

# GLOBAL JOURNAL

OF HUMAN SOCIAL SCIENCES: F

## Political Science

Absence of Nationalism  
Polarized Political Conflicts

### Highlights

Sustainability Politics  
Conflict to Peacebuilding

Discovering Thoughts, Inventing Future

VOLUME 14

ISSUE 2

VERSION 1.0



GLOBAL JOURNAL OF HUMAN-SOCIAL SCIENCE: F  
POLITICAL SCIENCE

---



GLOBAL JOURNAL OF HUMAN-SOCIAL SCIENCE: F  
POLITICAL SCIENCE

---

VOLUME 14 ISSUE 2 (VER. 1.0)

OPEN ASSOCIATION OF RESEARCH SOCIETY

© Global Journal of Human Social Sciences. 2014.

All rights reserved.

This is a special issue published in version 1.0 of "Global Journal of Human Social Sciences." By Global Journals Inc.

All articles are open access articles distributed under "Global Journal of Human Social Sciences"

Reading License, which permits restricted use. Entire contents are copyright by of "Global Journal of Human Social Sciences" unless otherwise noted on specific articles.

No part of this publication may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopy, recording, or any information storage and retrieval system, without written permission.

The opinions and statements made in this book are those of the authors concerned. Ultraculture has not verified and neither confirms nor denies any of the foregoing and no warranty or fitness is implied.

Engage with the contents herein at your own risk.

The use of this journal, and the terms and conditions for our providing information, is governed by our Disclaimer, Terms and Conditions and Privacy Policy given on our website <http://globaljournals.us/terms-and-condition/menu-id-1463/>

By referring / using / reading / any type of association / referencing this journal, this signifies and you acknowledge that you have read them and that you accept and will be bound by the terms thereof.

All information, journals, this journal, activities undertaken, materials, services and our website, terms and conditions, privacy policy, and this journal is subject to change anytime without any prior notice.

**Incorporation No.:** 0423089  
**License No.:** 42125/022010/1186  
**Registration No.:** 430374  
**Import-Export Code:** 1109007027  
**Employer Identification Number (EIN):**  
**USA Tax ID:** 98-0673427

## Global Journals Inc.

(A Delaware USA Incorporation with "Good Standing"; **Reg. Number: 0423089**)

*Sponsors: Open Association of Research Society  
Open Scientific Standards*

### *Publisher's Headquarters office*

**Global Journals Headquarters**  
301st Edgewater Place Suite, 100 Edgewater Dr.-Pl,  
Wakefield MASSACHUSETTS, Pin: 01880,  
United States of America

*USA Toll Free: +001-888-839-7392*

*USA Toll Free Fax: +001-888-839-7392*

### *Offset Typesetting*

**Global Journals Incorporated**  
2nd, Lansdowne, Lansdowne Rd., Croydon-Surrey,  
Pin: CR9 2ER, United Kingdom

### *Packaging & Continental Dispatching*

**Global Journals**  
E-3130 Sudama Nagar, Near Gopur Square,  
Indore, M.P., Pin:452009, India

### *Find a correspondence nodal officer near you*

To find nodal officer of your country, please  
email us at *local@globaljournals.org*

### *eContacts*

**Press Inquiries:** *press@globaljournals.org*  
**Investor Inquiries:** *investors@globaljournals.org*  
**Technical Support:** *technology@globaljournals.org*  
**Media & Releases:** *media@globaljournals.org*

### *Pricing (Including by Air Parcel Charges):*

*For Authors:*

22 USD (B/W) & 50 USD (Color)

*Yearly Subscription (Personal & Institutional):*

200 USD (B/W) & 250 USD (Color)

INTEGRATED EDITORIAL BOARD  
(COMPUTER SCIENCE, ENGINEERING, MEDICAL, MANAGEMENT, NATURAL  
SCIENCE, SOCIAL SCIENCE)

**John A. Hamilton, "Drew" Jr.,**  
Ph.D., Professor, Management  
Computer Science and Software  
Engineering  
Director, Information Assurance  
Laboratory  
Auburn University

**Dr. Henry Hexmoor**  
IEEE senior member since 2004  
Ph.D. Computer Science, University at  
Buffalo  
Department of Computer Science  
Southern Illinois University at Carbondale

**Dr. Osman Balci, Professor**  
Department of Computer Science  
Virginia Tech, Virginia University  
Ph.D. and M.S. Syracuse University,  
Syracuse, New York  
M.S. and B.S. Bogazici University,  
Istanbul, Turkey

**Yogita Bajpai**  
M.Sc. (Computer Science), FICCT  
U.S.A. Email:  
yogita@computerresearch.org

**Dr. T. David A. Forbes**  
Associate Professor and Range  
Nutritionist  
Ph.D. Edinburgh University - Animal  
Nutrition  
M.S. Aberdeen University - Animal  
Nutrition  
B.A. University of Dublin- Zoology

**Dr. Wenying Feng**  
Professor, Department of Computing &  
Information Systems  
Department of Mathematics  
Trent University, Peterborough,  
ON Canada K9J 7B8

**Dr. Thomas Wischgoll**  
Computer Science and Engineering,  
Wright State University, Dayton, Ohio  
B.S., M.S., Ph.D.  
(University of Kaiserslautern)

**Dr. Abdurrahman Arslanyilmaz**  
Computer Science & Information Systems  
Department  
Youngstown State University  
Ph.D., Texas A&M University  
University of Missouri, Columbia  
Gazi University, Turkey

**Dr. Xiaohong He**  
Professor of International Business  
University of Quinnipiac  
BS, Jilin Institute of Technology; MA, MS,  
PhD., (University of Texas-Dallas)

**Burcin Becerik-Gerber**  
University of Southern California  
Ph.D. in Civil Engineering  
DDes from Harvard University  
M.S. from University of California, Berkeley  
& Istanbul University

**Dr. Bart Lambrecht**

Director of Research in Accounting and Finance  
Professor of Finance  
Lancaster University Management School  
BA (Antwerp); MPhil, MA, PhD  
(Cambridge)

**Dr. Carlos García Pont**

Associate Professor of Marketing  
IESE Business School, University of Navarra  
Doctor of Philosophy (Management),  
Massachusetts Institute of Technology (MIT)  
Master in Business Administration, IESE,  
University of Navarra  
Degree in Industrial Engineering,  
Universitat Politècnica de Catalunya

**Dr. Fotini Labropulu**

Mathematics - Luther College  
University of Regina  
Ph.D., M.Sc. in Mathematics  
B.A. (Honors) in Mathematics  
University of Windsor

**Dr. Lynn Lim**

Reader in Business and Marketing  
Roehampton University, London  
BCom, PGDip, MBA (Distinction), PhD,  
FHEA

**Dr. Mihaly Mezei**

ASSOCIATE PROFESSOR  
Department of Structural and Chemical  
Biology, Mount Sinai School of Medical  
Center  
Ph.D., Eötvös Loránd University  
Postdoctoral Training,  
New York University

**Dr. Söhnke M. Bartram**

Department of Accounting and Finance  
Lancaster University Management School  
Ph.D. (WHU Koblenz)  
MBA/BBA (University of Saarbrücken)

**Dr. Miguel Angel Ariño**

Professor of Decision Sciences  
IESE Business School  
Barcelona, Spain (Universidad de Navarra)  
CEIBS (China Europe International Business School).  
Beijing, Shanghai and Shenzhen  
Ph.D. in Mathematics  
University of Barcelona  
BA in Mathematics (Licenciatura)  
University of Barcelona

**Philip G. Moscoso**

Technology and Operations Management  
IESE Business School, University of Navarra  
Ph.D in Industrial Engineering and  
Management, ETH Zurich  
M.Sc. in Chemical Engineering, ETH Zurich

**Dr. Sanjay Dixit, M.D.**

Director, EP Laboratories, Philadelphia VA  
Medical Center  
Cardiovascular Medicine - Cardiac  
Arrhythmia  
Univ of Penn School of Medicine

**Dr. Han-Xiang Deng**

MD., Ph.D  
Associate Professor and Research  
Department Division of Neuromuscular  
Medicine  
Department of Neurology and Clinical  
Neuroscience  
Northwestern University  
Feinberg School of Medicine

**Dr. Pina C. Sanelli**

Associate Professor of Public Health  
Weill Cornell Medical College  
Associate Attending Radiologist  
NewYork-Presbyterian Hospital  
MRI, MRA, CT, and CTA  
Neuroradiology and Diagnostic  
Radiology  
M.D., State University of New York at  
Buffalo, School of Medicine and  
Biomedical Sciences

**Dr. Roberto Sanchez**

Associate Professor  
Department of Structural and Chemical  
Biology  
Mount Sinai School of Medicine  
Ph.D., The Rockefeller University

**Dr. Wen-Yih Sun**

Professor of Earth and Atmospheric  
SciencesPurdue University Director  
National Center for Typhoon and  
Flooding Research, Taiwan  
University Chair Professor  
Department of Atmospheric Sciences,  
National Central University, Chung-Li,  
TaiwanUniversity Chair Professor  
Institute of Environmental Engineering,  
National Chiao Tung University, Hsin-  
chu, Taiwan.Ph.D., MS The University of  
Chicago, Geophysical Sciences  
BS National Taiwan University,  
Atmospheric Sciences  
Associate Professor of Radiology

**Dr. Michael R. Rudnick**

M.D., FACP  
Associate Professor of Medicine  
Chief, Renal Electrolyte and  
Hypertension Division (PMC)  
Penn Medicine, University of  
Pennsylvania  
Presbyterian Medical Center,  
Philadelphia  
Nephrology and Internal Medicine  
Certified by the American Board of  
Internal Medicine

**Dr. Bassey Benjamin Esu**

B.Sc. Marketing; MBA Marketing; Ph.D  
Marketing  
Lecturer, Department of Marketing,  
University of Calabar  
Tourism Consultant, Cross River State  
Tourism Development Department  
Co-ordinator , Sustainable Tourism  
Initiative, Calabar, Nigeria

**Dr. Aziz M. Barbar, Ph.D.**

IEEE Senior Member  
Chairperson, Department of Computer  
Science  
AUST - American University of Science &  
Technology  
Alfred Naccash Avenue – Ashrafieh

## PRESIDENT EDITOR (HON.)

---

### **Dr. George Perry, (Neuroscientist)**

Dean and Professor, College of Sciences

Denham Harman Research Award (American Aging Association)

ISI Highly Cited Researcher, Iberoamerican Molecular Biology Organization

AAAS Fellow, Correspondent Member of Spanish Royal Academy of Sciences

University of Texas at San Antonio

Postdoctoral Fellow (Department of Cell Biology)

Baylor College of Medicine

Houston, Texas, United States

## CHIEF AUTHOR (HON.)

---

### **Dr. R.K. Dixit**

M.Sc., Ph.D., FICCT

Chief Author, India

Email: [authorind@computerresearch.org](mailto:authorind@computerresearch.org)

## DEAN & EDITOR-IN-CHIEF (HON.)

---

### **Vivek Dubey(HON.)**

MS (Industrial Engineering),

MS (Mechanical Engineering)

University of Wisconsin, FICCT

Editor-in-Chief, USA

[editorusa@computerresearch.org](mailto:editorusa@computerresearch.org)

### **Sangita Dixit**

M.Sc., FICCT

Dean & Chancellor (Asia Pacific)

[deanind@computerresearch.org](mailto:deanind@computerresearch.org)

### **Suyash Dixit**

(B.E., Computer Science Engineering), FICCTT

President, Web Administration and

Development , CEO at IOSRD

COO at GAOR & OSS

### **Er. Suyog Dixit**

(M. Tech), BE (HONS. in CSE), FICCT

SAP Certified Consultant

CEO at IOSRD, GAOR & OSS

Technical Dean, Global Journals Inc. (US)

Website: [www.suyogdixit.com](http://www.suyogdixit.com)

Email: [suyog@suyogdixit.com](mailto:suyog@suyogdixit.com)

### **Pritesh Rajvaidya**

(MS) Computer Science Department

California State University

BE (Computer Science), FICCT

Technical Dean, USA

Email: [pritesh@computerresearch.org](mailto:pritesh@computerresearch.org)

### **Luis Galárraga**

J!Research Project Leader

Saarbrücken, Germany

## CONTENTS OF THE VOLUME

---

- i. Copyright Notice
- ii. Editorial Board Members
- iii. Chief Author and Dean
- iv. Table of Contents
- v. From the Chief Editor's Desk
- vi. Research and Review Papers
  1. The Absence of Nationalism during the Arab Spring. *1-6*
  2. Markets in the Light of Political-Economic Actors and Democracy. Reconsidering Conceptual Framework for Sustainability Politics. *7-16*
  3. Legal Analysis of Anti-Dumping Cases Raised against Saudi Arabia's Petrochemical Products. *17-32*
  4. The Sri Lankan Civil War: From Conflict to Peace Building. *33-41*
  5. A Comparison of Dual and Non-Dual Logic in a Dialectical Method of Analyzing Towards Transcending Intractable and Polarized Political Conflicts. *43-49*
  6. The Role of National Assembly in Conflict Resolution: A Case of Anti-Subsidy Strikes of 2012. *51-62*
- vii. Auxiliary Memberships
- viii. Process of Submission of Research Paper
- ix. Preferred Author Guidelines
- x. Index



GLOBAL JOURNAL OF HUMAN-SOCIAL SCIENCE: F  
POLITICAL SCIENCE  
Volume 14 Issue 2 Version 1.0 Year 2014  
Type: Double Blind Peer Reviewed International Research Journal  
Publisher: Global Journals Inc. (USA)  
Online ISSN: 2249-460X & Print ISSN: 0975-587X

## The Absence of Nationalism during the Arab Spring

By Jason Cooley

*University of Hartford, United States*

*Introduction-* Mark Katz has been focusing on the topic of revolutionary waves for several years. According to him, a wave commences when a major revolution transpires in a particular nation within the international system. Soon after this central revolution takes place, subsequent revolutions can be expected in other countries. At times, these affiliate revolutions only occur in the same region as the central revolution.<sup>1</sup> This can be noticed if the first major revolutionary wave of the twenty-first century is taken into consideration. Towards the beginning of 2011, the authoritarian government in Tunisia was removed from power after a series of demonstrations. Following this central revolution, affiliate revolutions happened in other Arab states like Egypt and Yemen.

*GJHSS-F Classification : FOR Code : 160699*



*Strictly as per the compliance and regulations of:*



RESEARCH | DIVERSITY | ETHICS

# The Absence of Nationalism during the Arab Spring

Jason Cooley

## I. INTRODUCTION

Mark Katz has been focusing on the topic of revolutionary waves for several years. According to him, a wave commences when a major revolution transpires in a particular nation within the international system. Soon after this central revolution takes place, subsequent revolutions can be expected in other countries. At times, these affiliate revolutions only occur in the same region as the central revolution.<sup>1</sup> This can be noticed if the first major revolutionary wave of the twenty-first century is taken into consideration. Towards the beginning of 2011, the authoritarian government in Tunisia was removed from power after a series of demonstrations. Following this central revolution, affiliate revolutions happened in other Arab states like Egypt and Yemen.

While this latest revolutionary wave has been in progress, it has become quite apparent that a key difference exists between it and prior waves. During preceding waves, dissidents often did not continue their campaigns for political change when their beloved countries were subjected to military attacks from abroad. Instead, they elected to assist the governments that were in the process of fighting against other nations. In the unstable Arab nations that have encountered attacks since 2011, this same patriotism has not been prevalent. Within the remainder of this article, this important change will be examined in greater detail. Inside the next section, we will look at the evolving political landscapes in two nations that experienced military attacks at the time of the communist revolutionary wave in the twentieth century. Once these analyses are completed, we will turn our attention to the static environments in two volatile Arab countries that have been forced to deal with military operations by outside parties over the past few years.

## II. THE PRESENCE OF NATIONALISM IN HUNGARY AND CHINA

In the preceding section, attention was paid to how the first revolutionary wave of the twenty-first century began with the Tunisian upheaval in 2011. In

order to find the genesis of the communist wave from the twentieth century, one has to look closely at the latter portion of 1917. At this point in time, V.I. Lenin and other ardent communists seized power in Russia. In the immediate aftermath of this historic upheaval, these men started to concentrate on engineering affiliate revolutions abroad. They were interested in generating political change in other states for two reasons. First of all, it was believed that additional proletariat revolutions would allow the workers in other countries to escape from the hardships associated with the capitalist system. Secondly, the surfacing of other communist regimes would prevent the recently formed Soviet Union from being surrounded by capitalist states. Various quotations indicate there was a general fear that such an arrangement would lead to the extinction of this nation. For example, on one occasion, Lenin said that his country would not last without "the mighty support of the insurrectionary workers of other countries."<sup>2</sup>

It should be noted that other leaders have displayed a concern about living standards abroad and encirclement in the aftermath of central revolutions. Once the French monarchy was toppled in the late 1700s, the new leaders of France elected to send numerous troops throughout Europe to replace other monarchies with republican governments. These officials were hopeful that these overt ideological interventions would ameliorate the living conditions for individuals who were being mistreated by these monarchies. In addition to this, they were looking to alter the power structure that was present in the world. If these monarchies remained in place, the new government in France would be isolated because of the ideological differences that existed between it and the monarchies.<sup>3</sup> On the other hand, if the monarchies were toppled, Paris would not have to fret about the issue of isolation. France experienced various setbacks as it conducted these operations to remove the monarchies from power, but new republican governments did surface within some countries.<sup>4</sup> When these other regime changes transpired, France began to move

Author: University of Hartford. e-mail: jacoooley@hartford.edu

<sup>1</sup> Mark Katz, *Revolutions and Revolutionary Waves*, New York: Palgrave MacMillan, 1997, pp.25-26.

<sup>2</sup> V.I. Lenin, *Collected Works*, Moscow: Foreign Languages Publishing House, 1970, p.187.

<sup>3</sup> Stephen Walt, *Revolution and War*, Ithaca: Cornell University Press, 1996, pp.46-47.

<sup>4</sup> Kyung-Won Kim, *Revolution and International System*, New York: New York University Press, 1970, p.45.

away from its uncomfortable position in the international system.

Multiple communist rebellions did not transpire in the immediate aftermath of the Russian Revolution. Instead, there was only one insurrection that occurred during this time frame. In the early portion of 1919, most of the individuals in Hungary were having a difficult time finding suitable employment. As one might expect, this widespread unemployment was leading to other problems within this nation, including a lack of food.<sup>5</sup> Count Michael Karolyi, the leader of Hungary, kept insisting that he possessed the ability to eliminate these problems, but the majority of the citizenry elected to abandon him and support a contingent of communists that was attempting to establish a new government. When Karolyi's regime was finally toppled, Bela Kun, a figure with strong ties to Moscow, assumed control of Hungary.

After the transfer of power, the suffering in Hungary just continued. Consequently, Kun was put in the same unenviable position as his predecessor. In other words, he began to come across dissidents who were calling for his removal from office. Within *Political Order in Changing Societies*, Samuel Huntington notes how maligned politicians often try to eschew this turn of events by implementing reforms. According to this prominent political scientist, reforms can be made on the domestic level by utilizing the blitzkrieg approach or the Fabian approach. The former entails a leader making all of his reforms at once.<sup>6</sup> One individual who utilized this approach was Kuang Hsu, the leader of China from 1875 to 1908. Between the months of June and September in 1898, Hsu implemented major cultural, political, and educational reforms that he believed would improve Chinese society. If reforms are made on multiple occasions, it can be said that the Fabian approach is being used.<sup>7</sup> This approach was actually utilized inside the Holy Roman Empire during the Protestant Reformation. In the middle of the 1500s, the Peace of Augsburg mollified many Lutherans within the Holy Roman Empire since it declared that Lutheranism could be worshipped in provinces if the princes, who were running them, were Lutheran. This agreement was obviously a step in the right direction, but it possessed one major flaw, which was how it did not recognize the other Protestant denominations as legitimate religions. During the following century, certain measures gave these sects equal status. For example, in 1648, the Peace of Westphalia allowed Calvinists to worship freely in the Holy Roman Empire.<sup>8</sup>

As the political pressure against the communist government in Hungary was increasing, Kun did not set forth a series of reforms all at once like Kuang Hsu did in the summer of 1898 or announce that he planned to make reforms on multiple occasions as leaders in the Holy Roman Empire did in the sixteenth and seventeenth centuries. Instead, he attempted to remain in power by deliberately drifting into a war with Romania.<sup>9</sup> When a military conflict did commence, Romanian forces quickly moved to within the outskirts of Budapest. The members of the Romanian military would have been able to seize control of the Hungarian capital if a particular development did not transpire during the latter stages of April. At this juncture, a lot of dissidents began to enlist in the Hungarian military. This increase in soldiers enabled Hungarian officials to assemble four new divisions in a rapid fashion.<sup>10</sup> These divisions went on to participate in a military campaign that pushed the Romanians past the Theiss, a major river that runs to the east of Budapest. In the aftermath of a successful campaign, an army usually sees a rise in membership. However, the Hungarian military actually lost numerous members in the aftermath of this victory.<sup>11</sup> Once these desertions started to occur, the Hungarians were defeated in the remaining battles of the war and Kun opted to resign from office.

The material towards the end of the preceding paragraph shows how several soldiers left the Hungarian military. Still, it does not shed any light on why they did not continue to stand behind Kun. If a book by the scholar Franz Borkenau is taken into consideration, it will be possible for us to realize why these individuals behaved in this fashion. In the middle portion of the twentieth century, Borkenau produced a study entitled *World Communism: A History of the Communist International*. At one point in this publication, he devotes some attention to the Hungarian war effort against the Romanians. During this discussion, he notes how the majority of the desertions transpired because Kun failed to ameliorate the living conditions within Hungary following the aforementioned triumph against the Romanians.<sup>12</sup>

Around the time that the war between the Hungarians and the Romanians was taking place, new communist parties were in the process of being established in other nations. The majority of these parties were surfacing in the Western world, but some parties were also starting to be seen in non-Western countries such as China. Towards the end of the 1920s, the members of the Chinese Communist Party were repeatedly unable to take control of various locations

<sup>5</sup> Franz Borkenau, *World Communism: A History of the Communist International*, Ann Arbor: University of Michigan Press, 1962, p.113.

<sup>6</sup> Samuel Huntington, *Political Order in Changing Societies*, New Haven: Yale University Press, 1968, p.346.

<sup>7</sup> *Ibid.*

<sup>8</sup> Daniel Philpott, *Revolutions in Sovereignty*, Princeton: Princeton University Press, 2001, p.88.

<sup>9</sup> Borkenau, p.122.

<sup>10</sup> *Ibid.*, p.123.

<sup>11</sup> *Ibid.*, p.131.

<sup>12</sup> *Ibid.*, p.126.

inside their homeland.<sup>13</sup> On some occasions, failure came about because the Communists could not secure enough popular support. One place where the Communists did not manage to attract a sufficient amount of followers was the city of Canton. In December 1927, Communist forces were confident that disenfranchised workers would help them seize power in this urban area. However, once the uprising commenced, the laborers refrained from providing these fighters with any meaningful assistance.

If the members of the Communist Party encountered failure in a location where enough sympathizers were present, it was usually because they were overpowered by the National Republican Army, an organization that was in the process of backing out of an alliance with them. One of the most famous displays of Nationalist strength could be seen during the spring of 1927. At this time, Communist forces embarked on a campaign to acquire Shanghai. On March 21st, they were able to seize control of this city that is situated in the southeastern portion of China. In the immediate aftermath of this breakthrough, the Communists proceeded to organize a provisional government. The members of this regime never had an opportunity to make important economic and social changes since individuals from the National Republican Army removed them from power during the month of April. Chiang Kai-Shek, the leader of the National Republican Army, eventually asked Wu Zihui to be the new ruler of Shanghai.

After the split between the Communists and Nationalists was completed, several Western nations started to refer to Kai-Shek as the true representative of the Chinese people. It is quite common for countries to provide a particular figure with various forms of assistance if they have identified him as a legitimate ruler of a nation. When Western states recognized Kai-Shek as the real leader of China, they predominately sent military aid to the Far East.<sup>14</sup> This assistance proved to be of great benefit to Kai-Shek's forces in their future offensives against the Communists. The majority of these operations did not transpire in urban areas such as Shanghai. Instead, they took place in hamlets throughout the Chinese countryside.

If one wants to understand why the village became the site of most Nationalist campaigns, one has to look at a crucial change that was made by the Communists. Following the Russian Revolution, a serious debate occurred between the leading Communist figures in the world about how uprisings should be conducted in other nations. The Bolsheviks were of the opinion that future insurrections should unfold in the same fashion as the one in Russia. In other

words, small contingents of intellectuals should be assembled to help disgruntled laborers topple unappealing regimes.<sup>15</sup> There were communists in Europe who believed that workers were capable of generating political change without these vanguards. It is quite clear that the Bolsheviks were triumphant in this debate with the Europeans. After all, earlier in this section, we saw how operatives from the Chinese Communist Party attempted to spread communism by mobilizing the oppressed laborers in cities like Canton. After the failures of 1927, the party began to concentrate on mobilizing the members of the Chinese peasantry. In 1929, members of the party managed to establish a stronghold in Chalin, a village in southern Kiangsi.<sup>16</sup> During later years, operatives also became quite active in eastern Honan, northern Szechuan and northern Shensi.<sup>17</sup>

Towards the beginning of the 1930s, all of these rural areas were targeted by the Nationalists. However, the Communists, who were situated in southern Kiangsi, were subjected to far more offensives than the ones in eastern Honan, northern Szechuan, and northern Shensi. When these attacks transpired, the Communists would fight against government troops for a period of time. But once injuries and deaths started to increase, they were forced to move to safer locations. The most famous Communist relocation campaign took place in the fall of 1934. At this juncture, 90,000 Communists left Kiangsi to escape from Nationalist soldiers.<sup>18</sup> By the time this "Long March" concluded in Shensi, there were only 20,000 individuals remaining.<sup>19</sup>

These government attacks against the Communists eventually came to an end because Kai-Shek became preoccupied with a Japanese occupation. As the amount of Japanese soldiers on Chinese territory increased, there were various indications that the Communists were starting to assist Kai-Shek with his national liberation campaign. During 1936, communist operatives spread propaganda that encouraged citizens to participate in the resistance against the Japanese.<sup>20</sup> While the following year was in progress, a contingent of communist forces was integrated into the Chinese military. It did not take very long for the members of this unit to encounter success on the battlefield. In September 1937, they defeated a Japanese battalion in a battle at Pinghsingwan, a village that is located in North Shensi.<sup>21</sup>

Earlier in this section, it was noted how the dissidents in Hungary were also involved in a successful

<sup>15</sup> Ibid., p.45.

