大屠杀遇难同胞纪念馆) is regarded as the main memorial site of the traumatic memories in China.

Analyzing the theme of traumas in academic works, there are a lot of researches on Chinese nationalism, especially related to Sino-Japanese relation, but the role of victimization and trauma as a constitutive element of foreign policy and decision-making process in China is lacking. At the same time, the role of the discourse of victimization and trauma recently cultivated in China affects not only the construction of national identity but also impacts China's relationship with the world, especially with its neighbors and Japan. The role of historical myths in the national collective memory remains to be crucial in Sino-Japanese relations (He, 2007; Gustafsson, 2020). Traumatic past and historical problems remain to impact on Sino-Japanese relations determining the rapprochement or rise of distrust between China and Japan (He 2009; Rose 2009; Wan 2008). China's collective memory of the War of Resistance has shifted from the narrative of the "heroic resistance" to "victimization" in the post-Mao era (Gries 2004; Denton, 2007; Qian and Liu, 2019), while the memorialization of the Nanjing Massacre tied with the narrative of "Century of National Humiliation" applied in patriotic education programs and the inserting of victimization into Chinese national identity (Callahan, 2004; Wang, 2012). For example, Zheng Wang believes that the Chinese people's historical consciousness and its complex of myth and trauma are the dominant ideas in China's public rhetoric (Wang, 2012), while patriotic education campaigns, history textbooks, and military museums not only targeted to legitimize the Communist rule in China but also determine the climate of Sino-Japanese relations (Wang, 2017; Violi 2012; Yoshida 2014; Liu 2017).

Besides, as former German Chancellor Willy Brandt points out "understanding and reconciliation cannot be decreed by politicians but must mature in the hearts of people on both sides"(1978: 407), hence the role of the nation and its perceptions of former adversaries have to be considerate too. And one of the historical events which currently shape the attitudes toward Japan in China is the Nanjing Massacre.

Thus, this research is aimed to analyze the impact of the narrative of the Nanjing massacre currently cultivated in China and the role of the Memorial Hall of the Victims in Nanjing Massacre in the construction of perception and

attitudes toward Japan and Japanese society in China. As the result the role of the memories of the Nanjing Massacre and the Memorial Hall on the process of reconciliation between China and Japan in the post-war period.

2. The Memorial Hall for compatriots killed in the Nanjing Massacre by Japanese Forces of Aggression

The Method section describes in detail how the study was conducted, including conceptual and operational definitions of the variables used in the study. Different types of studies will rely on different methodologies; however, a complete description of the methods used enables the reader to evaluate the appropriateness of your methods and the reliability and the validity of your results. It also permits experienced investigators to replicate the study. If your manuscript is an update of an ongoing or earlier study and the method has been published in detail elsewhere, you may refer the reader to that source and simply give a brief synopsis of the method in this section. The Memorial Hall for compatriots killed in the Nanjing Massacre by Japanese Forces of Aggression (in Chinese 侵华日军南京大屠杀遇难同胞纪念馆, pinyin: Qinhua Rijun Nanjing Datusha Tongbao Jinianguan) was erected by the Nanjing Municipal Government and officially opened in 1985 in commemoration of the 300 000 victims who lost their lives in 1937 in Nanjing during the China's War of Resistance against Japanese aggression. The Memorial Hall covers a total area of 103 000 square meters, with a building area of 57 000 square meters and the exhibition area of 20 000 square meters (The Memorial Hall, 2021a).

The Memorial Hall was enlarged and renovated several times. Firstly in 1995 and later in 2005-2007 enlarged the Memorial Hall by three times (Qian and Liu, 2019: 91-92). In 2017 the main exhibition hall was undergoing a third renovation for the upcoming 80th anniversary of the Massacre (Xinhua, 2021b).

The Memorial complex consists of sculptures, statues, cultural relics, buildings built out of gray marble, historical data and materials, paintings, photos, and films which serve as historical pieces of evidence of the perpetrated massacre. In addition, it is a free-entrance historical museum with descriptions given in three languages: Chinese, Japanese, and English. It also should be noted, that the Memorial Hall is one of the leading museums by highest attendance in the world and placed third most visited museums worldwide on the ranking in 2019 with 4,17 million visitors and with 1,51 million visitors in 2020 (Statista Research Department, 2021).

2.1 Main exhibitions of the Memorial Hall and representation of national trauma of the Nanjing Massacre

The first exhibits - the chain of sobering sculptures - meet visitors before the entrance into the memorial complex. Sculptures portray Chinese people of different ages and gender with faces writhed in agony and with pain. People represented on these sculptures are helpless and lost; they try to seek escape from the horror of the war. Sculptures like alive have souls and these souls are sobbing violently, they are screaming, crying, and calling for help. Moreover, each of the sculptures has a terror depicted on their faces. All of these sculptures are accompanied by a little description of depicted people and their suffering in Chinese and English languages. For example, the first and the biggest sculpture "Family Ruined" (see Appendix A) is described by words: "Never returns the son killed. Never returns the husband buried alive. Miseries drowns the wife raped. Good Heavens!." The sculpture of the couple is accompanied by "How wretched she was! My dear poor wife! The devil raped you, stabbed you... We were together even though we died."

The main part of the Memorial Hall can be divided into three main sections: the Square Exhibit Section (广场陈列, pinyin: Guangchang Chenlie), the Memorial Remains Exhibit Section (遗骨陈列, pinyin: Yigu Chenlie) and the Historical Material Exhibit Section (史料陈列, pinyin: Shiliao Chenlie) (Wei, 2017). All these sections dedicated to the history of the massacre, proofs, evidence, testimonies and commemoration.

After passing the chain of sobering sculptures and entrancing in the Memorial Hall, there is the Square Exhibit Section. The Square Exhibit Section is composed of the Mourning Square (悼念广场, pinyin: Diaonian

Guangchnag), the Sacrificing Square (祭奠广场, pinyin: Jidian Guangchang) and the Graveyard Square (墓地广场, pinyin: Mudi Guangchang).

The Mourning Square was built in 1997, it has several memorial monuments and is covered by grey stones. There is a memorial monument in the form of a cross built out of white granite bricks with the engraving inscription of the time of the Massacre and a big stele with the numbers of victims - 300 000 victims - carved on it in eleven languages such as Chinese, Korean, Japanese, English, Russian, Spanish, Italian and etc (see Appendix B). On the right side of the Cross, there are remains of "the Disaster of the Ancient City" (古城的灾难, Pinyin: guicheng de zainan) in the form of the destroyed wall which also bears an inscription 300 000 victims, besides there are big sculptures conformed to shape of head and arm rising from the ground, these sculptures can be associated with people buried alive during the Nanjing Massacre.

The Mourning Square locates at the begging of the memorial complex and creates feelings of oppression and devastation thereafter visitors with heavy hearts continue viewing the museum (see Appendix C).

The Sacrificing Square is based on the former memorial museum walls, which were built in 1985, with engraved words "300, 000 victims" in Chinese, Japanese, and English. Moreover, the inscription "the Memorial for compatriots killed in the Nanjing Massacre by Japanese Forces of Aggression" (侵华日军南京大屠杀遇难同胞纪念馆, pinyin: Qinhua Rijun Nanjing Datusha Tongbao Jinianguan) is still to be seen on the former entrance wall. The tablet with this inscription symbolizes the name of the memorial complex which was given and written by Deng Xiaoping (China News, 2014).

In 2002 the cooper plate pathway of "Historical Witnesses' Footprints" was set up on the 65th anniversary of the Nanjing Massacre and added to the Sacrificing Square's landscape. The cooper plate pathway of "Historical Witnesses' Footprints," as it described at its introduction notice, is "40 meters long and 1, 6 meters wide, on which cast the footprints of 222 historical witnesses including some survivors in the Nanjing Massacre." Besides, there is a bronze statue erected in 2005 in memory of Iris Chang (Gang, 2017). Iris Chang was an American historian and journalist who published the book "The Rape of Nanking: the Forgotten Holocaust of World War II" in 1997, the best-known book of the atrocities committed by the Japanese militarist army in Nanjing. In China, Iris Chang became a symbol of disclosing to the public what had happened in Nanjing in 1937 and currently, she is regarded as the last victim of the Massacre due to committing suicide after several years after the publishing of the book (Irischang.net, 2011). Moreover, there is more information about Iris Chang in the stand dedicated to activities in memory of the history of the Nanjing Massacre in the Historical Material exhibit section.

The Graveyard Square was built in 1985. It more closely resembles a "courtyard where cobblestones are laid to signify the location of a graveyard," also there are dead trees and a "broken wall which create a desolate atmosphere" (the description near the entrance into the Graveyard Square). Besides, there is the large statue of Mother surrounding by the dead and growing trees as reminding of the contrast between death and life. Behind the statue of Mother, the visitors also can find a wall with the names of the victims of the Nanjing Massacre. Furthermore, the square has a Ruined Wall with depictions of the main scenes of the Nanjing Massacre and is accompanied by a detailed description of each event (see Appendix D). For example, the "Catastrophe" part of the ruined wall is described as "Japanese invasion caused huge destruction to the city and to various families... Mothers of Nanjing strived to protect their frightened children. Unarmed and crippled Chinese officers and soldiers were driven toward the road to death, alongside hundreds of thousands of civilians...within 6 weeks since December 13th, 1937, people of Nanjing suffered an extremely pitiful Catastrophe that shocked the world." The "Destruction" part represents my next words on tablet: "the crying baby witnessed it...if front of his eyes there was a horrific scene: piles of corpses and conflagrations everywhere, dead bodies were floating and rolling in the river." While the "Memorial" part is accompanied by such narrative as "survivors were deeply sorrowful after the catastrophe...the wailing mother who is holding a baby shoe could never forget her children whose lives were taken away...." All descriptions mentioned above underline the date of the Nanjing Massacre and the

defenselessness of Chinese people and repeat some of this information several times. Moreover, such descriptions create a horrible picture in visitors' minds and bring full consciousness of the danger and horror of the Nanjing Massacre and in particular atrocities committed by Japanese Imperialist troops.

Memorial Remains Exhibit Section introduces the bone remains of the victims excavated from the Jiangdongmen. In total, the Memorial Hall buries three sites of the mass grave of remains of victims, which were found in 1984, 1998-1999, and 2006 (The Memorial Hall, 2021a). The most mass grave of 10 000 corpses was found in 1998 and stored in the memorial complex to the present day (The Memorial Hall, 2021b). All bones and skeletons found during excavations in Nanjing are stored in the Memorial and can be overviewed by visitors.

Historical Material Exhibit Section is the tomb-like exhibition hall located partially underground and introduces the whole history of the Nanjing Massacre. It is also known as the document hall with cultural relics and can be divided into three parts: "A Human Holocaust" - An exhibition of the historical facts of the Nanjing Massacre perpetrated by the Japanese Invaders (人类的浩劫——侵华日军南京大屠杀史实展, pinyin: Renlei de Haojie - Qinhua Rijun Nanjing Datusha Shishi Zhan), Special Exhibition of the Victory in 1945 (胜利1945 专题展, pinyin: Shengli 1945 Zhuanti Zhan) and cinema-hall displaying documentary film and movie about the Nanjing Massacre and other events of China-Japan war.

Before the exhibition of "A Human Holocaust," visitors can see a big hall representing the death toll of the victims of the Massacre, old photos of the victims moving on a multimedia screen, and names of the victims on the walls surrounding this hall. The main exhibition reveals the whole history of the occupation of Nanjing by Japanese troops during 1937-1945 beginning with the invasion of Shanghai. The hall includes such materials as historical photos, documents, collection of pictures, charts, records at the scene of events, skeletons, paintings, sculptures, hanging video displays, multimedia screens and documentary films, Japanese soldiers' diaries, articles from Japanese newspapers, maps and testimonies of over 1000 survivals (see Appendix E). All these materials and tools are aimed to demonstrate crimes and atrocities perpetrated by the Japanese army.

The Historical Hall shows photos of atrocities and brutally killed civilians accompanied by murder weapons and instruments such as firearms, bayonets, machine guns. Photos depict executions of civilians and soldiers, rapping and looting in Nanjing committed by Japanese troops, destructions of the ancient city of Nanjing. The exhibition also pays attention to killed children, mainly most photos and sculptures of killed and surviving children are accompanied by the information of their age.

The numbers of the victims 300, 000 and the word "massacre" are repeated several times. It appears in the form of separated small sculptures or big engravings, besides it can be stressed by in thick large type.

At the end of the "A Human Holocaust" exhibition, we can see a huge Archive Wall. As described in the tablet, the Archive included "10,000 individualized archive datum of the victims in the Nanjing Massacre in black archive boxes and 2,600 individualized archive data of the survivors in blue archive boxes; grey archive boxes – 103 Japanese inflictors and 39 foreigners individualized archive datum who had protected Chinese people during the Nanjing Massacre." Interestingly, that there is a self-service machine on the opposite side of the archive, which can help us to check our awareness and what did we memorized after the exhibition.

Besides testimonies of Chinese people, the Memorial Hall includes the exhibitions devoted to the Nanking International Safety Zone and its humanitarian operations during the Massacre showing testimonies of international witnesses too. A big part of the exhibition is dedicated to the International Safety Zone and refugee camps. Besides, information about the International Military Tribunal for the Far East and Nanjing Military Tribunal for the Trial of War Criminals occupies a fitting place in the hall. Also, there is a mention about the role of the Communist Party and the Chinese Nationalist Party and international contribution to the victory.

One of the most chilling exhibits that make visitors numb with horror and evoke sorrow is "12 Seconds" (12 秒, pinyin: 12 Miao). "12 Seconds" is a small pool with a drop of water dripping into it every 12 seconds symbolizing

the death of one of the victims of the massacre every 12 seconds (see Appendix F). "12 Seconds" is a soul-trembling exhibit that can shake everybody up and will be engraved into hearts. We will give the whole description written near this exhibit in order to convey at least some of the feelings and sentiments: "Accompanying by the "tick" sound of a clock, a drop of waterfalls from the high sky every 12 seconds, and meanwhile, a lamp, with a portrait of the victim on the sidewall, will be on and then off. Within the six weeks, more than 300,000 compatriots were slaughtered if counted by the time, one life would disappear every 12 seconds. One's life is precious. We should condemn the invasion, condemn slaughter, condemn terrorism, and pray for the permanent peace for humankind".

2.2. The representation of the enemy: the image of Japan army

Generally, representation of Japan and Japan army is represented in the context of the description of the Massacre and the traumatic experience of the Chinese people during the event.

The most commonly used appellations of Japan and Japanese in the exhibition are "Japanese invading troops" (日本侵略军, pinyin: riben qinlüejun) and "Japanese army" (日军, pinyin: rijun). There is no clear difference between Imperialist Japan and Japan in general, as the results of the negative attitudes, which are shaped by the Memorial, usually is shaped toward Japan in general, not to Imperialist Japan, Imperialist army, or Imperialist government. As the result, the difference between the government and society in that time, the time when the massacre had happened, and today's Japan are erased and unclear.

As for the descriptions of atrocities committed by Japanese invaders in the memorial: "the Japanese troops launched the mass slaughter of innocent people and perpetrated extreme terror," "destroyed China," "civilians and disarmed Chinese soldiers were massacred by execution squads" are commonly used and repeated numerous times not only in the document hall but in the outdoor exhibitions too. Moreover, for example, in the document hall, there is such exhibit as souvenir bows and badges of "China Incident" issued by the Japanese government in 1937 and described as souvenirs with "the pictures of a fully armed Japanese soldier with riding boots trampling on the Chinese land, between whose legs there a Chinese soldier facing the ground and carrying a broadsword on his back." Besides, some historical photos, which were made by Japanese soldiers, give an explanation of the purpose of making these photos, for example, such explanation as "to send to his daughter with the description of his life." All atrocities perpetrated by the Japanese army are well-organized and represented in detail.

Besides, it should be noted that the exhibitions are finished with the stand on the topic of China-Japan relations development. This stand includes photos of Chinese leaders and Japanese leaders together accompanied by descriptions of good relationship development stages. However, this stand does not enjoy popularity among visitors. Taking into account a high passableness in this day, there were no any of visitors observing this stand during the 15 minutes.

2.3. Additional exhibitions and branches of the Memorial Hall

It should be noted, that except for the Memorial Hall, there is a branch of the Memorial with a basic thematic exhibition the Nanjing Lijixiang Comfort Station opened in 2015 (The Memorial Hall, 2021b). The exhibition represents the history of the "Comfort women", women and girls forced into sexual slavery by the Imperial Japanese Army in occupied countries and territories during the Second World War.

Besides, there is a new exhibition hall dedicated to the Great Victory of the Anti-Fascist War in the Chinese theater of the war and International Military Tribunal for the Far East – entitled "Three Victories" (三个必胜 pinyin: San he Bi Sheng). It was opened in 2015 due to the 70th anniversary of the victory of the War of Resistance Against Japan. Expect the Chinese Great Victory over the Japanese army in 1945 and the role of the Communist Party of China in this victory, "Three Victories" exhibition hall also introduce the international anti-fascist front during the Second World War: representing different theatres of war in Asia, Europe, Africa, and Oceania, main war crimes and international trials. The main idea of this exhibition hall is to link China's War of the Resistance against Japan with the global Anti-fascist war and emphasis the contribution made by China along with the Allies to the victory

over fascism. As the result, represent China as a key power in the struggle against fascism during the Second World War.

Also, the Memorial Hall has a Peace Park Area with the statues of "Peace" (the statues of the peace-wishing woman with a child), "Wall of Victory", and "Wall of Peace Declaration". Peace Park is regarded as the lightest, green, and peaceful place in the whole memorial complex thereafter it causes a big resonance with the dark atmosphere of the other largest part of the memorial.

3. Conclusion

For many years the Nanjing Massacre has been the most known evidence of atrocities committed by the Imperial Japanese Army against Chinese soldiers and civilians. Chinese students have been taught the Nanjing Massacre in schools and in recent years Chinese history textbooks are over-filled with pictures, photos, and information describing the historical issue of 1937 that happened in Nanjing. While the Memorial for Compatriots Killed in the Nanjing Massacre by Japanese Forces of Aggression plays the role of the commemoration and educational base not only for the students but is regarded as a symbol of the historical trauma for the whole Chinese nation. It also is actively involved in the memorial policy in China. The Memorial Hall annually holds state the National Memorial Day in China commemorating not only Nanjing Massacre victims but all those killed during Japanese aggression against China (introduced in 2014 along with Victory Day, Xinhua, 2014).

The Memorial Hall is an unforgettable powerful memorial erected not only for Chinese people but also directed to the world to show profound grief and bereavement of the Chinese nation during history. The Memorial Hall evokes not only the sense of trauma and feeling of sorrow but also gives a chance to share the pain and mourn with Chinese people for the victims of the Nanjing Massacre.

At the same time, the Memorial Hall constructs two main narratives. On the one hand, it shapes the narrative of trauma, namely the emphasis on suffering and victimization. On the other hand, the idea of heroism, heroic resistance, and victory. And even the victimization and trauma prevail at times, the narrative of the victory currently inserted into the national identity of China too. The Memorial Hall is used to construct and distribute the collective memory of victimization and victory in China not only to shape national identity and consolidate the nation but also to legitimize Communist Party rule, under whose leadership the nation was saved from trauma and horrors of the war.

Besides, both narratives cultivated in the Memorial Hall - trauma and victory, the identity of victim and hero, serves as China's self-presentation. However, the predominance of the victimhood narrative in Memorial Hall, as well as the focus on trauma and how this trauma took place, all these blur China's self-view as a hero. Even the new reconstruction of the memorial and the connection of China's War of the Resistance against Japan with the global Anti-Fascist War with the emphasis on the contribution made by China along with the Allies to the victory over fascism is also aimed to consolidate China's traumatic victimized past not only inside the country but also in world history too.

The narrative of the victim roots more and more into the national identity of the Chinese people. As the result, traumatic memories are transmitted among generations, while the narrative of victory is not consolidated into the Chinese consciousness, as it is shaded by the focus on the trauma of the Nanjing Massacre.

As for the perception of Japan and the Japanese Army. Firstly, the Memorial Hall focuses on the description of the wartime atrocities in detail using various tools of transmission of the memory of the Nanjing massacre, such as multimedia, photos, videos, sculptures, newspapers, testimonies, excavations, monuments, and touching descriptions to it. All these diversities of representation of memory are aimed to evoke feelings toward the Nanjing Memory. The Memorial Hall generally aimed to construct the emotional perception of the Nanjing Massacre to visitors rather than just list a bunch of historical facts. Thus, the Memorial Hall activates the full range of traumatic sentiments such as shock, fear, horror, grief, resentment, and others. As the result, the Memorial Hall causes deep-rooted aversion to Japan and the Japanese army not only among Chinese people but also among other visitors from

other countries. Hence, anti-Japanese sentiments can be easily explained by the presence of such bright and bloody reminding of the past as the Nanjing Massacre Memorial Hall in China.

Secondly, the Memorial Hall represents the Nanjing Massacre from the Chinese history point of view, while for Japan this interpretation is not entirely acceptable and adopted. The Nanjing Massacre is introduced differently in China and Japan, even the total number of victims, which is claimed and repeated many times in the Memorial, is estimated differently. Thus, the Memorial Hall produces selective memories and activates emotional perception of the history, which do not initiate advance reconciliation among former enemies, and in parallel deteriorate social reconciliation.

Preserving the theme of victimization as a pivotal in China's remembering of the War of Resistance in general, and the Nanjing Massacre in particular, the Memorial Hall serves as a symbol of traumatic memory in China. However, social reconciliation is a process where two sides of the conflict are involved. And as long as Japan avoids war stigma and minimizes the historical representation of the war atrocities during the Second World War, China remains to reinforce the narrative of victimization not only in the Nanjing Massacre Memorial but also in memory politics in general. Thereby the Nanjing Massacre Memorial remains to be used to construct an emotion-centered interpretation of the history and provoke intense controversy in China-Japan relations, which in turn deteriorates the social reconciliation in post-war time.

Notes:

1. The Chinese People's War of Resistance Against Japanese Aggression is also called an "eight-year war" in China. However, in 2017 the Ministry of Education of the People's Republic of China declared to revise starting point of the conflict from a battle on 7 July 1937 at the Marco Polo Bridge near Beijing to the Mukden Incident on 18 September 1931 preceding the Japanese invasion of Manchuria. Thus, the Communist Party issued to replace the term "eight-year war" with "fourteen-year war" as a period of Chinese resistance against militarist Japan (Xinhua 2017c).

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Appendix A. Sculpture "Family Ruined." Photograph made by the author.



Appendix B. The Morning Square: Cross and Stele. Photograph by the author



Appendix C. "The Mourning Square." Photograph by the author.



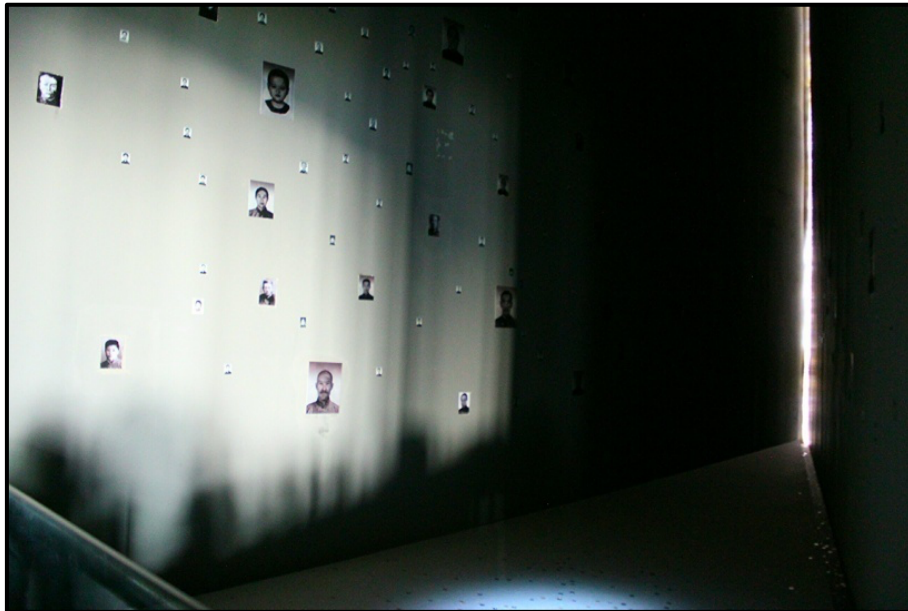
Appendix D. "The Graveyard Square: Ruined Wall." Photograph by the author.



Appendix. E. Exhibition of the Historical Facts of the Nanjing Massacre Perpetrated by the Japanese Invaders. Photograph by the author.



Appendix. F. "12 Seconds." Photograph by the author.





Traditional Administration and its Impact on Democratic Governance in Africa “The Nigerian Experience”

Hassan Said Umar¹

¹ Department of Public Administration, Faculty of Management Sciences, University of Abuja, PMB 117 Airport Road, Abuja. Tel: +2348033501072, Email: hassbanna@gmail.com

Abstract

Democratic governance is undoubtedly adjudged to be the most acceptable instrument through which people can be better served and administered for sustainable development. Even though traditional institution has been the indigenous governance instrument long before the advent of modern democracy, it is a framework that survived and believed to have tremendous impacts on the modern democratic process and governance in Nigeria. This paper therefore examines the relationship inherent between the traditional institutions and the modern democratic process of governance in Africa with particular reference to Nigeria. The research is a survey type which relies on available literature on governance, close observations and discussion with intellectuals and experts on governance generally. The paper finds a close relationship between the traditional administration and the democratic governance processes in Nigeria. This relationship by way of impacts on democratisation process is seen in the following ways; despotic disposition to leadership, personalisation of the instruments of governance, apparent disregard for constitutional limitations of tenure, masculinisation of leadership, class domination and promotion of political hegemony. The paper concludes that there is a dominance of such traditional administration values among Nigerian politicians and leaders. The paper recommends a systemic restructuring, systematic but aggressive mass reorientation and sensitisation about the true democratic culture and value as against the old order, promotion of equal opportunities for all, mass literacy campaign against despotism and personalisation of instruments of governance, promotion of transparency and accountability amongst others, for good governance and sustainable development.

Keywords: Traditional Institution, Democracy, Governance, Accountability

1. Introduction

The issue of governance and the complexity surrounding public administration remains a recurring phenomenon in any discuss affecting human organisation, civilisation and development. Typical of these complexities is the control of the commonwealth, transparency, accountability and gender equality for the good of all. Modern states and nations transcended through different stages and models of governance from the communal, feudal and what was later known as economic socialism or even capitalism before settling for democracy. Democracy is a system that places consensus over control.

The feudal stage of state formation witnessed a clear exploitation and personalisation of both human and land resources to consolidate political hegemony of the ruling class oligarchy. From the communal period to the stage

of capitalism, societies were governed under a system better described as tendentious human exploitations, since the supreme interest is that of promoting the self-serving interest of the ruler through land and territorial expansions. This to a large extent facilitated the political and economic strength of the rulers. The organisation of traditional institutions that emerged thereafter was structured along this land ownership and flamboyant power display structure resulting in human labour and exploitations for the comfort of the ruling class. It is worthy of note that the traditional governance system has survived different phases of human development history, covering trans-Atlantic trade in slave period, the sub Saharan slave trade, the indirect rule system and even post-independence Nigeria. The traditional institution remained very powerful in the governance process in those periods, until late seventies. The Nigerian state under military governance came up with some structural reforms that tinkered with the powers and roles of the traditional institutions. Although the institutions did not start losing its administrative powers under the military but long before the political independence, in fact its weakness started with colonisation policy of the British imperialist.

The administrative powers of traditional rulers witnessed gradual usurpation through the policy of indirect rule. This gradual but calculative power smuggling got to its climax when the role of traditional rulers was officially detached from the mainstream political leadership after the Nigerian political independence, precisely in 1999 when the military was to transfer governance to elected officials. However, the institutions, actively or passively retain considerable if not substantial level of relevance and influence in the democratization process in Nigeria for two fundamental reasons. Firstly, their proximity to the populace that provides legitimacy to democratic governance through a competed electoral mandate. Secondly, the democratically elected leaders of various positions emanate from the same traditional society; the elected official recognises the value of his culture and therefore unwittingly submits his loyalty to the custodian of such tradition and cultural values (Crowder, 1970). Again, the modern Nigerian state was under the traditional institutions before colonization, the people were administered under the umbrella of large political organizations such as the Fulani Emirate in the North, the kingdoms or empires in the Yoruba land (west) and Benin (Midwest), village system in Igbo land (south east) and the extended family system in the East of the Niger. Indigenous institutions in all these places mentioned were governed and administered through the instrumentality of customary laws. These laws are still respected and valued by the Nigerian politicians.

The post-colonial Nigerian state and governance system is patterned along the western institution of governance which remains undoubtedly at odds with the traditional cultures and normative values of the indigenous politicians and bureaucrats. This is why a public official displays fragmented loyalty, what Riggs (1964) described as formalism and social overlap in the prismatic society. The situation where a public official, elected or appointed, embodied and driven by his cultural values in the discharge of public responsibility is unacceptably abnormal in an ideal democratic situation. The consequential outcome is what Riggs referred to as nepotism and other impartial disposition of the public official when allocating public values. A package of attributes of power display structure of the traditional governance is found sufficiently manifest in the democratic leadership style of modern Nigeria. This paper is primarily concerned with clear analysis of the traditional institution of governance and the relationship it has with the democratization process and leadership structure and resource management in Nigeria. It is expected that the two systems operate to complement one another for a sustainable development.

This paper is an explanatory one that utilised the experiences of intellectuals who have considerable research interest in the area of governance and development as it affect Nigeria social political development. A robust discussion and interrogative assessment were made to determine the nature of relationship of the systems of governance and identifiable constraints to sustainable development. This is in addition to analysis of literature and personal observations by the writer on the relationship between the two institutions.

2. Conceptual Analysis

Traditional institution refers to the indigenous instruments by which various communities organised themselves and managed their affairs long before the advent of British colonial rule (Dorward, 1969). This is to say that traditional institution represents the system of politics and leadership operated by various ethnic groups before and even after the British authorities came to implement the indirect rule policy that gradually composed the various

units into one entity and into modern democratic society. The traditional institutions provide the premise upon which the indirect rule system thrived. This is largely due to the submissiveness of the people to their rulers in some parts of Nigeria. The indigenous government was considered a platform to orchestrate the imperialist agenda in view of the smooth command structure and powers of the rulers. The British colonial authority beckoned on the traditional office holders to assist in colonial administration because they believed that the best avenue for reaching the various colonial subjects was through the traditional rulers who enjoy unalloyed respects from their subjects.

Furthermore, the traditional institution can be seen as the entire traditional framework put in place for the day to day running of the affairs of the various indigenous communities. These various structures were at their peaks in the pre-colonial era of Nigeria but gradually lost substantial direct influence to the imperialist (Bamitale, 2016)

What then is Traditional Authority? Tradition is meaningless without the authority of local chiefs. It is the traditional authority that gives meaning to tradition. Traditional authorities contain the features of leadership structures and positions of authority and support; they are recognized in terms of customary law and sometimes by statute, and part of the societal organization of customary society, which observes a customary way of living and its laws (Bendel 1979). For the traditional leadership therefore, is the group referred to as traditional leaders or "tribal" leaders/rulers. They are individuals occupying communal political leadership positions sanctified by cultural values, and enjoying the legitimacy of particular communities to direct their affairs. Their basis for legitimacy is the tradition, which includes a whole range of inherited culture and way of life, a people's history, moral and social values and the traditional institutions, which survive to serve those values. Traditional ruler on the other hand is seen as ..

the head of an ethnic group or clan who is the holder of the highest primary executive authority in an indigenous polity, or who has been appointed to the position in accordance with the custom and tradition of the area concerned by the instruments or order of the state government and whose title is recognised as a traditional ruler title by the government of the state(Ola and Tonwe, 2009: 174)

The running of the various traditional administrations of the different ethnic groups across the country was in the hands of the traditional rulers. The traditional rulers are therefore the divinely ordained individuals chosen by their people to administer the affairs of their respective domains in accordance to their customs and traditions. The traditional rulers are the paramount authority or natural ruler in any given community (Skinner, 1968). They provide a system of administration from which law and order came and provided a stable system of governance. Various ethnic groups have varied ways of selecting their rulers. For instance, in the Yoruba land of South western Nigeria, the Oba is appointed after the due process had been followed, with the choice of the Oba confirmed by the Ifa oracle. The confirmed Oba is expected to be a living repository of the history, culture and tradition of the throne, people and race; including their relationship with neighbours.

3. Features of Traditional Institution

The characteristics of the traditional ruler/ institution include:

- i. Use of Force
- ii. Separation of power/Checks and balances (in some parts of Nigeria)
- iii. Prodigality
- iv. Monopoly of power
- v. Absolute Power
- vi. Gender discrimination
- vii. Unity of belief

Use of Force

The use of able young men for personal security guards has become paramount for every one vested with one form of power or the other. This is one of the fragmentations of the Nigeria traditional institution inherited by the leaders in modern democratic governance, it is a trend one hardly notices in a developed democracy. This is well portrayed in the sense that just like the traditional rulers especially in the Yoruba land where they are called "esho",

the modern democratically elected leaders flood themselves around with security agents and body guards around probably because they feel insecure or as a display of power and wealth targeted towards intimidating oppositions.

Separation of Power/Check and Balances

Even though separation of power universally forms part of the basic features of democracy, the doctrine was also eminent in some traditional institutions like in the Benin kingdom and old oyo empire where absolute power was not allowed to be vested in an individual (oba), hence the sharing of power to the Oyo-mesi and the Ogboni cult. This has helped to plant such a mindset against absoluteness of power in an individual.

Prodigality

It is so clear that the Nigerian politicians who are elected by their people for good governance most times subvert the good will to serve personal interest. This is evidenced by the incessant report of public treasury looting and corruption for personal comfort.

In the traditional institution, mechanisms were noticeably not put in place to really check rulers on their spending habit and that is why only those in the reach of power that own the finest houses and best of properties in the society, the same trend or even worse is found among the modern Nigerian politicians, they spend flashily, squander and save excessively even in foreign banks probably saving for an unknown posterity while the masses can barely survive the present.

Monopoly of power

Monopoly of power was dominant in the various traditional institutions. This is because power is often made hereditary, power is ascribed to particular clan, or family and this trend is playing out in the democratisation enterprise in Nigeria as they hold tight to power and then pass to their children as in the case of the Sarakis' family of Kwara state or to a close affiliate as in the case of Bola Tinubu and Babatunde Fashola of Lagos state and Ibrahim Idris and Captain Idris Wada of Kogi State.

Absolute power

Traditionally, in some societies power is vested on one person. Even though the constitution does not allow absolute power, certain politicians still pose as though they have been vested with all the powers of the (judiciary, legislature, and executive). This is made glaring in the mode of interference beyond their jurisdiction. In reality, the system of separation of powers remains a tantalising mirage, the more you look the less you see it functionally operational. The executive most times manipulate and make other arms of government subservient to them.

Gender discrimination

The traditional African societies give women no leadership consideration or decision making powers. Women are regarded as mere tools for the satisfaction and comforts of men. Leadership responsibility is traditionally a birth right of the men only. This belief still finds prominence in many African societies despite the campaign against gender discrimination. Except in few African states that recently produced female presidents, almost all African states were governed by men. In fact, the local politics is worst, since inception, Nigerian has never produced a female leadership at federal, state or at the parliament except once through the instrumentality of the executive. This trend no doubt one the legacies of the traditional institutions.

Cultural Socialisation of Belief

In the various traditional institutions, regard is given to one deity or the other to confirm choices and decisions to be taken. This same trend is eminent among the modern politicians as over 90% of them endeavour to consult a supreme power or the other Pastors, Imams, among others as a backup for their aspirations and career. Everyone

in this part of the globe directly affiliates with one religion or the other which brings thin lines between politics and religion unlike in some developed countries where religion has no direct influence on politics. Instances of politicians consulting deities for success in political race and fortunes are eminent. A serving governor was dethroned by his associate for disregarding an oath he undertook in a shrine. Many observers argue strongly that most of the ritual killings are perpetrated by politicians.

Roles of Traditional Institutions in the Contemporary Democratic Governance

An African ruler is not to his people merely a person who can enforce his will on them. He is the axis of their political relations, the symbol of their unity and exclusiveness and the embodiment of their essential values. Credentials are mystical and are derived from antiquity.

The antiquated or ancestral and mystical origins of traditional rulers provided the grounds for legitimacy. This legitimacy is, for example, clearly lacking in most new states, especially in states with military regimes and many democracies in African states. Moreover, the community was a potent source of power of the traditional rulers and the notion of popular sovereignty was practised in so many ways. There was democratic decision-making process which involved virtually all adults at various levels. At the village level, these were the fabled "under tree" assemblies where divergent views were expressed and decisions finally taken based on the majority views. This was the case of the eastern Nigeria Igbo nation where democracy and egalitarianism characterised the form of governance. Again, in other regions, larger political systems, centralized and decentralized alike, show the apparatus of decision-making being decentralized at various levels (Osaghae, 1988:6). A typical Yoruba Oba is not an autocrat, he rules generally with the advice and counsel of his chiefs. The Ifa oracle, Ogbonicult which could be likened to the Roman senate, palace women and war chiefs all wielded power especially in critical matters of war and peace. The king as the head of his council serves as the court of first instance and also as the last court of appeal for his kingdom. It is rare to find in British Colonial Africa any instance in which the indigenous form of rule, previously in force could be described as autocratic, and there are not many cases which it could be described as authoritarian (Edmund, 1991).

The point of emphasis here is that it is bad history or bad civics to claim that African traditional system of governance was anti-democracy or autocratic, rather, the system did not support or encourage despotic regime. Whatever despotism that existed might have been aberrations.

Therefore, to base the call for eradication of the institution of traditional rulership on this premise is not sustainable. As a matter of fact Nigeria's flirting with the so-called modern political structure either under the civilians or military has not shown that these regimes are less corrupt or even more democratic than the traditional system.

Furthermore, the allegation that the traditional rulers are now culturally useless might be seen as a result of shallow reflections on what culture is. Since the time of Edward Taylor, culture has been described as that complex whole which includes knowledge, belief, art, morals, law, costume and any other capabilities and habits acquired by man as a member of society. In a broad sense, culture refers to the whole range of human activities which are learned and not instinctive, and which are transmitted from generation to generation through various learning processes (Salami, 2004).