<sup>16</sup> Ibid., p.323.

<sup>17</sup> Ibid., p.324.

<sup>18</sup> Barbara Tuchman, *Stillwell and the American Experience in China, 1911-45*, New York: Grove Press, 1985, p.141.

<sup>19</sup> Borkenau, p.330.

<sup>20</sup> Tuchman, p.157.

<sup>21</sup> Ibid., p.168.

<sup>13</sup> Fernando Claudin, *The Communist Movement: from Comintern to Cominform*, New York: Monthly Review Press, 1975, p.283.

<sup>14</sup> Borkenau, p.327.

campaign during the early stages of the war against Romania. One might recall how a lot of these individuals left the Hungarian military in the immediate aftermath of this campaign. The communist rebels in China did not behave in the same fashion following their triumph at Pingshingwan. Instead, they went on to fight against the Japanese on several other occasions in the future. This dedication enabled the Communists to receive compliments from a number of figures from outside of China. For example, throughout 1938, Evans F. Carlson, a Brigadier General in the United States Military, praised the communist soldiers during various interviews with reporters.<sup>22</sup>

Before we turn our attention to the Arab Spring, an explanation should be provided for why the Communists remained so committed to the campaign against the Japanese. The conduct of the Hungarian dissidents demonstrated that some believe political change can still be generated when a war with another nation is taking place. There are others who insist that a successful upheaval cannot transpire until after a conflict ends. Multiple statements indicate that the Communists in China supported this alternative perspective. During 1936, an interview with Mao Tse-Tung, the leader of the Chinese Communists, appeared in the *China Weekly Review*. At one point, he said the following: "For a people being deprived of its freedom, the revolutionary task is not immediate Socialism but the struggle for independence. We cannot even discuss Communism if we are robbed of a country in which to practice it."<sup>23</sup>

### III. A LACK OF NATIONALISM IN LIBYA AND SYRIA

The last section commenced with a discussion about how the communist revolutionary wave of the twentieth century originated. This section does not have to start in the same fashion since it was already established that the first revolutionary wave of the twenty-first century began with the toppling of the government in Tunisia during the early stages of 2011. Later in 2011, more political unrest surfaced within Libya. The disenchanting citizens inside this country wanted to overthrow Moammar Gadhafi, a tyrant who had been in power since the late 1960s. However, most of them did not attempt to generate political change like the dissidents in Tunisia. In other words, they did not participate in a number of protests over a period of time. Instead, they elected to detonate explosives and engage in gun battles against soldiers aligned with the Gadhafi regime.

While this insurgency was in progress, various international leaders became concerned about the

treatment of innocent civilians inside Libya.<sup>24</sup> Among them was Barack Obama, the forty-fourth President of the United States. Obama eventually tried to protect these individuals by having the American military set up a no-fly zone in Libya. It should be noted that the United States received valuable assistance from the United Kingdom, France, and Qatar as the no-fly zone was being constructed. The main responsibility of these nations was dropping bombs on military equipment that was being used by troops in the Libyan military. Shortly after the no-fly zone was established, the European countries assumed the task of preserving it from the United States. This leadership change enabled President Obama to drastically decrease American involvement in the Libyan air campaign. In fact, by the middle part of 2011, American participation in this initiative was limited to providing refueling and surveillance for the European planes that were maintaining the no-fly zone.<sup>25</sup> These forms of assistance were just required for a little while because European flights ceased later in 2011.

Before this military operation transpired, Gadhafi spoke to a Turkish reporter about how it would be received by the Libyan people. While this interview was in progress, he stated that "the Libyan people will see the truth, that what they want is to take control of Libya and to steal their oil."<sup>26</sup> He also predicted that citizens would "take up arms against" the United States and its allies.<sup>27</sup> If the conduct of the aforementioned rebels during the operation is taken into account, it will become quite apparent that Gadhafi turned out to be incorrect. Once this operation commenced, these fighters did not halt their insurgency like the Hungarian dissidents and Chinese Communists did when outside parties used coercion in their respective nations. Instead, they elected to continue fighting for political change. As the campaign against Gadhafi continued, the rebels actually began to receive assistance from some of the nations that were establishing the no-fly zone. For example, the United States sent weapons and other forms of support to these individuals.<sup>28</sup>

When Gadhafi's government was finally toppled, it became possible for the members of the Libyan opposition to devote the majority of their attention to the formation of a new government. Not surprisingly, they wanted to create a democracy that would be much more respectful of human rights. In the last section, Samuel Huntington's *Political Order in Changing Societies* was taken into consideration. Later

<sup>24</sup> United Nations, Security Council Resolution 1973, 2011.

<sup>25</sup> Charlie Savage and Mark Landler, "White House Defends Continuing U.S. Role in Libya," *The New York Times*, June 15, 2011.

<sup>26</sup> Moammar Gadhafi, Comments Made during an Interview with a Turkish Reporter, 2011.

<sup>27</sup> Ibid.

<sup>28</sup> Mark Mazzetti and Eric Schmitt, "CIA Personnel Operating in Libya, Officials Say," *The New York Times*, March 30, 2011.

<sup>22</sup> Ibid., p. 189.

<sup>23</sup> Mao Tse-Tung, Comments Made in an Interview that Appeared in *The China Weekly Review*, 1936.

in the twentieth century, this analyst wrote another book called *The Third Wave: Democratization in the Late Twentieth Century*. At one point in this publication, he mentions how there are multiple developments that suggest a country is in the process of making a transition from authoritarian to democratic governance, including citizens being given the opportunity to participate in nationwide elections for the first time.<sup>29</sup> The first nationwide elections occurred within Libya in July 2012. During this month, the National Forces Alliance was selected by citizens to lead the Libyan parliament.

A popular uprising also commenced in Syria during 2011. Initially, it seemed as if this upheaval was going to resemble the one in Tunisia since numerous citizens participated in protests that were designed to bring down the government of Bashar al-Assad. However, once more time elapsed, it began to look like the Libyan rebellion because bombings and gun battles became more prevalent in Syria. This violent movement became a lot more formidable in the spring of 2011. At this time, Syrian security forces detained a thirteen year-old boy named Hamaz al-Khatib. While al-Khatib was in custody, he was beaten to death by his captors. After pictures of al-Khatib's mutilated and disfigured corpse were posted on a popular internet site named YouTube, numerous citizens started to volunteer for acts of violence.

Outside Syria, representatives of other countries often scrutinized al-Assad for mistreating citizens. Some of the harshest comments came from officials in Western nations. The leaders of Great Britain, Germany, and France even released a joint statement that encouraged al-Assad to resign since there had been a "complete rejection of his regime by the Syrian people."<sup>30</sup> Western politicians were calling for al-Assad's removal, but they did not appear to be willing to conduct a military operation within Syria. It was widely believed that leaders such as Barack Obama were reluctant to embark upon another mission in the Arab World since there was no United Nations Security Council Resolution endorsing this course of action. Usually, a measure does not come out of a body in the political realm because a majority elects to cast dissenting votes during a voting session. However, there are also times when a minority can keep a measure from surfacing. One domestic level body where minorities have thrived is the United States Senate. The filibuster has made it possible for small groups in this body to defeat measures on more than one occasion. For instance, in the spring of 2008, a contingent, which was led by

Kentucky Senator Mitch McConnell, used this procedure to defeat a bill that would have provided tax incentives for energy production and conservation. It can be said that the United Nations Security Council is the international equivalent of the American Senate. After all, a veto power allows the five permanent members of this body to defeat any resolution. During 2011, no member of the Security Council presented a resolution sanctioning the utilization of force in Syria because Russian and Chinese vetoes were expected. Such a development was deemed to be inevitable since these nations were closely aligned with al-Assad's regime.

Western nations were not willing to intervene in Syria while the uprising was in progress. However, there was a Middle Eastern nation that chose to conduct attacks at this juncture. Prior to the insurgency, Syria had been subjected to multiple Israeli acts of aggression. In the spring of 1967, Israeli jets shot down six Syrian planes over territory that was controlled by Damascus.<sup>31</sup> This incident led to the commencement of a brief war between Israel and several Arab nations. By the end of this conflict, Israel was in possession of the Golan Heights, a piece of land that had belonged to the Syrian government for many years. Syrian personnel tried to regain the Golan Heights in the fall of 1973, but it remained in Israeli hands in the aftermath of this military campaign.

As one examines subsequent Israeli attacks against Syria, one begins to recognize that Israeli officials eventually became less interested in seizing Syrian territory. Towards the end of 2007, they attempted to halt a Syrian effort to develop weapons of mass destruction by carrying out an airstrike on a nuclear reactor. During the second year of the insurgency against al-Assad, Israeli planes dropped bombs on Syrian territory once again. Representatives of the Israeli government claimed that these attacks were necessary because the al-Assad regime was sending military equipment to Hezbollah, an extremist group in Lebanon that had attacked Israel on several occasions in the past.<sup>32</sup> While Israeli officials were insisting that coercion was justified, the members of the al-Assad regime were making predictions about how the Syrian people would respond to this aggression. The majority of these individuals were confident that citizens would choose to participate in a resistance effort against Israel.<sup>33</sup>

Syrian citizens did not develop a strong desire to partake in an armed resistance against the Israelis, but the ones, who had been attempting to bring down al-Assad's regime prior to the airstrikes, continued to

<sup>29</sup> Samuel Huntington, *The Third Wave: Democratization in the Late Twentieth Century*, Norman: University of Oklahoma Press, 1991, p.125.

<sup>30</sup> David Cameron, Angela Merkel, and Nicholas Sarkozy, Joint Statement about the Situation in Syria, 2011.

<sup>31</sup> Adeed Dawisha, *Arab Nationalism in the Twentieth Century*, Princeton: Princeton University Press, 2003, p.250.

<sup>32</sup> Jodi Rudoren, "Israel Finding Itself Drawn Into Syria's Turmoil," *The New York Times*, May 22, 2013.

<sup>33</sup> Anne Barnard and Neil MacFarquhar, "Assad Warns Israel, Claiming a Stockpile of Russian Weapons," *The New York Times*, May 30, 2013.

fight for political change. This conduct obviously makes the Syrian rebels similar to the revolutionaries in Libya. After all, the Libyan dissidents also kept trying to alter the status quo once countries like the United States started to drop bombs on their homeland. Although the Syrian and Libyan rebels behaved in the same fashion in the aftermath of outside intervention, there is a key difference that can be found between them. Within the preceding pages, we learned that the Libyan fighters managed to overthrow the Gadhafi regime shortly after the allied bombing campaign commenced. The Israeli bombing raids within Syria did not set the stage for the overthrow of al-Assad. Instead, the Syrian revolutionaries encountered a series of unappealing developments following the Israeli intervention. A rather important one was the loss of Qusayr, a city that is located near a major Syrian highway.<sup>34</sup> Once this urban area fell in the spring of 2013, it became much easier for al-Assad's forces to move military equipment and supplies throughout Syria.

If the Syrian rebels had been able to topple the al-Assad regime shortly after the Israeli intervention, the new government probably would have resembled the one that was erected in post-Gadhafi Libya. It is appropriate to presume that a democracy would have appeared in Syria because opposition members exhibited an affinity for this form of governance before the Israeli bombing raids commenced. In 2012, various opposition figures met abroad to discuss Syria's future. From different comments that were made to the press, it can be gathered that these participants thought Syrian citizens should be provided with the rights that are enjoyed by others in democratic countries. For instance, Mouaz al-Khatib stated that: "We demand freedom for every Sunni, Alawi, Ismaili (Shi'ite), Christian, Druze, Assyrian...and rights for all parts of the harmonious Syrian people."<sup>35</sup>

#### IV. CONCLUSION

Individuals would prefer to see the entities that they construct remain potent, but most begin to decline after a while. In recent years, analysts in the field of international relations have been insisting that states are in the process of declining. A lot of these figures have attempted to bolster this argument by pointing out how states do not appear to be as determined to uphold their sovereignty as they used to be. While previous centuries were in progress, most nations were reluctant to join international organizations because they feared that these bodies would infringe upon their sovereignty. However, during the early stages of the twenty-first century, the majority of the countries throughout the

globe do not seem to have any qualms about joining international institutions. In fact, some of them have worked assiduously to be accepted into certain organizations. For instance, the leaders of Turkey have been trying to gain entry into the European Union for several years.

The decline of nations can also be noticed while looking at the actions of individuals who want to acquire power. In the preceding pages, the Hungarian and Chinese cases showed how campaigns for political change were often suspended during prior centuries when outside actors intervened militarily in unstable countries. These pauses transpired because the dissidents wanted to participate in resistance efforts, which were designed to defeat the parties that were responsible for the interventions. During the first revolutionary wave of the twenty-first century, other military interventions have taken place in volatile nations such as Libya and Syria. However, these interventions have not prompted Libyan and Syrian dissidents to join national liberation movements. Instead, as we saw in the last section, these individuals have elected to continue their struggles against oppressive regimes. Since the rebels in these nations have behaved in this fashion, it is appropriate to conclude that they are not patriotic like the dissidents who were involved in earlier revolutionary waves.

<sup>34</sup> Frederik Pleitgen, "Returning to Smoldering Ruins of Recaptured Syrian Town," CNN, June 21, 2013.

<sup>35</sup> Mouiz Al-Khatib, Comments Made About Syria during a Press Conference, 2012.



GLOBAL JOURNAL OF HUMAN-SOCIAL SCIENCE: F  
POLITICAL SCIENCE

Volume 14 Issue 2 Version 1.0 Year 2014

Type: Double Blind Peer Reviewed International Research Journal

Publisher: Global Journals Inc. (USA)

Online ISSN: 2249-460X & Print ISSN: 0975-587X

## Markets in the Light of Political-Economic Actors and Democracy. Reconsidering Conceptual Framework for Sustainability Politics

By Peter Söderbaum

*Mälardalen University, Sweden*

**Abstract-** The conceptual framework of neoclassical economics has been quite stable over the years while present challenges point in the direction of a need for new thinking and a new conceptual framework. Neoclassical economics is more or less blind to equality issues and not enough to deal constructively with present unsustainable trends. I will suggest important elements of such a new conceptual framework as part of a pluralistic understanding of economics.

When compared with neoclassical economics, the political dimension is emphasized thus making democracy a fundamental principle for relationships in markets and in society at large. A political economics is suggested where individuals are understood as political economic persons and organizations as political economic organizations. This leads to a different understanding of markets from that of neoclassical supply and demand. The ethics and responsibilities of market actors in a democratic society is considered relevant and something to be investigated for purposes of sustainability politics. Approaches to decisionmaking are also discussed. Emphasis on democracy suggests a different approach from that of neoclassical Cost- Benefit analysis (CBA).

**Keywords:** *political economy, political economic person, political economic organization, ideological orientation, mission, market models, positional analysis (PA), sustainability politics.*

**GJHSS-F Classification :** FOR Code : 349901



*Strictly as per the compliance and regulations of:*



© 2014. Peter Söderbaum. This is a research/review paper, distributed under the terms of the Creative Commons Attribution-Noncommercial 3.0 Unported License (<http://creativecommons.org/licenses/by-nc/3.0/>), permitting all non-commercial use, distribution, and reproduction in any medium, provided the original work is properly cited.

# Markets in the Light of Political-Economic Actors and Democracy. Reconsidering Conceptual Framework for Sustainability Politics

Peter Söderbaum

**Abstract-** The conceptual framework of neoclassical economics has been quite stable over the years while present challenges point in the direction of a need for new thinking and a new conceptual framework. Neoclassical economics is more or less blind to equality issues and not enough to deal constructively with present unsustainable trends. I will suggest important elements of such a new conceptual framework as part of a pluralistic understanding of economics.

When compared with neoclassical economics, the political dimension is emphasized thus making democracy a fundamental principle for relationships in markets and in society at large. A political economics is suggested where individuals are understood as political economic persons and organizations as political economic organizations. This leads to a different understanding of markets from that of neoclassical supply and demand. The ethics and responsibilities of market actors in a democratic society is considered relevant and something to be investigated for purposes of sustainability politics. Approaches to decision-making are also discussed. Emphasis on democracy suggests a different approach from that of neoclassical Cost-Benefit analysis (CBA).

**Keywords:** *political economy, political economic person, political economic organization, ideological orientation, mission, market models, positional analysis (PA), sustainability politics.*

## I. INTRODUCTION

Adam Smith and other classical economists referred to their discipline as 'political economics'. From 1870 onwards, a majority of economists have instead referred to the subject as 'economics'. An attempt was made to separate economics as science from the political sphere. The idea was to make economics objective, value-free and comparable to natural sciences such as physics.<sup>1</sup> Economists looked for laws that preferably could be formulated as equations in mathematical terms to be tested empirically.

Something has certainly been achieved by neoclassical economists over the years and their school of thought has something to offer as part of a pluralistic

philosophy where also competing theoretical perspectives are considered and respected. But some of us economists regard it as a mistake to abandon the term 'political economics'. In our discipline we should be conscious about how value issues and ideology is influencing our work and recognize that the idea of value neutrality and a pure economics is an illusion. Gunnar Myrdal who saw himself as an institutional economist argued that "values are always with us" as economists in research and education (1978, p. 778). In the language I prefer, economics is science and at the same time ideology; values and ideology is always present in our work as educators and researchers. 'Ideology' here stands for 'means-ends philosophy' i.e. a kind of compass guiding thinking as well as behavior. It is about where you are (present position), where you want to go (future positions) and how to get there (strategies). Ideology is not a mathematical objective function to be optimized but rather fragmentary and uncertain. It is still useful in guiding an actor's thought and action.

In this paper I will point to the tension between technocracy and democracy in economics. Moving from Economic Man to Political Economic Person is a way of opening the door for a more conscious approach to value issues in economics. Actually, recognizing the political element in economics will lead to a theoretical perspective that differs systematically from neoclassical theory. Our understanding of individuals, organizations, markets, decision making, the political-economic system and institutional change will be influenced. Also policy issues relating to environment and development will be seen in a new light (at least when compared to the insights offered by neoclassical theory). But first an attempt to recall our starting point in neoclassical theory.

### a) *Essential Features of Mainstream Neoclassical Economics*

At university departments of economics, research and education is based upon neoclassical theory. These days it appears justified speak of a monopoly position for neoclassical theory. Since the early 1960s when Paul Samuelson's textbook *Economics* became popular we have witnessed a far-

*Author:* professor emeritus, ecological economics Mälardalen university, Västerås, Sweden. e-mail: peter.soderbaum@mdh.se

<sup>1</sup>This is what some of us call the 'physics envy' aspect of neoclassical economics.

reaching standardization of the neoclassical message in textbooks. Today, other textbooks with a similar content dominate the market. In Sweden Klas Eklund *Vår ekonomi* (2007) and internationally N. Gregory Mankiw's *Principles of Economics* (2008)<sup>2</sup> are examples of this homogenization. Neoclassical economists are eagerly protecting this monopoly. But they are not alone in this effort to avoid competing theoretical perspectives in economics. Mainstream economics and mainstream politics tend to be closely related, suggesting that many establishment actors embrace neoclassical theory for conceptual and ideological reasons.

What are the essential features of neoclassical economic theory? For our present purposes I suggest five interrelated features of mainstream neoclassical economics:

1. Focus on markets for commodities and factors of production
2. Markets are understood in mechanistic terms as an interplay between the forces of supply and demand
3. There is a focus on the monetary dimension. All factors and impacts are reduced to the monetary dimension by using prices as part of a trade-off philosophy
4. Assumptions about the behavior of market actors in the economy emphasize self-interest (as in the case of consumers) or are otherwise narrow (as in the case of the profit-maximizing firm). Issues related to ethics or ideology are largely avoided
5. When engaged in analysis or policy advice, neoclassical economists regard themselves as experts of a rather technocratic kind. The fact that our societies claim to respect normal imperatives of democracy is downplayed or neglected.

Monetary and financial aspects are at the heart of the neoclassical approach. The ambition is to move analysis in a quantitative and one-dimensional direction thereby opening the door for simple equations and calculation in mathematical terms. It is argued that "people know about markets and money" and that "everything has a price" in monetary terms. From this we get national accounting in GDP-terms, business accounting with focus on monetary profits and Cost-Benefit analysis (CBA) based on actual market prices (or a kind of hypothetical prices). One impact expressed in monetary terms can be 'traded' against – and offset by – other impacts as part of one-dimensional calculation. This approach is of course attractive in some ways. Complex issues are reduced to simple figures in money terms. We may refer to at least two kinds of reductionism 'monetary reductionism' and 'ethical/ideological reductionism'.

There are many problems with the neoclassical approach in this part. Present challenges in our societies are largely non-monetary in kind, suggesting that we need careful measurement in non-monetary dimensions. The challenges are also a matter of ethics/ideology in the sense that some citizens and social movements question mainstream ideological orientation. Even establishment actors may be divided and uncertain in their ideological orientations. This is so for the present dialogue about sustainable development or in relation to new demands on business corporations discussed in terms of Environmental Management Systems (EMS) and Corporate Social Responsibility (CSR) for example.

b) *Political economic person and political economic organization assumptions*

Neoclassical economists study various aspects of what they refer to as the 'economy' or the 'economic system'. This refers to the interactions of households and firms in markets for commodities and factors of production with the state in a role as regulator. Politics and democracy are then peripheral considerations connected with other disciplines and other parts of society. This reductionism where politics is separated from economics as much as possible of course plays an ideological role. Our present perspective suggests that reference should instead be made to a 'political economy' and 'political economic system'. The market is embedded in a democratic society (or in some cases in a dictatorship). In the constitutions of many countries, the primacy of democracy over market is declared. This is so for Sweden, other countries in the European Union and the EU itself. The imperatives of democracy are considered fundamental for a functioning society in the political sphere and this political sphere is not limited to the election of members of parliaments. While we may describe certain countries as relatively well functioning democracies, democracy is always threatened by groups aiming at monopolistic power in segments of society or society at large. As we all know there are countries where power is in the hands of the few. This is called dictatorship.

What does the primacy of democracy over market mean for our present discussion about conceptual and policy issues? One first step is to understand that we cannot be content with a view of individuals exclusively related to markets. Economic Man has to be replaced by a political economic person (PEP). It is an individual with many kinds of roles and relationships. The individual is a citizen who relates directly to our democracy perspective but perhaps also a parent, a professional, a member of a social movement etc. In her thinking and action, as part of all these roles, relationships and connected contexts, the individual is an actor guided by her 'ideological orientation'. As we all know, politicians and political

<sup>2</sup> While 'democracy' is a main theme in this article it may be noted that this word is absent from the subject index of Eklund's as well as Mankiw's textbook.

parties discuss various issues in terms of ideologies that they support or dislike and members of the electorate are expected to listen to them and to think in similar terms. In a democracy, ideally all individuals should furthermore be responsible persons concerned about politics and ideology. Ideology or rather ideological orientation is therefore a concept that can be applied also to individuals. This ideological orientation is certainly not a mathematical objective function to be optimized. Qualitative, quantitative as well as visual elements are involved. It is rather fragmentary, uncertain, even contradictory and divided, but still useful in guiding action. Self-interest is involved (and more so for some individuals) but also the interests of others. Our individual wants to be accepted in specific social contexts, for example among market actors to whom he or she is related. Reference to ideological orientation is thus a way of bringing in issues of ethics and responsibility in a larger context.<sup>3</sup> The title of the Brundtland report *Our Common Future* (World Commission on Environment and Development, 1987) is a reminder of this. Human rights and the rights connected with democracy are part of this and they refer to all members of a society. Here we are far from the exclusive focus on self-interest as part of Economic Man assumptions.

The only organization considered in neoclassical microeconomic theory is the firm and the firm is assumed to maximize monetary profits (in the interest of shareholders). Here again something more and different is needed. A political economic organization (PEO) is suggested i.e. an actor guided by its ideological orientation or mission. The debates about Corporate Social Responsibility (CSR), Environmental Management System (EMS), Fair Trade and similar issues become meaningful as part of an organization's mission. Not only organizations that can be understood as firms are part of the political economy but also universities, Greenpeace and other environmental organizations, churches are PEOs for whom responsibility issues can be discussed. Are universities (compare University Social Responsibility, USR) always acting in a responsible way?

A political economic organization is understood as polycentric and complex with many individuals involved, each with her ideological orientation. While there are common interests connected with the mission, also tensions normally exist between individuals and groups, tensions that often are good for a creative dialogue while being difficult to handle in other cases.

<sup>3</sup> It should be noted that the word 'ideology' is often used negatively in the US context as 'simplistic fundamentalism'. One example of such use of the term is John Ralston Saul's (otherwise excellent) book *The Unconscious Civilization* (1995). In Europe 'ideology' appears to be used mainly in a broader sense to include also positive patterns of ideas. Means-end relationships that represent compromise are considered to be as ideological as extreme positions.

Politics and democracy is clearly relevant also within the organization and not only in relation to the external society.

c) *Decision-making and efficiency in a democratic society*

Part of human thought processes and behavior patterns is habitual while another part is a matter of conscious choice between alternatives. Decisions are somehow involved also when habits are initiated and become established. At issue is now how one can think of decision-making in a democratic society. Once more the concept of ideological orientation comes to the fore.

In Figure 1, decision-making is understood in terms of a 'matching' process between on the one hand an actor's ideological orientation and on the other hand expected impact profiles of each alternative considered. Decision-making is closely connected with search processes which may modify or change not only the set of alternatives considered with expected impacts of each alternative but also the guiding principle in terms of ideological orientation. The ideological orientation of an actor then is not given from the beginning but may be reconsidered as part of the search process. The actor as decision-maker is looking for a good fit between her ideological orientation and specific alternatives. Instead of thinking in terms of 'matching', the actor as decision-maker can consider 'compatibility' between ideology and alternatives, look for 'appropriate' alternatives or think in terms of 'pattern recognition'. Desired patterns are then compared with available patterns in terms of alternatives with their impacts.

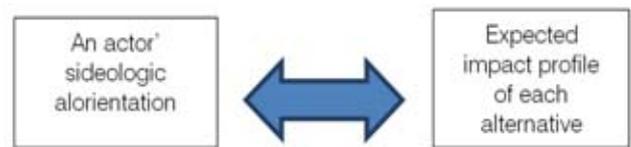


Figure 1 : Decision-making understood as a matching process between an actor's ideological orientation and the impact profile of specific alternatives considered (Source: Söderbaum 2000, p.41)

Neoclassical economists often argue in efficiency terms suggesting that one alternative in a decision situation in an objective sense is more efficient than another. Reference is made to neoclassical theory and method and the whole thing is looked upon as a matter of expertness. It can also be described as technocracy as opposed to democracy. Cost-Benefit analysis (CBA), for example, is used at the societal level to estimate the monetary present value (or Benefit-Cost ratio) of each alternative considered and to rank alternatives in a clear-cut way. A kind of societal monetary profitability analysis is carried out. But to compare different alternatives and arrive at one alternative as the best from the point of view of efficient

resource allocation one has to refer to specific values or a specific objective function. It has to be assumed that there is consensus in society about the values or ideology built into the objective function.

In the case of neoclassical CBA, impacts are valued in terms of actual (or hypothetical) market prices. Today, it is, or should be, accepted that there is no consensus about market valuation and the prices to be applied. How relevant are present market prices if one is concerned about impacts on future generations? There is no consensus about a focus on markets when approaching issues related to sustainable development, for example. Ezra Mishan, himself a textbook writer on CBA (1971) later (1980) admitted that for CBA to be applied there is a need for a consensus about the rules of valuation that go into the method. He then added that clear differences of opinion in relation to environmental issues make it unrealistic to expect such a consensus. A Norwegian economist, Leif Johansen, at an early stage identified the values that go into CBA as a “net-value added” or GDP-growth ideology (Johansen, 1977). Today we know that a simplistic pursuit of GDP-growth is controversial, to say the least. It clearly differs from some interpretations of sustainable development.

d) *Positional Analysis as a way of illuminating an issue*

Having rejected CBA as not compatible with democracy one has to look for an approach that better ‘matches’ the imperatives of democracy. I suggest that Positional Analysis (PA) is such a method. PA starts from the recognition that actors, stakeholders, politicians differ with respect to ideological orientation and that such differences should be respected in the analysis. Rather than ‘solving’ the problem in a technocratic sense, the idea is to ‘illuminate’ an issue while dealing systematically with essential features of its complexity. A limited number of ideological orientations, perhaps three or four, are identified and articulated as being relevant among decision makers and other actors concerned. Any conclusions then become conditional in relation to each ideological orientation. For ideological orientation A, the alternatives considered are ranked in one way while ideological orientation B suggests a different ranking. Specific decision makers may hold an ideological orientation that is not directly represented among those considered in the analysis but the analysis carried out is hopefully still of value for them (compared to a CBA study, for example).

It is not possible here to go through all the parts of PA (see Söderbaum 2000, 2008). The main idea is however to *illuminate* an issue in a multi-faceted and multidimensional way through dialogue with those affected and concerned. Alternatives are identified, expected impacts are described keeping monetary and non-monetary impacts separate and conflicts of interest are identified. Ideally, decision makers should know before they are making a specific decision what they are

doing, for example possible irreversible impacts in non-monetary terms. They should be encouraged to not only consider directly affected interests but also how alternatives match their ideological orientation in a broad sense. Is a specific alternative compatible with sustainable development defined in some way? If sustainable development is accepted as a goal at the UN or global level, in the EU or nationally then this consideration has to be brought into local decision making as well.

Only one more feature of positional analysis will here be commented upon. Non-monetary indicators and impacts are considered equally ‘economic’ as monetary ones. Impacts do not become ‘more economic’ by putting a price in monetary terms on them. In this way ‘economic analysis’ gets a new meaning where disaggregation is preferred. In Table 1, a distinction is made between monetary and non-monetary impacts and another distinction between flows and positions. A flow refers to a period of time while a position (or state) refers to a point in time. GDP exemplifies a monetary flow (‘a’ in Table 1) while the assets and debts of a business corporation exemplify monetary positions (‘b’). Pollution from a factory can be expressed as non-monetary flows (‘c’) and the state of an ecosystem at a point in time is a non-monetary position (‘d’).

Table 1 : A classification of indicators and impacts in economic analysis

	Flow (referring to period of time)	Position (referring to point in time)
Monetary	‘a’	‘b’
Non-monetary	‘c’	‘d’

Positional thinking in non-monetary terms is judged essential to incorporate inertia, path dependence, commitments, lock-in effects and irreversibility into the analysis. Building a new road on agricultural land is an irreversible change that can be illustrated in positional terms. For each piece of land affected, expected changes in use and future options can be illustrated and the mentioned aspects of inertia discussed. As part of Positional Analysis, decision trees in positional terms can be used to illustrate how first stage alternatives and moves will have different impacts upon future positions and options (Söderbaum 2000, pp. 93-97). This kind of decision-trees differ from decision-trees as part of conventional game theory where impacts are illustrated in terms of ‘pay-offs’ (rather than changes in non-monetary and monetary positions).

II. COSTS AND BENEFITS IN NEW LIGHT

From the point of view of one actor (or party) with her ideological orientation it is meaningful to speak of ‘costs’ and ‘benefits’ in relation to a decision situation.

Such costs (benefits) may be monetary or non-monetary in kind (Table 2). They may be expressed in quantitative, qualitative or visual terms. The idea of handling all impacts in monetary terms is abandoned in favor of a more complex conception of costs and benefits. Multidimensionality, uncertainty, even ignorance and the recognition of conflicting ideological orientations opens the door not only for quantitative measurement but also for subjective judgment.

**Table 2 :** A classification of costs and benefits for purposes of economic analysis

	Cost	Benefit
Monetary	'e'	'f'
Non-monetary	'g'	'h'

Non-monetary costs are as 'real' (or perhaps 'more real') as monetary costs. Consider a case of road-planning where a motorway is built on agricultural land. Monetary construction costs are involved as well as monetary operating costs. But the transformation of a specific number of hectares of agricultural land to asphalt surface and other purposes may also be considered as a cost, more precisely a non-monetary cost. The importance of this non-monetary cost and other non-monetary costs and benefits in relation to monetary costs and benefits becomes a matter of your ideological orientation. Some actors may not bother about these non-monetary aspects because they are not so easy to handle or for other reasons. Other actors may see them as essential parts of a total valuation.

Another aspect of the mentioned complexity is that what is regarded as a 'cost' for some actor may be neglected or regarded as a 'benefit' for other actors. Again this has to do with differences in ideological orientation. For some of us who take the threat of climate change seriously, projects involving exploitation of oil close to the North Pole is clearly a cost while oil companies (who are not yet taking CSR seriously) see it as a chance of receiving huge benefits and profits in monetary terms.

These examples illustrate how the CBA idea of aggregating all kinds of impacts in monetary terms into a so called present value – while responding to the technocratic motives of some economists – is highly questionable, if not dangerous, to society.

*a) Assets and debts in economic analysis*

Market models in terms of supply and demand tend to be ahistorical. Equilibrium stands for some mystical instantaneous situation neglecting what went before and what follows next to the equilibrium situation. The neoclassical model is empty with respect to the resource positions of market actors at different points in time. We need to also consider assets and debts, both in positional terms, to complete the picture. In business accounting and when dealing with the situation of nations, monetary or financial assets and debts are

certainly considered. Table 3 suggests however that we should also focus on non-monetary assets and debts (cf. 'k' and 'l').

**Table 3 :** A classification of assets and debts in economic analysis.

	Assets	Debts
Monetary	'i'	'j'
Non-monetary	'k'	'l'

In positional analysis, all kinds of impacts are considered (Table 1) but as the name of the approach suggests, positional thinking and not least reference to non-monetary positions is at the heart of the method. These days the financial assets and debts of various nations, in the Euro-zone and elsewhere, are very much discussed and it has become clear for many that this cannot be dealt with in neoclassical mechanistic terms but is a matter of ethics and ideology. Not only nations but also individuals, families and organizations suffer or benefit from these recent developments. This means that a conceptual framework in terms of assets and debts is relevant also for the study of PEPs and PEOs. A macroeconomic policy option may for example strengthen those who are already wealthy and weaken those who are vulnerable.

At the micro level, thinking in positional terms about assets and debts permits us to bring in issues of inequalities and ethics. What are the power positions in terms of resources and relationships of specific actors in the market place? Is market actor M1 exploiting her superior power position in relation to market actor M2? Is fairness for example in the form of 'fair trade' an issue for any of the trading parties or for both of them? If M1 is a company – has this organization committed itself to CSR or specific certification schemes?

Present institutional framework for international trade and globalization under WTO has opened the door not only for exchange of manufactured goods but also for purchase of land and exploitation of natural resources. China or Chinese corporations can buy land in Africa, so called "land-grabbing" and international corporations hosted in Canada can exploit mineral resources in Sweden with connected pollution of water, air and soil. Thorstein Veblen's early questioning of "absentee ownership" is relevant here. It appears clear that democracy will not function so well with the owners located in far-away countries who in addition pursue narrow profit motives. As part of our emphasis on the right of each actor to formulate her own ideological orientation, the position of a country such as Sweden or Kenya with respect to ownership of land and mineral resources becomes an issue. A citizen as actor may even consider it as a negative thing and a "cost" when foreign narrow minded market actors buy land within her state of residence. The neoclassical conceptual

framework and ideology is silent about such transactions.

b) *Market behavior based on ideological orientation*

The neoclassical model of markets in terms of supply and demand is, as we have seen, based on simplistic assumptions about the behavior of firms and consumers as market actors. The model is mechanistic in the sense that firms and consumers are interacting like molecules. This supply and demand model may still be useful depending upon purpose of study but only as one among competing market models. If the purpose is to make individual market actors invisible, a mechanistic model has something to offer. But recent debates about sustainable development, Corporate Social Responsibility (CSR), Environmental Management Systems (EMS), Fair Trade etc. suggest that the ethics and ideological orientation (or mission) of market actors is considered and to some extent made visible by actors in the market place or by outside observers.

Neoclassical theory is based on far-reaching beliefs in the functioning of markets. Reference is made to “equilibrium” and some balancing between supply and demand of commodities. While it is believed that each one of seller and buyer is content with a transaction, it is also admitted that there may be “market

failures” in some situations where third parties are affected. This is what is referred to as negative externalities or external effects (Figure 2). In addition to market failures in the form of negative externalities, neoclassical economists mention the possibility of “government failure” in cases where activities that are subsidized by government have negative impacts on welfare (defined in a neoclassical way). Such subsidies should be eliminated whereas the idea in the case of negative externalities is that impacts that are external should be “internalized” into the market transaction through government charges. Direct payment to those suffering by the actors involved in the market transaction is another option. The negative impact on third parties is then understood as a single negative ‘commodity’ to be compensated for. In reality there are many kinds of impacts and groups who are affected in different ways. Third party impacts are often multidimensional and complex. They may affect ecosystems and the environment in a broader sense. Neoclassical economists furthermore hold ideas about how environmental impacts should be valued in monetary terms. Again we are facing the technocratic tendency of neoclassical analysis.

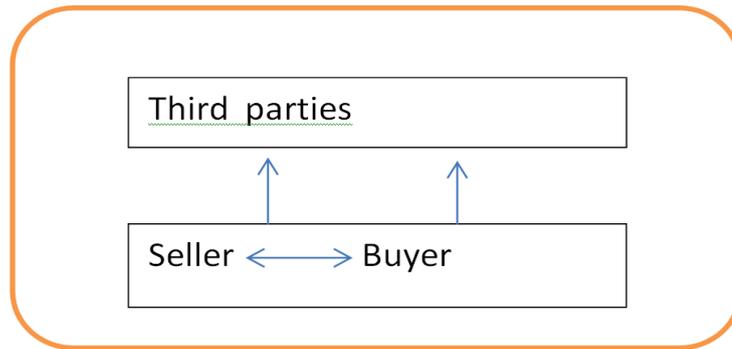


Figure 2 : As part of neoclassical economic theory market transactions may lead to impacts on third parties, so called externalities or external effects. Transacting parties as well as third parties are part of society (rectangle with curved corners).

Something more is needed than the neoclassical market model. I suggest that the pros and cons of four models can be considered:

1. Markets in terms of supply and demand
2. Markets in stakeholder perspective
3. Markets in network perspective
4. Markets in political economics perspective (market actors understood as PEPs and PEOs)

Market models 2, 3 and 4 are complementary in the sense that each can add to our understanding of markets. A stakeholder perspective suggests that a market actor, such as a business corporation, is not completely hierarchic but can be understood as made up by stakeholders with partly common, partly conflicting interests. Those who are employed in a

company may have objectives that differ from shareholders. Something similar is true of suppliers and customers. Also residents of the local community where the production plant is located are among stakeholders. The stakeholder model is often attributed to Edward Freeman (1984) but in Sweden references to stakeholders as interested parties can be found much earlier (Rhenman 1964).

Neoclassical international trade theory is normally unquestioned. An attempt is made to explain why trade in the sense of exchange of commodities is good for each of the trading nations. Reference is made to “comparative advantage” etc. But if we bring in a stakeholder perspective, it becomes unrealistic to refer to the interests of one nation in a clear-cut way. Many

stakeholders and thereby special interests are involved in each of the trading countries. Outsourcing of production from Sweden to another country, let us say India, may imply losses of jobs in Sweden, pollution of water in India and so on. It is easy to understand that more interests than one are involved in each of the trading countries.

The network model focuses on the fact that a specific transaction is often part of a prolonged relationship. Market actors may cooperate in networks of relationships for example in the form of supply chains. Recognizing that you are part of a network is a way of accepting that members of the network depend upon each other. An actor may consider such interdependence positively or negatively and the network model of a market may mean that market actor M1 bothers about the performance of other actors M2, M3 and M4 in the same network. The power position of M1 may be such that it can exploit less influential actors, for example M2 and M3, but M1 may choose to take it easy when it is in the interest of M1 to continue cooperation with M2 and M3. The network perspective has been articulated in the case of international business research (Ford ed. 1990). As we all know transnational corporations (as the term indicates) are present in many countries, suggesting that trade that crosses national borders often reflects transactions between units within one corporation. Again this network model adds to our understanding of markets and questions the simplistic neoclassical approach.

The fourth market model in our list, apolitical economics model with ideological orientation as a key concept, brings us back to market actors as PEPs and PEOs. A political economic person is guided by her ideological orientation in market and non-market behavior whereas a political economic organization refers to its mission. Monetary as well as non-monetary aspects are part of the mission. The democracy perspective implies that each individual as citizen and in other roles has the right to articulate and express her specific ideological orientation in relation to market and non-market behavior. Listening to stakeholders as previously described is a matter of considering specific interests attributed to specific parties. Listening to citizens, social movements, political parties etc. means that you bring in actors that do not exclusively refer to specific and limited interests but who have their ideas of what is preferable or good for society at large. Taking democracy seriously then means that each individual can question the values or ideas of welfare built into neoclassical theory generally, the supply and demand model of markets or the theory of comparative advantage of neoclassical international trade theory. Normal imperatives of democracy encourage us to participate in a discourse about what is good for society as a whole. Mainstream approaches as well as alternatives should be scrutinized. Economic growth

ideology can be compared with specific interpretations of sustainable development.

### c) *On the meaning of democracy*

Some observers are worried about the role of democracy in relation to markets. A group of scholars from the Czech Republic edited a book with the thought-provoking title *Is Globalization Overpowering Democracy? The Challenge for Ecology, Economy and Culture* (Lapka et al. eds 2007). Was the fundamentalism of the Soviet system being replaced by a new kind of fundamentalism with expansion of transnational corporations and globalization of markets as key considerations? It is clear that the role of democracy in relation to economics need to be discussed (rather than avoided as in neoclassical textbooks). A lot has been written on the meaning of democracy and it is fair to argue that democracy is a contested concept (like many other concepts referred to in social sciences).

A minimalist understanding of democracy refers to basic human rights, freedom of speech, rights to organize for political purposes and a community founded on the rule of law. Rules are established concerning processes for free political elections to local and national parliaments. This part of democracy is certainly important and we hear repeatedly of cases in some countries where such basic democratic rights are not observed or respected. But democracy is relevant for public policy in a broader sense. Considering policy for sustainable development, it is here argued that such policy begins with individuals as citizens and political economic persons. Actually, our political economic perspective is designed to be compatible with democracy and a serious discussion of ideological options at various levels from the individual through organization, local community to national and global communities.

Politics then starts with individuals, their ideological orientations and perceived responsibilities. Also organizations and their missions are relevant. This point of departure suggests the importance of social movements and ideological dialogue. Does sustainable development enter seriously into public dialogue in a local or national context? As we all know, a power game is going on between various groups of actors at specific arenas, such as newspapers, radio and television channels. Mainstream arguments appear to be welcome at many places: "The most important consideration in the present situation is economic growth. With GDP-growth, there will be more jobs and unemployment will go down." Employment is certainly important in the present political economic system but improved levels of employment can be achieved in many ways and there are also other arguments to be made.

From the point of view of an actor as PEP, there are limits as to what he or she can say or write in any specific arena or social context. But a given actor is

related to more than one arena or social context and will hopefully be able to participate in dialogue at some places. Costs and benefits, largely in non-monetary terms are associated with attempts to enter into the debate that goes on in more or less established arenas. Such barriers to participation tell us that there are shortcomings or deficits even in cases where basic democracy rights are observed. Or to argue in positive terms: in any country or local society there are many ways of strengthening performance when it comes to democracy.

Dialogue between actors as PEPs and PEOs will sometimes imply a reconsideration of ideological orientations or missions and that the actors get closer to each other. In the extreme case they may arrive at a consensus. But with Chantal Mouffe in her book *On the Political* (2005), it is here argued that respect for divergent opinions and tolerance is at the heart of democracy. Tensions based on differences in ideological orientation are a normal thing and can even be understood as the life-blood of a society. Creativity and new thinking may thrive where there are divergences of opinion.

d) *Ideological orientation and institutional change processes*

In all societies, there are common understandings of various phenomena in terms of language and rules of behavior or action. When a segment of actors interpret a phenomenon in a similar way and behave similarly in relation to the phenomenon, one may refer to an 'institution'. Institutions change more or less over time and in relation to sustainable development we can make a distinction between smaller changes corresponding to what has been called "modernization" of political economic system and "radical change" of political economic system.

The ideological orientation of an actor plays an essential role in both cases of institutional change. Ideological orientation stands for an actor's basic scheme of interpretation and action. The introduction of an Environmental Management System (EMS), such as ISO 14 001 in a business company can exemplify a case of "modernization", i.e. minor institutional change. Some actors in the organization realize at some point that performance of the company can be measured in other dimensions than money, for example environmental performance. They learn about the existence of EMS in other organizations. Interpreting environmental impacts as part of a certification scheme is manifested in different ways such as a modified language about performance (where also the environment matters). The new system may furthermore be manifested in organizational terms by appointing a person as environmental coordinator. Our company is connected with a certification organization which enters into an auditing role etc. The whole process can be described

as a chain of interpretation – acceptance – manifestation. Adding one more organization contributes to the legitimacy of the certification system. EMS as a broader category, or ISO 14 001, may be strengthened over time or loose adherents as part of a 'competition' with other systems and institutions.

Radical institutional change for sustainability is a matter of ideological orientation and phenomena of a more fundamental kind. I suggest a focus on three levels:

- Ideas about science in relation to politics
- Paradigm in economics
- Political and other ideology

It is argued that dominant ideas of science, dominant economics paradigm and dominant political and ideological orientation in a society together largely explain the dominant political economic system in that society. If we wish to see some radical change for sustainable development, then we should try to articulate and strengthen alternative perspectives at all three levels. We need new ideas about science in relation to politics, new and complementary ideas about economic theory and an ideological orientation where values connected with sustainable development become dominant.

At issue is now whether there are politicians willing to discuss and seriously consider radical change in political economic system. Let us take a look at a UN document prepared for the recent Rio de Janeiro conference as an example (UN Secretary General's High-level panel, 2012). Politicians from different parts of the world cooperated to present their views and proposals for action. The panel of 22 established politicians was led by Tarja Halonen from Finland and Jacob Zuma from South Africa. The politicians certainly demonstrated a concern for sustainability issues and a list of 56 proposals for action was presented. I have elsewhere commented on the report (Söderbaum 2012, 2013). It can be described as a consensus report which belongs to the mainstream "modernization" interpretation of sustainable development. Mainstream recommendations are certainly of interest when they reflect an understanding of sustainability issues. But more fundamental perspectives that can open the door for radical change are largely avoided in the report. Theories of science that open the door for subjectivity (hermeneutics, narrative analysis, social constructivism) or a new relationship between science and politics are not discussed; there is no sign that the politicians and their assistants from UNEP know anything about alternatives to mainstream neoclassical economics (Environmental impacts are discussed as single pollutants and "externalities that should be internalized" etc.) and the present dominance for Neo-liberalism as a kind of market fundamentalism is not discussed. There is no criticism of present globalization trends or the

power of transnational corporations. The UN document then, which was planned as a follow up of the Brundtland report is of some interest since it points in the right direction but does not add much in terms of ideas about radical change.

e) *Sustainability politics – A conceptual frame of reference*

In Table 4 essential parts of the previous argument for a different and complementary economics

Table 4 : Comparing some essential aspects of neoclassical and institutional economics.

	Neoclassical economics	Institutional economics
Individual	Economic Man	Political Economic Person (PEP)
Organization	Profit-maximizing firm	Political Economic Organization (PEO)
Market	Supply and demand as forces	PEPs and PEOs as market actors
Decision-making	Optimization	Matching
Approach to decisions in society	Cost-Benefit Analysis (CBA)	Positional Analysis (PA)
Institutional framework	Economic system	Political economic system

In neoclassical economics, politics is connected with alternative policy instruments at the national level. Our view is instead that politics begins with the ideological orientations of individuals as actors. Avoiding a discussion of the role of science in relation to politics, of competing theoretical perspectives in economics and of ideological options in society is a serious mistake. If ideology is important for politicians then it certainly also matters for actors in other roles who bother about the society in which they live. It is not enough to discuss unsustainable trends at the level of environmental degradation or lack of equality, problems may exist also at the level of perspectives. Neoclassical economists want us to rely on them as experts but if the monopoly position of neoclassical theory in introductory textbooks is part of the problem then there are reasons to act. Similarly, the dominance of Neo-liberalism may function as a barrier to sustainable development.

f) *Sustainability politics – A personal, political view*

Our PEP-assumptions are also applicable to professors and other scholars who participate in the development dialogue. Recognizing that values are with us suggests that we should openly discuss our beliefs and preferences about how to approach the present ecological crisis and connected sustainability issues.

Emphasis on democracy as a meta-ideology is a first recommendation. In all societies there are establishment or mainstream actors whose main concern appears to be to strengthen their own power positions. Too many of them tend to forget about or downplay the need for a strengthened democracy. Also university departments of economics need to move some steps away from technocracy toward democracy. Pluralism with respect to theoretical perspectives and methods is a key concept to accomplish this (Söderbaum and Brown 2010).

My second recommendation is closely related to the first one. In a situation where we are faced with

is summarized. As economists we need to reconsider and broaden our views about the individual or human being, about the organization, market, our understanding of the act of making a decision, how decision-making at the societal level can be approached and about how to understand options with respect to institutional framework.

complex sustainability issues we should not be afraid of ideological dialogue. Such debate is a way of learning even in situations where there is an element of antagonism between actors and their arguments. How can we better articulate sustainable development as an ideological option?

A selective view on the pros and cons of globalization is my third recommendation. In some fields globalization is highly questionable and goes contrary to local and national control (of natural resources for example) and democracy.

The candidates for major institutional change are many, some of whom have been mentioned. International organizations, such as the WTO, belong to this category. University departments of economics are a second category. At issue is also whether joint stock companies which according to law should focus on financial performance are miss-constructed in relation to present sustainability challenges that are largely non-monetary in kind. Banks are no exceptions from this demand. How can banks and other financial institutions be controlled and regulated to avoid some of the problems we see today?

Mainstream actors, be they business leaders, politicians or university professors too often behave tactically. Issues that are perceived as controversial are avoided. But what we need most in the present situation is an open discussion of all kinds of opportunities for the future. We are then back to the importance of a strengthened democracy not only in establishment circles but on all kinds of arenas.

REFERENCES RÉFÉRENCES REFERENCIAS

- Eklund, Klas, 2007. Vår ekonomi. Norstedts, Stockholm.
- Ford, David, ed., 1990. Understanding Business Markets. Interaction, Relationships, Networks. Academic Press, London.

- Freeman, R. Edward, 1984. Strategic Management. A Stakeholder Approach. Pitman, London.
- Johansen, Leif, 1977. Samfunnsøkonomis klønnsomhet. En drøfting av begrepets bakgrunn og innhold. Industriøkonomisk Institut, Rapport, Vol. 1. Tanum-Norli, Oslo.
- Lapka, Miroslav, J. Sanford Rikoon and Eva Cudlínova, eds 2007. Is Globalization Overpowering Democracy? The Challenge for Ecology, Economy and Culture. Dokoran Press, Prague.
- Mankiw, N. Gregory, 2008. Principles of Economics. South-Western Cengage Learning, Singapore.
- Mishan, Ezra J. 1971. Cost-Benefit Analysis. Allen & Unwin, London.
- Mishan, Ezra J. 1980. How valid are economic valuations of allocative changes? *Journal of Economic Issues*, Vol.14, No.1, pp. 143-161.
- Mouffe, Chantal, 2005. On the Political. Routledge, London.
- Myrdal, Gunnar, 1978. Institutional Economics. *Journal of Economic Issues*, Vol. 12, No.4, pp. 771-783.
- Ralston Saul, John, 1997 (1995), the Unconscious Civilization. The Free Press, New York.
- Rhenman, Eric, 1964. Företagsdemokrati och företagsorganisation. Norstedts, Stockholm.
- Söderbaum, Peter, 2000. Ecological Economics. A political economics approach to environment and development. Earthscan, London.
- Söderbaum, Peter, 2008. Understanding Sustainability Economics. Towards pluralism in economics. Earthscan, London.
- Söderbaum, Peter and Judy Brown, 2010. Democratizing economics. Pluralism as a path toward sustainability, *Annals of the New York Academy of Sciences* 1185, *Ecological Economics Reviews*, pp. 179-195. The New York Academy of Sciences, New York.
- Söderbaum, Peter, 2012. Democracy and sustainable development: Implications for science and economics, *real-world economics review*, issue no.60 (20 June 2012), pp. 107-119. <http://www.paecon.net/PAERReview/issue60/Soderbaum60.pdf>
- Söderbaum, Peter, 2013. Ecological economics in relation to democracy, ideology and politics. *Ecological Economics*, Vol. 95, pp. 221-225.
- United Nations Secretary-General's High-level Panel on Global Sustainability, 2012. Resilient People, Resilient Planet: A future worth choosing. United Nations, New York. (Available at: <http://www.un.org/publications>)
- World Commission on Environment and Development (The Brundtland Commission), 1987. Our Common Future. Oxford University Press, Oxford.