With a very risky exception of the family, there is no other institution that can accomplish this socializing role of culture in the society as the institution of traditional governance. African culture is an enduring one and as such, modernization, which brought about our exposure to colonial rule, has really not eaten deep into our cultural values as imagined by the so-called radicals or modernists. For example, it has been argued that the few decades of European rule in Africa were just a brief interlude when examined against the millennia of Africa's history. The European colonization might be seen as a major turning point in Africa's destiny, inaugurating changes which were fundamental and irreversible. However, its importance might have been exaggerated -because the impact of the colonial rule on African culture is shallow. Mazrui and Tidy (1984) claim that "the impact is shallow because African culture is deep... and also due to its own contradictory unevenness'. In the face of the contradiction, the impact of the West may now turn out to be more short-lived than many expected.

Either African culture may reclaim its own or help Africa retreat to its ancestral authenticity, or Africa may struggle to find a third way. At present, the scenario of the third way is more plausible than the scenario of Africa's retreat to its ancestry, but neither possibility can be ruled out. In any case, whichever way Africa is taking towards cultural emancipation in Eurocentric world culture, the role of traditional rulers cannot be overemphasized.

A major problem which the adherents of the abolitionist school have is the confusion of modernization with westernisation in their bid for decolonization. We share Mazrui's claim that re-traditionalisation of African culture can in fact take modernizing forms, especially if it becomes an aspect of decolonising the neo-colonial African States. Mazrui emphasized that

Retraditionalisation does not mean returning Africa to what it was before the Europeans came. In hard assessment, it would be suicidal for Africa to attempt such a backward leap. But a move towards renewed respect (or indigenous way and the conquest of cultural self-contempt may be the minimal conditions for cultural decolonization in Africa (Mazrui and Tidy, 1984:298-299).

The majority of those who call for the abolition of the institution of traditional rulers were westernized elites who have been culturally alienated and have fallen victims of neo-colonialism. These people needed to be "born again" by returning to their sources. These culturally alienated elites must repossess the culture of the villages in order to achieve identification with the masses, understand their needs and problems and mobilize them for social and economic development. No doubt there is a need for cultural reappraisal in Africa, but this we can begin in a microcosmic form by a reassessment of the institution of traditional rulers instead of calling its abolition.

Traditional Rulers and the Fourth Republic

An attempt has been made to reappraise the cultural values of the traditional rulers with a focus on the Yoruba Obas. We have made the point that, contrary to the beliefs of the abolitionists, the traditional rulers who are a vital link between Africa's past and present play important roles in the socio political set-up of their various communities. Before now, there had been varying degree of responsibility given to the traditional rulers. For example, the 1979 Constitution of the Federal Republic of Nigeria (Schedule Three, Part II, Section B) provided for a Council of Chiefs in each state with powers to advise on customary law or cultural affairs, inter communal relations, chieftaincy matters and the maintenance of public order within the state. The traditional rulers are very important in dealing with all matters relevant to governance at the grass root level. This importance was recognised by the Political Bureau which recommended that their role should be confined to the local government areas where they have relevance. The Federal government accepted the recommendation.

The constitution of the Federal Republic of Nigeria, 1989, provided for the establishment of the Traditional Council whose functions, among others, include advising the local government council concerned on proposed development plans and in collecting of taxes as may be required, advising on religious matters where appropriate and promoting and advising on arts and culture. The advice of traditional rulers becomes very important especially now that the politics of religion is taking a very dangerous dimension. Since the 1989 constitution is an outgrowth of the Constituent Assembly's deliberations, one can say that the Constitutional provisions on traditional rulers represent the Assembly's position. This fourth republic in Nigeria could still benefit greatly from the traditional rulers if serious considerations are given the following suggestions.

These rulers are in very good positions to serve as catalysts of growth at the grass root level, a great majority (about 70%) Nigerians live in rural areas. Given the love and respect which they command among their people, agricultural development programmes introduced through them are likely to gain higher acceptance. At least 60% of the total Nigerian population depends on agriculture to eke out a living. In fact, kings still play prominent roles in the settlement of land disputes, the Land Use Decree (1978) notwithstanding. A study by Atte(1986) in Okun area of Kwara State showed that the Obas are indispensable in the area of land administration, land in most rural areas of Yorubaland is tied to a complex of interrelated spiritual, social and cultural habits which cannot be broken easily by a single proclamation or act. In spite of the Land Use Decree (1978), the traditional land tenure system has continued to prevail in most rural areas and the Obas' court is the repository of knowledge about the whole

domain. The Oba and his chroniclers know the exact boundaries of lineage land and who owns what. Whenever land is required for public use, the Oba in council may compulsorily acquire an area of land and compensation may be paid for crops, economic trees and other structures on the piece of land. The traditional rulers regulate the system of social control over land.

Even though the traditional ruler may not have direct land rights, he is the head of the spiritual organization which guide attitudes to land. He is the priest of that spiritual entity called 'land' and therefore had tremendous influence on its exploitation (Atte, 1986).

The actions or inaction of traditional rulers meant a lot in stopping or fuelling various communal strife, especially in the oil producing Niger Delta Areas and other volatile communities in Nigeria.

Furthermore, if not for the timely intervention of the Sultan of Sokoto, Alhaji Maccido, and some notable northern Emirs, the Expanded Programme on Immunization (EPI) in northern Nigeria could have witnessed a total collapse in 2004. Health officers can therefore harness the support of traditional rulers to facilitate successful health care delivery services. Involving them is educative since it enables everybody concerned to get the real experience of thinking, discussing, deciding and implementing their own decisions which invariably may lead to rediscovery on the part of self and the community: Since organized community effort is very crucial to public health, efforts and every attempt should be made to solicit for support and cooperation of traditional leaders because of their tremendous influence in organising people (Salami, 2016).

In a similar view, traditional rulers could be very useful in the area of social mobilisation. In actual fact, during the past few years, they have been used in various campaigns of the government programmes such as the Universal Basic Education (UBE), the Operation Feed the Nation (OFN), War Against Indiscipline (WAI) and even currently in the programme of the National Orientation Agency (NOA). Traditional rulers like the Ooni of Ife, the Oba of Benin, Emir of Ilorin, among others, are looked upon by their subjects as embodiment of their respective cultures, traditions and social values and they definitely can wield immense influence in the area of social mobilisation. The 1989 Constitution (Promulgation decree) provides that the traditional council shall assist in the mobilisation of human and material resources towards self-reliance, community development and welfare within the area. This complements directly, the purpose for which NOA has been set-up. And, in fact, all successive Nigerian governments (both military and civilian) had used traditional rulers either as agents of political socialisation or as tools for legitimisation of their existence and their hold on power. Ibrahim Babangida's regime was no exception considering the roles played by the traditional rulers in resolving the May 1978 (anti-government) students' crisis. In October 1989, Babangida demonstrated a rare respect for the office of traditional rulers when he released from detention the popular Lagos Lawyer, Gani Fawehinmi to the Ooni of Ife. Reacting to his release, Gani Fawehinmi said the "traditional rulers could not be divorced from the socio-political and cultural activities of the society" (Daily Sketch (1990). Ibadan, Nigeria). While it could be argued that traditional rulers have sometime in the past been objects or agents of political manipulation or election rigging, it is indisputable that traditional rulers have been part and parcel of the political process and if the political process has led to intense corruption, nepotism and general political intolerance on the part of the political parties which either controlled the centre or the regions or both, traditional rulers could not be exempted from this general malaise -just like neither the military nor the academic could be exempted from the societal decay. Efforts to bring about a general improvement in the society will therefore necessarily include the traditional rulers. Also, we ask the traditional rulers to stay away from partisan politics and yet they are cuddled to boost the electoral fortunes of the politicians. Some intending politicians spend fortunes to acquire or purchase chieftaincy titles which will hopefully increase their political support. Even the westernized educated elites will engage the services of traditional rulers to settle private scores or land disputes in their villages or home towns, only to get back to the cities to call for the heads of these benefactors. If the governments and the elites solicit the support of traditional rulers as occasions demand, it is hypocrisy nearing self-deceit or outright dishonesty to say that they (traditional rulers) will not be relevant in Nigeria's Fourth Republic. Whatever one thinks about the traditional rulers, many still enjoy the support of their subjects. The reaction of Kano people in 1982 when the government threatened to remove the Sarkin Kano can be remembered. There was also another episode in Gongola in 1982 when the government attempted to create many chiefs of equal status in an attempt to dilute the influence of the Lamido. The community of Adamawa, particularly

Yola, reacted violently. Similarly, it is inconceivable that any government, civilian or military, will toy with the prominent position of the Sultan of Sokoto who is both a cultural and religious head of the Sokoto Emirate.

Contrary to the allegation that traditional rulers are economic parasites on the society, they are actually in positions to enhance the economic progress of their domains because of the enormous personal wealth they control. Apart from direct personal investments, these Obas can serve as loan guarantors for small holder farmers in their domain because they have an in-depth knowledge of the people and they can use traditional sanctions in loan recovery. This will particularly complement the Federal Government's current effort at boosting the activities of the Agricultural Credit Corporation and the National Economic Empowerment and Development Strategies (NEEDS). This way, traditional rulers can be economic boosters for their communities and they can effectively serve good purpose in rural development. Also, efforts at combating the wave of armed robbery in the country could be more rewarding if traditional rulers are made chairmen of their local community security committees.

Finally and more importantly, we share Osaghae's (1988) thought that in the conception and resolution of the central political problem of power, there is a lot to learn from traditional thought. Power, traditionally, was not personalized; the ruler did not rule or enforce his personal will. Power was conceived in sacred terms and could only be held in trust. Today, the conception of political power is directly opposed to this. Leaders personalize power, based on force and violence. Even where elections are held, there is no unifying bond between the political rulers and the ruled. Thus, leaders are not seen as symbols of unity and integrity and the notion of collective good as the first requirement of power barely exists. This anomalous conception of power contributes significantly to political instability and the legitimacy crisis for which African states have become notorious. The traditional emphasis on leader-led unity of purpose has a lot to offer in the resolution of these problems.

It is important to consider some of the ethnic groups that had fascinating political frame work and strong institutions of governance in Nigeria

Hausa/Fulani Political Administration System

The pattern of the administration was based on the centralised emirate system. The paramount authority was the emir who governed with the instrument of Islamic Shari'a jurisprudence. The emirate is a standardised structure with a clear command system. The Emir was assisted in his administration by a number of subordinate office holders which include; Galadima (who administers the capital), the waziri (head of officials), the Madawaki (commander of army), and Hakimi (district head) among others. The Emir court was the highest legal instrument throughout the emirate.

Functions of an Emir

- i. He appoints his officials
- ii. He performs ceremonial functions
- iii. He is the spiritual head of the emirate
- iv. He made laws and maintain order
- v. He imposes and collect taxes

From the command structure enshrined in the emirate system, the emir enjoys absolute powers and influence over his subject. It is a submissive loyalty drawn from the cultural belief tie to the Islamic faith.

The Igbo Traditional Political System

The Igbo had a decentralized system of government. The executive, legislature, and judiciary power were vested in the Oha- na eze, the council of elders, the ofo title holders, the family, the ozor title holders and Age grades (Okafor, 2000). The igbo society and administrative system was characterised by direct democracy, Republic and decentralization of power.

The Benin society belongs to the chiefly societies. The traditional Benin political institutions were arranged hierarchically with the Oba (king) at the apex. "Before the coming of the British colonial administration, the town

Benin (ubini) was the key political unit upon which government rested in all Benin kingdom Atanda (1980). Every town, village or hamlet was under a responsible leader called King (Oba) (Okafor, 1972). This arrangement allowed the functioning of the central administration which gave room to independent governments in each kingdom. The central government of the kingdom was based at the capital while those of the subordinate towns and villages served as local government units.

What the hierarchical nature of government signified was that the Oba cannot rule alone but must govern only with the assistance and support of his Council of Chiefs (Ekhaemwen). The Oyo Empire was an example where the Alaafin was assisted by a Council - the Oyomesi consisting of between six or seven chiefs with the Bashorun as Chairman. The Oba could not be autocratic because the principle of checks and balances was strictly adhered to in various kingdoms and empires so as to curb the excesses of traditional rulers. According to Adewumi (1985), any tyrannical Oba was quickly brought to book by well-established indigenous methods of direct or indirect control". For example, senior chiefs could tell the Oba the desire of the people. They could depose him or ask him to go into voluntary exile or even insist on his committing suicide. Therefore, any Oba who treated the advice of his chiefs with levity did so at his own risk or peril. Using Oyo as a case study, the council, through their Chairman, the Bashorun, could proclaim the rejection of the Alaafin and could even advise him to commit suicide by presenting to him an empty calabash. However, it was observed that the Council of Chiefs alone could not depose the Oba without the tacit consent and approval of the secret cult called the Ogboni. Buttressing this point further, Shaw (1969) pointed out that, "even though the empty calabash was presented to the Oba by the council of chiefs, it was also liable to the approval of the Ogboni before the Oba could be asked to commit suicide". From the above, one can rightly conclude that the traditional political institutions imbibed some democratic principles where certain decisions are meant for ratification by some other higher authorities.

In the judicial realm, the Oba, assisted by the Council of Chiefs, administered justice, the Oba could impose judgement on all types of cases including banishment and outright execution. The head of each subordinate town, village or hamlet was responsible to the Oba at the centre. Administration in these places was often headed by 'Enogie'. In the judiciary sphere, the Enogie could tackle certain matters, which could still be subject to the final approval of the central government (the Oba). The Enogie paid annual homage to the Oba and also supplied the Oba with a definite number of warriors for the Oba's army.

Another significant characteristic of the traditional political institutions is the method of choosing their leaders. Traditionally, the founder of a village was usually appointed as the leader or the head of the village, with a member of the family, either the son or the brother or a cousin succeeding in perpetuity (Johnson 1976). However, where a group of people decided to settle in a particular place, the selection of the village leader (Enogie) was usually through those who emanated from the Royal Family. Each Royal family in Benin traces its descent to the line of Oranmiyan the father of Eweka1. Because of this, it is discovered that not anyone can become an Oba except those from the ruling houses; hence the office of Obaship is not rotational but hereditary. A council of seven kingmakers (Uzama N 'Ihinron) was responsible for grooming the heir apparent (Edaiken). The installation of an Oba was always marked by traditional ceremonies and rituals and the Oba was said to be sacred. In Benin, the Oba is the next person to the "Osanobua," that is, the Supreme Being-God. In the past, the Oba was rarely seen in the public. After installation, all the property (Aro- Enikao) of the former Oba would be inherited by the newly-installed Oba because such property belongs to the 'throne' and not an individual.

The line of emphasis throughout this analysis is in four basic areas of concern. First is the emergence of the ruler which as argued above is basically through the founder or first settler of a particular community often referred to as the ancestors. Except for the emirate system which emerged through Islamic revolution that ousted the then Hausa kings and replaced them with Fulani emirs, same method of emergence applied to virtually other kingdoms in Nigeria. Secondly, the system of governance which seems authoritative in nature with little variations in form of checks and balances appeared to be a common amongst the institutions. Thirdly, legitimacy and or source of power, the traditional institutions draw their legitimacy from the custom and cultural heritage of the community. Since the institution remains the recognised custodian of the traditional values and custom of the people, it therefore enjoys the privilege that accompanied such burden. The last is the supremacy of the ruler's decision and

the tenure of office. There is no specified time limit for any traditional ruler till he dies and be succeeded by his son or member of the ruling class (Osaghae, 1988).

Democracy

Democracy literally means “rule by the people. Democracy is a political form of government in which governing power is derived from the people, either by direct referendum (direct democracy) or by means of elected representatives of the people (indirect democracy). This is why the framers of the constitution insisted that an indirect democracy approach to government would be the best methodology in creating a new nation. To ensure that the will of all the people would be carried out and that the minority would still maintain their basic rights, a system of “check and balance” was established and the right to free speech and assembly insured through the constitution (Bamitale, 2016).

Democracy is built on the citizens, the freedom of these citizens to associate with one another for the realization of their ideals and the defence and promotion of their interests; and the freedom of these citizens to choose between the different political platforms of various political parties and candidates, and to see the actualization of the platforms they have voted for if their choices win.

Features of Democracy

- a. Democracy is a form of government where power and civil responsibility are exercised by adult citizens, either directly or through freely elected representatives through the vote (Embassy, 2008).
- b. It is based on ensuring the common welfare and respecting individual rights. For this reason, democracy usually disagrees with any form of centralized power and seeks to confer power at different levels, understanding that each of these levels must be receptive and accessible to the people.
- c. The democratic model understands that one of its primary functions is to protect and promote human rights, freedom of expression and religion and access to equal protection of civil rights according to local law.
- d. Within democracy, citizens should be able to organize and participate actively in political, economic and cultural decisions related to the community.
- e. Democracies must periodically carry out free election processes, open for citizens to exercise their right to vote. Likewise, it must offer the possibility to any citizen to be elected by popular vote.
- f. Citizens within democracy have the right and duty to participate in the political system which, in turn, was created to protect their rights and freedom.
- g. Democratic societies are committed to the values of tolerance, cooperation and commitment. According to Mahatma Gandhi, intolerance is itself a form of violence and an obstacle to the growth of a true democratic spirit.

Majorities and Minorities

All democracies can be defined as systems in which citizens can make political decisions freely based on the will of the majorities. This means that democracy is characterized by decisions taken by the majority of individuals; however, it is important to clarify that the needs and rights of minorities must always be taken into account. Every time a law is built and passed, democracy must ensure that the interests of both majorities and minorities are balanced.

If a legitimate decision is made by the majority of individuals, but that decision adversely affects the fundamental rights of the minority of individuals, democratic principles dictate that that decision must be adjusted to reflect that which is just and equitable for all citizens. In this way, democracy ensures that each individual is represented at any level of democracy. This principle of decision-making by election of majorities and respect for the rights of minorities must govern all democratic models in history, regardless of culture, population or economy (Turner, 2017).

Principle of protection

A true democracy promotes the protection of human rights and citizens' rights according to local legislation, political agreements and the constitution. These rights include freedom of expression and religion, equal access to the protection of the law, the right to privacy without interference by the government and the right to be treated justly as required by law. In some countries, democracy ensures the right to education, an effective health system and freedom of the press. It also punishes discrimination based on sexual orientation or physical limitation.

On the other hand, democracy must guarantee that there is no centralization of power in one place. In this way, power is distributed at different levels and is exercised by different institutions locally. These different sectors of the government have particular processes that they must fulfil and can be audited and punished if they are not doing their duty (Quigley, 2017). The positions of government representatives in different instances and levels should be exercised for limited periods of time. In this way citizens have the opportunity to elect new representatives from time to time. Democracy, in this sense, seeks to give the possibility to any citizen to be elected by popular vote to hold a government office and seeks to avoid that power is always located in a single individual.

Theoretical Foundation

Keeping in mind the seemingly setbacks of the traditional institutions and the continual squabbles about their relevance today, Nigeria traditional institutions have the potentials to facilitate democratic transformation and socio-economic development. To explain this potential, attention is paid on the dynamics of both the leadership and values of traditional institutions.