GLOBAL JOURNAL OF HUMAN-SOCIAL SCIENCE: F  
POLITICAL SCIENCE

Volume 14 Issue 2 Version 1.0 Year 2014

Type: Double Blind Peer Reviewed International Research Journal

Publisher: Global Journals Inc. (USA)

Online ISSN: 2249-460X & Print ISSN: 0975-587X

## Legal Analysis of Anti-Dumping Cases Raised against Saudi Arabia's Petrochemical Products

By Abdullah Mattar

*Brunel University London, United Kingdom*

**Abstract-** The subject matter of this article is to examine some of the anti-dumping cases against the Saudi Arabian petrochemical products by the European Union (EU), Turkey and India. The repetition of having anti-dumping cases against these products has raised a question about the reasons behind this scenario as well as the impact of such cases on these products and the whole Saudi Arabian petrochemical sector. There is a strong link between having cheap raw materials in this sector and anti-dumping cases, since Saudi Arabia is one of the largest oil producer and reserve in the world. Moreover, Saudi Arabia needs to establish a realistic and practicable competition policies inside its market in the context of these products. Yet, Saudi Arabian government still owns the majority of the petrochemicals industries, which makes these products target for the anti-dumping cases abroad.

**Keywords:** *anti-dumping cases, WTO agreement, petrochemical products and saudi arabian law.*

**GJHSS-F Classification :** *FOR Code : 360199*



*Strictly as per the compliance and regulations of:*



RESEARCH | DIVERSITY | ETHICS

© 2014. Abdullah Mattar. This is a research/review paper, distributed under the terms of the Creative Commons Attribution-Noncommercial 3.0 Unported License <http://creativecommons.org/licenses/by-nc/3.0/>), permitting all non-commercial use, distribution, and reproduction in any medium, provided the original work is properly cited.

# Legal Analysis of Anti-Dumping Cases Raised against Saudi Arabia's Petrochemical Products

Abdullah Mattar

**Abstract-** The subject matter of this article is to examine some of the anti-dumping cases against the Saudi Arabian petrochemical products by the European Union (EU), Turkey and India. The repetition of having anti-dumping cases against these products has raised a question about the reasons behind this scenario as well as the impact of such cases on these products and the whole Saudi Arabian petrochemical sector. There is a strong link between having cheap raw materials in this sector and anti-dumping cases, since Saudi Arabia is one of the largest oil producer and reserve in the world. Moreover, Saudi Arabia needs to establish a realistic and practicable competition policies inside its market in the context of these products. Yet, Saudi Arabian government still owns the majority of the petrochemicals industries, which makes these products target for the anti-dumping cases abroad.

**Keywords:** anti-dumping cases, WTO agreement, petrochemical products and Saudi Arabian law.

## I. INTRODUCTION

This paper details anti-dumping cases filed against Saudi Arabia's petrochemical products in India, Turkey and the European Union (EU).<sup>1</sup> The petrochemical's sector has traditionally applied anti-dumping regulations in order to protect itself.<sup>2</sup> Anti-dumping cases can, in general, be divided into those that are raised at national or international level. The cases examined in this paper are confined to those opened at national level.

The second question put forward in this research concerns the impact of anti-dumping cases against Saudi Arabian petrochemicals products. Therefore, it is important to analyse cases levelled in depth to determine how far such cases might impact on national revenues over the long term in Saudi Arabia. Moreover, many countries have used Anti-dumping and regulations for their own aims, by enacting laws in their own interests, as mentioned here:

it is alleged [...] that sometimes, anti-dumping is being used as more than just a countermeasure to

injuries. In some cases, anti-dumping duties are being imposed on imports that are being fairly traded. This allegation implies that it should be possible to cheat the anti-dumping agreement.<sup>3</sup>

The cases considered here, which were brought by India, Turkey and the EU against Saudi petrochemical products, are the most recent, and it is believed that they could have been resolved in a very different way. In the cases discussed, the end results were either cancelling anti-dumping duty against Saudi Arabian petrochemical products or ending the investigation before resolution.<sup>4</sup> The termination of cases typically followed a political negotiation with the countries alleging dumping, as will be demonstrated in this paper. Termination for political reasons links to one of the key areas considered in this research, which is the role of political negotiations in anti-dumping cases.

It was a challenge for the researcher to identify the most relevant and useful cases for analysis, as around such 33 cases exist.<sup>5</sup> The options were reduced by applying the following criteria to the selection of appropriate cases:

1. The cases should offer a representative sample of all anti-dumping cases against Saudi Arabian petrochemical products.
2. The cases should be recent ones, raised at the national level, against Saudi petrochemical products.
3. The cases should have been well covered by the Saudi media and the offending companies should have received good governmental support.
4. The cases should have terminated in a unique way; in some cases after anti-dumping duty was applied.
5. Some of the cases should include subsidies.

This paper will analyse the impact of the cases from a variety of different perspectives (legal, economic and political). It will also consider the positive and negative effects of these cases on the importing and exporting countries. However, first, it is important to

*Author:* Brunel University London. e-mail: Abdullah.Mattar@brunel.ac.uk

<sup>1</sup> Indian case: 14/5/2009-DGAD, *India v Oman, Saudi Arabia and Singapore* [2009] www.commerce.nic.in, accessed on 21 February 2014. Turkish case: 2008/40 and 2010/11, *Turkey v Saudi Arabia, Kuwait and Bulgaria* [2008] Turkish Gazette 27 092 – 27 569. EU case: 2011/c 49/10,

<sup>2</sup> Hylke Vandenbussche and Maurizio Zanardi, "What explains the proliferation of antidumping laws?", *Core Discussion Paper* 2007/66.

<sup>3</sup> Doreen Bekker, "The strategic use of anti-dumping in international trade", (2006) *South African Journal of Economics*, 74: 3, 501.

<sup>4</sup> Indian case: 14/5/2009-DGAD, *India v Oman, Saudi Arabia and Singapore* [2009] www.commerce.nic.in, accessed on 21 February 2014.

<sup>5</sup> The Global Anti-dumping Database under the World Bank, <http://econ.worldbank.org/WBSITE/EXTERNAL/EXTDEC/EXTRESEAR/CH/0,,contentMDK:22574930~pagePK:64214825~piPK:64214943~t heSitePK:469382,00.html>, accessed on 21 February 2014.

distinguish between what is meant by national and international level cases. As will be seen in this paper, India, Turkey and EU have all used anti-dumping regulations frequently against imported Saudi petrochemical products and some of these countries make considerable use of these regulations.<sup>6</sup>

## II. BACKGROUND

Before proceeding to analyse the cases that took place between Saudi Arabia and India, Turkey and EU, it is important to mention that the copies referred to in this thesis are the non-confidential copies, as these were the only copies available. There are alternative copies, which have remained confidential between the authorities and interested parties and it was impossible to access these.

It is necessary to stress the importance of knowing the statistics for anti-dumping cases as they divided into cases at the national and international levels. National cases are those raised by the Dispute Settlement Understanding (DSU)<sup>7</sup> with the involvement of the World Trade Organization (WTO). International level cases are those where the dispute is referred to the WTO; this typically occurs when one of the parties disagrees with the domestic processes of the country making the allegations.

A further division in cases made by, some scholars is to distinguish between traditional users of anti-dumping laws and new users:

In 1980 the list of the top AD users was quite short; the four traditional users accounted for all but two of worldwide AD cases. In 2002 the list of top AD users looked quite different: India (80 cases), United States (35), Thailand (21), EU (20), Australia (14), Peru (13) and PR China (11).<sup>8</sup>

Based on the information put forward in the materials pertaining to the cases between Saudi Arabia and India, Turkey and the EU, it is possible to know the extent of the direct impact, which this paper will have on the Saudi petrochemicals sector on one side and the national economy on the other. The Saudi Arabian petrochemicals sector one of the most important industries in Saudi Arabia.<sup>9</sup> Therefore, the next step is to

introduce the statistics relating to these cases from a range of sources.

## III. CASES AGAINST SAUDI ARABIA AT THE NATIONAL LEVEL

It is difficult to obtain accurate figures for the number of anti-dumping cases at national level around the world. This is despite the fact that all contracting parties need to inform the WTO committee on antidumping of any actions they take at the national level under the Anti-dumping Agreement.<sup>10</sup> Thus, in this section, anti-dumping cases from many sources will be clarified. Moreover, on the Saudi government's side, there are no clear statistics detailing the anti-dumping cases being applied against Saudi Arabia; when the researcher requested this data via official department channels in Saudi Arabia, the request was refused the request on the grounds of confidentiality.<sup>11</sup>

It was difficult to obtain this information from official Saudi Arabian departments, as the officials in these relevant departments consider the information about anti-dumping cases to be top secret information; although this should not be the case. Many attempts were made to contact these departments and many requests were sent to have this information, but they were all denied. The anti-dumping cases, like other similar cases, include confidential and non-confidential trial copies, and the non-confidential ones should be available for interested people such as researchers and interested organisations, but this is not understood by the Saudi authorities who specialise in these kinds of cases.

According to the WTO statistics regarding antidumping cases,<sup>12</sup> there were 879 anti-dumping initiations out of 4358 cases on the products from chemical and allied industries;<sup>13</sup> this represents 20.16% of total anti-dumping initiations. In addition, in relation to anti-dumping measures in this area there were just 597 cases out of 2795 cases,<sup>14</sup> which represents 21.35% of

<sup>10</sup> Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (Anti-dumping Agreement), 1868 U.N.T.S. 201. Article 16.4.

<sup>11</sup> I have tried many times to contact the Saudi official department in order to obtain non-confidential copies of the anti-dumping cases between them and other countries. My contact was first with SABIC and then the Ministry of Commerce. Both refused to give me a copy of these cases. I tried again by approaching the committee for anti-dumping negotiations, directed by HRH Prince Abdul-Aziz bin Salman, but they refused as well. There is a misunderstanding of these cases in Saudi Arabia, as there is not adequate distinction between confidential and non-confidential copies.

<sup>12</sup> These cases were between 1 January 1995 and 30 June 2013.

<sup>13</sup> The Anti-dumping Initiations by the sector, World Trade Organisation, [http://www.wto.org/english/tratop\\_e/adp\\_e/adp\\_e.htm](http://www.wto.org/english/tratop_e/adp_e/adp_e.htm), accessed on 21 February 2014.

<sup>14</sup> The Anti-dumping Initiations by measures, World Trade Organisation, [http://www.wto.org/english/tratop\\_e/adp\\_e/adp\\_e.htm](http://www.wto.org/english/tratop_e/adp_e/adp_e.htm), accessed on 21 February 2014.

all anti-dumping measures in the world. By referring to these numbers and percentages, it is apparent that there are many cases in which the petrochemicals sector is the subject of anti-dumping investigations and measures. These percentages show how important it is to identify another solution, as a means to reduce the high number of anti-dumping investigations and cases raised globally; however, "The increase in use of anti-dumping measures by non-traditional users, however, will inevitably lead to an increase of WTO anti-dumping litigation, and maybe to changes in traditional users' practices regarding Article 2".<sup>15</sup>

In addition, this high number of cases against the petrochemicals sector must be analysed in depth and given great consideration, by both researchers and contracting parties. The reason for this is that the petrochemicals sector is one of the most important industries in the world, and petrochemical products are directly or indirectly involved in hundreds of other industries worldwide. Yet, any impact on this sector can have a direct effect on those other industries also. In this research it is evident that the petrochemicals sector is an important one, directly and indirectly affecting the entire global population.

However, the reported number of anti-dumping initiations and investigations varies between sources, as will be analysed. Research by the World Bank Global anti-dumping Database<sup>16</sup> shows that there were 6325 anti-dumping initiations and investigations in the world between 1979 and 2012.<sup>17</sup> However, this number does not include cases of user countries with minimal information, which would then add to the total. There are a huge number of cases, more than reported by WTO statistics; in addition, many details of each case remain unrecorded in official documents. As mentioned, the data referred to here was collected from each country very carefully, and has been used elsewhere in a variety of research papers, published in a range of academic journals (e.g. Prof. Zanardi<sup>18</sup> has used this data in his research).

<sup>15</sup> Konstantinos Adamantopoulos and Diego De Notaris, "The future of the WTO and the reform of the anti-dumping agreement: a legal perspective", 2000-2001, *Fordham International Law Journal*, 24:30, 47.

<sup>16</sup> The Global Anti-dumping Database under the World Bank, <http://econ.worldbank.org/WBSITE/EXTERNAL/EXTDEC/EXTRESEAR/CH/0,,contentMDK:22574930~pagePK:64214825~piPK:64214943~theSitePK:469382,00.html>, accessed on 21 February 2014.

<sup>17</sup> In this database, anti-dumping cases have been categorised by countries and each country has its cases nationally in an EXCL file, kept up-to-date to the latest case. These files have very detailed information about each case, which has been carefully collected from each state by this research centre. At the end of this database page will be found the countries of the anti-dumping users with minimum information, and without any numbers of these kinds of cases.

<sup>18</sup> He is a Professor in Economics at the Université Libre de Bruxelles and a specialist in statistics of economic figures. The most interesting area for him is anti-dumping and he has carried out a great deal of research in this area from the economic side.

The database referred to provides accurate information to uncover the details of the cases in depth. There are two reasons for the variation in numbers between the research database mentioned above and the WTO' anti-dumping statistics. First, the data from the former extends over a greater period of time than that of the WTO, as it covers a period of time dating back to 1979. This can assist researchers to more fully explore the legal background and acquire greater knowledge cases of international trade between countries. It may also help to develop regulations in the future in accordance with changing legal circumstances. Second, in any anti-dumping case, the country making the allegations has to initiate the anti-dumping case in accordance with their membership duty, so this database includes many non-member countries, therefore returning higher figures than reported by WTO statistics.

Concerning the two databases, if we examine the WTO anti-dumping statistics, it is apparent that Saudi Arabia has faced 28 initiations and measures<sup>19</sup> and 20 cases as a third party under the DSU;<sup>20</sup> these are totally different from figures held on the Global anti-dumping Database. According to Global anti-dumping Database statistics, Saudi Arabia has faced 34 anti-dumping initiations and investigations, not including countries that applied anti-dumping regulations with minimal information cases. There were six initiations in Australia, one in Canada, three in China, four in the European Union, nine in India, one in New Zealand, two in Pakistan, three in South Africa, three also in Turkey, and finally one in the United States and Taiwan.<sup>21</sup> Twenty Six of these cases were against Saudi petrochemical products, accounting for 76.47% of the total anti-dumping initiations against Saudi Arabia.

The cases that have been selected for this research are those initiated by India, Turkey and the European Union, as sufficient information is available. Attempts were made to acquire cases from China also, but no English copies of these cases could be acquired from the Chinese Ministry of Commerce,<sup>22</sup> Chinese official newspapers or the Saudi Arabian official departments. Nonetheless, it is considered that the case selected should be suitable for analysis purposes and deliver good results. The cases are:

<sup>19</sup> The Anti-dumping Initiations by country, World Trade Organisation, [http://www.wto.org/english/tratop\\_e/adp\\_e/adp\\_e.htm](http://www.wto.org/english/tratop_e/adp_e/adp_e.htm), accessed on 21 February 2014.

<sup>20</sup> Dispute by Country/Territory, Dispute Settlement under the World Trade Organisation, [http://www.wto.org/english/tratop\\_e/dispu\\_e/dispu\\_e\\_by\\_country\\_e.htm](http://www.wto.org/english/tratop_e/dispu_e/dispu_e_by_country_e.htm), accessed on 21 February 2014.

<sup>21</sup> The Global Anti-dumping Database under the World Bank, <http://econ.worldbank.org/WBSITE/EXTERNAL/EXTDEC/EXTRESEAR/CH/0,,contentMDK:22574930~pagePK:64214825~piPK:64214943~theSitePK:469382,00.html>, accessed on 21 February 2014.

<sup>22</sup> Many efforts have been made to find alternative ways to locate these cases, including the Chinese official Ministries' websites. The

- Case in the European Union in 2011 for the exporting of Polyethylene that originated from Saudi Arabia.<sup>23</sup>
- Case in Turkey in 2008 for the exporting of Ethylene that originated from Saudi Arabia.<sup>24</sup>
- Case in India in 2009 for the exporting of Polypropylene that originated from Saudi Arabia.<sup>25</sup>

a) *Analysis of cases*

Before analysing the anti-dumping cases between Saudi Arabia and India, Turkey and EU, it is important to set out the main principles deemed applicable to dumping under the WTO. In order to have a dumping margin, export and normal prices must be clear. In addition, the product must be like a product produced by the domestic industry as well as being a clear injury or threat to the domestic industry. A causal link must exist between the injury and the export price. Hence, the first part of this section will analyse export and normal pricing with the dumping margin. Secondly, the like product and the domestic industry will be discussed, and finally the injury or threat and any causal link will be considered. However, it is important, as part of this research, to discover whether a subsidy led to the dumping in these cases, as this forms the final part of this section.

i. *Export price, normal value and dumping margin*

Before commencing the discussion stage of this section, regarding export price, normal value and dumping margin, it is important to remember that dumping is selling an exporting product for less than its normal value, as stated in Article VI, GATT.<sup>26</sup> In cases where the export price is clear, there is no concern as all prices are matched with the real information. However, a problem arises where there is no clear export price or normal value; such cases, are hard to prove, as there is no evidence "... in many cases there is no easy way to determine what a normal price is for the purposes of anti-dumping investigations".<sup>27</sup>

As mentioned in Article 2 of VI implementation, section 2.2 states that where there are no sales of a like product in an export country, or where there is a low

volume of sales regarding the market situation, in such a situation,

the margin of dumping shall be determined by comparison with a comparable price of the like product when exported to an appropriate third country, provided that this price is representative, or with the cost of production in the country of origin plus a reasonable amount for administration, selling and general cost and for profits.<sup>28</sup>

This Article shows clearly the margin of dumping can be calculated in specific circumstances. The cost will normally be calculated where it is kept in by an exporter or producer under investigation. However, the amount for administrative, selling and general costs and profits will be based on actual data, kept by the exporter or producer under investigation.<sup>29</sup>

In cases where there is no export price or where the export price is "unreliable",<sup>30</sup> "the export price may be constructed on the basis of the price at which the imported products are first resold to an independent buyer, or if the products are not resold to an independent buyer, or not resold in the condition as imported, on such reasonable basis as the authorities may determine."<sup>31</sup>

Following this brief review of dumping and relevant key elements, the cases between Saudi Arabia and India, Turkey, and the EU, will be examined in order to answer the second research question, as to whether there is an impact from such cases on Saudi Arabian petrochemicals products.

- *EU case number 2011/c 49/10*

In a case, initiated by the EU countries in anti-dumping proceeding concerning the import of certain Polyethylene Terephthalate products from Saudi Arabia and Oman to the European Union, it was declared that,

...the allegation of dumping is based on a comparison of a constructed normal value (manufactured costs, selling, general and administration costs (SG&A) and profit) with the export price (at ex-works level) of the product under investigation when sold for export to the Union.<sup>32</sup>

Chinese Ministry of Commerce, which is responsible for anti-dumping cases, has not, however, translated these cases into English, so they cannot easily be found. See <http://www.mofcom.gov.cn/>.

<sup>23</sup> The EU Anti-dumping case against Saudi Arabia: 2011/c 49/10, *EU v Oman and Saudi Arabia* [2011], Official Journal of European Union c 49/16.

<sup>24</sup> The Turkish Anti-dumping case against Saudi Arabia: 2008/40 and 2010/11, *Turkey v Saudi Arabia, Kuwait and Bulgaria* [2008] Turkish Gazette 27 092 – 27 569.

<sup>25</sup> The Indian Anti-dumping case against Saudi Arabia: 14/5/2009-DGAD, *India v Oman, Saudi Arabia and Singapore* [2009] [www.commerce.nic.in](http://www.commerce.nic.in), accessed on 21 February 2014.

<sup>26</sup> General Agreement on Tariffs and Trade (GATT), 55 UNTS 194; 61 Stat. pt. 5; TIAS 1700, Article VI.

<sup>27</sup> Reid M. Bolton, "Anti-dumping and Distrust Reducing Anti-dumping Duties under the W.T.O. Through Heightened Scrutiny", *Berkeley Journal of International Law*, 2011, 66, 74.

<sup>28</sup> Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (Anti-dumping Agreement), 1868 U.N.T.S. 201.Article 2.2.

<sup>29</sup> Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (Anti-dumping Agreement), 1868 U.N.T.S. 201.Article 2.2.1.1 & 2.2.2.

<sup>30</sup> "Unreliable because of association or a compensatory arrangement between the exporter and the importer or a third party" Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (Anti-dumping Agreement), 1868 U.N.T.S. 201.Article 2.3.

<sup>31</sup> "Unreliable because of association or a compensatory arrangement between the exporter and the importer or a third party" Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (Anti-dumping Agreement), 1868 U.N.T.S. 201.Article 2.3.

<sup>32</sup> The EU Anti-dumping case against Saudi Arabia: 2011/c 49/10, *EU v Oman and Saudi Arabia* [2011], Official Journal of European Union c 49/16.

The above quotation shows that the EU applied Article 2.4 of the implementation of Article VI, GATT, which can be held compatible with this article. However, the information remains unclear, as this is an initiation without examination by the authority. Usually, in such an initiation, the authority does not apply the Articles to the facts; it usually just offers brief information in order to commence anti-dumping proceedings, by sending out questionnaires and receiving them back from interested parties. However, in this initiation, it was mentioned that the complainant provided the necessary evidence of the negative impact of the dumped product on the EU:

The prima facie evidence provided by the complainant shows that the volume and price of the imported product under investigation have, among other consequences, had a negative impact on the quantities sold, the level of the prices changed and the market share held by the Union industry...<sup>33</sup>

The prices of the complainant, i.e. the EU industries has been affected negatively, which triggered the anti-dumping investigation.

Thus, this examination is not clear for our case, but it can be seen that the authority used the same Articles as those set out in the WTO regulations on anti-dumping. However, as the complainant withdrew the case, the examination cannot be completed about this particular point.<sup>34</sup>

- *Turkish case number 2008/40*

This case was issued with regard to the export of Mono ethylene Glycol from Saudi Arabia, Kuwait and Bulgaria in 2008. As mentioned determination of the normal value in this initiation in Article 4 (1) was, "due to the production costs of the domestic market, prices reached [which are] directly determined by adding a reasonable profit generated value [are] taken as the normal value for each of the three countries."<sup>35</sup>

In relation to Article 4 (1), the Turkish authority identified the exporting price in this initiation. However, the decision of the Turkish authority in the anti-dumping determinations regarding the same case (number 2010/11), which referred to the domestic selling price in Saudi Arabia and Kuwait, after the authority had received completed questionnaires from the interested parties,

[was] based on costs and export price. However, in these countries, which [provide] the basic raw materials used in the production of MEG, "Ethane" is only produced by state-owned

companies and the price of the supply/ emand conditions are identified and announced by the authorities.<sup>36</sup>

It was mentioned that these countries supplied very cheap raw materials, which could result in lack of fair competition between other industries and similar products abroad.

In addition, in reference to the same point, it was stated that Saudi Arabia fixes prices internally, that means there is no competition inside Saudi Arabia between the industries for the similar products "...[a] price fixing mechanism for the review of the terms of these prices [to] reflect the market..".<sup>37</sup> Nonetheless, "the total cost provided by these importing companies does not reflect market conditions and the cost of labour and other overhead costs, raw materials...".<sup>38</sup> Therefore, although Saudi Arabia has issued a competition law for competitions between products, the conditions for genuine competition inside Saudi Arabia are not fulfilled.

Another related point is that, in a report issued by the Saudi American Bank in Saudi Arabia (SAMBA), it was stated that Saudi Arabia is subsidising its petrochemicals sector through cheap feedstock:

Ethane has been the feedstock of choice for Saudi products for one simple reason: the cost advantage is substantial. Owing to the Kingdom's substantial gas resources, ethane is supported by Saudi Aramco to petrochemicals producers at \$0.75 per million BTUs. This compares with a current market price of \$ 3.5 per million BTUs for most producers in the US, who also tend to use ethane (the price was approaching \$14 per million BTUs around a year ago).<sup>39</sup>

This statement shows the involvement by the Saudi government through Saudi Aramco in petrochemicals pricing; it sells raw materials below the global market price.

In the above quotations from the Turkish anti-dumping case, two important issues were raised: one regarding the Saudi domestic market conditions and other in relation to the involvement of the state in the domestic market, both of which affect the export price. Regarding the first point, the two states, Saudi Arabia and Kuwait, did not create the necessary market conditions in their domestic markets, which was a form

<sup>36</sup> The Turkish Anti-dumping case against Saudi Arabia: 2008/40 and 2010/11, Turkey v Saudi Arabia, Kuwait and Bulgaria [2008] Turkish Gazette 27 092 – 27 569, 4.

<sup>37</sup> The Turkish Anti-dumping case against Saudi Arabia: 2008/40 and 2010/11, Turkey v Saudi Arabia, Kuwait and Bulgaria [2008] Turkish Gazette 27 092 – 27 569, 3.

<sup>38</sup> The Turkish Anti-dumping case against Saudi Arabia: 2008/40 and 2010/11, Turkey v Saudi Arabia, Kuwait and Bulgaria [2008] Turkish Gazette 27 092 – 27 569, 3.

<sup>39</sup> Saudi American Bank in Saudi Arabia (SAMBA), Report Series August 2009, <http://www.samba.com/>, accessed on 29 November 2013.

<sup>33</sup> The EU Anti-dumping case against Saudi Arabia: 2011/c 49/10, *EU v Oman and Saudi Arabia* [2011], Official Journal of European Union c 49/16.

<sup>34</sup> Case number 2011/835/EU, *EU v Oman and Saudi Arabia* [2011], official Journal of the European Union 330/45.

<sup>35</sup> Case number 2008/40 brought by the Turkish anti-dumping authority against the Saudi petrochemicals products.

of unfair competition. As the price was fixed, as mentioned in the Turkish decision, this led to unfair competition, contravening the WTO agreement. In relation to Saudi Arabia, all the market conditions in the domestic markets were made available, although not mentioned in the decision, as were the rules for fair competition and the opportunity for domestic and foreign investors to invest in Saudi Arabia in this sector.<sup>40</sup> It might be that foreign investors do not want to invest in this particular area in Saudi Arabia due to associated economic benefits and priorities; however, ultimately a competitive market is available as is the entire investment atmosphere. Despite this, the Saudi petrochemicals sector is owned mostly by the government through SABIC; this means that the prices are usually fixed, or at the very least there is governmental interference, as only government owned companies operate in this sector.

Secondly, with regard to raw materials; this should not be an issue, as long as the government does not become involved in markets and prices; thus, raw materials should be sold to domestic petrochemicals industries at the global price. However, it is well known that Saudi Arabia is well endowed with oil and gas and so it has low cost materials to supply to any industries manufacturing products comprised of these elements. Nonetheless, the state must open its market to these types of industry and supply all the industries (whether government owned or otherwise) equally, and in fact the option of an open market might not be available in Saudi Arabia, as mentioned above. However, if there is any involvement by the government in the market price it should be regarded as a price support, i.e. a kind of subsidy.<sup>41</sup>

Regarding normal value, the Turkish authority applied the following provision "where the normal value was based on sales in the domestic market, the domestic market of the country of origin for similar products within the framework of normal commercial transactions or to pay the prices paid by buyers on the

basis of an independent calculation".<sup>42</sup> Clearly, the raw materials in Saudi Arabia do not reflect market conditions, from a Turkish point of view. In fact, the normal value was based on the Western Europe market conditions: "...with a much higher profit by using investment returns (hence this higher profit will be in the normal value) in favour of Saudi Arabia and Kuwait".<sup>43</sup> It can be seen in this research, that to apply this to the case concerned is not right, as Western Europe is entirely different from Saudi Arabia and Kuwait in many aspects; i.e. economically, legally, and in terms of development and technology. Moreover, Western Europe does not have the same oil and gas resources as these two countries, and so similar market conditions are not possible. The comparison should be at the same level of trade as market and ex-factory, as mentioned in Article 2.4 of the implementations of Article VI of GATT,<sup>44</sup> which is not applicable here. The Turkish authority should try to find another country as an appropriate comparison for Saudi Arabia and Kuwait, such as Venezuela.

In relation to the above statement, the Turkish authority calculated the dumping margin for Saudi Arabia (SABIC) as 30.1% for firms that were not co-operative, which must be reconsidered, as the application is not compatible with the GATT in regard to Article VI and its implementation.

- *Indian case number 14/5/2009-DGAD*

In the case of India, the initiation of an anti-dumping procedure was in response to imports of Polypropylene from Saudi Arabia, Oman and Singapore into India. There are more details available for this case than for the previous cases, as the entire anti-dumping investigation process in India continued until completion and the anti-dumping duty was applied in the final finding. This case raises the same issue as the Turkish case with regard to normal value:

they were not able to obtain any documentary evidence or reliable information with regard to domestic price in the subject countries.....The applicant has also stated that the raw materials are based on the market conditions and are being sourced from state-owned enterprises.<sup>45</sup>

<sup>40</sup> In 2006, the Saudi General Investment Authority established the National Competitiveness Centre, which is responsible for advising the various Saudi investment authorities and departments in order to improve competition inside the Saudi market to the international standards required. This centre has frequently organised international conferences in Saudi Arabia in this legal/economic area, so that experts can discuss how to achieve the best standards. There is evidence that the Saudi government is doing its best to create a good competitive atmosphere inside the Saudi market and not as mentioned in the anti-dumping statement against the Saudi companies. For more information about this centre, see the website <http://www.saudincc.org.sa/>, accessed 1 December 2012.

<sup>41</sup> The Agreement on Subsidies and Countervailing Measures, Apr. 15, 1994, Marrakesh Agreement Establishing the World Trade Organization, Annex 1A, The Legal Texts: The Results of the Uruguay Round of Multilateral Trade Negotiations 231 (1999), 1869 U.N.T.S. 14., Article 1, para 1.1 (a) (2)

<sup>42</sup> The Turkish Anti-dumping case against Saudi Arabia: 2008/40 and 2010/11, Turkey v Saudi Arabia, Kuwait and Bulgaria [2008] Turkish Gazette 27 092 – 27 569, 4.

<sup>43</sup> The Turkish Anti-dumping case against Saudi Arabia: 2008/40 and 2010/11, Turkey v Saudi Arabia, Kuwait and Bulgaria [2008] Turkish Gazette 27 092 – 27 569, 4.

<sup>44</sup> Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (Anti-dumping Agreement), 1868 U.N.T.S. 201. Article 2.4.

<sup>45</sup> The Indian Anti-dumping case against Saudi Arabia: 14/5/2009-DGAD, India v Oman, Saudi Arabia and Singapore [2009] [www.commerce.nic.in](http://www.commerce.nic.in), accessed on 21 February 2014, 2 para 7.

These allegations against Saudi companies and others are further detailed later in the Preliminary and Final Findings of this case.

With regard to normal value, the Indian authorities applied the same method as the Turkish, i.e. referring to GATT. It is mentioned in the Preliminary Findings:

...whether the domestic sales of the subject goods by the responding exporters in their home markets were representative and viable permitting determinations of normal value on the basis of domestic selling prices and whether the ordinary course of trade test was satisfied as per the data provided by respondents, [is] subject to verification...<sup>46</sup>

However, the authority notes, regarding the Supreme Court of India case of M/s Reliance Industries Ltd., that the single weighted average for normal value should be separated for each of the subject countries: "...then determine a separate single weighted average Normal value for each of the subject countries as a whole and the same is compared with the ex-factory export realisation of each cooperating respondent".<sup>47</sup> Based on the above information, the normal value for each Saudi industry was given separately as follows:

- With regard to M/s Advanced Polypropylene Co. : " ...Considering the fact that the prices of petroleum in general and as well as of the subject goods fell significantly during this period.....the authority has proceeded to construct the normal value on the basis of the unit cost [to] make and sell ...".<sup>48</sup> The authority aimed to find in this statement a way to protect its domestic industries by applying anti-dumping duty to exported products, especially from Saudi Arabia. However, there is no relationship between the price of petroleum and the normal value, as the price of petroleum is globally priced. This means, the authority has not professionally determined the normal value correctly.
- With regard to the M/s Saudi Polyolefins Company, the authority determined the normal value based on total domestic sales, as it was provided with the

details of the selling price, which is agreed to be legally acceptable.<sup>49</sup>

- With regard to M/s Saudi Basic Industries Corporation (SABIC), the authority was described as non-co-operative, because it did not provide any details as required. However, in this examination, there is no mention of what basis the authority used to calculate the normal value and the other elements related to it.<sup>50</sup>
- With regard to M/s Exxon Mobil Chemical Asia Pacific - Saudi Arabia, the same statement was made as for SABIC; namely, that the company did not co-operate with the Indian authority in this matter.<sup>51</sup> Here too there was no method shown to explain how the authority would determine normal value.

In the Indian case, the dumping margin was clearer than in the Turkish and EU cases. After the authority considered the exporting price and normal value, as discussed above, a dumping margin was applied to the Saudi petrochemical Industries. The margin was 53.59% for the Advanced Polypropylene Co., 1.89% for the M/s Saudi Polyolefins Company, and 185.68% for the non-cooperative producers and exporters. The only comment made in regard to the dumping margins was in relation to M/s Saudi Polyolefins Company as well as M/s Advanced Polypropylene Co. The first company's percentage was regarded as *de minimis*,<sup>52</sup> and the authority did not apply any anti-dumping duty on the goods exported by this company. The second one could not understand how the authority linked the price of petroleum and normal value. This price would be expected to have no effect on normal value as it is globally price and there is no interference by government.

#### ii. *Like product and the domestic industry*

In order to apply anti-dumping provisions, it is important to identify like products, as well as the domestic industry for similar products. According to the GATT and the implementation of Article VI, the like product must be identical in all respects in order for anti-

<sup>46</sup> The Indian Anti-dumping case against Saudi Arabia:14/5/2009-DGAD, India v Oman, Saudi Arabia and Singapore [2009] www.commerce.nic.in, accessed on 21 February 2014,(page 6 of these Preliminary Findings).

<sup>47</sup> The Indian Anti-dumping case against Saudi Arabia: 14/5/2009-DGAD, India v Oman, Saudi Arabia and Singapore [2009] www.commerce.nic.in, accessed on 21 February 2014,(page 6 of these Preliminary Findings).

<sup>48</sup> The Indian Anti-dumping case against Saudi Arabia:14/5/2009-DGAD, India v Oman, Saudi Arabia and Singapore [2009] www.commerce.nic.in, accessed on 21 February 2014, (page 7 of the Preliminary Findings).

<sup>49</sup> The Indian Anti-dumping case against Saudi Arabia:14/5/2009-DGAD, India v Oman, Saudi Arabia and Singapore [2009] www.commerce.nic.in, accessed on 21 February 2014, (page 7 of the Preliminary Findings).

<sup>50</sup> The Indian Anti-dumping case against Saudi Arabia:14/5/2009-DGAD, India v Oman, Saudi Arabia and Singapore [2009] www.commerce.nic.in, accessed on 21 February 2014, (page 7 of the Preliminary Findings).

<sup>51</sup> The Indian Anti-dumping case against Saudi Arabia:14/5/2009-DGAD, India v Oman, Saudi Arabia and Singapore [2009] www.commerce.nic.in, accessed on 21 February 2014, (page 7 of the Preliminary Findings).

<sup>52</sup> Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (Anti-dumping Agreement), 1868 U.N.T.S. 201.Article 5.8.

dumping regulations to be applied.<sup>53</sup> However, in the case of the domestic industry, reference must be to domestic producers of like products, unless there is a relationship between the exporting and domestic industries.<sup>54</sup> Nonetheless, in practice, domestic industries must deliver more than 50% of the total<sup>55</sup> for like products in anti-dumping cases. Therefore, on this particular point, there were no issues related to identifying like products within the domestic industry, as like products were identical in all three cases and clearly domestic industries were also producing alike products. In some cases, however, the definition of "like product" could be raised as an issue between parties: "Since the definition of 'like product' has not been settled in the anti-dumping context, administering authorities enjoy much discretion in determin[ing] the product scope of anti-dumping investigations".<sup>56</sup> However, in some cases, as in the footwear case between China and Indonesia, it was not easy to distinguish between slippers and outdoor shoes, and the court "...had to be satisfied in order to consider slippers and outdoor shoes as one product".<sup>57</sup> The case failed because these were not deemed identical products: "The test failed in the other direction (i.e., the Commission could not determine that outdoor shoes could be replaced by slippers for outdoor use, due to slippers' 'usual flimsiness'".<sup>58</sup> Even though both can be regarded as shoes, the use of shoes was the deciding factor, suggesting a difference in products.

- *EU case number 2011/c 49/10*

Returning to the EU case against Saudi Arabia and Oman, the product was Polyethylene Terephthalate. This product was identical in all respects to the domestic product as clarified in the intuition: "The product subject to this investigation is Polyethylene Terephthalate having a viscosity number of 78 ml/g or higher, according to the ISO Standard 1628-5".<sup>59</sup> However, the Committee of Polyethylene Terephthalate (PET) industries filled this case on behalf of the union

industries, "...by the Committee of Polyethylene Terephthalate (PET) Manufactures in Europe (CP-ME)...on behalf of the producers representing a major proportion, in this case more than 50% of the total Union production of certain polyethylene terephthalate".<sup>60</sup>

Before examining another case, however, it is important to mention the process of "Sampling". A huge number of Union producers are involved in the anti-dumping cases, in order to end these cases on time the commission typically selects one producer as a representative of Union producers; i.e. "The commission has decided to limit to a reasonable number the Union producers that will be investigated by selecting a sample (this process is also referred to as 'sampling'). The sample is carried out in accordance with Article 17 of the basic Regulation".<sup>61</sup> This statement shows no conflict between this Article and the anti-dumping regulations in the GATT agreement. It is a kind of process and an acceptable way of organising the allegations between interested parties.

- *Turkish case number 2008/40*

The same applied in the Turkish case, concerning Monoethylene Glycol, which referred to the product under the Turkish Custom Tariff Authority. Moreover, it was clarified further; i.e. "...the formula (CH<sub>2</sub>OH)<sub>2</sub>, which MEG, glycols is the smallest compound to colour less, odorless, clear and very hygroscopic syrup liquid".<sup>62</sup> In addition, the legal percentage under the WTO in the anti-dumping cases referring to domestic similar producers was clearly mentioned in the initiation.

- *Indian case number 14/5/2009-DGAD*

In the Indian case, the product name was mentioned clearly:

The product under consideration is 'Polypropylene (i.e., homopolymers of propylene and copolymers of propylene and ethylene)'. This subject goods are classified under Custom Headings 39021000 and 39023000.<sup>63</sup>

Moreover, the initiation pointed out the different uses of the subject product "...The subject goods are used as woven sacks for cement, food-grains, sugar, fertilizer, bags for fruits & vegetables, TQ & BOPP films, containers etc.". <sup>64</sup> As a consequence of these two

<sup>53</sup> Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (Anti-dumping Agreement), 1868 U.N.T.S. 201.Article 2.6.

<sup>54</sup> Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (Anti-dumping Agreement), 1868 U.N.T.S. 201.Article 4.1 (i) and footnote 11 of this Article.

<sup>55</sup> Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (Anti-dumping Agreement), 1868 U.N.T.S. 201.Article 5.4.

<sup>56</sup> Konstantinos Adamantopoulos and Diego De Notaris, "The future of the WTO and the reform of the anti-dumping agreement: a legal perspective", 2000-2001, *Fordham International Law Journal*, 24:30, 63.

<sup>57</sup> Konstantinos Adamantopoulos and Diego De Notaris, "The future of the WTO and the reform of the anti-dumping agreement: a legal perspective", 2000-2001, *Fordham International Law Journal*, 24:30, 37.

<sup>58</sup> Konstantinos Adamantopoulos and Diego De Notaris, "The future of the WTO and the reform of the anti-dumping agreement: a legal perspective", 2000-2001, *Fordham International Law Journal*, 24:30, 37.

<sup>59</sup> Case number 2011/c 49/10, *EU v Oman and Saudi Arabia* [2011], official Journal of the European Union C 49/16.

<sup>60</sup> Case number 2011/c 49/10, *EU v Oman and Saudi Arabia* [2011], official Journal of the European Union C 49/16.

<sup>61</sup> Case number 2011/c 49/10, *EU v Oman and Saudi Arabia* [2011], official Journal of the European Union C 49/18.

<sup>62</sup> The Turkish Anti-dumping case against Saudi Arabia: 2008/40 and 2010/11, *Turkey v Saudi Arabia, Kuwait and Bulgaria* [2008] *Turkish Gazette* 27 092 – 27 569, 1.

<sup>63</sup> The Indian Anti-dumping case against Saudi Arabia:14/5/2009-DGAD, *India v Oman, Saudi Arabia and Singapore* [2009] [www.commerce.nic.in](http://www.commerce.nic.in), accessed on 21 February 2014, (page 1of the Initiation Notification).

<sup>64</sup> The Indian Anti-dumping case against Saudi Arabia:14/5/2009-DGAD, *India v Oman, Saudi Arabia and Singapore* [2009]

statements, the initiation clearly addressed the identical nature of the two products, thus.

There are no differences either in the technical specifications, quality, functions or end-uses of the dumped imports and the domestically produced subject goods and the product under consideration manufactured by the applicant. The two are technically and commercially substitutable and hence should be treated as 'like article' under the anti-dumping Rules.<sup>65</sup>

However, the case was raised by one of the domestic producers on behalf of the domestic similar industries "The application has been filed by M/s Reliance Industry Ltd. on behalf of the domestic industry". The total number of industries and similar producers reached the legal percentage to continue an anti-dumping cases "...the total domestic production of the like article and is more than 50% of Indian production of the like article".<sup>66</sup>

Accordingly, it can be seen that the authorities in the anti-dumping cases against Saudi products applied the anti-dumping regulations in the right way and the domestic regulations relating to GATT on anti dumping were applicable. However, the Indian case was legally clearer in regard to identification of the like product, as it mentioned the diversity of uses of the like product, which can be considered the correct legal written formula and procedure on this particular point.

### iii. *Injury and causal link*

This section is one of the most important and difficult in relation to application of anti-dumping regulations. Without these two elements, anti-dumping provisions could not be applied. However, dumping itself is not illegal but is penalised if it causes or threatens material or other injury to an established industry or one that is planned. Before examining the cases, it is important to consider both these elements in relation to the implementation of Article VI of GATT.

With regard to injury, Article VI states that dumping can cause injury or threat to a domestic industry: "...if it causes or threatens material injury to an established industry in the territory of a contracting party or materially retards the establishment of a domestic industry...".<sup>67</sup> Thus, it must be based on positive evidence and involve an objection in order to examine

the volume of dumped imports and the effect of pricing on domestic producers.<sup>68</sup> The authority should check two points: increases in quantities dumped and the price undercutting of like products in the domestic market. However, the causal link must be between the low price for importing the product and the injury or threat as known at this point. It is agreed that the cause of dumping is the importing of the product, but not the product itself, otherwise this might mean that any imported product could be regarded as dumped, which is not the case. It is the low price of the imported product that causes injury.

- *EU case number 2011/c 49/10*

This initiation details the identified injurias

Injury means material injury to the union industry or threat of material injury to the industry, or material retardation of the establishment of such an industry. A determination of injury is based on positive evidence and involves an objective determination of the volume of dumped imports, their effect on prices on the Union market and the consequent impact of those imports on the Union industry....<sup>69</sup>

However, the initiation mentioned an increase in the imported product in terms of market share: "The Complainant has provided evidence that impacts of the product under investigations from the countries concerned have increased overall in absolute terms and have increased in terms market share".<sup>70</sup> Consequently, this caused a negative impact on the dumped Saudi Arabian product, which "...had a negative impact on quantities sold, the level of the prices charged and market share held by Union industry, resulting in substantial adverse effects on the overall performance, the financial situation and the employment situation of the Union industry".<sup>71</sup>

In this initiation, and as provided by the Union's complainant industry, the injury could be classified into three particular points, quantities sold, price charged and market share by union industries. Yet, this must be linked to the low price of an imported similar product, if anti-dumping duty is to be applied. However, this case was withdrawn by the complainant after the initiation, so it will be difficult to examine the three points of injuries and find a casual link.

www.commerce.nic.in, accessed on 21 February 2014, (page 1& 2 of the Initiation Notification).

<sup>65</sup> The Indian Anti-dumping case against Saudi Arabia:14/5/2009-DGAD, India v Oman, Saudi Arabia and Singapore [2009] www.commerce.nic.in, accessed on 21 February 2014, (page 2 of the Initiation Notification).

<sup>66</sup> The Indian Anti-dumping case against Saudi Arabia:14/5/2009-DGAD, India v Oman, Saudi Arabia and Singapore [2009] www.commerce.nic.in, accessed on 21 February 2014, (page 1 of the Initiation Notification).

<sup>67</sup> General Agreement on Tariffs and Trade (GATT), 55 UNTS 194; 61 Stat. pt. 5; TIAS 1700, Article VI.

<sup>68</sup> Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (Anti-dumping Agreement), 1868 U.N.T.S. 201.Article 3.1.

<sup>69</sup> Case number 2011/c 49/10, *EU v Oman and Saudi Arabia* [2011], official Journal of the European Union C 49/18.

<sup>70</sup> Case number 2011/c 49/10, *EU v Oman and Saudi Arabia* [2011], official Journal of the European Union C 49/16.

<sup>71</sup> Case number 2011/c 49/10, *EU v Oman and Saudi Arabia* [2011], official Journal of the European Union C 49/16.

- *Turkish case number 2008/40*

Referring back to the Turkish case; the authority examined if there was an increase in the volume of Saudi exported products. It demonstrated that there was an increase during the period of time under examination, and also that the dumped imports effected the prices of domestic producers. It was stated that the value increased in this period affecting Turkish domestic producers. Moreover, the Turkish authority examined the economic indicators for domestic production: sales, exports, market share, inventories, capacity, employment, fees, productivity, domestic price, costs, cash flow, growth, capital increase and increase in investment; all were evidence of the effect of dumping on the domestic industry although not evidence of dumping itself.<sup>72</sup>

- *Indian case number 14/5/2009-DGAD*

In this case, the initiation stated that the applicant had put forward all the related evidence regarding the injury

The applicant has furnished evidence regarding the injury having taken place as a result of the alleged dumping in the form of increased volume of dumped imports, price underselling, price suppression, and substantial decline in profitability, return and cash flow for the domestic industries.<sup>73</sup>

However, in the Preliminary Findings, and after the authority had examined all the evidence, it found an increase in imports from 100 (in 2005-06) to 164 in the period under investigation.<sup>74</sup> With regard to demand and market share, the imports from these countries continued in the range of 5% to 6%, and the market share of the domestic industry improved.<sup>75</sup>

Thus, capacity fell in the period of investigation compared to previous years, and the sales volumes of both importing and domestic industries were enhanced.<sup>76</sup> There was also an increase concerning

<sup>72</sup> The Turkish Anti-dumping case against Saudi Arabia: 2008/40 and 2010/11, Turkey v Saudi Arabia, Kuwait and Bulgaria [2008] Turkish Gazette 27 092 – 27 569.

<sup>73</sup> The Indian Anti-dumping case against Saudi Arabia:14/5/2009-DGAD, India v Oman, Saudi Arabia and Singapore [2009] www.commerce.nic.in, accessed on 21 February 2014, (page 2 of the Initiation Notification).

<sup>74</sup> The Indian Anti-dumping case against Saudi Arabia:14/5/2009-DGAD, India v Oman, Saudi Arabia and Singapore [2009] www.commerce.nic.in, accessed on 21 February 2014, (page 17 of the Preliminary Findings).

<sup>75</sup> The Indian Anti-dumping case against Saudi Arabia: 14/5/2009-DGAD, India v Oman, Saudi Arabia and Singapore [2009] www.commerce.nic.in, accessed on 21 February 2014, (page 17 of the Preliminary Findings).

<sup>76</sup> The Indian Anti-dumping case against Saudi Arabia:14/5/2009-DGAD, India v Oman, Saudi Arabia and Singapore [2009] www.commerce.nic.in, accessed on 21 February 2014, (page 17 of the Preliminary Findings).

landed value from subject countries as well as heavy discounts post shipment from exported countries.<sup>77</sup> There was also positive price underselling in each of the subject countries. These elements can all be considered as evidence of the effect of dumping inside India's market, as referred to in the GATT agreement in relation to Article VI and its implementation.

iv. *Whether there is any "subsidising" for Saudi products as well as for the domestic products of the importing countries*

It is important to examine whether there are any kinds of subsidies from the Saudi government for the products in the three anti-dumping cases. Usually as there are two different implementation processes for anti-dumping and anti-subsidy under the GATT agreement, in practice cases have to be dealt with separately, even if in some circumstances they are related. By checking the WTO reports with regard to subsidy cases, there was no case found against Saudi Arabia dealing with anti-subsidy regulations. Nonetheless, this does not mean there is no any allegation with regard to this point, because it may be integrated within the anti-dumping cases.

Thus, if we look back at the Turkish case mentioned above, two issues were reported in this case. One in regard to market conditions and the other in relation to the involvement of the state (Saudi Arabia) in its domestic market, which affects the export price. As shown in the definitions of subsidy regulation, a subsidy is deemed to exist, among other conditions, if: "... there is any form of income or price support in the sense of Article XVI of GATT 1994...".<sup>78</sup> Thus, this expressed the involvement of the Saudi government in the domestic market to affect the export price as a kind of subsidy.

Having examined many of the WTO members' legal actions with regard to anti-dumping and anti-subsidy, the research shows more attention is generally paid to the former than the latter. The anti-subsidy cases under the DSU numbered only 102 cases.<sup>79</sup> Thus, it is recommended that the WTO takes more action on this point and activates the Agreement on Subsidy and Countervailing Measures more fully.

v. *Termination of these anti-dumping*

At the end of this section on analysing anti-dumping cases against Saudi Arabia, it seems that the

<sup>77</sup> The Indian Anti-dumping case against Saudi Arabia: 14/5/2009-DGAD, India v Oman, Saudi Arabia and Singapore [2009] www.commerce.nic.in, accessed on 21 February 2014, (page 17 of the Preliminary Findings).

<sup>78</sup> The Agreement on Subsidies and Countervailing Measures, Apr. 15, 1994, Marrakesh Agreement Establishing the World Trade Organization, Annex 1A, The Legal Texts: The Results of the Uruguay Round of Multilateral Trade Negotiations 231 (1999), 1869 U.N.T.S. 14. Article 1.1 (a) (2).

<sup>79</sup> See the official WTO website in regard to disputes related to Anti-Subsidy, [http://www.wto.org/english/tratop\\_e/dispu\\_e/dispu\\_agreem\\_ents\\_index\\_e.htm?id=A20](http://www.wto.org/english/tratop_e/dispu_e/dispu_agreem_ents_index_e.htm?id=A20), accessed 23 February 2014.

European Union commission has been very careful in making its decisions with regard to anti-dumping regulations, more so than the authorities in the other cases (the Indian authority in particular). The argument and use of language in the European case was very strong and more specific in terms of details than in the Indian case. The European Union's authority used an element considered evidence of the dumping itself, unlike the Indian case. Thus, it can be seen that the Indian case was abusive in its application of the regulation, meaning that it might not have been wholly in compliance with the GATT regulation and Article VI implementation.

However, these cases were terminated with many different reasons; however, after this the Saudi Arabian government put political pressure on these countries in a different way. As was clear in the termination of each case. In the EU case, the complainant withdrew from allegations on 12th of October, 2011.<sup>80</sup> In regard to the Turkish case, the Saudi Government expressed its thanks and appreciation to the Turkish government after termination of anti-dumping duty against the Saudi petrochemical products mentioned in the case.<sup>81</sup> This was achieved through the regular weekly council of ministries, which met on 26th of March, 2012. From the Turkish side, there were no official document demonstrating the reason for terminating anti-dumping duty against the Saudi petrochemical product.

Moreover, the Indian case included a very unique termination. The Indian anti-dumping decision for the case was dated 9th of August, 2012; the Indian authority retained the anti-dumping duty on Oman and Singapore and dropped it from the Saudi petrochemical products. It was mentioned in this decision, that: "On December 30, 2011 the Central Government has withdrawn the duties imposed on the imports from Saudi Arabia by Notification 130/2011...".<sup>82</sup> Thus, based on the previous statement and the close of dates between the termination of these cases, it can be seen clearly that Saudi Arabia put political pressure on the committee assessing the anti-dumping. This may have led to increased priority to negotiate in future anti-dumping cases against the Saudi products. Finally, all three cases have a direct impact, whether to the alleging countries or to Saudi Arabia, as will be seen later in this paper.

<sup>80</sup> Case number 2011/835/EU, *EU v Oman and Saudi Arabia* [2011], official Journal of the European Union L 330/45.

<sup>81</sup> See the Report by the Saudi Council of Ministers in the official Saudi Press Agency website, [http://www.spa.gov.sa/minister\\_of\\_concil.php?cid=29&pg=1](http://www.spa.gov.sa/minister_of_concil.php?cid=29&pg=1), accessed 23 February 2014.