Traditional Authorities

Understanding the dynamics of traditional authorities entails distinguishing between the social position of chiefs in the centralized political systems and that of elders in the decentralized systems. With respect to chiefs, their role in fostering democratic governance and socio-economic development largely depends on a number of factors, including the nature of the state; the level of democratic awareness of the population, which is influenced by the nature of traditional political values and level of education; the mechanisms of accountability of the chieftaincy system; and the administrative effectiveness of the sitting chief. (ECA, 2004). This paper therefore adopts the hypothesis utilised by ECA for a similar study on Africa continent generally in 2004.

The hypothesis is expressed as follows: $Y = f(S_n, P_a, C_a, C_e)$, where Y stands for the potential role of traditional authorities in promoting socio-economic development and democratic governance, S_n represents the nature of the state, P_a represents political awareness of the population, C_a represents the mechanisms of accountability to the community of the chieftaincy system, and C_e represents the administrative effectiveness of the chief. It is generally agreed that, since the loss of independence by Nigeria societies and the formation of the colonial State, chiefs have essentially operated between two political and social forces. On the one hand, the State often attempts either to co-opt chiefs or to abolish their authority altogether, especially if they fail to comply with its demands and directives; on the other hand, communities expect their chiefs to be custodians of their collective interests. Chiefs, like most other political leaders, can be expected to have conflicting tendencies; either to advance self-interest at the expense of community interests, or to curb their self-interest in order to promote community interests. The pursuit of either tendency is, however, constrained by the demands that the State and their communities place upon them. Chiefs cannot ignore the demands of the State, as they retain their position at the State's pleasure and often they depend on the State for resources. This dependence compels them to perform tasks that link the State with rural communities. At the same time, chiefs have to provide some protection for the interests of their communities in order to maintain the legitimacy of their leadership. The claim by Uche, (nd) that a chief commits political suicide if he fails to perform what his/her community expects is largely true since a chief cannot stay in power for long without commanding legitimacy within the community. Being under pressure from the two sides, the most basic self-interest of chiefs is likely to revolve around the preservation of their position, which is predicated largely upon their effectiveness in negotiating between the demands of their communities and those of the State. These two sets of interests may often conflict with each other. In other words, chiefs are motivated to maintain legitimacy through

the allegiance of their communities, which requires responding positively to community demands, and by securing recognition by the State, which also requires responding positively to the State's demands. Despite the community's heterogeneity, its demands are likely to revolve primarily around issues of development and democratic governance (Bamitale.2016). The level of political awareness and level of education of the community can also be expected to affect the ability of the community to articulate its demands and exert pressure on chiefs. The nature of the demands of the State, on the other hand, varies with the nature of the State. In a democratic environment where the population exercises control over the activities of the State, the demands that the latter places upon chiefs can be expected to coincide largely with those of the communities. A democratic system can also be expected to allow chiefs the freedom to choose political positions without reprisals from the State. Under these conditions, it is unlikely that the administrative role of chiefs would deviate significantly from the harmonious demands of the State and the community. In this era of democratization, in which Nigeria societies are engaged in an intensive struggle for popular political participation, chiefs who lag behind a progressive state in advancing the interests of local communities expose themselves to extinction. The people can easily vote with their feet by abandoning chieftaincy and embracing the institutions of the State. The State can also easily bypass or dismiss chiefs who lose legitimacy. Under such conditions, self-preservation is likely to force chiefs to act as agents for the advancement of local interest, which in turn will coincide with the promotion of development and democratic governance. In the process, however, the chieftaincy systems, and especially those with weak mechanisms of accountability, are likely to be transformed. In other words, under a democratic State, chiefs have to contribute to the empowerment of their communities in order to sustain their legitimacy and the more empowered rural communities become, the more likely traditional authorities are pushed to become agents of development and democratic governance. A democratic State can also be expected to facilitate reforming and integrating traditional institutions into the modern governance structures. In a democratic political system therefore, we can expect to have all three entities, namely the State (S), chiefs (C), and the population (P) pushing towards a democratic system of governance and development, as depicted in the simplified model below:

a. (Despotism) $S \rightarrow C \rightarrow P \rightarrow$ (Democracy & Development)

In a situation where the functionaries of the State are despotic and self-serving, the demands of the State and those of the population can be expected to be in conflict, or to move in opposite directions as the second and third models depict. Reconciling the conflicting demands of the State and those of the community becomes difficult for chiefs when the State is undemocratic. They cannot ignore the State, as they serve at its pleasure. Often they are also corrupted by the rewards they obtain from political leaders in return for their support to such leaders. Still, even corrupt chiefs cannot completely ignore the demands of their communities without considering the risk of completely losing their legitimacy which would be costly for them because without the allegiance of their communities and their ability to maintain some link between the State and the community, their value to the State is also likely to disappear. Under these conditions, chiefs would face two options. One option is for them to meet the demands of the State and manipulate or ignore those of the community, as depicted in the second model. However, this strategy is likely to be unsustainable, especially in cases where the mechanisms of accountability and the political awareness of the community are fairly developed. The price for neglecting the interests of the community is that chiefs lose legitimacy and eventually their relevance to the state.

b. (Despotism) $\leftarrow S \leftarrow C \ P \rightarrow$ (Democracy & Development)

The second and perhaps more likely option is for chiefs to attempt to meet some of the demands on each side (depicted by arrows pointing in different directions in model C so that they do not endanger their social position. In the process of taking a middle-of-the-road position, chiefs provide some refuge to their communities thus mitigating the impact of the despotic State. Such a role, of course, requires effectiveness on the part of the sitting chief.

c. (Despotism) $\leftarrow S \ ? \ C \ ? \ P \rightarrow$ (Democracy & Development)

Under a tyrannical State, the ability of chiefs to protect the well-being of their communities is likely to be limited, especially in the more centralized chieftaincy systems with less stringent mechanisms of accountability. The basis

for integrating traditional institutions with the modern governance system with a view to attaining better governance would also be largely absent. However, it is likely that the interests of the community would be better served under chiefs than without them, under a self-serving despotic State, Uche(nd)

Convergence of Traditional Political Values with Modern Democratic Governance

The nature of their underlying political values is another factor that gives traditional institutions the potential to contribute to Nigeria's democratization process. It is likely that the more traditional political values converge with democratic principles in their dispensation, the greater would be their potential to contribute to democratic transformation of the state. It is always risky to generalize about Nigeria traditional institutions, given their diversity. Nevertheless, the most common political values and practices in the decentralized political systems include:

- a. Decentralization of power;
- b. Direct participation in decision-making;
- c. Resolution of conflicts by narrowing differences;
- d. Respect for dissent and protection of minority views and interests by requiring consensus on decisions;
- e. Narrowing the gap between the rulers and the ruled through direct participation of all adult males in making and in enforcing rules;
- f. Shortening the term of service of office holders; and
- g. Equitable access to land.

These values clearly contradict claims that the political culture tends to be vertically organized in rural Nigeria societies (Amadi, 2007). Such practices are also not limited to decentralized systems. Most of these values are widely held at the grassroots level in most chieftaincy systems. As a result, they are Nigeria political values rather than political values limited to a specific type of a political system. Undoubtedly, traditional Nigeria political values have limitations that necessitate reforms, particularly in the area of gender relations, as indicated in the first section of the paper. This limitation notwithstanding, there is little doubt that Nigeria political 19 values, especially those of the consensual systems, converge with modern democratic political systems, which are crafted to allow the general population to exercise control over decision making on issues of public concern (Beetham, 1992). The identified traits of such political values and practices clearly enable local communities to control decision-making in so far as this affects their collective interests. However, perhaps because their development was blocked by the combined effects of Africa's colonial experience and subsequent neglect by the post-colonial State, traditional Nigeria values and their conflict-resolution mechanisms remained largely confined to the local level. As a result, they operate the basis of direct participation rather than on a representative basis, and decisions are made on a consensual rather than on a majority basis. Both of these arrangements reduce the need for electoral contests. In other words, Nigerian political values converge with the essential characteristics of modern democracy. The mechanism by which Nigerian democratic values are exercised, however, vary significantly from those of the modern democratic system of liberal democracy. Some of the mechanisms by which Nigeria traditional democratic values are practiced are inapplicable at the state level in their present form. It would, for instance, be impractical to have direct participation of the population in decision-making beyond the village or local level. It would also be hard to imagine all state-level decisions being made on a consensus basis. Some of the modern mechanisms of democracy are, therefore, indispensable for contemporary Nigeria. However, the imported mechanisms were largely developed in post-industrial and post-state-building (nation-building) conditions. As a result, some aspects of these imported mechanisms are inconsistent with preindustrial and pre-state-building realities of Nigeria. The majority-based electoral systems, for example, are unlikely to resolve conflict resulting from disagreements over the terms of incorporating various ethnic entities into the State. Nigerian social condition, therefore, requires that some mechanisms of traditional institutions are applied to complement the modern mechanisms of democracy in dealing with the critical problems that cannot effectively be addressed through the latter alone. Once state-building and transformation of the peasantry are achieved, the traditional mechanisms are likely to converge more fully with the mechanisms of modern democracy. In other words, the more advanced state-building becomes, and the further Nigeria state moves away from their present pre-industrial mode of production, the more likely it is that their traditional mechanisms of democratic values would also evolve closer to the mechanisms of modern democracy. Traditional authority is also likely to be transformed in tandem with the transformation of the

traditional mechanisms. We now examine some areas where the application of the traditional mechanisms would make a significant contribution to Nigeria's socio-economic transformation.

Impacts of the Traditional Institution on the Nigerian Democracy

The traditional rulers, from the foregoing discussion, enjoyed substantial amount of control and influence over their followership. This is largely due to the structure and belief system that define traditional societies. The unwritten laws which are believed to be from the "above" conferred armada of control and powers for the rulers to rule through the dictate of unseen deity and religious dictates. The fact that the governance system is more of control, the rulers inadvertently became "demigods" with absolute powers to dispense. This is why the administration system is better characterised by the use of force, prodigality of the ruling class, monopolised administrative powers, unquestionable exercise of powers (absolute power), gender discrimination and unity of religious belief among others (kanu, 2015).

Considering the nature and character of this traditional institution, and given the fact that it still exist side by side the modern system of governance that promote participation and freedom, social change becomes very slow. This is because of the social overlap between the tradition and modern governance philosophies. The continuous and seemingly unending existence of these philosophical strange bed fellows, a frontier of yet another cornucopia of challenges emerged to inhibit sustainable social, economic and political progress. The impact of this could be viewed in the areas of; a Rent seeking behaviour of political leader who represent the state similar to what was obtainable in traditional governance (Ajid, 1996). Secondly, a clear economic blueprint for national growth and development is lacking since the old order personalise common wealth to remain economic supremacy of the stronger above all. It is difficult therefore for the leaders today to democratise economic opportunities for national growth through a focused public policies and programme. This is because total disconnection from the old order of personal enrichment appears somehow impossible. Thirdly, the judicial institution remains perpetually weak as its operational existence is often manipulated by the executive to subvert justice in favour of the state. The higher the status of an individual the more immune he becomes to justice administration in Nigeria. Cases of corruption involving office holders and high profile politicians and elites can remain for decays in courts without being dispensed off. This scenario has even culminated into political socialisation of corruption where judicial conviction against a suspected corrupt individual is termed political witch hunt and or sectional or religious bias. Surprisingly, a case of common theft, misdemeanour involving low profile citizen is given speedy hearing leading to a conviction without any of these ethnic colourations. Nigeria today hardly can it survive on clear and purposeful political direction that hold a prosperous social and economic agenda for the nation. Political affiliation and agenda can appear nationalistic but the practice and attitudes of politicians is no less than a human tragedy because of regional jingoism, ethnic chauvinism and religious bigotry that are confrontational to national consensus and integration. This is what combines to describe the political movements in Nigeria. Fourthly, is the case of ethnic undertone of electoral process and contests. Electoral exercises and engagements in Nigeria have a record of violence and destruction among opposing groups in event where one of the political parties loses (Antony, 2008). Conceding defeats is often difficult because of sharp sectional divides and some obvious social factors that define us. Fifthly, Political leaders mostly personalise public property and monopolise governance process as seen in the traditional governance. This provides premise for the promotion of subservient loyalty to the leaders who allocate economic values and patronage to his loyalists. Sycophantic followership, hypocrisy and scheming to win patronage and attention of the leader become lucrative since the leadership gets flattered by such subservience compliancy. Government developmental project are distributed along social and political considerations and not for national interest.

4. Conclusion and Policy Recommendations

Traditional institution and governance is not by all purposes inimical to progressive and sustainable development especially when viewed against nations that operate under traditional institutions like Saudi Arabia, Morocco and many other countries. These countries have apparently achieved a considerable progress in social and infrastructural developments. The problem of many African states and mostly Nigeria comes from heterogeneity of the society that has divergent cultural values which compete amongst themselves for supremacy and dominance.

Each ethnic grouping strives to gain preeminence over others in political, social and economic management. Competition and rivalry within this heterogeneous social organisation inadvertently open space for sectionalism and or cultural definition culminating into seated hatred that frustrates national patriotism and sustainable development. This is the case of many African countries like Kenya (Anthony, 2008), central Africa, Ivory Coast, sierra Leon and Nigeria among others. Electoral contests in these countries generate lots of tension and anxiety over possible post electoral violence. The 1966, 1992, 2011 post-election violence in Nigeria, the one in Cote d'ivoire during Loren Gbagbo were typical of ethnic induced post-election violence. The absence of national consensus and unity to form a common front for collective development characterised the social metabolism of most African countries. With this, social change and economic development can only last on assumption but certainly not a reality. Democracy and development agenda is only a facade behind which common wealth of the nation is cornered for the ruling class adventures. Diseases, corruption, unemployment, hunger and squalor are gaining more grounds in Nigeria and indeed other African countries in the face of abundant wealth and natural resources. This is so because there is apparently lack of committed efforts through national economic and developmental policies by the political leadership to instigate and propel sustainable development.

All these socio political and economic upheavals find their root to the inability of the Nigerian nation to management the heterogeneity and tap the advantages inherent in national diversity. It is on the strength of these setbacks that the following recommendations were proffered.

Firstly and the most needed one is immediate structural reorganisation of the county along regional identity. This will reduce or even address the regional rivalry in the nation. Focus will be on the development of autonomous region as powers and economic resources were concentrated for just the regional development. This was the case in the 1960's before the creation of states. Political leaders were closer to their people, the enthusiasm and regional patriotism was higher than the mere impossible national patriotism.

The need for sincere economic reforms is paramount. These will allow the regions to focus on their resources and economic potentials for self-development. For instance, when Nigeria state operated under the regional arrangement in the 1960's, each of the three dominant regions were known for a specific area of economic strength. The northern region was rich in grand nuts, cotton, animal and other food crops. This was what defines the region and its economic profile. But shortly after the dissolution of the region and immediate unification into state system couple with the oil boom in the seventies, focus on agriculture was shifted to petro dollar, thereby making the agricultural rich states redundant and the people enveloped in poverty that still remain dominant in northern Nigeria.

Strong institution of governance is required. This is institutions should focus and emphasis transparency in fiscal governance and general administration of a new Nigeria. Sensitisation and awareness become necessary for every citizen to understand and promote quality, respect and dignity of man and his existence and the potentials to contribute to the development of the society. Lastly is the need to promote the understanding of the ideals of democracy and good governance in Nigeria, social equality and equal opportunities for self-strive.

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Attributes of Working Children in the Philippines

Cristina Teresa N. Lim¹

¹ Decision Sciences and Innovation Department, De La Salle University, Manila, Philippines

Correspondence: Cristina Teresa N. Lim, Decision Science and Innovation Department, De La Salle University, 2401 Taft Avenue, Manila, 0922, Philippines. E-mail: cristina.lim@dlsu.edu.ph

Abstract

It is the right of every child to have a healthy environment, formal education, and a loving family. However, poverty forces a child to work even in dangerous streets. In the Philippines, the Child Protection Law defined children as persons below eighteen (18) years of age or those over but are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation, or discrimination because of a physical or mental disability or condition. Despite the existing legislations in the country and with the United Nations declarations promoting the protection of children from exploitation, the problem in the country continues to exist. The paper aims to determine the extent of child labor in the country and describe the conditions of their work. The analysis of this paper made use of statistical data from the Philippine Statistics Authority (PSA). Descriptive methods of analysis were utilized in analyzing the data. The results of the study showed that the continued pauperization in the countryside, especially in the urban centers brought about by population growth and capitalism, had increased the number of children joining the labor force. Although progress has been made in promoting and protecting the rights of these children in national legislation and policy, many remain unreached, especially children among the poorest families, who contribute significantly to family income. This limited access of children to basic services further put them into the life of drudgery that would impair their development, hence, their future in general.

Keywords: Child Labor, Poverty, Philippines

1. Introduction

Child labor is a social problem associated with the rise of industrial production and capitalism. It appeared in earlier ages in agricultural societies, but it became especially conspicuous and began to be opposed during the Industrial Revolution in the 18th century. Child labor continued to exist in the 19th century and became the biggest scandal when it spread to other countries as they industrialized (Cody, n.d.). The issue intensified when children, many younger than ten years old, were employed in factories and mines. They are forced to work long under dangerous conditions for little pay. Social reformers began to condemn child labor because of its detrimental effect on the health and welfare of children. Notably, among those helping to incite public opinion against it was Karl Max.

The International Labor Organization (ILO) defined child labor as work that deprives children of their childhood, their potential, and their dignity, and that is harmful to physical and mental development. This work refers to mentally, physically, socially, or morally dangerous and harmful to children, and interferes with their schooling

by depriving them of the opportunity to attend school, obliging them to leave school prematurely or requiring them to attempt to combine school attendance with excessively long and heavy work. In its most extreme forms, ILO (n.d.) defined child labor involves children being enslaved separated from their families, exposed to serious hazards and illnesses and/or left to fend for themselves on the streets of large cities – often at a very early age.

Today, with the occurrence of globalization, the exploitations seem to persist and perpetuate it as business capitalizes on these children in search for cheap labor. Children, in their tender stage of development, are easy to control, which makes it easy to extract from them cheaply. As a result, children become hapless victims of greed by businesses. More importantly, because of the pauperization of most families, especially in the countryside, tend to send their children to work and contribute to family income in order to survive. These conditions usually become more difficult for these children since they suffer psychological and physical abuses, which endanger their normal development.

Although child labor provides children with the opportunity to go to school, most of them end up being dropouts and repeaters because they could not focus on their studies. Some of them even suffer from malnutrition. According to IPEC-ILO Philippines, child workers are found in different sectors of the economy such as agriculture, garments industry, wood-based industry, food industry, metal and mining, handicraft industry, street-vending trade, and illegal trade such as prostitution.

Children engaged in farming are exposed to heavy loads, chemicals, and natural elements, while those in fishing suffer from ruptured eardrums, shark attacks, congested and unsanitary conditions and poor food. Furthermore, Factory child laborers are prone to accidents, back strain, hand cramps, eye strain, headaches, and allergies. They are also exploited by employers in terms of long hours of work, insufficient rest periods and extremely low wages. On the other hand, children in the informal sector suffer from sickness, vehicular accidents and molestation and harassment by peers, adult syndicates, and law enforcers (IPEC-ILO, Philippines).