<sup>82</sup> The Indian Anti-dumping case against Saudi Arabia: 14/5/2009-DGAD, *India v Oman, Saudi Arabia and Singapore* [2009] [www.commerce.nic.in](http://www.commerce.nic.in), accessed on 21st of February, 2014, (page 6 of the Indian Anti-dumping decision date 9 August 2012).

#### IV. CASES AGAINST SAUDI ARABIA AT THE INTERNATIONAL LEVEL

In the dispute settlement report on anti-dumping cases,<sup>83</sup> no disputes were found against Saudi Arabia. However, Saudi Arabia has been involved in a total of 20 cases under the Dispute Settlement Understanding (DSU) as a third party.<sup>84</sup> Thus, anti-dumping cases against Saudi Arabia have continued to further the DSU level under the WTO agreement. By examining the previous statistics from the anti-dumping Global Database about anti-dumping cases against Saudi Arabia,<sup>85</sup> it is evident that there are against Saudi Arabia, but at the national level only, so they did not take any further actions. In this research, the reasons for not pursuing such cases against Saudi Arabia at the international level under the WTO may be as follows:

##### a) WTO Membership

The majority of the anti-dumping cases against Saudi Arabia were established before Saudi Arabia joined the WTO. According to the statistics from the Global anti-dumping Database, 11 cases out of 34 occurred before Saudi Arabia joined the World Trade Organisation at the end of 2005 (that equates to 32.35%).<sup>86</sup>

In addition, Saudi Arabia fought for about ten years to become a member of the WTO,<sup>87</sup> and these cases were not considered a negotiation priority. The priority was to fulfil the conditions and requirements of being a member of the WTO, while membership was still not achieved, and more steps were required. Thus, most Saudi companies faced these cases without any real support from the Saudi government, as Saudi Arabia did not regard anti-dumping actions as a threat to its industries.

However, the Saudi Arabian government acted by appointing a committee (under the Ministry of Petroleum),<sup>88</sup> to address and negotiate in these cases. This committee aimed to terminate anti-dumping cases

<sup>83</sup> WTO Dispute Settlement: One-Page Case Summaries, 1995-2011, 2012 Edition. See the WTO official website, [http://wto.org/english/res\\_e/publications\\_e/dispu\\_settlement\\_e.htm](http://wto.org/english/res_e/publications_e/dispu_settlement_e.htm), accessed 23 February 2014.

<sup>84</sup> Dispute Settlement by Country, the WTO official website, [http://wto.org/english/tratop\\_e/dispu\\_e/dispu\\_by\\_country\\_e.htm](http://wto.org/english/tratop_e/dispu_e/dispu_by_country_e.htm), accessed 23 February 2014.

<sup>85</sup> The Global Anti-dumping Database under the World Bank, <http://econ.worldbank.org/WBSITE/EXTERNAL/EXTDEC/EXTRESEARCH/0,,contentMDK:22574930~pagePK:64214825~piPK:64214943~theSitePK:469382,00.html>, accessed on 21 February 2014.

<sup>86</sup> The Global Anti-dumping Database under the World Bank, <http://econ.worldbank.org/WBSITE/EXTERNAL/EXTDEC/EXTRESEARCH/0,,contentMDK:22574930~pagePK:64214825~piPK:64214943~theSitePK:469382,00.html>, accessed on 21 February 2014.

<sup>87</sup> Ministry of Commerce and Industry, <http://www.mci.gov.sa/>, accessed on 23 February 2014.

<sup>88</sup> The committee was headed by HRH Prince Abdul-Aziz bin Salman, who is the Assistant Minister of Petroleum and Mineral Resources for Petroleum.

against Saudi Arabian products overseas, where they involved petro chemicals product. However, protecting Saudi industries domestically, was the responsibility of another department, under the Ministry of Commerce.<sup>89</sup> It can be seen in this research, that whether an anti-dumping dispute is inside or outside Saudi Arabia it should be dealt with by the same department in order to establish knowledge and understanding in such cases.

#### b) Experience

Saudi Arabia is still a new member of the WTO and has limited experience of how to deal with anti-dumping cases, whether locally or overseas. Even in regard to cases of anti-dumping against its products after the joining the WTO in 2005, it has minimal experience of how to deal with such cases. As a result of this, Saudi Arabia was not involved in any anti-dumping cases at DUS level. On the other hand, in some of the anti-dumping cases mentioned above, the Saudi petrochemical companies did not follow up matters seriously, or participate in a trial in the country where the allegation was made<sup>90</sup>. In general, Saudi companies preferred an alternative way to resolve anti-dumping cases.

#### c) Saudi Arabia's interest in the oil sector

Saudi Arabia had no interest in focusing on industries in general or petrochemical industries in particular, to enable these industries to receive government support in cases of dumping. Their entire focus was on the oil sector, as it generates the primary important income in the country. However, Saudi Arabia realised the importance of diverting national revenues in order to manage fluctuations in the oil price and insure stability in national revenues without focusing on oil profits.<sup>91</sup> Moreover, the Saudi government planned to extend and develop the production of petrochemicals,<sup>92</sup> although these cases can be an obstacle to free trade and the movement of goods between countries.

#### d) Saudi Arabia's special policy

Some of the Anti-dumping cases against Saudi Arabia were connected with political actions, even relative to legal matters at. For this reason, Saudi Arabia has a special political approach that differs entirely from

that of other countries.<sup>93</sup> Its political view is that in order to achieve a successful outcome internationally, the political approach must be very quiet and the focus needs to be on the larger political issues only. For this reason Saudi Arabia has not paid substantial attention to anti-dumping cases, as these have generally been small issues related to Saudi industries, when compared to the major political issues that were deemed to be more important. On the other hand, Saudi political policy does not support international escalation, such as with anti-dumping cases, because it prefers to maintain a good relationship with countries worldwide as much as possible. Thus, Saudi industries, which faces cases like these, must address such matters alone, and in some cases without any kind of government support.

#### e) Alternative solutions

As mentioned above, the Saudi government has not been interested in anti-dumping legal matters, meaning that those Saudi industries facing these cases have dealt with them independently. For this reason some alternative solutions to resolving such cases have developed. One of these solutions is exiting the importing country's market or at least stopping exports to that country for a short period of time until a legal alternative is found. Another solution is to form a union or coalition with local industries in the importing country, or to establish a Saudi industry in that country, owned by the Saudi industries. Typically, this has involved buying the entire shareholdings of companies inside the importing market.<sup>94</sup> This means that it would be difficult for the importing country to then apply anti-dumping regulations against Saudi companies as they would then be in conflict with Article 4 of the implementation of Article VI, GATT.<sup>95</sup>

For the above reasons, it is logical not to engage in anti-dumping cases at DSU level against Saudi Arabia, and instead just to inform the WTO. Saudi industries cannot support their actions in the WTO

<sup>89</sup> The Saudi foreign policy, The Ministry of Foreign Affiance official website, <http://www.mofa.gov.sa/sites/mofaen/KingdomForeignPolicy/Pages/KingdomPolicy34645.aspx>, accessed 23 February 2014.

<sup>90</sup> SABIC has purchased many petrochemical industries in China, the EU and other regions of the world. It plans to further develop this industry in Saudi Arabia as a means of obtaining considerable income and benefits, as well as to escape from the imposition of anti-dumping allegations in cases such as the ones under discussion. Moreover, on the TV programme "Special Interview" on the Al Arabya news channel, on 4 December 2012, Mr Yang Fo Tshang, the then Chinese Deputy Foreign Minister and former adviser to the Centre for the Chinese-Arab Cooperation Forum, stated that Saudi Arabia had invested a considerable amount in the petrochemical sector in China and that the exchange rate between Saudi Arabia and China was around 65 billion US Dollars last year. See SABIC official website, [www.sabic.com](http://www.sabic.com), accessed 23 February 2014.

<sup>91</sup> Dr. Eid Al-Juhani, *The Kingdom of Saudi Arabia after one hundred years*, Dara King Abdul-Aziz, v 14, 257.

<sup>92</sup> The National Industrial Strategic for Industry 2020. See the Saudi Industrial Development Funds website, <http://www.sidf.gov.sa/>, accessed 23 February 2014.

<sup>93</sup> Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (Anti-dumping Agreement), 1868 U.N.T.S. 201. Article 4.1 (i) and footnote 11 of this Article.

<sup>89</sup> Ministry of Commerce and Industry, <http://www.mci.gov.sa/>, accessed on 23 February 2014.

<sup>90</sup> The Anti-dumping cases between Saudi Arabia and EU, Turkey and EU. Indian case: 14/5/2009-DGAD, *India v Oman, Saudi Arabia and Singapore* [2009] [www.commerce.nic.in](http://www.commerce.nic.in), accessed on 21<sup>st</sup> of February, 2014. Turkish case: 2008/40 and 2010/11, *Turkey v Saudi Arabia, Kuwait and Bulgaria* [2008] Turkish Gazette 27 092 – 27 569. EU case: 2011/c 49/10, *EU v Oman and Saudi Arabia* [2011], Official Journal of European Union c 49/16.

<sup>91</sup> Dr. Eid Al-Juhani, *The Kingdom of Saudi Arabia after one hundred years*, Dara King Abdul-Aziz, v 14, 257.

<sup>92</sup> The National Industrial Strategic for Industry 2020. See the Saudi Industrial Development Funds website, <http://www.sidf.gov.sa/>, accessed 23 February 2014.

setting without assistance from the government, which has not been available.

#### IV. THE IMPACT OF THE ANTI-DUMPING CASES

Anti-dumping has an impact on both sides (importers and exporters), and for this reason, the contracting parties have agreed to the prohibition of illegal actions as they result in unfair competition. However, the impact on the importing and exporting countries share similarities on some points and differ on others; however, how anti-dumping cases will impact on the Saudi petrochemical industries is under discussion here. The following section clarifies the impact legal actions on Saudi Arabia. It considers that, just as there is an impact from dumping, the applying of anti-dumping duty on exporting countries can have a direct impact on domestic industries as well. Therefore, the impact is on both sides, not only on the importing countries. However, these regulations should be applied with careful consideration.

##### a) *The impact from the legal side*

Repeated use of anti-dumping action, without legal justification or strong proof of necessity, undermines the credibility of the legislation and the legitimate aims for which it was created. It is therefore essential that its use be in accordance with correct legal procedures and standards set under the WTO agreement. The aim of the legislation is to ensure fair competition between products in the international markets, which helps to accelerate the pace of trade between nations and foster it. However, the frequent use of such legislation to give the best opportunities to local producers or to monopolise the local markets ahead of international producers, renders regulations valueless.

It can be seen in this research that the frequent use of anti-dumping processes is to allow unfair competition, albeit in a new way and with legal cover. Due to the increasing frequency of legal issues of this nature between contracting parties and since the global economic crisis, it has become necessary for countries, which are parties to GATT to review texts in accordance with their new economic circumstances and to investigate the abuse of laws. In reviewing these laws, therefore, it is necessary to impose sanctions, or at least achieve a legal right against a state that is using these legal actions in an abusive way or in bad faith. This course would promote the use of such laws in accordance with the aims for which they were developed, as legal safeguards exist in practice; i.e. to complain to the WTO as well as to the investigator and decision-maker in such cases. In other words, these are not sufficient to achieve a legal trial with results that will satisfy all parties concerned.

These anti-dumping cases have a direct impact legally on Saudi Arabia. Saudi Arabia directly

established a negotiation committee to find a legal solution to allegations through direct negotiations.<sup>96</sup> This is a major step on the part of the Saudi government, as there is currently no governmental involvement in such cases. Saudi Arabia has realised the negative direct impact of anti-dumping cases on its industries, particularly the petrochemicals sector. For that reason, it is now applying a technique of using a negotiation committee to discuss this legal matter with other parties. The importance of this negotiation committee to the government, is evident as one of the governmental officials responsible for the committee succeeding in its duty is a Royal Prince.<sup>97</sup> Moreover, Saudi Arabia has seen the importance of making an amendment to the legal anti-dumping system under the GCC, as this was done on 28 January 2013.<sup>98</sup> This change was to make the regulation more compatible with the WTO, and to strengthen the protection of similar domestic products inside Saudi Arabia from competition.

##### b) *The impact from the economic side*

It is important also to examine the impact of this from the economic side in order to understand the scope of the legal issues and to discover how far they might affect the economies of the countries concerned. The law protects rights and regulates people's lives in many different areas, and in this section there will be a discussion of the impact of legal action from different perspectives: price, competition, sales quantities, production, development and national plans, employment, and finally, impact on the national income.

##### i. *Price and profit*

The first impact to consider is that on price, which is the main element or tool of dumping. Thus, the first element to examine is whether we are considering export price, normal price or domestic price, so as to be able to calculate the dumping margin. In order to understand the impact of dumping on price and profits, three hypothesis points will be considered:

- In cases where the price of an exported product is lower than the cost of a similar domestic product, the latter will be affected and will be considered as dumping if it comes with injury and a causal link. This is similar to the guidelines in the anti-dumping cases against Saudi Arabia mentioned above. However, this price should have a direct impact on the profit and other economic elements related to it. Moreover, it will not represent proper competition between the products. Conversely, the exporter will

<sup>96</sup> A Royal Decree was issued to establish this committee on 13 April 2011.

<sup>97</sup> The committee was headed by HRH Prince Abdul-Aziz bin Salman, who is the Assistant Minister of Petroleum and Mineral Resources for Petroleum.

<sup>98</sup> The Saudi Press Agency, <http://www.spa.gov.sa/>, accessed 23 February 2014.

accrue more profit as well as strengthening the presence of products in the importing market.

- In cases where the price of an exported product is similar or a little lower than the cost of a similar domestic product, it will be difficult to allege dumping, as it might be a case of de minimis negligence.<sup>99</sup> However, the domestic industry for a similar product will not be able to attain a profit as well as develop its industries as a whole. On the other hand, there will be no difference as they are both close to each other, although the exporter might have greater opportunity to be more accepted in the domestic market of the import country.
- In cases where the price of an exported product is similar or a little higher than the cost of a similar product, the domestic industry for that similar product will be able to make a profit and develop its industry as soon as the selling quantity moves in the right direction. However, the competition between the domestic product and the exported product will be high, as well as meeting the aim of the GATT agreement, which will favour the consumer.

Nonetheless, in the previous hypothesis, there were few changes to prices. Most importing countries, which complained about Saudi products, had a suitable level of pricing inside their domestic markets, and so were able to continue making a profit. However, Saudi Arabia was effected by these anti-dumping cases targeting its petrochemical product, and suffered an anti-dumping duty. It has been reported that Saudi Arabia lost around 5 Billion Saudi Riyals in 2013 because of anti-dumping cases against its petrochemicals products.<sup>100</sup> Consequently, the price has been raised, which will have a direct effect on competitive ability of competition and sales volumes.

#### ii. *Competition*

There is a direct impact proceeding from competition between these products. This will have an immediate effect on domestic industries, because they are targeted by the exporting producer. The competition would then not be as good as it should to be. Initially, the domestic producer will try to compute as much as possible using such tools as pricing or offers, but it will not then be able to continue competing. In contrast, the exporting producer in the importing country will find it easier to exert their influence to their own benefit.

In regard to the anti-dumping cases against Saudi Arabian petrochemical products, the competition continues at the same level, as all have the ability to

compete inside the complainant's markets. It can be seen that competition has not really changed, yet, there has been an effect exerted by some elements from the domestic Saudi market. Fixing prices and cheap raw materials have been the two most important elements domestically inside Saudi Arabia; these have a direct effect on the competition and other products in the international markets. Thus, even with the ability to compete with Saudi products, this was not in the right legal way under the WTO agreement.

#### iii. *Selling quantities*

The selling quantities are in an inverse relationship between the domestic industry and exporting producers. While the exporting producer's selling quantities increase in a dumping situation, the selling quantities of the importing country decrease. However, this will not be the situation in every dumping case, only when there is a high level of dumping.

In the cases involving Saudi Arabia, the selling quantity between the Saudi producers and importing countries was unpredictable, sometimes it increased and at other times not.

#### iv. *Industrial producing*

In the case of dumping, domestic industrial producers are typically unable to increase production and might either decrease or cease to produce a particular kind of product. Conversely, the exporting producer may choose to make more of a similar product, as it would be expected to sell better inside the importing country, or continue to sell at the same level. However, the domestic industrial producer might not be significantly affected, and in such a case the effects then relate to the amount of dumping. The impact of dumping might not relate to industrial production at all, as stated in the dumping definition in Article VI: "...or materially retards the establishment of a domestic industry...".<sup>101</sup> In fact, most cases against Saudi products have not mentioned that the establishment of their domestic industry was materially retarded as a result, and they were still able to continuing with the similar products.

#### v. *Development and national plans*

There is clearly a direct impact on the development of the domestic industry as well as on national strategy plans in regard to industries of this kind, especially if the particular industry is important to the importing nation. The dumping will retard the future plans for both the industry and the country itself. However, anti-dumping duty has an effect on export industries as well as on the national strategy plans.

Regarding Saudi Arabian cases, these may directly affect a company's plans, especially the

<sup>99</sup>Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (Anti-dumping Agreement), 1868 U.N.T.S. 201. Article 5.8.

<sup>100</sup> Alsharq Alawsat Newspaper, Report about the Anti-dumping cases against the Saudi Petrochemicals products, [http://classic.aawsat.com/details.asp?section=6&article=724839&issueno=12558#.Uy8zz55\\_suc](http://classic.aawsat.com/details.asp?section=6&article=724839&issueno=12558#.Uy8zz55_suc), accessed 23 February 2014.

<sup>101</sup>General Agreement on Tariffs and Trade (GATT), 55 UNTS 194; 61 Stat. pt. 5; TIAS 1700, Article VI.

strategic plan for 2020.<sup>102</sup> The aim of this plan is to increase the production ability, which can be done by entering new international markets to sell these petrochemical products. Thus, anti-dumping cases against these products will weaken their ability to compete in international markets, hindering the plan.

vi. *Employment*

In the cases considered above, it was mentioned that dumping by Saudi producers had not affected the employment processes undertaken by these industries or the importing countries. However, they might affect the Saudi supply side, due to the producers not hiring additional employees in the absence of future plans. The effects in this regard, however, are limited and not so well recognised as those applying to other areas.

In addition, as mentioned above, the strategic plan for 2020 aims to have more capacity of hiring more employing to this sector in Saudi Arabia. However, if this anti-dumping duty has continued in the Saudi petrochemicals product, it will effect negatively in the expansion of recruitment in this sector as it is planned. For that, the Saudi government has taken all necessary steps to stop terminating anti-dumping actions against Saudi petrochemical products.

vii. *National income*

There is an indirect effect from dumping cases that effects both exporting and importing countries, especially where the industries involved are important. Petrochemicals production is not an easy kind of industry to manage, and costs a great deal, whether is it run by the private or public sector. Overall, dumping has an indirect effect on national income for both exporters and importers. First, dumping may reduce the selling quantity in the importing country or threaten the development of the sector, which will in turn affect taxes being collected, and so the national income.

In the case of Saudi Arabia, national income might be affected by the application of duty, as petrochemicals are an important source of national income, after income from selling oil and gas. It is evident, therefore, that there will be an indirect impact from anti-dumping regulations on both the exporting and importing countries.

c) *The impact from the political side*

There is no particular anti-dumping case that has a direct or indirect impact on political relations between both exporting and importing countries. However, it is not impossible that this can happen; potentially leading to political conflict:

For example, when the United States recently announced that it was placing tariffs on Chinese

automobile tires under the WTO's safeguard provision (7), China announced only two days later that it would be initiating an anti-dumping investigation into whether exporters in the United States were dumping automobile and chicken products into China (8).<sup>103</sup>

This statement shows the extent to which politics can effect anti-dumping cases between WTO contracting parties, which can then lead to political issues arising between the conflicting parties.

In the case of Saudi Arabia, the country's media reported the anti-dumping case with India as a high profile disagreement; some sections of the media were asking that the Indian workforce be expelled from Saudi Arabia as a way to defend Saudi petrochemicals. This there forehad some potential to affect international relations between Saudi Arabia and India. However, both parties agreed to start negotiations between themselves, pursuing diplomatic approaches to find a solution.

The GATT refers to negotiation between countries or "contracting parties", as an important tool that can have a considerable effect. It may result in the parties being ordered to close the case without investigation or even after anti-dumping duty has been applied, as arose in the seanti-dumping cases.<sup>104</sup> Political pressure means direct political negotiation between governments to apply diplomatic methods to end the conflict or dispute. Some countries,<sup>105</sup> prefer to negotiate in these cases, and negotiation can be done by appointing a committee of experts with real authority and experience in finding a solution to such cases.

However, negotiation might not be with a government directly; it might be with the domestic industries themselves, through their representatives. This is generally easier than negotiating with a government, which may need to consider governmental policy and procedures, lengthening the time spent in negotiation. However, in some circumstances, it might be necessarily for a negotiation to be with the government itself, ultimately depending on the facts of the cases and the political atmosphere.

In these cases, the negotiations between Saudi Arabia and EU, Turkey and India on anti-dumping investigation resulted in the termination of all

<sup>103</sup>Reid M. Bolton, "Anti-dumping and Distrust Reducing Anti-dumping Duties under the W.T.O. Through Heightened Scrutiny", *Berkeley Journal of International Law*, 2011, 66, p.67.

<sup>104</sup> The Cases between EU, Turkey, India and Saudi Arabia. Indian case: 14/5/2009-DGAD, *India v Oman, Saudi Arabia and Singapore* [2009] www.commerce.nic.in, accessed on 21<sup>st</sup> of February, 2014. Turkish case: 2008/40 and 2010/11, *Turkey v Saudi Arabia, Kuwait and Bulgaria* [2008] Turkish Gazette 27 092 – 27 569. EU case: 2011/c 49/10, *EU v Oman and Saudi Arabia* [2011], Official Journal of European Union c 49/16.

<sup>105</sup> e.g. Japan.

<sup>102</sup>The National Industrial Strategic for Industry 2020. See the Saudi Industrial Development Funds website, <http://www.sidf.gov.sa/>, accessed 23 February 2014.

investigations and duties.<sup>106</sup> This result was positive, and so negotiation is suggested as an important step to be followed prior to investigation or trial. This step can help limit the increasing numbers of anti-dumping cases among the WTO members and also makes it possible to find alternative solutions. This approach should be legalised under the GATT agreement.

## V. CONCLUSION

This paper has shown that there have been many anti-dumping cases against the Saudi Arabian petrochemical products at the national level. Some of these cases were analysed to answer the question on the effect of these cases in Saudi Arabia. The responsibility for compatibility is on the domestic legal systems of the countries making allegations, who should check the applicability of the regulations. In this analysis, all the countries concerned observed the WTO agreement and its implementation in terms of anti-dumping regulations. However, in applying these regulations to facts, it was apparent that on some points the parties did not follow the WTO provisions, giving more space to domestic producers inside the market ahead of the exporting producer. This kind of action is referred to in this research as new unfair competition, but it falls within the law and the WTO umbrella. The problem lies not in the regulations, but in their application to the facts, as some contracting parties have sought to apply them in a way that abuses of the exporting producer. Thus, it is argued that contracting parties should reform anti-dumping and anti-subsidy regulations to avoid this kind of misuse of these regulations.

In addition, it should be noted, that although cases against Saudi Arabian products are few, they are important as they often relate to the petrochemicals sector, which is one of the most significant industry sectors in Saudi Arabia after oil. Until recently, however, the WTO has not distinguished between a country like Saudi Arabia, which has considerable resources in regard to petrochemical elements and raw materials, and other countries; this an important point to address with regard to these cases. In general, the petrochemicals sector around the world has faced many cases of this kind, and alternative solutions to prosecution need to be found, to move the global economy forward.

This paper has also considered the impact of anti-dumping allegations on countries. The anti-

dumping action can have a direct effect on all parties, which can harm the economy of the conflicting parties. If such regulations are applied against the exporting country, this can affect the industries of that country, and also harm the importing county and its industries. As mentioned, anti-dumping cases could become an obstacle to the free movement of goods and products between nations, which means that there needs to be further reform in the regulations between contracting parties or replacement with another set of regulations.

<sup>106</sup> The Cases between Saudi Arabia and EU, Turkey and India. Indian case: 14/5/2009-DGAD, *India v Oman, Saudi Arabia and Singapore* [2009] [www.commerce.nic.in](http://www.commerce.nic.in), accessed on 21<sup>st</sup> of February, 2014. Turkish case: 2008/40 and 2010/11, *Turkey v Saudi Arabia, Kuwait and Bulgaria* [2008] Turkish Gazette 27 092 – 27 569. EU case: 2011/c 49/10, *EU v Oman and Saudi Arabia* [2011], Official Journal of European Union c 49/16.



GLOBAL JOURNAL OF HUMAN-SOCIAL SCIENCE: F  
POLITICAL SCIENCE

Volume 14 Issue 2 Version 1.0 Year 2014

Type: Double Blind Peer Reviewed International Research Journal

Publisher: Global Journals Inc. (USA)

Online ISSN: 2249-460X & Print ISSN: 0975-587X

## The Sri Lankan Civil War: From Conflict to Peace Building

By Viziru Mirela Adriana

*University of Chicago Press, Sri Lanka*

**Abstract-** The present study approaches the hypothesis according to which, the Sri Lankan war was very hard to handle. On the 25th of July 1983, a date which is also known as “Black July”, groups of Sinhalese civilians brutally attacked the Tamil community, provoking numerous deaths, fires and robberies. This is commonly considered the beginning of the civil war, which has officially ended 26 years later, in 2009.

It could not be settled even after several rounds of peace talks, international mediation with India and Norway as facilitators, and a very supportive international context. It is very important to note that failed and inconclusive mediation not only did not put an end to the war, but made it re-escalate to a level of terror unprecedented in the history of the country - the LTTE was labeled as a terrorist organization by 32 countries.

The present study conviction is that there is one factor in particular that can be considered a huge obstacle in the way of ethnic reconciliation and sustainable peace: the unaddressed ethnic issues which caused the war in the first place. The military victory over the LTTE left these issues still not brought up for solution, since state actors were oriented towards “solving the problem” and ending the war at all costs, and promoted it as a successful defeat of terrorism. This does not guarantee that their conflictive potential has been entirely spent.

**Keywords:** *civil war, conflict management, peace process, reconciliation*

**GJHSS-F Classification :** FOR Code : 160699p



*Strictly as per the compliance and regulations of:*



© 2014. Viziru Mirela Adriana. This is a research/review paper, distributed under the terms of the Creative Commons Attribution-Noncommercial 3.0 Unported License (<http://creativecommons.org/licenses/by-nc/3.0/>), permitting all non-commercial use, distribution, and reproduction in any medium, provided the original work is properly cited.