Child labor also causes psycho-social effects such as distortion of values which leads to loss of dignity and self-confidence and exposes them to anti-social behavior. Due to long hours of work, their emotional and personal development is retarded, and their creative thinking limited. In terms of education, child workers have low grades, are always absent and late in their classes and usually drop out from school.

Child labor is a result of having unemployed parents which pushed their children to work to meet their basic needs. Cost of education in the country is high such that parents would prefer to send their children to work rather than to school. Finally, more employers are becoming interested in hiring child workers because children can be hired at lower wages.

Despite the different laws, policies and programs enacted by the Philippine government, the issue of child labor remains. Thus, this study was conducted to: (a) determine the extent of child labor in the country; (b) describe the characteristics of child labor in country; and (c) provide recommendations that will enhance the existing government policies and programs on child labor.

1.1 Definition of Child Labor

The Labor Code of the Philippines defines child labor as employment of children under any of the following circumstances: For children below 15 years old, where work is hazardous or deleterious in nature, hence exposing the worker to risk which constitute and imminent danger to his or her safety and health; For children below 15 years of age, where employment violates any of the two (2) exceptions to the general prohibition of RA 7610 as amended by RA 7658, and where such employment endangers the child's life, safety, health and morals, or impairs normal development. These exceptions are: (1) where a child works directly under the sole responsibility of his parents or legal guardian and where only members of the employer's family are employed; or (2) where a child's employment or participation in public entertainment or information through cinema, theater, radio or television is essential.

"Child labor" refers to any work or economic activity performed by a child that subjects him/her to any form of exploitation or is harmful to his/her health and safety or physical, mental or psychosocial development. According to the ILO, the term "child labor" is work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development.

On the other hand, "hazardous work" is work that debases, degrades, or demeans the intrinsic worth and dignity of a child as a human being; exposes the child to physical, emotional or sexual abuse, or is found to be highly stressful psychologically or may prejudice morals; is performed underground, underwater or at dangerous heights; and involves the use of dangerous machinery, equipment, and tools such as power-driven or explosive power-actuated tools; exposes the child to physical danger such as, but not limited to the dangerous feats of balancing, physical strength or contortion, or which requires the manual transport of heavy loads.

1.2 Issue

In 2000, the global child labor figure was at 246 million (International Labor Office, 2013). Despite a downward trend in worldwide child labor statistics, the number of child laborers has climbed substantially to 160 million for the first time in 20 years, an increase of 8.4 million in the last four years. In the case of the Philippines, the country was able to significantly reduce its number of child laborers from 5.492 million in 2011 to 872 thousand in 2020 (Philippine Statistics Authority, 2012; Philippine Statistics Authority, 2021). Although the number of child laborers have dramatically decreased, the International Labor Organization (ILO) and UNICEF have warned that the COVID-19 pandemic might force an estimate of nine million more children into child labor by the end of 2022 globally. According to a report by the Department of Labor and Employment (2020), children have become a "collateral damage from the pandemic," as their families force them to work in arduous and dangerous conditions. Based on the 2011 Survey on Children conducted by the Philippine National Statistics Office in collaboration with International Labor Organization (2011), there were 2.049 million child laborers toiling in the Philippines working in hazardous conditions. Hazardous child labor refers to employment in industries and occupations designated as hazardous under the country's occupational safety and health standards. Child laborers exposed to hazardous conditions could include those involved in the worst forms of child labor—the sex trade, drug trafficking, other illicit activities and armed conflict.

Millions of children in the Philippines are forced to work at young ages. Some children have jobs that place them in immediate physical danger. These risks include exposure to potentially harmful chemicals or sharp tools, and other dangers that may be less obvious but no less risky. Children are often forced to work long hours with few breaks, which takes a toll on their physical development. Others are abused by their employers, both physically and psychologically. As with many threats to children's development and well-being, poverty is a root cause of child labor. Families struggle to make ends meet and face hard decisions when it comes to sending their children to work. Without immediate action, the problem will continue to grow (Uy, 2012).

Del Rosario and Bonga (2000) concluded that poverty due to unemployment and underemployment had been the most major push factor in the occurrence of child labor. It was important to keep the macro perspective in view and to have a structural approach in tackling child labor. But those micro factors were crucial in the conceptualization and implementation of more feasible and relevant programs for child workers. Micro factors should include the child's personal and work profile; his/her household's profile; the employer's profile; the community situation; migration; age, gender, culture, values, and aspirations, etc.

Amat (2010) stated that child labor is closely related to youth labor market outcomes. Early experiences in the labor market can significantly influence lifetime patterns of employment, pay and unemployment. With low levels of human capital, former child laborers are at a particular disadvantage in terms of finding and maintaining a place in the adult labor force. He cited in his study the report of the National Economic Development Authority (NEDA) that states that in the Philippines, children leave schools to work in order to cushion the family from social shocks and ensure that the households survive during difficult times. The determinants of child labor at the household level are large family sizes and poverty, productive potential of members in domestic and market work, and substitution possibilities between child and parents' work.

2. Results and Discussion

2.1 Attributes of Working Children

In 2020, there were 31.17 million children in the country aged 5-17 years old. Out of 31.17 million children, approximately 872.3 thousand (2.8 percent) of these children are economically active.

Table 1: Percent Distribution of Working Children by Region in 2020

Region	Percent Distribution of Working Children
NCR	0.4
CAR	1.9
Ilocos Region	2.4
Cagayan Valley	2
Central Luzon	2.2
CALABARZON	1.9
MIMAROPA	4.7
Bicol Region	4.8
Western Visayas	2.1
Central Visayas	2.5
Eastern Visayas	3.4
Zamboanga Peninsula	2.9
Northern Mindanao	7.2
Davao Region	1.2
SOCCKSARGEN	4.4
CARAGA	5.8
BARMM	4.3
TOTAL	100.0

Note. The data are from “Working children and child labor situation” by Philippine Statistics Authority, 2021, (<https://psa.gov.ph/content/working-children-and-child-labor-situation>)

The highest percentage of working children came from Northern Mindanao (7.2% or 108 100), followed by Bicol Region (4.8% or 96 700) and CALABARZON (1.9% or 78 300).

2.1.1 Age Group

Majority of the working children (68.9% or 601 000) were aged 15 to 17 years old (Table 2). About 31.1 percent or 271 300 were aged 5 to 14 years old.

Table 2: Number of Working Children by Age Group in 2020

Age Group	Number (In thousands)	Percent to Total
5 - 14	271.3	31.1
15 - 17	601	68.9

TOTAL 872.3 100.0

Note. The data are from “Working children and child labor situation” by Philippine Statistics Authority, 2021, (<https://psa.gov.ph/content/working-children-and-child-labor-situation>)

2.1.2 Sex

Table 3 indicates that there were more male working children aged 5 to 17 years old (581.5 thousand or 66.7%) than female working children (290.8 thousand or 33.3%).

Table 3: Number of Working Children by Sex in 2020

Sex	Number (In thousands)	Percent to Total
Male	581.5	66.7
Female	290.8	33.3
TOTAL	872.3	100.0

Note. The data are from “Working children and child labor situation” by Philippine Statistics Authority, 2021, (<https://psa.gov.ph/content/working-children-and-child-labor-situation>)

2.1.3 Hours Worked

In 2020, the majority of working children, or almost half (53%), worked for 20 hours or less per week. Following that, 26.7 percent of all working children worked between 21 and 40 hours. Finally, 16.6 percent of respondents said they worked full-time for 41 to 60 hours each week.

Table 4: Hours Worked by Children in 2020

Hours Worked	Number (In thousands)	Percent to Total
With job, not at work	6.1	0.7
20 hours or less	462.1	53.0
21 to 40 hours	232.7	26.7
41 to 60 hours	144.6	16.6
More than 60 hours	26.8	3.1
TOTAL	872.3	100.0

Note. The data are from “Working children and child labor situation” by Philippine Statistics Authority, 2021, (<https://psa.gov.ph/content/working-children-and-child-labor-situation>)

2.1.4 Type of Work

Out of 872.3 thousand working children, 68.4 percent (596.9 thousand) were considered as in child labor, while 31.6 percent (275.4 thousand) were considered not in child labor (Table 5).

Table 5: Classification of Working Children in 2020

Classification of Working Children	Working Number (In thousands)	Percentage Distribution of Working Children
Child Labor	596.9	68.4
Not in Child Labor	275.4	31.6
TOTAL	872.3	100.0

Note. The data are from “Working children and child labor situation” by Philippine Statistics Authority, 2021, (<https://psa.gov.ph/content/working-children-and-child-labor-situation>)

2.2 Attributes of Children in Child Labor

2.2.1 Region

Northern Mindanao, with 13.1 percent of the total population, has the highest proportion of working children, according to Table 6. Northern Mindanao was home to 13 out of every 100 child laborers in the country in 2020, according to this figure. Bicol, with roughly 9 children, was the region with the second greatest number of child laborers (9.2 percent). The Cordillera Administrative Area (CAR), on the other hand, has the lowest number of child laborers at 1.9 percent, followed by the Davao region.

Table 6: Percentage Distribution of Child Laborer by Region in 2020

Region	Percentage Distribution of Child Laborers
NCR	1.9
CAR	1.6
Ilocos Region	4.1
Cagayan Valley	2.8
Central Luzon	5.4
CALABARZON	7.6
MIMAROPA	5.2
Bicol Region	9.2
Western Visayas	6.2
Central Visayas	8.2
Eastern Visayas	6.1
Zamboanga Peninsula	4.7
Northern Mindanao	13.1
Davao Region	2.2
SOCCSKSARGEN	6.9
CARAGA	5.8
BARMM	9.1
TOTAL	100

Note. The data are from “Working children and child labor situation” by Philippine Statistics Authority, 2021, (<https://psa.gov.ph/content/working-children-and-child-labor-situation>)

2.2.2 Sex and Age Group

Table 5 shows that there are about 596.9 thousand or 68.4 percent of the 872.3 thousand working children considered as child labor. Of those exposed children, 72.8 percent were male working children, 73.3 percent belonged to the age group 15 to 17 years old (Table 7).

Table 7: Characteristics of Working Children in Child labor by Sex and Age Group

Characteristics	Number (In thousands)	Percent
Sex		
Male	434.8	72.8
Female	162.1	27.2
TOTAL	596.9	100.0
Age Group		
5 - 14	159.3	26.7
15-17	437.7	73.3
TOTAL	596.9	100.0

Note. The data are from “Working children and child labor situation” by Philippine Statistics Authority, 2021, (<https://psa.gov.ph/content/working-children-and-child-labor-situation>)

2.2.3 Broad Industry Group

63.6 percent of the children engaged in child labor were working in the agriculture sector, 28.6 percent were in the services sector, and 7.9 percent worked in the industry sector (Table 8).

Table 8: Number of Children Engaged in Child Labor by Broad Industry Group

Broad Industry Group	Number (In thousands)	Percent
Agriculture	379.4	63.6
Industry	47.1	7.9
Services	170.5	28.6
TOTAL	596.9	100.0

Note. The data are from “Working children and child labor situation” by Philippine Statistics Authority, 2021, (<https://psa.gov.ph/content/working-children-and-child-labor-situation>)

2.2.4 Reason for Working

Main reasons for children to work in hazardous labor were to help in their own household-operated farm or business (1.264 million or 42.2%) and to supplement family income (0.898 million or 30.0%) as shown in Table 9.

Table 9: Number of Children in Hazardous Labor by Reason for Working

Children in Hazardous Labor by Reason for Working	Number (In thousands)	Percent
To gain experience or acquire training	269	9.0

To appreciate value of work	138	4.6
To supplement family income or important family well-being	898	30.0
To help pay family debts	30	1.0
To pay for own schooling	192	6.4
To help in own household-operated farm or business	1,264	42.2
To earn money to start own business	30	1.0
Others	173	5.8
TOTAL	2,993	100.0

Note. The data are from “2011 Survey on Children 5 to 17 years old” by National Statistics Office and International Labor Organization, 2011, (<https://psa.gov.ph/sites/default/files/2011%20Survey%20on%20Children%205%20to%2017%20Years%20Old%20%28Final%20Report%29.pdf>.)

2.3 Reasons Associated with Child Labor

Child labor is not only an economic exploitation damaging children. It also affects the physical and mental development of the child as well as its social interaction. In the Philippines, the rising number of child workers is due to the following reasons:

2.3.1 Poverty

Poverty is one of the greatest reasons why children work. Children work to ensure the survival of their family and themselves. Though children are not well paid, they still serve a major contribution to family income. Hence, the possible reason for parents to have children is because they can be profitable.

2.3.2 Education

School represents the most important means of drawing children away from the labor market; they provide children with guidance and the opportunity to understand their role in society. Without education, children are unable to break out of child labor. Furthermore, in the study conducted by ILO (1992), low enrollment is correlated with increased rates of child employment. Oftentimes, children seek employment simply because they have no access to school (distance, no school at all) and sometimes classrooms are overcrowded, inadequate books and lack of educators), especially in the rural areas.

2.3.3 Role of Children

Parents assign different roles to their children. This is called child specialization, and may increase the number of working children (Chernichovsky, 1985). This phenomenon involves siblings going to school while others work. It usually depends on the birth order where the oldest is the one who attends school. Child labor is a form of slave labor. In some poor families, parents have no choice but to send their children to work because they contribute a significant amount to the family income. Children in slums were sent out by parents as young 6 to 7 to earn their keep and contribute to the household income, they worked as scavengers, gathering salable trash-cinders, rope, and metal bottles.

2.3.4 Rural-Urban Migration

Rapid rural-to-urban migration is one of the causes in the increased rate of child labor in urban areas. Families leave the agricultural working conditions in order to search for economic opportunities in the cities.

3. Legislative and Policy Framework to Promote and Protect Children's Rights

In the country, the government has enacted complementary legal instruments to protect the rights of children. Among these are the Child and Youth Welfare Code (P.D. 603) of 1974, Labor Code, RA 7610 or the Protection of Children Against Child Abuse, Exploitation and Discrimination Act, and RA 7658 or the Prohibition of the Employment of Children Below 15 Years Act, which amended the controversial provision of RA 7610 that legitimized employment of children below 15 years old. All provisions of this legal instrument are in consonant with the provision of ILO Conventions 138, which was ratified by the Philippine government in October 1997.

The Child and Youth Welfare Code, also known as the Magna Carta for children's rights defines rights and responsibilities of children, their parents, the family as a whole, the community, association, school, the Church and the State in ensuring the development of children. It outlines the administrative measures and programs for the care and treatment of special children such as dependent, abandoned, neglected and working children, mentally retarded, physically handicapped, emotionally disturbed and mentally ill children and youth offenders.

The Child and Youth Welfare Code created the Council for the Welfare of Children which was tasked to monitor the implementation of laws on child welfare and protection and to formulate an integrated national policy on child and youth welfare. It is supposed to design programs and services for children and to recommend their implementation to the President and other concerned agencies.

The Labor Code defines the minimum employable at age 15 years, except when the child works under the responsibility of his or her parents or guardian and the work does not interfere with his or her schooling. In addition, the Labor Code specifies the terms of employment, conditions, allowable hours of work the child may be engaged. The Code prohibits discrimination against children in terms of employment conditions.

The Barangay-Level Total Development and Protection of Children Act, also known as the Day Care Law, provides for the establishment of a day care center in every barangay and the setting up of a program for the total development of children 0 to 6 years old.

The Special Protection Act (R.A. 7610) provides protection for children in especially difficult circumstances, including those in situation of armed conflict, and those belonging to indigenous cultural minorities; it defines and penalizes child abuse, exploitative employment of children, prostitution and trafficking.

The national Manpower and Youth Council (NMYC), an attached agency of the Department of Labor and Employment (DOLE), operates 14 regional and 12 provincial manpower training centers which provide skills orientation, training and development, particularly to out-of-school youths. The Government has provided free secondary education in public schools. This must coincide with the provision of good nutrition to support the nutritional needs of children to sustain schooling.

On the other hand, in the international arena, the United Nations Children's Fund (UNICEF) has declared that the child has the right to be protected from work that threatens his/her health, education and development. Each state shall have the minimum working ages along with regulating the conditions that children must work under.

The problem with this UNICEF's declaration is that often times the governments of countries who have problems with child labor exploitation are not able to give adequate funding for watching over the places where children work. Even when they do, the main exploiters of child labor are often large companies that not only give a lot of money to the country's economy, but they are also foreign owned. No less developed country wants to scare off any further industrialization, no matter how negative of effects it may have on its citizens, just because of a problem with foreign companies exploiting their children.

The International Labor Organization Convention 138 on Minimum Age for Employment (1973) declares that the minimum age for work shall not be less than the age for compulsory schooling and, in any case, shall not be less

than 15 years. Convention 138 allows countries whose economy and education facilities are insufficiently developed to initially specify a minimum age of 14 years and 12 years for light work.

The ILO forgot to mention at this convention what exactly constitutes light work. Not only did they forget to create an international definition of light labor, they did not specify which countries had insufficient developed economic and educational facilities. This would be such a problem if it were not for companies that come into countries specifically to exploit cheap labor markets. Nor would it be such a problem if the governments of these countries (and of the companies that exploit child labor) would take a stand and demand that the rights of people and especially children not be exploited.

In December 19, 2003, Republic Act No. 9231 otherwise known as “Special Protection of Children against Child Abuse, Exploitation and Discrimination Act” was enacted. It is an act providing for the elimination of the worst forms of child labor and affording stronger protection for the working child, amending Republic Act No. 7610. The Act shall provide special protection to children from all forms of abuse, neglect, cruelty, exploitation and discrimination, and other conditions prejudicial to their development including child labor and its worst forms; provide sanctions for their commission and carry out a program for prevention and deterrence of and crisis intervention in situations of child abuse, exploitation and discrimination. The State shall intervene on behalf of the child when the parent, guardian, teacher or person having care or custody of the child fails or is unable to protect the child against abuse, exploitation and discrimination or when such acts against the child are committed by the said parent, guardian, teacher or person taking care or having custody.

In order to expand on existing laws such as the Anti-Child Pornography Act of 2009 (RA 9775), Special Protection of Children against Abuse, Exploitation and Discrimination Law (RA 7610), and the Anti-Trafficking in Persons Act (RA 9208), the Special Protections Against Online Sexual Abuse and Exploitation of Children (OSAEC) Law was passed. The bill aims to update existing laws to better safeguard children in the internet sphere from acts of sexual violence, abuse, and exploitation. The OSAEC provides law enforcers with new tools to investigate and prosecute Filipino and foreign abusers, as well as imposes new legal obligations for internet intermediaries to encourage them to implement systems that would help prevent, detect, block, and report child exploitation.

In January 11, 2013, the Department of Labor and Employment (DOLE) has approved the guidelines for the certification program for “child labor-free establishments.” The guidelines shall govern the procedure on the grant of Child-Labor Free Establishment/Zone Seal which aims to promote compliant and socially responsible business practices. “Child Labor Free Establishment (CLFE) certificate serves as a badge of honor that gives assurance to brand owners and consumers that the products or services are not tainted with child labor. Based on the guidelines, a certificate or marker of recognition will be given to businesses that get the seal as a child labor-free establishment/zone. They will also be given endorsement for participation of their employees in the DOLE’s livelihood programs and guaranteed booths in job fairs and exhibits. The child labor-free establishments will also be assured of slots for training courses conducted by the Technical Education and Skills Development Authority (TESDA).