# The Sri Lankan Civil War: From Conflict to Peace Building

Viziru Mirela Adriana

**Abstract-** The present study approaches the hypothesis according to which, the Sri Lankan war was very hard to handle. On the 25<sup>th</sup> of July 1983, a date which is also known as “Black July”, groups of Sinhalese civilians brutally attacked the Tamil community, provoking numerous deaths, fires and robberies. This is commonly considered the beginning of the civil war, which has officially ended 26 years later, in 2009.

It could not be settled even after several rounds of peace talks, international mediation with India and Norway as facilitators, and a very supportive international context. It is very important to note that failed and inconclusive mediation not only did not put an end to the war, but made it re-escalate to a level of terror unprecedented in the history of the country - the LTTE was labeled as a terrorist organization by 32 countries.

The present study conviction is that there is one factor in particular that can be considered a huge obstacle in the way of ethnic reconciliation and sustainable peace: the unaddressed ethnic issues which caused the war in the first place. The military victory over the LTTE left these issues still not brought up for solution, since state actors were oriented towards “solving the problem” and ending the war at all costs, and promoted it as a successful defeat of terrorism. This does not guarantee that their conflictive potential has been entirely spent.

**Keywords:** *civil war, conflict management, peace process, reconciliation.*

## I. INTRODUCTION

Post colonial Sri Lanka revealed a land of tensions: two different cultures fighting for survival. As it was soon going to become evident thorough the Sinhalese and Tamil decisions and behavior, the colonial period in Sri Lanka had made the two groups conscious of their distinct identities. Introducing the European element in the island’s body was perceived as a threat and eventually determined a reaction of protecting one’s culture from being absorbed. The identity crisis that the Sinhalese and the Tamil communities experienced during the colonial period led to the need to establish national identities. In the process, their ethnical, linguistic and religious differences surfaced.

The 1981 census revealed the following ethnic Composition of the population: Sinhalese 74%, Sri Lanka Tamils 12.6%, Sri Lanka Moors 7.1%, Indian Tamils 5.6%, Malays 0.3%, Burghers 0.3%, Others 0.2%.<sup>1</sup>

**Author :** University of Chicago Press. e-mail: viziru.mirela@yahoo.com

<sup>1</sup> “Census of Population and Housing, Sri Lanka”. Retrieved 07.03.2013 from <http://www.statistics.gov.lk/>

The Sinhalese speak Sinhalese, an Indo-European language which is not spoken anywhere else in the world. They claim Indo-Aryan origin and are in their big majority Buddhist (93%).

The Tamils speak Tamil language, a Dravidian language spoken by Tamils all over the world. They claim Dravidian origin and are mostly Hindu. We can distinguish two groups of Tamils living in Sri Lanka: Sri Lankan Tamils and Indian Tamils. The first group shares a long history with the Sinhalese and is located in the north and east parts of the island. About 80% of them follow Hinduism. Indian Tamils were brought by the British in the 19<sup>th</sup> century to work on plantations and are concentrated in the central part of Sri Lanka. 80% of them are Hindu. They consider themselves however separated by the Hindu caste system, the latter being seen as “low caste.”<sup>2</sup>

Even though after the independence both Sinhala and Tamil leaders have interpreted and presented the written history in a very biased way, in order to emphasize the all time existence of two distinct groups, it seems that prior to the colonial period Sri Lankans were not so much aware of their different identities. There were wars in between them, but they “did not take the form of communal violence as seen after independence in 1948”<sup>3</sup>, and ethnicity was not the dominant criteria: “Tamil speaking soldiers were crucial elements of the armies of the Sinhala kings, even acting as guards of the temple of the tooth in Polonnaruwa.”<sup>4</sup>

The British colonization left a polarized society between the Sinhalese and the Tamils. Especially in the fields of employment, a process of raising racial awareness began. Most probably in order to avoid any risk of giving too much power to the already majority Sinhalese, the British placed the Tamils in better administrative positions. Moreover, the Sinhalese were also deprived of the high educational facilities the missionaries established in the schools of the Jaffna peninsula. The good education that the Tamil people were provided with allowed them to get good jobs,

<sup>2</sup> Kearney, Robert, “Ethnic Conflict and the Tamil Separatist Movement in Sri Lanka” in *Asian Survey*, University of California Press, Vol. 25, No. 9, 1985, pp 898-917.

<sup>3</sup> Wanigasooriya, P.R., *The Ethnic Conflict in Sri Lanka: a Clash of Civilizations*, Kansas, 1997, p 27, retrieved 07.03.2013 from <http://www.dt.ic.mil/cgi-bin/GetTRDoc?AD=ADA331785>

<sup>4</sup> Spencer, G.W., *The politics of plunder: the Cholas in eleventh century Ceylon*, JAS, 1976, vol. 2, pp 410-416, apud.

which undoubtedly made the Sinhalese feel that the minority had too many privileges and was given too much power. Soon after the independency, Sinhalese nationalists would make a purpose out of rectifying the situation.<sup>5</sup>

The racial dimension that the Sinhalese and Tamil identities acquired in the 19<sup>th</sup> century was backed by the rise of racialist theories in Europe, which linked linguistics to origin. The similarity of Sinhalese with Sanskrit and north Indian languages created a connection between the Sinhalese people and the Aryan race. They started to develop anti-Tamil feelings.<sup>6</sup>

In the efforts of retrieving their ethnic heritage and reaffirm their position as majority, the Sinhalese political elite adopted a series of discriminative laws against Tamils. In 1949, Indian Tamils have been disfranchised, dropping the Tamil voting power in the Parliament from 33% to 20% and leaving them with an ineffective opposition.

In 1956 the "Sinhala Only Language Act" was adopted, which made Sinhalese the exclusive language of the country. This led to several riots which determined the Prime Minister to negotiate with the Tamil Federal Party and recognize Tamil as a minority language. This pact was contested by the Buddhist clergy, sustaining it was an act of betrayal. More riots followed in 1958.

The constitution of 1972 gave Buddhism a superior status, shaking even more the already fragile communal relationships.

Two years before the independence, in 1946, Tamils represented 33% of the Ceylon Civil Service, 40% of the Judicial Service and 31% of university students. The Sinhalese-dominated governments tried to "balance" these facts and began eliminating the Tamils from governmental positions. To the same purpose, the university admission system has also been modified. Entrance on merit was replaced by a weightage system, a clear discrimination against Tamils. Moreover, the Sinhalese government fueled the Tamil distrust by colonizing areas that the latter considered to be their historical homeland. Sinhalese resettlement was seen as a conspiracy to divide the Tamil ethnic concentration and delegitimize their claims. In response, the Sinhalese insisted on the ancient civilization of Anuradhapura region. They were also concerned about the proximity of the region to the Tamil Nadu, which they believed reinforced Sri Lanka Tamils; surprisingly enough, the Sinhalese had a complex of minority in majority.

In 1970, the government banned the import of Tamil films, books, magazines etc from Tamil Nadu, India, cutting the cultural ties between them and the Sri Lanka Tamils and stating it was part of a socialist project of encouraging local economy and self-sufficiency.

However, most Tamils did not believe this and considered this measure an act against their cultural survival.<sup>7</sup>

Feeling, much as the Sinhalese, that the symbols of their ethnic group were threatened, Tamil people stood up to defend them in the political arena. In 1951, the Federalist Party pronounced itself for a federalist state with increased autonomy for the Tamil regions, declaring the following: "the Tamil-speaking people in Ceylon constitute a nation distinct from that of the Sinhalese in every fundamental test of nationhood, firstly that of a separate historical past in the island at least as ancient and as glorious as that of the Sinhalese, secondly by the fact of their being a linguistic entity entirely different from that of the Sinhalese, with an unsurpassed classical heritage and a modern development of language which makes Tamil fully adequate for all present day needs, and finally by reason of their territorial ambition of definite areas which constitute over one-third of this Island."<sup>8</sup> The keywords of the declaration seem to be "distinct", "separate" and "entirely different".

Many Sinhalese argued they were pushing for a separate state. Yet the demand came two decades later, as a result of the frustrations accumulated by the minority. Alienated by the change of the name of the island from "Ceylon" to a Sanskrit name – "Sri Lanka" and by a new constitution which did not meet their federalist demands, and angered by the special status of Buddhism and Sinhala language, many Tamil youngsters turned to arms.

In response, a "Prevention of Terrorism Act" was adopted, which is believed to have made legal many abuses and right violations against the rebels. Enabled for the first time in 1976, the document allowed police officers "to arrest any person, enter and search any premises, stop and search any individual or any vehicle, vessel, train or aircraft and seize any document or thing" without a warrant.<sup>10</sup> This law has been highly criticized. The International Commission of Jurists drew the attention to it, stating that "No legislation conferring even remotely comparable powers is in force in any other free democracy operating under the Rule of Law, however troubled it may be by politically-motivated

<sup>7</sup> DeVotta, Neil, ., "Control Democracy, Institutional Decay, and the Quest for Eelam: Explaining Ethnic Conflict in Sri Lanka" in *Pacific Affairs*, University of British Columbia, Vol. 73, No. 1, 2000

<sup>8</sup> "Origins of the Sri Lankan Civil War", Retrieved 08.03.2013 from [http://en.wikipedia.org/wiki/Origins\\_of\\_the\\_Sri\\_Lankan\\_civil\\_war](http://en.wikipedia.org/wiki/Origins_of_the_Sri_Lankan_civil_war)

<sup>9</sup> Ilankai Tamil Arasu Kadchi (meaning Federal Party in Tamil Language), "The Case for a Federal Constitution for Ceylon: Resolutions Passed at the First National Convention of the Ilankai Tamil Arasu Kadchi", Colombo, 1951, p.1, apud.

<sup>10</sup> Government of Sri Lanka, "Prevention of Terrorism (Temporary Provisions)", retrieved 12.03.2013 from [http://www.lawnet.lk/section.php?file=http://www.lawnet.lk/docs/statutes/stats\\_1956\\_2006/index/s/Vol2/1979Y0V0C48A.html](http://www.lawnet.lk/section.php?file=http://www.lawnet.lk/docs/statutes/stats_1956_2006/index/s/Vol2/1979Y0V0C48A.html)

<sup>5</sup> Kearney, Robert, *Op.cit.*

<sup>6</sup> Tambiah, S.J., *Buddhism Betrayed? Religion, Politics, and Violence in Sri Lanka*, Chicago, University of Chicago Press, 1992, apud.

violence.”<sup>11</sup> Even nowadays many international actors, like the Asian Human Rights Commission, ask for it to be repealed.

When a new constitution was adopted and Sinhala and Tamil became both “national languages”, the question had become far more serious to be calmed down by this concession. Therefore, in 1976, TULF (Tamil United Liberation Front) asked officially for an independent Tamil state – “Eelam”, supported by many Tamil groups, among which one called Tamil New Tigers (TNT), which would become the Liberation Tigers of Tamil Eelam (LTTE) in 1976. By 1985, this group would impose itself as the only Tamil movement representative after systematically eliminating all those in favor of a political solution.<sup>12</sup>

On the evening of July 23<sup>rd</sup> 1983, the LTTE ambushed a military patrol in Jaffna and massacred 13 soldiers. Not to draw the attention, the government decided to bury the soldiers in Colombo on the 24<sup>th</sup>, skipping the formal procedure of burying army members in their home villages. However, Sinhalese civilians who had found out about the ambush formed mobs and began attacking the Tamils, burning their cars and their properties. It was widely believed that the authorities were also involved, since the attackers had voter registration lists which helped them accurately identify the Tamil homes. Another famous example sustaining this theory would be the case of over thirty Tamil prisoners detained under the Prevention of Terrorism Act who were murdered by Sinhalese prisoners using knives. The controversy created around the event is based on the accusation of some survivors which claimed that the police officers allowed for it to happen, giving the keys to the Sinhalese, whereas the authorities claimed the keys had been stolen. Some Sinhalese tried to save lives by sheltering Tamils in their houses or in temples. But, despite the emergency curfew declared by the government on the evening of the 24<sup>th</sup>, violence continued and rapidly spread with ferocity all over the country. Tamils were being beaten and killed. Nowadays this event is referred to as “Black July”.<sup>13</sup> The war had begun.

## II. MANAGEMENT OF THE INTERCULTURAL CONFLICT: PEACE NEGOTIATIONS AND INTERNATIONAL MEDIATION

Edward Azar, a reference in the conflict resolution domain, developed the theory of protracted social conflict, introducing the following definition: “In

brief, protracted social conflicts occur when communities are deprived of satisfaction of their basic needs on the basis of communal identity. However, the deprivation is the result of a complex causal chain involving the role of the state and the pattern of international linkages. Furthermore, initial conditions (colonial legacy, domestic historical setting, and the multi-communal nature of the society) play important roles in shaping the genesis of protracted social conflicts.”<sup>14</sup>

Mediation is often used as intervention strategy in conflict management and resolution. “Mediation is a third party-assisted, or third party-initiated and led, communication between representatives of conflict parties, in order for them to directly talk to each other, discuss issues, reach an agreement and make decisions together.”<sup>15</sup>

Protracted social conflicts can't easily be solved through mediation because “the process of protracted social conflict deforms and retards the effective operation of political institutions. It reinforces and strengthens pessimism throughout the society, demoralizes leaders and immobilizes the search for peaceful solutions. We have observed that societies undergoing protracted social conflict find it difficult to initiate the search for answers to their problems and grievances. As the protracted social conflict becomes part of the culture of the ravaged nation, it builds a sense of paralysis which affects the collective consciousness of the population. An environment of hopelessness permeates all strata of society, and a siege mentality develops which inhibits constructive negotiation and any resolution of society.”<sup>16</sup>

As indicated by the facts presented so far, the Sri Lankan civil war is a protracted social conflict case as well and, given the complexity and the reproduction capacity of such conflicts, it couldn't be solved through mediation either.

To illustrate the difficulty of the international mediation process, we will focus on the role Norway played in the attempt to reach a peace accord.

Prior to Norway's involvement, India had also tried to mediate the conflict and was until 1987 very active in diplomatically approaching the matter through political meetings. In secret, it also supported the LTTE providing them with weapons and training. In 1987, the Indian Prime Minister and the Sri Lankan president signed the Indo-Lanka accord. The Sri Lankan government agreed to give the Tamils increased regional autonomy if they renounced to the secessionist

<sup>11</sup> Sieghart, Paul, *Sri Lanka: A Mounting Tragedy of Errors*, vol. II, International Commission of Jurists, March 1984, apud.

<sup>12</sup> Senanayake, Darini R., “Disfunctional Democracy and the Dirty War in Sri Lanka” in *Asia Pacific Issues*, East West Center, no 52, 2001

<sup>13</sup> “Black July”, Retrieved 09.03.2013 from [http://en.wikipedia.org/wiki/Black\\_July](http://en.wikipedia.org/wiki/Black_July)

<sup>14</sup> Azar, E., *The Management of Protracted Social Conflicts: Theory & Cases*, Aldershot, Dartmouth, 1990, p12, apud.

<sup>15</sup> Mirninamova, Natalia, *Mediation and Dialogue: Official and Unofficial Strands*, International Alert, 2009, p8, retrieved 10.03.2013 from [http://www.initiativeforpeacebuilding.eu/pdf/Mediation\\_and\\_Dialogue\\_Official\\_and\\_Unofficial\\_Strands.pdf](http://www.initiativeforpeacebuilding.eu/pdf/Mediation_and_Dialogue_Official_and_Unofficial_Strands.pdf)

<sup>16</sup> Azar, E., *Op. Cit.*, apud.

claims. It also agreed to the presence of Indian military forces in the north-east of the island in order to enforce the agreement. However, the LTTE did not sign the agreement and refused to cede arms to the Indian Peace Keeping Forces, which led to an intense confrontation. Instead of calming the situation, the IPKF presence resulted in an escalation of violence and terrorism. Meanwhile, Sinhalese nationalists became more concerned of the prolonged Indian instance on Sri-Lankan soil. Facing Sinhalese accusations and rising hostility from the Tamil population, Indian troupes eventually had to withdraw. India put an end to its involvement in the conflict in 1991, when a suicide-attack planned by the LTTE and carried out by a Tamil woman assassinated the Indian Prime Minister Rajiv Gandhi.<sup>17</sup>

So Norway's task was not an easy one by far. Taking into account the previous experience with India, someone with no political and economical interest in the region was considered more suitable for the task. India's failure opened the path for a smaller, more neutral and trustworthy country which would not be perceived as a treat by any of the parties of the conflict.

Norway accepted to play this role and became officially a mediator in 2000. Two years later, on the 22<sup>nd</sup> of February of 2002, it managed to get a Ceasefire Agreement signed by both parties. Six more rounds of talks between the Sri Lankan government and the LTTE with Norway as a mediator followed in the next year and the situation looked promising. The LTTE chief negotiator – Anton Balasingham decided to drop in September 2002 the demand for a separate state and give a serious thought to the option of autonomy. By December 2002, both parties declared themselves interested in the concept of a federal solution.

Unfortunately, very soon the achievement would prove unsustainable, since both actors had different understandings of the federal solution. When the LTTE was not invited to the preparatory meeting for Japan's donor conference, therefore not recognized as an international player (the conference was held in the US, which had proscribed the LTTE as a terrorist organization), they reacted by withdrawing from the peace negotiations.

Mediation was temporarily suspended. Despite Norway's ulterior efforts to reinstate the procedures towards reaching a peace accord, the mistrust between the two parties and the non-negotiability of their demands proved to be stronger.

In 2004, Sri Lanka was hit by a devastating tsunami, yet not even the natural catastrophe or Norway's efforts to seize the opportunity for cooperation were able to produce a constructive dialogue. On the

contrary, both the LTTE and the Sri Lankan government started rearming and the violence increased.

In 2006 they met at Geneva to discuss the implementation of the Ceasefire Agreement, which had been violated many times. The meeting resulted instead in mutual accusations and the refusal of LTTE representatives to take part in future rounds of talks.

However, Norway remained officially a mediator until 2009, even though it did not achieve significant performance in peace building and violence decrease. A reason was the death of Anton Balasingham in December 2006, which severely altered the communication in between Norway's team and the LTTE.

Since April 2003, when the talks were suspended, all Norway's efforts failed to revive the peace process. Therefore, it can be considered the key moment of the mediation failure. Instead, after the window of opportunity of 2002 and the suspension of talks in 2003, parties adopted less negotiable positions and the conflict escalated.

One month after the temporary suspension of peace talks, the government sent the Norwegians a proposal that made minimal concessions in terms of administration of the LTTE controlled areas, offering no more than a North-East Development of Reconstruction Council. As it was to be expected, the LTTE refused it. The next proposals showed more steps back, getting even further from the federal solution parties had initially agreed upon. In response, the Tigers sent in November 2003 a proposal on the same matter which didn't mention once "federalism" and which was easily interpreted by the government as a reinforcement of their demand of a separate state in the north-east of the island. So, after a moment in which both sides showed interest in negotiating their strategic objectives during the mediation, the suspension of talks resulted in both parties shifting back.

Moreover, since 2004, violence increased and even though the Ceasefire Agreement was still in place, the LTTE attacks became more and more frequent. On the other side, we assist a revival of Sinhalese nationalism and critics of international mediation became even more radical.<sup>18</sup>

Given these facts, how plausible is international mediation in interethnic conflicts?

From Uyangoda's point of view, "failed and inconclusive attempts at resolving the conflict have not led to sustainable de-escalation but have instead reconstituted the conflict, redefining its parameters and making the possible paths to peace narrower. Peace negotiations have been occasions for the government of Sri Lanka and the LTTE to discover new differences,

<sup>17</sup> Bouffard S., Carment D., "The Sri Lanka Peace Process: A Critical Review" in *Journal of South Asian Development*, 2006, pp 163-164

<sup>18</sup> Destrady S.; Johannes V., *The Consequences of Failed Mediation in Civil Wars: Assessing the Sri Lankan Case*, Giga, 2012, retrieved on 10.03.2013 from [http://www.giga-hamburg.de/dl/download.php?d=/content/publikationen/pdf/wp202\\_destradi-vuellers.pdf](http://www.giga-hamburg.de/dl/download.php?d=/content/publikationen/pdf/wp202_destradi-vuellers.pdf)

explore new enmities and reinforce existing antagonisms.”<sup>19</sup>

### III. A FAILING PEACE PROCESS? THE PERSISTENCE OF THE CONFLICT AND ITS COST

As shown in the previous chapter, peace negotiations have failed in producing an agreement. Parties turned back to war even after several rounds of talks, international mediation and a natural disaster which affected all communities of the island.

What made the protracted conflict in Sri Lanka intractable? Why was it so hard to settle, resisting even the most serious attempts of resolution despite the supportive international context?

In his book entitled “Ethnic Conflict in Sri Lanka: Changing Dynamics”, Jayadeva Uyangoda approaches the parties’ “incurable habit of returning to war”. According to him, there has been a popular resistance to reaching a peace agreement due to “arousing ethnic passions” and “ethnic-emotional mobilization”, very common in societies traumatized by violence acts such as mass ethnic killing. He draws several conclusions.

First is that, even though necessary, mediation is not sufficient as long as the parties are unwilling to compromise on the issue of power. Secondly, he makes a clear distinction between the concepts of “ethnic conflict” and “ethnic war”. Whereas “ethnic conflict” is fought on a more flexible ground, which does not exclude the possibility of bargaining and compromising, the second has produced two “war machines” whose agendas exclude each other leaving no space for negotiation. As long as Tamil nationalism is keen to achieving a separate state and Sinhalese nationalism is committed to preserve a unitary one, the war cannot be ended through a political solution. The author’s third conclusion is that negotiations between the Sri Lankan government and the LTTE could deescalate the conflict only as long as they address the ethnic issue. A compromise would work only if openly supported by all ethnic communities and social and state reconstruction should be done respecting ethnic lines.

Finally, he states that stable peace in protracted ethnic conflicts can only be achieved through a “transformative process”. A ceasefire agreement or even a peace agreement does not guarantee long lasting peace in this type of conflicts which are often “unending”. A perfect peace cannot be achieved all of a sudden. It would be, therefore, unrealistic to expect a conflict of Sri Lankan civil war’s dimensions and complexity to end unless conditions for permanent

peace are created and efforts are made to work on the possible peace, even though imperfect.<sup>20</sup>

The unsuccessful conflict management of the Sri Lankan civil war had tragic consequences on the population. The persistence of conflict despite all peace attempts meant a terrible human loss and sacrifice for all ethnic communities living on the island. Although hard to estimate, we will try however to illustrate the cost and impact of an ethnic problem turned into a violent war.

According to a document published by the Ministry of Defense of Sri Lanka, the LTTE used children soldiers in front-line troops, being considered according to UNICEF “the world’s worst perpetrator of child soldier recruitment”. It is believed that, since 2001, more than 5000 children fought for the LTTE.

Not only children, but women as well died for the cause of the Tamil Tigers. It is estimated that 20 to 30% of the fighting cadre were women. More than 4000 have been killed and a significant number died in suicide attacks.

All LTTE recruits carried a cyanide capsule and had specific instructions to swallow it if captured. No disengagement was accepted and those who disagreed with the views of the leader – Prabhakaran were immediately suppressed.

The LTTE was suspected of collaborations with terrorist organizations, like al-Qaeda which seems to have been inspired by the LTTE, especially after the attacks on the United States of 11<sup>th</sup> September 2001. “The LTTE invented the modern suicide bomber and deployed it against political, military and civilian targets. Islamic groups copied the LTTE by carrying out similar suicide attacks.” stated Glen Jenvey, specialist on international terrorism. For the methods adopted in the war, LTTE was also labeled by 32 countries ( India, US, Malaysia, UK, European Union and Canada) as a terrorist organization under the allegation that they committed crimes against humanity. They attacked civilians in several occasions, targeting villages, trains, buses, mosques and temples. Besides civilian massacres, assassinations carried out by the Tigers include as well political personalities which had been perceived as opponents, like Rajeev Gandhi, Prime Minister of India (1991) and Ranasinghe Premadasa, president of Sri Lanka (1993). Tamils have also been victims of LTTE attacks if they tried to pursue a peaceful solution. One of the most frequently used tactics was suicide bombing.

Another tactic LTTE has been blamed for is “ethnic cleansing”, that is removing by force the Sinhalese and the Muslims from the areas controlled by them.

In order to get resources and cover its financial needs, the Tigers got involved in a series of criminal

<sup>19</sup> Uyangoda, Jayadeva, *Ethnic Conflict in Sri Lanka: Changing Dynamics*, East-West Center Washington, Washington D.C., 2007, p viii

<sup>20</sup> Uyangoda, Jayadeva, *Op. Cit.*, pp 45-47

activities which includes sea piracy, human smuggling, passport forgery and drug trafficking. An important means to get money was extortion. Tamils living abroad were asked to send money and threatened that they and their relatives will suffer if they did not comply. Most of them were too afraid to refuse: "Ninety percent of people, even if they don't support the LTTE, they are scared. The killing doesn't just happen back home in Sri Lanka. It happens in Paris, in Canada. (...)It's everywhere, all over the world." (Tamil community activist, Toronto, January 2006).<sup>21</sup>

The government has also been accused of abuses and human rights violations. In 2011, United Nations published the "Report of the Secretary-General's Panel of Experts on Accountability in Sri Lanka." The report stated that the military operations conducted by both the LTTE and the Sri Lankan government took place "with flagrant disregard for the protection, rights, welfare and lives of civilians and failed to respect the norms of international law."

The report found credible several allegations related mostly with the final stage of the war. More precisely, "the Panel found credible allegations that comprise five core categories of potential serious violations committed by the Government of Sri Lanka". The first is "killing of civilians through widespread shelling". The Sri Lankan army used heavy weapons to shell No Fire Zones where it had previously advised civilians to go. The government is held responsible for most civilian deaths that occurred during the last months of the war. The second refers to "shelling of hospitals and other humanitarian objects" and points out to the fact that a lot of civilians who had come to the hospital to get treatment were either re-injured or killed through repeated governmental targeting. Third allegation accuses the Sri Lankan Government of "denial of humanitarian assistance", implying that the government has deliberately deprived civilians living in the conflict zones of food and medical supplies. Moreover, its actions are associated with "human rights violations suffered by victims and survivors of the conflict" and "human right violations outside the conflict zone." There are reasons to think that the Government has detained survivors in terrible conditions and has used torture against suspected LTTE members. There were found photos of naked women that might have been raped. Some suspects disappeared, along with the journalists criticizing those actions.<sup>22</sup>

As for the LTTE, the report found credible six allegations. The first one is "using civilians as a human buffer". Civilians were not allowed to leave the conflict

zone and were used as human shields against the Sri Lankan Army. According to the experts, LTTE is also responsible for "killing civilians attempting to flee LTTE control" and for "using military equipment in the proximity of civilians". It seems that the Tigers increased dramatically the number of civilian deaths by shooting anyone trying to escape towards Government-controlled areas as well as by firing from among civilians. Surprisingly enough, the behavior of the LTTE towards Tamils shows that their so called "liberators" have often turned against them. The two next allegations concern the "forced recruitment of children" and "forced labor" and blame the cruel policy of using people of all ages against their will on the battlefield or for hard work like digging trenches. Last but not least, the LTTE is accused of "killing of civilians through suicide attacks" outside the conflict zone.<sup>23</sup>

Published 2 years after the end of the war (2009), the report found that the causes of the Sinhalese-Tamil conflict were still unaddressed. So are these allegations, considered by the post-war Sri Lankan government biased and fabricated.