4. Conclusions and Recommendations

Child labor is considered as a major economic and societal problem. The rising number of child workers is due to poverty, parental influence to work, inaccessibility of schooling, cheap labor policies, availability of jobs for children and inadequate economic opportunities.

The continued pauperization in the countryside especially in the urban centers brought about by population growth and capitalism had increased the number of children joining the labor force during the past years. Although much progress has been made in promoting and protecting the rights of these children in the area of national legislation and policy, many remain unreached, especially children among the poorest families, who contribute significantly to family income, and children who live on their own. This limited access of children to basic services further put them into the life of drudgery that would impair their development, hence, their future in general.

These children must be given priority by providing them with their basic needs such as education and a good environment for them to live a “normal life”. If we fail to educate the young generation, we fail to put an end to child labor. Poverty is often the result of an uneducated population, which leads to overpopulation and further leads to poverty. Poverty induced pressure on children to escape this plight.

Despite the enactment of laws, policies and programs on child labor, the number of child workers is still increasing. Considering the limited resources of the government, it cannot be solved overnight. Thus, in collaboration of different government agencies, the following measures are recommended to enhance the prevention of child labor:

- a) Massive educational campaign to improve the understanding on child labor problem.
- b) Provide quality education and opportunities for children in collaboration with government entities to encourage them to finish their education and realize its long-term benefits.
- c) Increase accessibility to basic education by building more schools and providing financial assistance
- d) Boost capacity of local government units to implement and coordinate programs against child labor.
- e) Intensify the role of barangay in eliminating child labor in their respective municipalities.

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The UN MDGs in Indonesia: Analyzing Its Failure in Eradicating Poverty in Indonesia

Abdul Razaq Cangara¹

¹ Department of International Relations, Faculty of Social and Political Science, Hasanuddin University.
E-mail: acacangara@unhas.ac.id

Abstract

The United Nations (UN) Millennium Development Goals (MDGs), an international development movement oriented towards human welfare and global poverty eradication with measurable goals and targets, had hit the deadline by 2015. Its implementation reaped various contestations and claims regarding its success and failures in eradicating poverty in Indonesia. The Indonesian government claimed to have succeeded (on the track) in meeting the MDGs targets in eradicating poverty by reducing half of the number of Indonesians who earn one dollar per day (purchasing power parity/PPP) for the period 1990-2015. Meanwhile, the reality on the ground showed the contrast. Many Indonesian people lived in poverty and had minimal access to public health and education facilities. UNESCAP reported that Indonesia was one of the countries in the Asia Pacific region, which was alarming to achieve the MDGs. Based on such contradictions regarding the MDGs' poverty eradication mission in Indonesia, this article aims to examine why the MDGs program had not been able to overcome the problem of poverty in Indonesia? This article employs norm life cycle (dynamics) theory to investigate the problem behind UN MDGs' inability to overcome poverty in Indonesia. UN MDGs were considered a global norm in this article, substantiating the poverty eradication mission. Using the norm life cycle theory theorizing the three stages of norm development, starting from norm emergence, cascade, and internalization, this article reviews and investigates how Indonesia had dealt and performed in each of those norm life cycle stages within the framework of global poverty eradication norm. Based on the theoretical approach used, this article argues that the inability of UN MDGs to resolve poverty in Indonesia was due to the excessive use of statistical and quantitative basis of poverty eradication efforts rather than a more qualitative and welfare building approaches. Moreover, a systemic problem existed upon MDGs' coordination and implementation on the Indonesian government and donor countries/institutions. It included the lack of commitment to official development aid (ODA) realization, renegotiation and elimination of Indonesia's foreign debt, and rampant corruption in the national development and poverty eradication funds.

Keywords: Millennium Development Goals (MDGs), Indonesian Government, Global Poverty Eradication, Norms

1. Introduction

One of the current developments in international relations discourse is dominated by global development problems caused by global poverty and inequality. They mark the start of a new chapter in the international relations agenda. The problem is that global poverty and inequality cause various other threats to the appropriation of human rights fulfilment, where poverty causes a lack of access to education, health, politics, clothing, food, and housing. These

are a condition that mainly occurs in Africa and parts of Asia. Those problems cause a change in the focus of countries from political economy development and international security to human development and human security. To respond to these development issues, entering the new millennium era in 2000, world leaders agreed on a common goal in a millennium declaration that mainstreamed comprehensive development. The Millennium Declaration was an agreement by Heads of State and representatives from 189 countries at the Millennium Summit held by the United Nations in New York on September 14-16, 2000, confirming the primary concern of the world community to work together to achieve the Millennium Development Goals (MDGs) in 2015. The Millennium Declaration caused the heads of state and representatives to formulate and agree on the MDGs together. The goal of the MDGs was to place humans as the main focus of development which includes all components of activities whose ultimate goal was community welfare (Kemlu RI, 2011). The legal basis for issuing the MDGs declaration was United Nations General Assembly Resolution No. 55/2 dated 18th September 2000 (A/Ris/55/2 United Nations Millennium Development Goals). Thus, the MDGs was a global development paradigm in the form of goals to eradicate global poverty (Kemlu RI, 2011).

Of the eight targets of MDGs, this article focuses more specifically on the first goal, namely tackling extreme poverty, with the target of reducing by half, from 1990 to 2015, the number of people with incomes below one dollar per day (PPP). Global poverty is a very complex problem for the global community as every country has an objective in solving it. Concerning the MDGs, Indonesia was also its signatory and committed to achieving MDGs' targets by 2015. The Indonesian government's commitment was a form of embodiment of the goal to provide welfare to its people under the constitution's mandate. As a developing country, Indonesia was still struggling with the problem of poverty. Based on the results of the Central Statistics Agency (BPS)¹ Poverty Survey for March 2013, the number of poor people was recorded at 28.07 million people or 11.37% of the total population of Indonesia (Republika, 2013). This number was based on the income standard of one dollar per person/day by BPS. Compared to countries in Southeast Asia, Indonesia had the highest number of poor people. This fact was undoubtedly still a concern for the Indonesian people.

The manifestations of Indonesia's global commitment to the MDGs, especially in poverty eradication efforts, could be seen from the government's serious follow-up to integrating and mainstreaming the United Nations MDGs program into various national development planning programs and documents at the regional level, such as the National Long-Term Development Plan (RPJPN) 2005-2025, National Mid-Term Development Plan (RPJMN) 2004 – 2009, National Mid-Term Development Plan (RPJMN) 2010 – 2014, Regional Mid-Term Development Plan (RPJMD), as well as in the Government Working Plan (RKP) of the central and regional governments (Bappenas, 2010, p. 12). Indonesia President Susilo Bambang Yudhoyono (SBY) had also issued Presidential Instruction No. 3 of 2010 concerning equitable development. One of its mandates was that each Ministry/Agency, Governor, and Regents/Mayors took appropriate steps required according to their respective duties, functions, and authorities in the context of implementing equitable development programs, including the program to achieve the MDGs (Bappenas, 2011, p. 3). Based on the government's seriousness in mainstreaming the MDGs in various programs and national development planning documents, the government claimed that Indonesia had succeeded in achieving the first MDGs target, which was to reduce by half the number of people who earn one dollar (PPP) per day. Thus, the government had succeeded in reducing extreme poverty. To show the actual contribution of the Indonesian government in achieving the MDGs, it, through Bappenas, collaborated with the UNDP Indonesia in making a report on the Indonesian achievement on MDGs in Bahasa Indonesia and English. It was then reported to the UN Secretary-General Baan Ki-Moon so that Indonesia's progress on MDGs can be monitored from year to year and can be used as a basis for comparison with the achievements of the MDGs in other countries.

Concerning poverty alleviation in Indonesia, there were several debates in various circles about whether the MDGs helped and succeeded in alleviating poverty or not. The report on the MDGs achievement in 2007 stated that the Indonesian government was on the right track with claims of the government's success in reducing the number of people who earn one dollar (PPP) per day (Bappenas & UNDP, 2007, p. 11). Nevertheless, there were differences in the facts based on the UNESCAP report exposing that Indonesia was one of the countries in the Asia Pacific region which was in an alarming position or off the track in achieving the MDGs (INFID, 2009, p. 1). Furthermore,

¹ BPS stands for Badan Pusat Statistik or Indonesian Central Statistics Agency.

the fact showed that in the Human Development Report (HDR) 2009, Indonesia's Human Development Index (HDI) ranking was getting worse. The fact exposed that Indonesia was ranked 107th in 2006, slumped to 109th rank in 2007-2008 and then ranked 111th in 2009. This ranking was worse than Palestine (110th rank) and Sri Lanka (102nd rank), where they were countries that were still hit by political and armed conflict (INFID, 2009, p. 2). With these factual gaps, the problem arose then whether the MDGs program intended to eradicate poverty as a whole or only to reduce poverty as business as usual. Facts on the ground showed that many Indonesians lived in poverty where they did not have access to adequate clothing, food and housing, access to public facilities such as education, health, employment, and various other social needs. This article aims to address those gaps. Based on the background of the problems described previously, this article raises the following issue "why had the MDGs program not been able to overcome the problem of poverty in Indonesia?". In answering this question, this article employs the theoretical approach of norms life cycle (dynamics) theory, aiming to investigate and check the implementation of MDGs as the global poverty eradication norm in Indonesia's effort to mainstream MDGs to realize poverty eradication in Indonesia. The norms life cycle theory emphasizes three sequential norm development steps: norm emergence, cascade, and internalization. With such theory, this article analyzes the problem of MDGs implementation in eradicating poverty in Indonesia through each stage of the norm life cycle, aiming to find the problems that hampered the MDGs implementation in overcoming poverty in Indonesia.

2. Method and Methodology

In this article, the research method used was a qualitative research method with an argumentative explanatory research design, by explaining why the United Nations MDGs program had not been able to overcome the problem of poverty in Indonesia. It reviewed the development of global poverty eradication norms in international institutions (MDGs) based on the theory of norm dynamics theorized by Finnemore² and Sikkink³. Furthermore, the data collection technique used in this article was a literature review, by collecting data from the literature related to the problems to be discussed and then analyzing them. The data collected were primary and secondary. Primary data were collected by reviewing various government documents and international organizations related to the MDGs Program. Meanwhile, secondary data were collected by conducting library research. Data exploration was in the form of writings or other electronic references related to the article. It was done through searches on the internet, especially on official sites related to the MDGs. They were the official website of the UN, UNDP, World Bank, Indonesian National Development Agency (Bappenas), and Indonesian Central Statistics Agency (BPS). Besides that, book reviews related to the UN MDGs Program in poverty eradication were also undertaken.

Related to the methodological approach of this article, it put liberalism/idealism nuance at the front as the norms promoted in the MDGs, such as poverty eradication, which are closely related to upholding human rights and human dignity. Liberalism is a perspective that advocates for human rights and dignity. It believes that the legitimacy of the states' domestic political order largely depends on upholding the rule of law and respecting the human rights of its citizens. The universal principles governing human behaviour and needs can be explicitly found in western law (Burchill et al., 2009, p. 68). The idea of universal human rights stems from the natural law tradition, debated in the Western world during the Enlightenment era about "the rights of man" and in the experiences of individuals who struggle against arbitrary state laws (Donnelly 2003), Magna Charta from 1215 to the Bill of Rights in 1689. It is also inseparable from the intellectual contributions of Grotius (the law of nations), Rousseau (the social contract), and Locke (popular consent and limits of sovereignty). Then, the legal articulation of human rights can also be found in the American Declaration of Independence in 1776. Some of its substance contains that all humans are created equal and endowed by their creators with certain inalienable rights, namely the right to life, liberty, and the right to pursue happiness (Burchill et al., 2009, p. 69).

The development of human rights occurred as a legal and cultural practice in the Western world. Liberals have a normative commitment to human rights and believe that specific values and standards should be universally applied. According to them, these human rights are rights that exist from birth and cannot be revoked at all and

² Martha Finnemore is University Professor of Political Science and International Affairs at George Washington University in Washington, DC. Her research focuses on global governance, international organizations, cybersecurity, ethics, and social theory.

³ Kathryn Sikkink is the Ryan Family Professor of Human Rights Policy at HKS. Sikkink works on international norms and institutions, transnational advocacy networks, the impact of human rights law and policies, and transitional justice.

are universal and can be applied to all regardless of nationality, status, gender, or race. Applying these rights to all then becomes an essential basis in liberal thinking on foreign policy and international relations for two reasons. First, these rights create the legal foundation for human emancipation, justice and freedom. The denial by the state of these rights is an insult to the dignity of all human beings. Second, countries that treat their citizens ethically and provide opportunities to participate in the political process will at least behave less aggressively at the international level. Therefore, (Western) liberals have the task of developing and advancing these moral standards to get universal approval. Therefore, to develop and promote these moral standards or norms regarding universal human rights, these norms are translated into the rule of law and international institutions (Burchill et al., 2009, pp. 69–70). As poverty is a denial of human rights, thus, the liberal (western) thinkers and leaders developed global poverty eradication as an international norm institutionalized within the international institution of MDGs. MDGs per se consists of eight individual sub-norms substantiating human rights fulfilment. They are essentially interconnected with each other both as a norm and as an instrument. The global poverty eradication norm per se has been universalized and has become a global responsibility (Hulme, David., & Fukuda-Parr, 2009, p. 2). At this point, the MDGs as an international institution play an essential role in the internationalization of global poverty eradication norms. According to Keohane, institutions are essential variables in global politics since they can facilitate cooperation optimally (Keohane, 1988, pp. 6–9). Furthermore, he also explained that there are three essential points regarding the role of institutions, comprising of 1) providing information flow and opportunities for negotiation; 2) improving the ability of state governments to monitor compliance of other countries, as well as to implement their commitments; and 3) strengthening existing expectations for the solidity of international agreements (Jackson, Robert., & Sorensen, 2007, p. 111). To explain further how MDGs emerged, protected, internationalized, followed and implemented by other countries within the framework of international institutions, this article further utilizes the norm life cycle theory from Finnemore and Sikkink. The norm itself can be defined as a set of values and behaviours considered right in a community. They classify the three stages of norm formation in an international institution, consisting of norm emergence, cascade, and internalization. These stages consist of three variables, covering actors, motives, and dominant mechanisms (Finnemore, Martha., & Sikkink, 1998, pp. 887–917).

2.1. Norm Life Cycle

	Stage 1: Norm Emergence	Stage 2: Norm Cascade	Stage 3: Norm Internalization
Actor	Norm entrepreneurs with organizational platforms	States, international organizations, networks	Law, professions, bureaucracy
Motives	Altruism, empathy, emotional commitment	Legitimacy, reputation, esteem	Conformity
Dominant Mechanisms	Persuasion	Socialization, institutionalization, demonstration	Habit, institutionalization

Source: Finnemore & Sikkink, 1998.

To be specific, norm emergence is the initial stage of the emergence of a norm coming from the trust and attention of members of international institutions towards a value and that they want to fight for it. The norm emergence could occur internally or externally. There are actors who intensively and vocally fight for this norm and are called norm entrepreneurs. They devote themselves or their organizations to developing the norm based on sympathy or altruism and then persuade member states of international institutions to apply these norms. Suppose 1/3 of the member states of international institutions have recognized these norms. In that case, a critical mass can lead the process of the international norm life cycle to move to the next stage. The next stage is the norm cascade, where the state consciously adopts values and norms for reputational improvement and other motives. States adopting those norms will then tend to promote these norms to other states and actors in the international system (Finnemore, Martha., & Sikkink, 1998). The final stage is norm internalization. The active actions of each state indicate this stage to make regulations in their respective states to protect these norms. At this stage, usually, states that have not adopted the norm will adopt it based on conformity as a member of an international institution (Finnemore, Martha., & Sikkink, 1998). This article employs norm life cycle theory to identify and analyze the progression of

MDGs' global poverty eradication norm on each stage of the norm life cycle (norm emergence, cascade, and internalization). It aims to find why the MDGs program had not been able to overcome the problem of poverty in Indonesia. For this purpose, this article develops an analytical model and theory operationalization as exposed below.

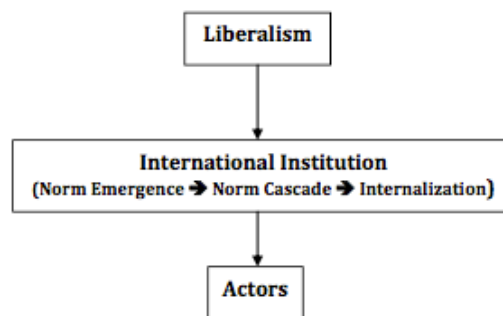


Figure 1: Analytical Model

Source: Own elaboration.

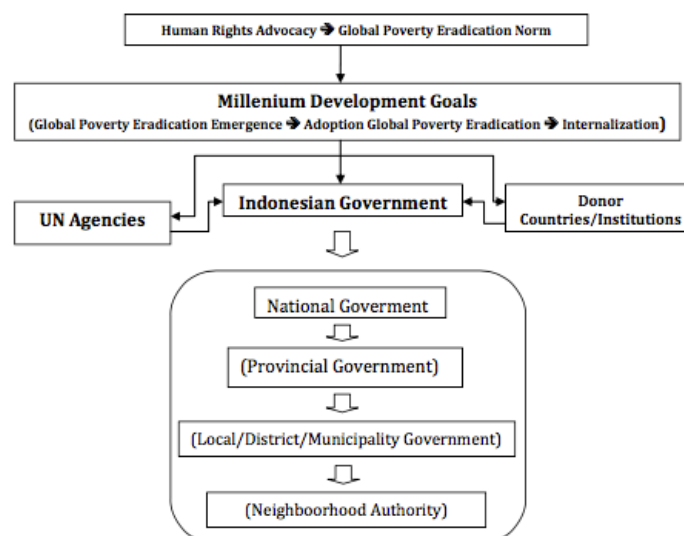


Figure 2: Theoretical Operationalization

Source: Own elaboration.

3. Results & Discussion

This section analyzes why the MDGs program had not been able to overcome the problem of poverty in Indonesia. This article employs the norm life cycle theory to scrutinize the process and progression of MDGs' global poverty eradication norm implementation in Indonesia, from its emergence down to its internalization in Indonesia.

3.1 Norm Emergence

The MDGs, particularly with its global poverty eradication norm, essentially did not just appear in the United Nations Millennium Declaration in 2000. This norm emerged and developed through the problem of human poverty, which initially became a central global issue since the 1990s when the United Nations initially brought the primary issue orientation of poverty within the issue of development and human prosperity into discussions, and agreements between countries. Several summits substantiating those issues, for instance, were Earth Summit held in Rio de Janeiro in 1992, the Conference on Population and Development held in Cairo in 1994, and the Conference on Gender and Women's Empowerment in 1995. Then, the problem of poverty was explicitly

articulated at the Social Development Summit in Copenhagen. The main drivers in raising this issue were norm entrepreneurs personally motivated by a commitment to poverty eradication and human welfare.

The norms entrepreneurs of MDGs were the state leaders, UN agencies, and NGOs. For example, in that era, Jim Grant, Executive Director of UNICEF, spent decades writing and campaigning for the "end poverty" movement, especially at the World Summit for Children in the 1990s attended by 159 countries with 71 heads of state and government. This summit produced The World Declaration on the Survival, Protection and Development of Children and its action plan. Its succession inspired other norms entrepreneurs to organize more effective global summits and direct the heads of state to set concrete and measurable goals. In addition, norms entrepreneurs also came from the Organization for Economic Cooperation and Development (OECD), the IMF, and the World Bank (Hulme, David., & Fukuda-Parr, 2009, p. 9).

The culmination of poverty issues centralization through the various summits mentioned above was the millennium declaration in 2000 with the MDGs adopting the global poverty eradication norm as previously explained. The problem that arose later was that the internationalization of the MDGs was followed by the establishment of a standard income of one dollar (PPP) per day as a benchmark for poverty eradication. The question and debate that arose then were whether reducing population proportion with one dollar income per day could solve the problem of poverty in Indonesia or not?. Moreover, could this international standard be applied in Indonesia? This article argues that such standard of MDGs application could not address poverty eradication optimally. Poverty eradication through the MDGs only aimed to meet the achievement of figures for poverty reduction (quantitative-based approach) without being based on seriousness to eradicate poverty, provide welfare, and improve the quality of life of the poor (qualitative based approach). It could be seen from the various double standards of poverty set by the government. If it was based on an income of one dollar per day, the Indonesian government, as a signatory of MDGs since 2001, claimed that the Indonesian government had succeeded in meeting the MDGs goals in 2008 by successfully reducing the poverty rate from 20.6 % in 1990 to 5.9 % in 2008 (Bappenas, UNDP, 2010, p. 1). Meanwhile, with poverty standards set with an indicator of 1.5 dollars per day, the Indonesian government claimed to have progressed with a gradual reduction in the number of poor people to 28.07 million people or 11.37% in March 2013. However, it still required hard work to achieve the target set in 2015 with a poverty reduction target of 8-10% in 2014 (BPS Indonesia, 2013). It was then different if the standard used was the World Bank standard of two dollars (PPP) per day, then the number of Indonesians in the poor category reached 105.3 million people or 45.2 per cent of Indonesia's total population of 236.4 million people in 2008 (Antaranews, 2011).

When viewed from the data above, there was a significant difference in the number of poor people between the measurement of income of one dollar compared to two dollars per day. It showed that the standard of one dollar was not appropriate enough to describe poverty in Indonesia and became a reference in poverty eradication efforts. The impression that emerged then was very populist, where the government had succeeded in eradicating poverty, even though such success was only limited to quantitative and statistical successes. In addition, there were also UN inconsistencies concerning poverty standards in the MDGs. Accordingly, there was a standard shift from one dollar to 1.25 dollars (United Nations, 2013). It confirmed that even the United Nations was not confident in the one-dollar standard set out in the MDGs' millennium declaration. Of course, such a shift required re-coordination between the United Nations and various other stakeholders, including the Indonesian government.

Amnesty International found that there were still discriminatory treatments by the state against the poor. It estimated that there were still 100 million people living in slum areas, where they did not have access to health, sanitation, proper education and were even more trapped in poverty. Even worse, it was predicted that as many as 70% of the people living in poverty were women (Amnesty International., 2010, p. 11). Therefore, based on Amnesty International observations and the facts of poverty on the ground, the Indonesian government needs poverty eradication with a qualitative approach focusing on improving the quality of life of the poor. The claims of success of poverty eradication with an income standard of one dollar per day were just positioned the Indonesian people vulnerable to poverty. It was not an optimal poverty eradication standard but only showed how the Indonesian people can meet their needs, from clothing, food, and housing on a limited basis. The Indonesian government should refer to Amartya Sen's conception of "development as freedom" (Amartya Sen, 2000, p. 3).

Based on Sen's conception, the government should measure poverty based on income alone and provide adequate public services to meet the basic needs of the poor in efforts to eradicate poverty. The universalization and adoption of the MDGs with its advocated norm of global poverty eradication in various countries essentially had good intentions and did not contain any debate on their normative approach. It was due to all countries having poverty problems and being interested in its eradication. However, setting one dollar income per day as the standard of achievement did not solve the problem since the qualitative standard of poverty in Indonesia was different from poverty in America, Europe, and Africa (Easterly, 2009, pp. 26–35).

3.2 Norm Cascade

In this stage, as explained in the previous theoretical framework, the countries in the United Nations, including Indonesia, adopted the global poverty eradication norm through the ratification of the MDGs. Accordingly, there were no significant problems and contestations in adopting and promoting it, considering that the global poverty eradication norm could be easily accepted by all countries, similar to the norm of anti-colonialism. All countries understood that poverty was a negation of human rights and must be eradicated. At this stage, countries, various UN agencies, and international NGOs had adopted the MDGs as a global norm for poverty eradication. Such comprehensive adoption was carried out to oversee the internalization and implementation of the national government of the MDGs adopting country. In the norm cascade stage, according to Finnemore and Sikkink, there were three motives for countries and international organizations to adopt global poverty eradication norms, covering legitimacy, reputation, and respect. Indeed, Indonesia's adoption of MDGs cannot be separated from those motives. It needed to create a good image in the international political constellation through the reputation and respect obtained by actively contributing and achieving the MDGs targets. However, such image-building orientation should not become a source of legitimacy and claim of the government's success in efforts to eradicate poverty. It emphasized the quantitative and statistical approaches; meanwhile, it was still weak in terms of quality-based poverty eradication efforts.

3.3 Norm Internalization

In the internalization stage, the problems arising from the Indonesian government and donor countries and institutions will be further reviewed and analyzed. This article argues that partial internalization of MDGs' global poverty eradication norm had existed. It resulted in the inability of the Indonesian government to optimally implement MDGs' global poverty eradication norm to overcome the problem of poverty in Indonesia. Hulme and Fukuda-Parr explained that its internalization had created rapid progress at the level of policy statements, various documents, and reports. With such internalization, it was institutionalized as development efforts. It also became a language in international development synonymous with poverty reduction endeavours. The MDGs had become a reference for policy documents from donor agencies/countries, national development planning documents, think tanks, and the media (Hulme, David., & Fukuda-Parr, 2009, p. 20).

Reflecting on the arguments of Hulme and Fukuda-Parr, the Indonesian government had internalized the global poverty eradication norm by integrating and mainstreaming the MDGs into national development planning programs and documents at the regional level (RPJPN 2005-2025, RPJMN 2004 – 2009, RPJMN 2010 – 2014, RPJMD, as well as in the central and local government RKP). President Susilo Bambang Yudhoyono (SBY) had also issued Presidential Instruction No. 3 of 2010 concerning equitable development related to the MDGs. At the UN level, its internalization was also demonstrated through its agency of UNDP Indonesia's commitment to monitor, evaluate, and build the capacity of the Indonesian government at various levels. The UNDP Indonesia and Bappenas also made a report on the progress of MDGs achievement every year reported to the UN Secretary-General. Furthermore, developed countries/donors and international financial institutions (IMF, World Bank, and ADB), which financially supported the implementation of the MDGs, had internalized the global poverty eradication norm into their policies. Those commitments were regulated through several follow-up consensus after the Millennium Declaration. These consensus were the Monterrey Declaration on Financing for Development 2002, the Rome Declaration on the Development Assistance Harmonization, and the Paris Declaration on Aid Effectiveness 2005 (Direktorat Pendanaan Luar Negeri Bilateral-Bappenas, 2007, p. 2). These consensus underscored developed countries' commitment and active participation to finance and provide

development assistance in developing countries in various forms, including Indonesia. Through these consensus, donor countries are targeted to spend 0.7% of their GDP for development assistance, including grants, soft and hard loans, and debt swaps. Its internalization had synergized multiple parties to achieve the MDGs goals of Indonesia's poverty eradication. However, what had been internalized to stakeholders was not a measure of success. According to Finnemore and Sikkink, the measure of success lies in how the state issues domestic policies that implement internalized norms.

Departing from such Finnemore and Sikkink point, this article found two levels of problems. The problems were the partial internalization occurring both in the Indonesian government and developed countries/donors, indicated by the lack of realization of development assistance from developed countries/donors to developing countries. The first problem lay at the government level, where the internalization of the global poverty eradication norm partially occurred as it was pretty elitist. Based on the research findings, its internalization through integration into various documents and development programs only occurred at the national, provincial, and district/city government levels but did not reach the sub-district government and neighbourhood/citizens association (RT/RW)⁴ level, which was still under government coordination chains to eradicate poverty (Bappenas, 2010, p. 12). The government at the sub-district and the RT/RW level were the closest and had direct daily contact with the poor and became proxy agents for the national, provincial, and city governments in distributing various aids to the poor community as well as in realizing and ensuring the implementation of various government programs related to the public facilities provided such as education, health, and other various poverty eradication programs. Internalization of global poverty eradication norms at the sub-district government and RT/RW levels would be vital since they know quantitatively, qualitatively, and rigidly about poverty in their surrounding environment. For sure, such norm internalization could facilitate efforts to eradicate poverty. Nevertheless, the expected norm internalization down to the sub-district and RT/RW level of government did not realize as expected and hampered Indonesian poverty eradication efforts. It confirmed that the Indonesian elites were more focused on measuring the ups and downs of poverty on a statistical basis rather than eradicating poverty to its roots. The second problem then lay upon the lack of actualizing donor countries/institutions' assistance to developing countries. Developed/donor countries only realized 0.3% of their GDP for development assistance to developing countries. It did not match their commitment in various consensus related to the MDGs to realize 0.7% of their GDP for development assistance purposes to developing countries. Such lack of development assistance realization had been reaffirmed by the Vice President of Indonesia Boediono at the Ministerial Regional Meeting on MDGs in Asia and the Pacific on 3rd August 2010 (Wapres RI., 2010, p. 2). The only countries that had realized their Official Development Aid (ODA) commitment were Sweden, Norway, Luxembourg, Denmark, and the Netherlands (The Guardian, 2013). Indeed, this had become an obstacle to poverty eradication in Indonesia since foreign aid played an important role.

3.4 Beyond Internalization

According to Finnemore and Sikkink, to maintain norm existence and fully internalize it, it is necessary to make regulations and domestic policies and implement them to maintain the norm. Concerning domestic regulations and policies related to poverty eradication, the Indonesian government launched various poverty eradication programs to achieve the MDGs goals. However, apart from what had been described previously, several other things had been highlighted as the cause of MDGs' failure in eradicating poverty in Indonesia, particularly at the level of policy and regulation implementation. The first was the absence of follow-up negotiations on reducing or eliminating debt. The burden of foreign debt was one of the main problems for Indonesia and other developing countries to eradicate poverty and accelerate national development. At the beginning of President SBY's administration, President SBY at the Financing for Development Summit once stated that significant debt reduction was fundamental for Indonesia and other developing middle-income countries. Therefore, the President SBY administration promised to seek to eliminate Indonesia's debts (INFID, 2009, p. 3). Minister of Finance Sri Mulyani conveyed the same thing that one of the main difficulties for the government to achieve national development goals, including the MDGs, was foreign debt (Hadar A, 2013). Nonetheless, those promises were not fully realized and were not integrated into Indonesian economic policy. President SBY's call was only rhetoric and echoed at the UN headquarters. In contrast to those debt reduction promises, unfortunately, President SBY

⁴ RT/RW stands for Rukun Tetangga (Neighborhood Association) / Rukun Warga (Citizen Association).

administration had increased Indonesia's debt by around Rp 724.22 trillion. As of August 2013, Indonesia's total debt had reached Rp 2,177.95 trillion (Hadar A, 2013). Instead of negotiating debt reductions or debt relief, the President SBY administration had even done the opposite. The government policies were claimed to be pro-poor policies, but unfortunately, most of their financing strategies came from more foreign debt. The President SBY administration should be more careful in sorting out the methods of international development and foreign aid cooperation to achieve the MDGs in order to ensure that domestic policies crafted not under direction and control of or biased toward the interests of donor countries, and they were still under the interests and needs of the Indonesian people. To reaffirm the importance of having sound and solid government policies toward MDGs achievement, Daseking and Kozack (2003) predicted that a country like Indonesia would fail to achieve the MDGs of reducing poverty by half by 2015, unless Indonesia had high economic growth, succeeded in strengthening government institutions, implemented pro-low-income policies, and was not trapped in debt (Hadar A, 2013).

The next highlight was the issue of transparency, accountability, and corruption, which were inhibiting factors for the realization of global poverty eradication through the MDGs. Transparency International Indonesia (TII) stated that development financing was vulnerable to embezzlement. The absence of government transparency and accountability can cause development and poverty eradication funds to be easily embezzled. The government must ensure that anti-corruption measures and good governance are appropriately implemented since no matter how large the funds allocated for poverty eradication, it will not produce maximum output if corrupt practices are still rampant. It is inevitable that poor infrastructure and public services, especially in education and health, still exist due to corruption. One proof of the threat of corruption towards the achievement of MDGs and poverty eradication was the corruption committed by former Minister of Health Ahmad Sujudi, who embezzled funds to procure medical equipment for public health centres in remote areas. He was then sentenced to prison for two years and three months (Transparency International Indonesia, 2013). Such corrupt practice, of course, hindered efforts to eradicate poverty in Indonesia. Overall, the internalization of the MDGs' global poverty eradication norm at the government level was necessary. However, it was far more critical to strive for its successful implementation to realize poverty eradication in Indonesia.

4. Conclusion

In conclusion, the UN MDGs program had not been able to overcome the problem of poverty in Indonesia as the global poverty eradication norm that it carried was partially internalized by both the Indonesian government and developed/donor countries. It made the MDGs program only focused on statistical dynamics of reducing the number of poor people without an optimum effort to improve the poor's welfare and quality of life in Indonesia. Implementatively, the MDGs program to eradicate poverty in Indonesia had encountered various obstacles. These obstacles were 1) the applicability of the income standard of one dollar per day as a poverty standard; 2) the lack of coordination from the integration down to the implementation of poverty eradication policies from the central/national government to the local community-level of government; 3) the lack of commitment from developed/donor countries to realize their development assistance to developing countries; 4) the absence of governments' follow-up negotiations on reducing or eliminating Indonesia's foreign debt; down to 5) the issues of good governance such as the lack of government transparency and accountability as well as rampant corruption on the national development and poverty eradication funds. The UN MDGs had reached its expiration by 2015. It was problematic due to global poverty eradication standardization focusing on a quantitative approach concerning all of those obstacles. Therefore, shifting focus to a qualitative approach of poverty eradication (public services, health, education, sanitation, and capacity building for the poor) and internalization followed by implementation of global poverty eradication norms at various levels of government would be a game-changer to optimize the achievement of poverty eradication efforts in Indonesia. The MDGs per se needs to be transformed into development targets that were more down to earth rather than appear to be a too elitist program and involved the whole community in accelerating efforts to eradicate global poverty in general and eradicate poverty in Indonesia in particular.

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Caste and Ethnic Area and Identity Politics in Nepal: An Anthropological Perspective

Apar Kumar Lamsal¹, Chakra Raj Dahal², Ram Prasad Pokhrel³

¹ Principal author, Associate Professor, Nepalese History, Culture, and Archaeology, Post Graduate-Campus, Biratnagar, Tribhuvan University, Nepal. Email: apar.lamsal@pgc.tu.edu.np

² Corresponding author, Lecturer, Political Science, Mahendra Multiple Campus, Dharan, Tribhuvan University, Nepal. E-mail: chadai75@gmail.com; chakraraj.dahal@mahmc.tu.edu.np

³ Co-author, Lecturer, Sociology, Post-Graduate Campus, Biratnagar, Tribhuvan University, Nepal. Email: ram.pokhrel@pgc.tu.edu.np

Correspondence: Chakra Raj Dahal. E-mail: chadai75@gmail.com; chakraraj.dahal@mahmc.tu.edu.np

Abstract

Every individual and ultimately the group try to identify him or herself as distinct as and more supreme than others through some symbols. This identification process is used by human beings as a tool for either psychological or biological or we can say the survival benefit. In this way, identity becomes a means of benefit. There may be so many types of identity symbols and cultural identity is one of them. Sharing the same identity symbols creates a distinct culture area. The culture area is a geographical concept of culture. This article examines the identity-making politics in modern Nepal based on different cultural elements, particularly caste and ethnicity. Therefore, this article proposes the concept of 'caste and ethnic areas,' other than culture areas, which are widely used in anthropological literature. Data were collected from primary and secondary documents and observations of Nepalese politics over a long period. A retrospective research design was applied in this study.

Keywords: Caste, Culture, Culture Area, Ethnic Group, Geographical Area

1. Background

It is taken for granted that caste and ethnicity are components of culture on the one hand and every caste and ethnic group may have similar kinds of culture on the other hand. However, a particular ethnic identity may subsume many different cultural identities (Guneratne, 2002). Again, ethnicity itself symbolizes the geographical and cultural groups. Ethnic or nationality is a social group with its mother tongue, native area, and religious tradition (Gurung, 2003). Here, we propose the terminology 'caste and ethnic area' other than 'culture area' in the context of Nepal, though we have emphasized 'culture area' because it is well-established in geography and anthropology.

It is said that there is a political interest within cultural consciousness (Tamang, 2062). The purpose of this article is to describe the identity-making politics of Nepal based on various castes and ethnic areas. Though various caste/ethnic groups have diffused in different parts of Nepal, they still centralize in their traditional areas (Gurung, 2003). Caste and ethnic areas have been described based on some similar kinds of cultural elements such as religion, language, and historical habitation, etc.

2. Methodology

This study was based on a retrospective design. This research was based on data collected from secondary materials and observations of Nepalese politics over a long period. Experiences were another method of data collection in this study. It is not described in every detail of ethnic area and form and content of different autonomous culture-based states proposed by different political and ethnic organizations, but it is a bird's eye view over this matter.

3. Conceptual Clarity

The word 'culture area' was first probably used by O. T. Mason (McGee and Warms, 2013). A culture area is a geographical unit of culture (Kroeber, 1939). A norm or standard form of tribal culture readily distinguishable from others is called a type of culture that has its geography and the segregation of cultures of the same type will form a geographical area characterized by the type (Wissler, 1965). The concepts of culture region, a cultural region, culture area, cultural area, and culture sphere are used by different scholars in anthropology and geography with similar meanings. However, the concept of culture area originated from museum curators and ethnologists during the late 1800s as a means of arranging exhibits. It was the classification of museum collections on natural geographical lines instead of evolutionarily schematic ones, according to Boas, as quoted by Kroeber (1939).

Variety of things including physical, for example, climates, landforms, and natural vegetation and so on and human for example cities, towns, custom, religion, agriculture, transportation systems, and industries and so on (i.e. culture) characterize our planet. A culture region is a portion of the Earth's surface that has common cultural elements. The culture region is the place where certain cultural traits or cultural communities are located. There are varieties of cultures on Earth and each contributes to global diversity and culture regions. Cultural geography is the study of these varieties of cultural differences that characterize the people and land.

The culture region is identified based on one or some cultural elements such as religion, language, subsistence system, political and social organization, etc. Every culture region may have some kind of cultural landscape. Culture landscape consists of material aspects of culture that characterize the Earth's surface. That includes buildings, shrines, signage, sports and recreational facilities, economic and agricultural structures, crops and agricultural fields, transportation systems, and other physical things.

Anthropologists also use the terminology 'culture area' but similar meaning with 'culture region.' This term is used to describe the areas within which the ways of life of the residents are relatively distinctive and homogeneous (Berreman, 1963). The concept of culture area is a means to an end and the end may be either understanding of culture process or the historic event of culture (Kroeber, 1939). But the anthropological concept *kulturkreis* is not synonymous with culture region.

Culture area is an area or region encompassing a group of cultures, usually contiguous, which share a set of traits that distinguish them from the cultures in other such areas, also the group of cultures within such an area (Weiss, 1973). A culture area is defined as a more or less contiguous ethnographic area inhabited by peoples who share cultural traits to an extent that distinguish them from other societies (McGee & Warms, 2013).

However, every cultural region may have a certain diversity. Certain names can be coined for a certain region based on dominant cultural elements. Culture region is not primordial but historical. Due to the different reasons,

it may be changed, disappear, expand, and contract. Identifying and mapping culture regions shows us a particular geographical area where particular cultural traits or cultural communities are located.

Human beings should make a strategy for survival according to the environment and terrain where they live. People of different regions may have different problems and prospects and may also have different knowledge, perspectives, and experiences to tackle them. That is why, culture may be different and ultimately culture region, too.

4. Empirical Findings

4.1. Indian Sub-Continental Context

Berremen (1963) described the different culture areas of India, Burma, Nepal, Pakistan based on cultural tradition and culture type (similar culture rather than a real continuity) and broadly categorized them into four cultural traditions within the two culture types as follows:

Cultural type	Cultural tradition
1. Aryan of Indo-Iranian	a. Indian or South Asian b. Afghan-Iranian or Southwest Asian
2. Tibeto-Burman	a. Tibetan b. Southeast Asian or Burman

4.2. Nepalese Context

Geographically, Nepal is divided into several segments by the mountains, rivers, and terrain. Geographical diversities parallel to the ecological diversities in terms of climate, physical features, landscape, and altitude. Historically, different castes and ethnic groups have been come into Nepal and settled here. Politically, due to the different reasons including geographical ones, Nepal is divided into different petty states in its long history. Though Nepal is an isolated land cut off with sharp finality from the north and south, this has always become the 'melting pot' for both the people of the north and south. These historical, political, and geographical facts, which are not mutually exclusive, create different culture regions within the country and influence the present identity politics of Nepal.

Nepalese culture regions are broadly categorized by Berremen (1963) according to the three geographical elevations of Nepal. South-Asian culture, Indo-Aryan language, Hinduism, and settled agriculture- continues from the plain of North India are found in people of Terai except Tharu. People of the western and eastern part of low and middle Himalayas practices South Asian culture and combined culture with Tibetan, Indian and aboriginal characters respectively may continue from Southeast hill cultures. Tibetan culture-Tibetan language, Lamaistic Buddhism, and combination of pastoralism and settled agriculture found in Himalayan people also continue from Tibet. Table 1 also broadly categorizes the caste/ethnic region of Nepal.

The national population census of 2011 also proved that Nepal is a multiethnic and multilingual state. Among slightly more than 2.6 million Nepali people, there are more than a hundred ethnic and lingual groups. The report of the Central Bureau of Statistics (2012, p. 4) states;

There are 125 caste/ethnic groups reported in the census 2011. Chhetri is the largest caste/ethnic groups having 16.6% (4,398,053) of the total population followed by Brahman-Hill (12.2% ; 3,226,903), Magar (7.1% ; 1,887,733), Tharu (6.6% ; 1,737,470), Tamang (5.8% ; 1,539,830), Newar (5.0% ; 1,321,933), Kami (4.8% ; 1,258,554), Musalman (4.4% ; 1,164,255), Yadav (4.0% ; 1,054,458) and Rai (2.3% ; 620,004).

There are 123 languages spoken as mother tongue reported in census 2011. Nepali is spoken as mother tongue by 44.6 percent (11,826,953) of the total population followed by Maithili (11.7% 3,092,530), Bhojpuri (6.0%; 1,584,958), Tharu (5.8%; 1,529,875), Tamang (5.1%; 1,353,311), Newar (3.2%;

846,557), Bajjika (3.0%; 793,418), Magar (3.0%; 788,530), Doteli (3.0%; 787,827), Urdu (2.6%; 691,546).

In the words of Stiller (1975, p. 13), "This area was always an area where the Mongolian people from the north and the Indo-Aryan people from the south met and mingled." Although different ethnic groups have their own traditional homelands, due to the different opportunities and challenges, people within the country are also migrated and intermingled.

Any country may fit into many different culture regions. Nepal is considered as the 'ethnic turntable of Asia' (Hagan, 1971). There are more than 123 castes/ethnic groups living within the small territories of Nepal. Different censuses and researches show that these groups cover only caste and ethnic groups other than language groups, for example. Bengali and religious groups Churaute, Muslim, and Sikh. The ethnic label is applied either by outsiders/state (e.g. Tamang) or by people themselves (e.g. Magar) in Nepal (Guneratne, 2002). Under the Tharu ethnic identity, many cultural groups live in *Tharuwan* as they claim.

Because certain caste/ethnic group is traditionally concentrated in certain areas, it is customary to call this place as the land of this particular caste or ethnic group, for the example, *Kirant Pradesh* for hill region eastward from *Sunkoshi* river, *Magarat* for the land between *Karnali* and *Gandaki* rivers, *Khasan* for westward from *Karnali* river, *Bhot* for high Himalayan region and *Tharuwan* for whole terai (Bista, 2001). Shrestha (1981) demarcates the habitation of different caste and ethnic groups into three layers as the core area, middle area, and peripheral zone. Kroeber (1963) believes that culture areas are mostly addressed by geographical name however they also denote particular culture. But, Nepalese cultural areas are expressed by ethnic names such as *Limbuwan*, *Khambuwan*, etc.

5. Identity Politics

Nepali state not only organized the people into different castes and other groups in the Varna framework but also has tried to Hinduize them in different historical periods. People also felt proud to be Hindus. But, the present identity politics of Nepal based on caste and the ethnic area comprising with the history, language, and traditional habitation, etc. is cultural revival and partially culminated as the establishment of the federal state. The concept of caste/ethnicity is related to cultural change inspired by politics (Gurung, 2006). There are both positive and negative aspects of political mobilizations based on ethnicity (Sah, 2013).

According to Lawoti (2007) between 1770 to 1979, there were at least twenty-five ethnic and regional-based mobilizations against the state, most occurred among ethnic *Limbus* and *Rais* in the eastern hills. After the establishment of democracy in 1950, the first regionalist movement was made by The Nepal Terai Congress demanding the autonomous Terai state (Thapa, 2009). After the re-establishment of democracy in 1990, various ethnic organizations based on certain regions and ethnicities were established and eight organizations among them came under the single umbrella of 'The Nepal Federation of Nationalities'. Due to the cultural consciousness, people began to de-Hinduize after the reestablishment of democracy in 1990. The state has also been accommodating the demand for different groups of Nepal. In this way, today, Nepal is in the process of de-Hinduization the kingdom and thus the 'rules of the game' are changing (Skar, 1995).

The main demand of regional organizations after the reestablishment of democracy in 1990 was an autonomous state based on ethnicity in their respective geographical areas. But claim to separate states by different organizations was sometimes overlapping. *Khambuwan Rashtriya Morcha* was the first revolutionary ethnic organization founded in 1992 started the identity politics by demanding the *Khambuwan* as an autonomous state based on culture region. It claimed the area of present districts of Udayapur, Khotang, Bhojpur, Okhaldhunga, Solukhumbu, Dhankuta, Sankhuwasava, Ramechhap, Sindhuli, Dolakha, Saptari, Sunsari, Siraha, and parts of Sarlahi, Mahottari, Dhanusha and Morang (*Khambuwan Rashtriya Morcha*, 2010). 'Federal Limbuwan State Council' was another region-based ethnic organization of Limbus established in 2005 but the Federal Democratic National Forum and Federal Limbuwan State Council (Revolutionary) were emerged by splitting this organization later on. They demanded the Limbuwan autonomous state comprising the nine districts of the

eastern part of Nepal-Taplejung, Panchthar, Ilam, Jhapa, Sankhuwasabha, Terathum, Dhankuta, Morang, and Sunsari.

The Interim Constitution of Nepal was amended for the first time on 14 March 2007 within two months of its promulgation on 15 January 2007. The amended provision of the constitution declared that the form of reconstructing Nepal would be federal as well as it opened the way for a more inclusive democracy. The first amendment of the constitution was the outcome of the Madhesh movement. Hachhethu (2007, p. 1) observes:

Madhesh uprising – a 21-day long mass movement participated in by large masses of the Madheshi population – was an unprecedented event parallel to *Janandolan II* of April 2006. It was a landmark event in bringing out regional-based ethnonationalism as one of the prominent issues in the national discourse on restructuring the Nepali state.

The State Restructuring Commission was formed on 14 July 2010 to provide suggestions regarding the federal division of Nepal (BBC News/Nepali, 2010). However, members of the commission could not reach the meeting point in the case of the federal division of the country. Among the nine members of the commission, six members including the president suggested 11 provinces. Among these provinces, seven would be based on ethnicity and they would be Kirat, Magarat, Tamsaling, Newa, Tamuwan, Limbuwan, and Tharuwan. Similarly, members of the commission suggested that three provinces would be according to geography and they should be Karnali-Khaptad, Mithila-Bhojpura-Koch-Madhesh, and Lumbini-Avadh-Tharuwan. The last one is a non-geographical province for Dalit. The remaining three members of the commission submitted a separate report with the suggestion of six provinces; based on strengthens and probability demarcated by rivers (BBC News/Nepali, 2012).

Nepal Communist Party (Maoist) started its armed revolt 'people's war' in 1996. Although it was a class war Maoists raised the issues of caste and ethnicity of Nepal. The election of the Constituent Assembly (CA) was the bottom line of the Maoist when they were negotiating with the government. They practiced the federal division of Nepal in their party's organization during the wartime. Finally, the alliance of seven parties and Maoist launched the people's movement in April 2006. In the pressure of the movement the direct regime of King Gyanendra's had ended. The election of CA was held in 2008. More than 60 percent of the newly elected members were associated with left-oriented politics in the CA and it was truly inclusive because the elected members were from different social dimensions, and it broke out of the mold of Nepal's socio-political culture of "institutionalized exclusion" (Manchanda, 2008). However, the first CA could not draft the constitution for the country. After nearly four years of political negotiation, in May 2012 it was dissolved before it could finalize the long-awaited constitution (Pokharel & Rana, 2013).

The Communist Party of Nepal (Maoist) sketched out the federal structure with thirteen provinces during the CA election, 2008, consisting of two regional and eight ethnic ones, with the Madhes ethnic state subdivided further into three linguistic units (Thapa, 2009). They were, *Seti-Mahakali*, *Bheri-Karnali*, *Magrat*, *Tharuwan*, *Tammuwani*, *Tambasaling*, *Kirat*, *Limbuwan*, *Kochila*, *Newa*, *Abadh*, *Bhojpura*, and *Mithila*. Changing Maoist Party - United Communist Party of Nepal (Maoist) (2013, p. 11) proposed 11 provinces in its commitment paper (manifesto) of the second election of the constituent assembly. Maoist replaced it with *Madhesh*, a single province, instead of *Abadh*, *Bhojpura*, and *Mithila*, as proposed in 2008. Remain were the same as in 2008. The Communist Party of Nepal–Unified Marxist-Leninist (UML), which had come out most strongly against the recognition of identity as a basis of federalism. Another major party Nepali Congress did express its clear vision about neither federal boundaries nor its bases (Thapa, 2009).

Finally, the Constitution of Nepal promulgated by the constituent assembly in 2015 established the federal system of government in Nepal. The constitution has divided Nepal into seven provinces. But, the concept of a federal state based on cultural identity is not materialized.

The main movement after the conflict in Nepal is related to the demand for caste/ethnic-based federal state (Snaidarman, 2013). Different movements run by indigenous organizations gradually develop as the movement

for regional autonomy (Gurung, 2013). This kind of identity-based federal state became a more controversial issue among other political parties and people.

American continent can be divided into different areas, not only as of the cultural areas but also natural areas and historical areas in the sense that they are culturally, geographically and historically uniform (Kroeber, 1939). Whatever the ethnic-based provincial states were demanded by different organizations of Nepal, these are cultural/ethnic areas in the sense that within each, culture and ethnicity is relatively uniform; historical areas in the sense that each area is tried to be demarcated based on the separate state before the unification of Nepal, geographical areas in the sense that within each geography is relatively uniform and traditionally in the sense that some areas are traditional homeland of certain ethnic groups. But, sometimes historical areas and geographical areas are overlapping, for example, Limbuwan culture areas. Limbuwan activists demand the Limbuwan state covering the different geographical areas-Himalayan, Hilly, and Terai - on the historical base. There is no inherent reason why peoples of one broad cultural tradition should comprise a political entity (Berreman, 1963).

6. Conclusion

The social composition of Nepal can be identified based on their geographic origin or homeland. Caste and ethnic activists have demanded different autonomous states as a caste or ethnic state in different geographical regions based on their habitation with similar kinds of caste and ethnicity from the historical period. Likewise, the demand for separate *Madhes Pradesh* is based on both culture and geography. But, the demand for *Tharuhat* based on ethnicity lies in the same region. Yes, some ethnic and cultural groups still concentrate in a certain geographical area but their population is not in majority.

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Appendices

Table A

Caste/ethnic region in Nepal

Community	Traditional area	Race	Mother tongue	Religion
A. Indigenous \ Ethnicity				
1. Trans-Himali	North-west frontier	Mongoloid	Tibeto-Burman	Boudha and
2. Cis-Himali	Eastern frontier	Mongoloid	Tibeto-Burman	Bon
3. Matwali-Khas	Western hill	Caucasoid	Indo-Aryan	Boudha
4. Indigenous (Newar)	Nepal valley	Mixed	Newari	
5. Ethnic group	Mid & east hill	Mongoloid	Tibeto-Burman	
6. Ethnic group	Inner terai & terai	Mongoloid	Tibeto-Burman	
B. Caste groups				
1. Parbate	Western hill	Caucasoid	Indo-Aryan	Hindu
2. Immigrants (Newar)	Nepal valley	Mixed	Tibeto-Burman	Hindu
3. Madheshi	Southern frontier	Caucasoid	Indo-Aryan	Hindu
C. Others				
1. Muslim	Southern frontier	Caucasoid	Indo-Aryan	Muslim
2. Marwari	Southern frontier	Caucasoid	Indo-Aryan	Jain
3. Christian	Southern frontier	Miscellaneous	Miscellaneous	Christian

Note. Extracted from Gurung (2003)

Table B

Population Nepal by caste/ethnicity

Caste and Ethnicity	Number	Percent
Total	26,494,504	100.00
Chhetri	4,398,053	16.60
Brahman - Hill	3,226,903	12.18
Magar	1,887,733	7.12
Tharu	1,737,470	6.56
Tamang	1,539,830	5.81
Newar	1,321,933	4.99
Musalman	1,164,255	4.39
Kami	1,258,554	4.75
Yadav	1,054,458	3.98
Rai	620,004	2.34
Gurung	522,641	1.97
Damai/Dholi	472,862	1.78
Limbu	387,300	1.46
Thakuri	425,623	1.61
Sarki	374,816	1.41
Teli	369,688	1.40
Chamar/ Harijan/ Ram	335,893	1.27
Koiri/Kushwaha	306,393	1.16
Kurmi	231,129	0.87
Sanyasi/Dasnami	227,822	0.86
Dhanuk	219,808	0.83
Musahar	234,490	0.89
Dusadh/ Pasawan/ Pasi	208,910	0.79
Sherpa	112,946	0.43
Sonar	64,335	0.24
Kewat	153,772	0.58
Brahman - Tarai	134,106	0.51

Kathabaniyan	138,637	0.52
Gharti/Bhujel	118,650	0.45
Mallaha	173,261	0.65
Kalwar	128,232	0.48
Kumal	121,196	0.46
Hajam/Thakur	117,758	0.44
Kanu	125,184	0.47
Rajbansi	115,242	0.43
Sunuwar	55,712	0.21
Sudhi	93,115	0.35
Lohar	101,421	0.38
Tatma/Tatwa	104,865	0.40
Khatwe	100,921	0.38
Dhobi	109,079	0.41
Majhi	83,727	0.32
Nuniya	70,540	0.27
Kumhar	62,399	0.24
Danuwar	84,115	0.32
Chepang /Praja	68,399	0.26
Halwai	83,869	0.32
Rajput	41,972	0.16
Kayastha	44,304	0.17
Badhaee	28,932	0.11
Marwadi	51,443	0.19
Satar/ Santhal	51,735	0.20
Jhangad/ Dhagar	37,424	0.14
Bantar/Sardar	55,104	0.21
Baraee	80,597	0.30
Kahar	53,159	0.20
Gangai	36,988	0.14
Lodh	32,837	0.12
Rajbhar	9,542	0.04
Thami	28,671	0.11
Dhimal	26,298	0.10
Bhote	13,397	0.05
Bin	75,195	0.28
Gaderi/Bhedihar	26,375	0.10
Nurang	278	0.00
Yakkha	24,336	0.09
Darai	16,789	0.06
Tajpuriya	19,213	0.07
Thakali	13,215	0.05
Chidimar	1,254	0.00
Pahari	13,615	0.05
Mali	14,995	0.06
Bangali	26,582	0.10
Chhantyal/Chhantel	11,810	0.04
Dom	13,268	0.05
Kamar	1,787	0.01
Bote	10,397	0.04
Brahmu/ Baramo	8,140	0.03
Gaine	6,791	0.03
Jirel	5,774	0.02

Dura	5,394	0.02
Badi	38,603	0.15
Meche	4,867	0.02
Lepcha	3,445	0.01
Halkhor	4,003	0.02
Punjabi/Sikh	7,176	0.03
Kisan	1,739	0.01
Raji	4,235	0.02
Byasi/Sauka	3,895	0.01
Hayu	2,925	0.01
Koche	1,635	0.01
Dhunia	14,846	0.06
Walung	1,249	0.00
Munda	2,350	0.01
Raute	618	0.00
Hyolmo	10,752	0.04
Pattharkatta/ Kushwadiya	3,182	0.01
Kusunda	273	0.00
Lhomi	1,614	0.01
Kalar	1,077	0.00
Natuwa	3,062	0.01
Dhandi	1,982	0.01
Dhankar/ Dharikar	2,681	0.01
Kulung	28,613	0.11
Ghale	22,881	0.09
Khawas	18,513	0.07
Rajdhob	13,422	0.05
Kori	12,276	0.05
Nachhiring	7,154	0.03
Yamphu	6,933	0.03
Chamling	6,668	0.03
Aathpariya	5,977	0.02
Sarbaria	4,906	0.02
Bantaba	4,604	0.02
Dolpo	4,107	0.02
Amat	3,830	0.01
Thulung	3,535	0.01
Mewahang Bala	3,100	0.01
Bahing	3,096	0.01
Lhopa	2,624	0.01
Dev	2,147	0.01
Samgpang	1,681	0.01
Khaling	1,571	0.01
Topkegola	1,523	0.01
Loharung	1,153	0.00
Dalit Others	155,354	0.59
Janajati Others	1,228	0.00
Terai Others	103,811	0.39
Undefined Others	15,277	0.06
Foreigner	6,651	0.03

Note. Data extract from Central Bureau of Statistics (2012)