"Strategic Foresight Group" also tried to approach the impact of the war and published the "Cost of Conflict in Sri Lanka", portraying a society dominated by human value erosion and low tolerance. According to the document, a large number of children lost their parents, have been exposed to severe brutality and stopped attending school. In 2003 only, 20 children died because of landmines. Women from the north and east part of the island have been repeatedly raped, harassed and deprived of security. About 50.000 women lost their husbands, becoming dependent on NGO and governmental support to make a living and raise their children, since they don't have incomes.<sup>24</sup>

The press has also pointed to the immense human cost of the Sinhalese-Tamil dispute. In an article published in 2009, *The Economist* counted "too many heroes", pointing out to the fact that a lot of civilians died during the final three months, when the LTTE were struggling on a stretch of beach in the country's northeast becoming smaller and smaller. Tens of thousands of people found themselves caught in between the Army and the Tigers and traumatized by assault from both sides. As a result, it became almost impossible to distinguish the combatants from the non-combatants, which led to a tremendous number of civilian being injured or killed through government shelling. Their lives were the cost of a speeded-up victory, and their families are still paying the price.<sup>25</sup>

<sup>21</sup> Sri Lankan Ministry of Defense, "The LTTE in Brief" , Retrieved 16.03.2013 from <http://www.defence.lk/ppls/LTTEinbrief.pdf>

<sup>22</sup> United Nations, "Report of the Secretary-General's Panel of Experts on Accountability in Sri Lanka", 31 March 2011, p 49-50, retrieved 11.03.2013 from [http://www.un.org/News/dh/infocus/Sri\\_Lanka/ POE\\_Report\\_Full.pdf](http://www.un.org/News/dh/infocus/Sri_Lanka/ POE_Report_Full.pdf)

<sup>23</sup> Ibidem, p 50-51

<sup>24</sup> Strategic Foresight Group, "Cost of Conflict in Sri Lanka", Retrieved 18.03.2013 from <http://www.strategicforesight.com/ccinsrilanka.htm>

<sup>25</sup> *The Economist*, "Too many heroes", 2009, Retrieved 19.03.2013 from <http://www.economist.com/node/13794780>

Many statistics have been issued trying to estimate the cost of the Sri Lankan ethnic conflict. Whereas the economic cost is easier to approximate and has been estimated at around 200 billion dollars<sup>26</sup>, the human cost is harder to explain. Of course, figures have been presented counting the number of casualties. But what about the families of the soldiers who died on the battlefield? What about the women that have been raped and assaulted? What about the children that have witnessed such scenes?

Try as they may, all these reports and articles fail in making us understand people's pain and the uncountable tragic stories produced by a 26 years long culture of violence.

#### IV. THE END OF THE WAR. COMMUNITY RECOVERY AND SOCIAL RECONSTRUCTION

In May 2009, the Sri Lankan president publicly announced victory over the LTTE through military defeat after 26 years of war,<sup>27</sup> marking the beginning of a new era: post-war reconciliation. But how is reconciliation reached after a terrible war?

In Sri Lanka, community recovery and social reconstruction were far from being an easy task when shadowed by about 70.000 to 100.000 deaths (depending on the source; some NGOs claim the number is much higher) accompanied by serious allegations<sup>28</sup>. Therefore truth and accountability needed to be delivered in order to enable trust.

Still, up to present, the Government has been accused of ignoring these accusations, thus making no progress to ensure justice for the victims of the war. Also, the police and the army were blamed for abuse of power, arbitrary arrests and use of torture over suspects in custody. The violence continued. People living on the north-east coast complained that the military forces, still present, interfere too much in their civilian life. Since the army is mostly Sinhalese, Tamils perceive their presence as occupational. Another emphasized problem is the situation of the internally displaced persons. Out of 300.000 people that had to leave their households, tens of thousands still don't benefit of permanent accommodation and many haven't returned to their homes because the regions are still mined. Another key aspect in post-war Sri Lanka is the international influence. Whereas many countries, like India, are pressuring the government demanding accountability, a

new element emerged in the scenario - China, which has been investing a lot of money in the economical development of the country and has openly pronounced itself against a Human Rights Council resolution. Although the government set the Lessons Learnt and Reconciliation Commission, critics, e.g. Amnesty International, said it was not a serious attempt and that it failed in promoting post-war reconciliation because of its lack of impartiality and witness protection.<sup>29,30</sup>

Given these institutional flaws, hope seems to come from the civil society. A series of NGOs and projects are promoting ethnic diversity, acceptance and mutual understanding. The list includes, among others, Survivors Associated, which promotes ethnic co-existence as solution to the conflict, Peacebuilding and Development Institute, trying to improve inter-ethnic communication and Peace and Community Action, involved in conflict transformation. One particularly successful example would be Sri Lanka Unites-Youth Movement for Hope and Reconciliation which aims at encouraging reconciliation in schools and among community leaders. Their great merit is the liberal, cosmopolitan and loose approach to reconciliation. They promote reconciliation in terms of social interaction rather than political reform, unlike the government, which is focused on state-society reconciliation.<sup>31 32</sup>

Despite growing civil involvement in the process of peace building, very recent press articles portray a post-war society which is still hunted by the past and healing its wounds. In an article on Sri Lanka published in December 2012, *The Diplomat* affirms that the "war is over but tensions run high" and describes violent events in the Northern Province, the part of the island where the last and more brutal stage of the war unfolded. It seems that a group of students from Jaffna University decided to celebrate Martyrs' Day on campus. This day honors every 27<sup>th</sup> of November the Tamils killed in the civil war. Whereas most Tamils lights lamps in their houses, a group of student decided to complete the ritual there, but were forbidden by security forces, who saw in the gesture an open statement of support towards the LTTE. "Tensions have been shimmering for a while and burst to the fore. (...) Why are we not allowed to moan our dead?" declared a student.<sup>33</sup> This proves how fragile the

<sup>29</sup> BBC News, "Post-war Sri Lanka", retrieved 20.03.2013 from <http://www.bbc.co.uk/news/world-south-asia-11393458>

<sup>30</sup> Human Rights Watch, "World Report 2013: Sri Lanka", retrieved 20.03.2013 from <http://www.hrw.org/world-report/2013/country-chapters/sri-lanka?page=3>

<sup>31</sup> Insight on Conflict, "Sri Lanka: Peacebuilding Organizations", retrieved on 21.03.2013 from <http://www.insightonconflict.org/conflicts/sri-lanka/peacebuilding-organisations/>

<sup>32</sup> International Peace and Conflict, "Reconciliation in post-war Sri Lanka", retrieved on 21.03.2013 from [http://www.internationalpeaceandconflict.org/profiles/blogs/reconciliation-in-post-war-sri-lanka-by-dr-oliver-walton?xg\\_source=activity#.UVVAMhd0w18](http://www.internationalpeaceandconflict.org/profiles/blogs/reconciliation-in-post-war-sri-lanka-by-dr-oliver-walton?xg_source=activity#.UVVAMhd0w18)

<sup>33</sup> Ramachandran, S., "Sri Lanka: War is Over but Tensions Run High" in *The Diplomat*, retrieved on 21.03.2013 from <http://thediplomat.com/2012/12/13/sri-lanka-war-is-over-but-tensions-run-high/2/>

<sup>26</sup> Asia Economic Institute, "Economic Impacts of Sri Lanka's Civil War", Retrieved 19.03.2013 from [http://www.asiaecon.org/special\\_articles/read\\_sp/12556](http://www.asiaecon.org/special_articles/read_sp/12556)

<sup>27</sup> Voice of America, "Sri Lankan President Declares Military Defeat of Rebels", retrieved 20.03.2013 from <http://www.voanews.com/content/a-13-2009-05-16-voa15-68734572/357880.html>

<sup>28</sup> These allegations were exposed in the chapter "A failing peace process? The persistence of conflict and its cost"

situation in the north is, 4 years since the war has ended.

International Crisis Group has also released an interesting document in March 2012, pointing out that the North of the island was “rebuilding under the military.” Paradoxically, the military, instead of protecting the people from any potential violence, is alienating them and is perceived as a threat. Overwhelmed by the presence of the Sinhalese soldiers, Tamils feel excluded from the process of reconstruction. Tamils feel also deprived of improvement in their lives despite the immense amount of money invested in the north since 2009 because the army has got involved in commercial and agricultural activities. When these activities were questioned, the army has easily adopted violence against protestors and is accused of severe punishments and disappearances. On top of that, Tamils are living under the impression that Sinhala and Buddhist culture is taking over the region with the purpose of banning theirs. The state has sponsored Sinhalese settling in the north and has built Buddhist monuments.<sup>34</sup> This recalls the exact same measure taken immediately after the independence, justifying Tamils’ growing anger and disappointment. Is history repeating itself?

Or better yet, is the war really over? I personally received very interesting answers to this question. I went to Sri Lanka in November 2011 and spent two months teaching English as an intern at a college in Colombo. I tried to find out what people thought about the war, their perception and whether they thought it was all really over. I personally met with two sorts of reactions. Coincidentally or not, the Sinhalese I asked were comfortable talking about the war and strongly believed the conflict was now behind Sri Lanka. I shared the apartment with a Sinhalese girl of 22 years old at the time. She had no problems in being interviewed by me on the matter. She told me that the war was definitely over, and she believed there were no ethnic tensions left what so ever because “ people have learnt lessons the hard way.” When I asked her if there was any good outcome of the war, she said no. I asked about the negative outcome and she replied that “it ate everything up, and that the biggest cost was people’s lives.” I wanted to get her opinion on the allegations brought by the United Nations’ Report of the Secretary-General’s Panel of Experts. She agreed with all of the accusations brought to the LTTE and with none of those regarding the government.

I decided to get more versions of the story. I asked my colleagues at work, all English teachers, if they agreed to talk to me about the war. They

responded by silence. Since no one was looking at me, I asked again, assuming they didn’t hear me. They all promised me that they would and then politely smiled. They never did. After a few days I reminded them about the promise. This time one of them closed the door and asked why I wanted to know about the war. I said I was trying to do a research paper for my master. One of them asked if their names were going to appear in the paper. “Of course”, I replied, not realizing yet that they were afraid. Another teacher said that they shouldn’t speak about the war and that I shouldn’t ask these questions. He told me that it was not safe, especially as a foreigner, to try to get information about what had happened and that they were supposed to say it was something good and not further discuss it. The girls, encouraged by the fact that he had opened up to me, said many journalists had disappeared as of result of their attempts to dig into the past and they were glad I didn’t bring it up with “the wrong people”. They also encouraged me to ignore any invitation to give my personal opinion about the current situation or the president. They implied that even taxi drivers sometimes can deliberately make you talk about it and then turn you in. I didn’t mention it again to them and was surprised by their fear to talk.

My supervisor was a Sinhalese woman. I mentioned this conversation to her and she said that our colleagues’ attitude was understandable. She said they were all Tamils and that they had moved to Colombo from Jaffna (the Northern Province, the most affected area). She added that they might be afraid they will lose their jobs if they helped me with my research and that it is sometimes difficult for Tamils to get jobs. From her point of view, they had exaggerated and I had no reason to be scared. Reassured, I also mentioned the warning I was given – not to talk if asked by taxi drivers or anyone to give my opinion on the country’s situation. She admitted that it did happen and people avoided saying in public how they really felt and what they thought. I was confused by her attitude. On the one hand, she was trying to convince me that people were free and everything was all right, so I shouldn’t worry, on the other she was partially confirming the story of my Tamil colleagues. When I explained that this fact contradicted the principle of democratic freedom of speech, she said “then maybe it’s me who doesn’t know what real freedom is”.

But undoubtedly, the highest peak of my experience in Colombo was during a class when two students started to fight on whether the war had ended. A student insisted the war wasn’t over, another colleague contradicted him and it all escalated into a fight. I did not dare to ask to which ethnic group they belonged to.

The two months I spent in Sri Lanka gave me the impression that not everybody was living in the same country. Coincidentally or not, the Sinhalese I had spoken

<sup>34</sup> International Crisis Group, “Sri Lanka’s North II: Rebuilding under the Military”, 16 March 2012, retrieved on 22.03.2013 from <http://www.sisgroup.org/~media/Files/asia/south-asia/sri-lanka/220-sri-lankasnor-th-ii-rebuilding-under-the-military.pdf>

to were content with how things had turned out, whereas Tamils were more reserved in making any comments. At the moment, since I had heard parallel narratives about the war and the current situation, I did not know whom to believe. But soon I realized their versions of the story did not exclude each other. People had lived different experiences. Therefore they had different points of view.

## V. CONCLUSIONS

The Sri Lankan civil war is an example-case of the dimensions intercultural conflicts can acquire, if the root causes are ignored and the management of the conflict is focused on “solving the problem” instead of addressing the issues that have generated the conflict in the first place. Protracted conflicts are not easily solved through mediation and this is the case as well. The military victory of the Sinhalese Army over the Tamil Tigers was achieved with an immense human cost and has left behind a scarred society. Even though the war has officially ended in 2009, it will take many years to heal, if ever.

## REFERENCES RÉFÉRENCES REFERENCIAS

1. Kearney, Robert, “Ethnic Conflict and the Tamil Separatist Movement in Sri Lanka” in *Asian Survey*, University of California Press, Vol. 25, No. 9, 1985
2. DeVotta, N., “Control Democracy, Institutional Decay, and the Quest for Eelam: Explaining Ethnic Conflict in Sri Lanka” in *Pacific Affairs*, University of British Columbia, Vol. 73, No. 1, 2000
3. Senanayake, Darini R., “Disfunctional Democracy and the Dirty War in Sri Lanka” in *Asia Pacific Issues*, East West Center, no 52, 2001
4. Bouffard S., Carment D., “The Sri Lanka Peace Process: A Critical Review” in *Journal of South Asian Development*, 2006
5. Uyangoda, Jayadeva, *Ethnic Conflict in Sri Lanka: Changing Dynamics*, East-West Center Washington, Washington D.C., 2007



This page is intentionally left blank



GLOBAL JOURNAL OF HUMAN-SOCIAL SCIENCE: F  
POLITICAL SCIENCE

Volume 14 Issue 2 Version 1.0 Year 2014

Type: Double Blind Peer Reviewed International Research Journal

Publisher: Global Journals Inc. (USA)

Online ISSN: 2249-460X & Print ISSN: 0975-587X

## A Comparison of Dual and Non-Dual Logic in a Dialectical Method of Analyzing Towards Transcending Intractable and Polarized Political Conflicts

By Andrew Bosworth

*Introduction-* This paper will found its claims in a philosophy emerging from the systems of phenomenology, moving through monism, pluralism and finding its fundamental assertion in transcendental nondualism. Non-duality is commonly found in Buddhist and Indian epistemological and ontological studies, however I assert that it converges with classical western phenomenological philosophy in a manner that provides fruitful dialectical understandings related to the synthesis of conflicting opposites in instances of political impasse. The underlying assumption on which the integral assertion is founded is that many challenges facing the evolution of a more unified global civilization is based on a single under-considered dialectic of dualism and non-dualism. The failure to adequately understand the implications of these dialectical opposites limits solutions, and limits insights into the conditions of each. The challenges of absolutism within monism, the difficulties of relativism within pluralism can each be aided by non-dualism, while the challenge of subjective ideology in transcendent non-dualism is aided by grounding in the pragmatic conditions created by monism and pluralism. If we apply the approach of which I argue for, to problems in social contexts, a pattern of balancing of oppositional synthesis emerges. To demonstrate the approaches integration of ideology and pragmatism, I will first describe its philosophical basis and then apply the pattern to political conflicts to give support to the assertion that this method can be effectively applied, toward peace or further conflict, as desired.

*GJHSS-F Classification : FOR Code : 160699p, 369999*



*Strictly as per the compliance and regulations of:*



© 2014. Andrew Bosworth. This is a research/review paper, distributed under the terms of the Creative Commons Attribution-Noncommercial 3.0 Unported License (<http://creativecommons.org/licenses/by-nc/3.0/>), permitting all non-commercial use, distribution, and reproduction in any medium, provided the original work is properly cited.

# A Comparison of Dual and Non-Dual Logic in a Dialectical Method of Analyzing Towards Transcending Intractable and Polarized Political Conflicts

Andrew Bosworth

## I. INTRODUCTION

This paper will found its claims in a philosophy emerging from the systems of phenomenology, moving through monism, pluralism and finding its fundamental assertion in transcendental non-dualism. Non-duality is commonly found in Buddhist and Indian epistemological and ontological studies, however I assert that it converges with classical western phenomenological philosophy in a manner that provides fruitful dialectical understandings related to the synthesis of conflicting opposites in instances of political impasse. The underlying assumption on which the integral assertion is founded is that many challenges facing the evolution of a more unified global civilization is based on a single under-considered dialectic of dualism and non-dualism. The failure to adequately understand the implications of these dialectical opposites limits solutions, and limits insights into the conditions of each. The challenges of absolutism within monism, the difficulties of relativism within pluralism can each be aided by non-dualism, while the challenge of subjective ideology in transcendent non-dualism is aided by grounding in the pragmatic conditions created by monism and pluralism. If we apply the approach of which I argue for, to problems in social contexts, a pattern of balancing of oppositional synthesis emerges. To demonstrate the approaches integration of ideology and pragmatism, I will first describe its philosophical basis and then apply the pattern to political conflicts to give support to the assertion that this method can be effectively applied, toward peace or further conflict, as desired.

Following this introduction, section one contains discussion of the philosophy of phenomenology and the implications of non-dual perceptions. Section two contains discussion of case studies of social conflicts which give evidence for dialectical opposition. Section three contains a synthesis of the first two sections, bridging the analysis to provide support for the fundamental assertion of the paper and comprising the

conclusion summarizing the integral factors of the paper.

## II. SECTION ONE: NON-DUAL TRANSCENDENTALISM – SYNTHESIZING WESTERN AND EASTERN PHENOMENOLOGY

This section will attempt to describe the dynamics of and between multiple phenomenological understandings of reality. Appropriately, we begin with an understanding which claims a single reality; this view carries the label of phenomenological monism. We continue with another claim of more than one reality, this is phenomenological pluralism; we will discuss several varieties of pluralism and several dynamics of epiphenomena and link them back to a dualistic monism. From there we will discuss the transcendental phenomenology of non-dual Jain logic and its inherent system of perceptions.

### a) *Understanding Phenomenological Monism*

The perception of a single reality or single understanding of phenomena may be the most easily generalized correlated ideological factor to both peace and conflict. The claim of perceiving the one true understanding of reality or phenomena, for example of god, and the attempt to dominate those who have argued a different perception has arguably been the leading cause of war in human history. Ironically, and more importantly dualistically, the attempt to spread a single unifying theory has also been argued as an imperative of everlasting peace.

In an emergent dynamic this pattern repeats in a whole spectrum of social interactions, not only between the leaders of nations or those in control of armies. Politically, monism correlates to claims of authoritarianism, fascism, despotism, but inversely and dualistically it also correlates to singular virtuous, benevolent actors or imperatives. Monism in ideology leads to claims of absolutism and the negative connotations associated with such a viewpoint.

Monism is subscribed to with regularity within national judicial forums where single deterministic

Author: e-mail: a.bosworth@master.upeace.org

precedents rule. It occurs with regularity in the global monetary arena where zero-sum dynamics ensure that quantitative coherence is maintained. It seems that in finite contexts phenomenological monism exists readily.

Opposing the legal and monetary examples, modern history has largely demonstrated that monism in the public sphere is not wholly appropriate, and has been opposed by pluralism where subjectivity based imperatives, such as individual rights, are valued. It seems however, and we will discuss more, how monism merely led us as a civilization to pluralism, and pluralism to relativism and or epiphenomenal opposites and derivatives. I claim that monism may be usefully perceived as pluralism with a negative opposition, and therefore can be understood as dualistic.

b) *Understanding Phenomenological Pluralism*

Perhaps the least satisfying solution to overcoming monism has been the sojourn into pluralism. In the political arena pluralism in a positive sense has created a check on absolute power through an opposition party, while in another sense it has limited the ability to govern. In one sense it has given more choices for representation, and in another sense it has limited representation through a weakening of each choice. In a more pertinent comparison dualism and pluralism have directly caused polarization and intractable conflict.

In academia in the humanities pluralism has created space for an ever more increasing amount of theories, definitions and perspectives both to beneficial and negative effects. While perhaps most importantly in the natural sciences Kuhn's claim of an "essential tension" may be argued as evidence of a necessary dualism, despite the general understanding of predominate scientific monism and singular truths of a 'correct' or 'accepted' scientific theory.

Aside from the generalized examples put forth, pluralism itself needs to be further explored as mentioned in the introduction to this section. Pluralism denotes dualistic logic of either multiple absolute perspectives, as in a multiverse theory, or a relative pluralism involving no absolutes but only degrees. Examples of each view can be found in physics and as such neither of these solutions reconciles in a transcendental manner the problems created by each. Kuhn's argued vehemently that the dichotomy of "essential tension" is not relativistic, but could not adequately communicate just what it was (Kuhn, 1962). I claim that this is because he intuitively knew it was transcendental and non-dualistic but could not support such an argument in a manner he or others perceived as valid or acceptable. Regardless of my claim, it was not relativism.

Looking further at two types of pluralistic dynamics, the first being multiple absolute and the second being relative. There is a clear inverted dualism

between each dynamic of epiphenomenal relationships. The former dualism has absolute oppositional points while the latter absolutely lacks oppositional points and is described by the continuum between them. Given these choices, it is understandable why relativism and pluralism is so irreconcilable with monism views necessary to uphold truths as understood as scientifically acceptable.

c) *Understanding Phenomenological Non-Dualism (Without Using Definitively Dualistic Descriptions)*

Dualistically, pluralism leads back towards monism or further dualistic pluralism rather than to transcendental values. Evidence for this is the success of dialectical trends such as the Marxist historical dialectic or any wave theory. The desire for a transcendental phenomenology stems from the dissatisfaction with the dualistically limited dialectical synthesis comprising of monism or pluralism and their repetition *ad nauseum*. Whether we can actually perceive and demonstrate a transcendental value is a much more complex task.

In the social sphere the dialectic between monism and pluralism occurs with regularity in academia in both the natural sciences and the humanities during ideological discourse in the process of debating definitions used for qualitative analysis. If we extend this pattern into the future we will have an ever increasing amount of definitions each of which correlates to an ever increasing amount of contexts in the humanities, and if we are to use the last 70 years as an example the natural sciences will still be ignoring or failing to reconcile the examples of phenomena such as the wave/particle duality of light photons. This leads us to a lack of satisfaction if coherence is imperative, and perhaps helps grow the volition needed to overcome such paradoxes with novel solutions perhaps inexorable from an evolution of phenomenological awareness.

One transcendent option, of which I nominate in this paper, is of an understanding incorporating non-dualism into our conceptualization of reality. Defining non-dualism is a challenge, just ask Thomas Kuhn as the scientifically accepted paradigm of imperatives and theories based in the dualism of monism and pluralism, both oppositional and relative, are well established, while the definition of non-duality may be considered beyond the accepted paradigm. However, it is not merely bias for the status quo which makes non-duality indescribable. As discussed more comprehensively in the next section, non-dual perspectives may give phenomena a paradoxical appearance (hence its appropriateness for describing such paradoxes), it posits from the perspective similar to Wittgenstein that due to inherent inescapable tautologies of logic that anything but a qualified description results in potential fallacy, but in the modern positivist view that very qualification results in usually dismissed contextual half-truth. Non-

dual awareness has produced useable logic systems which we will elaborate upon to give a comparison to dualistic logic. As Wittgenstein demonstrated the systemically inherent and maximally general foundation of logic systems (Ogden, 1922) we must compare system against system to see which offers the most appropriate solutions. Unlike binary analytical logic, non-dualism we will find transcends at least classical dualistic logic, as it accounts for it within its more encompassing system<sup>1</sup>.

The non-dual Jain logic predicates that each of these may be true of phenomena and gives a sevenfold predication: (1). *syād-asti*—in some ways, it is, (2). *syād-nāsti*—in some ways, it is not, (3). *syād-asti-nāsti*—in some ways, it is, and it is not, (4). *syād-asti-avaktavyaḥ*—in some ways, it is, and it is indescribable, (5). *syād-nāsti-avaktavyaḥ*—in some ways, it is not, and it is indescribable, (6). *syād-asti-nāsti-avaktavyaḥ*—in some ways, it is, it is not, and it is indescribable, (7). *syād-avaktavyaḥ*—in some ways, it is indescribable (Grimes, 1996).

The empirical evidence for the existence of a non-dual awareness, is based on new syntheses between anticorrelated structures in the brain and the ability to reorganize in more complex ways (Josipovic Z, 2012). It is appropriate that in this case the physical process parallels the ideological process of a myriad of potential syntheses.

#### d) A Dialectical Solution

The dysfunction of an incomplete understanding limited to perceptions of phenomenological monism and pluralism when compared to examples of observed phenomena lead us to the necessity of a transcendent understanding. We can chuff off the effort to do so for only so long before the complexity and chaos created by pluralism needs to be reconciled to survive as a species due to its manifestation of polarized conflicts, or simply when the ideological incoherence becomes too strong. We must adapt to our environment, in this case a society governed by structures and imperatives guided by monism and pluralism (and the resulting prevalence of conflict). Part of the reconciliation is identifying the integral patterns which we can use to overcome incoherence, while the deeper ideologically pure philosophical conundrums which have no practical value can be overlooked. This paper is an attempt to argue for a useable discernment of patterns described through phenomenological based philosophy and the dynamics between dualistic logic of monism and

pluralism and a type of non-dual awareness defined by the Jain logic system.

As it's already noted that non-dual logic doesn't allow for an explicit description (as the language used in the description would inherently be dualistic or it may simply be indescribable). The best foundational description of non-dualism may be through a comparison of the logical systems associated with each, or of the varied synthesis solutions created by applying the awareness to the same dialectical equations. As we have already discussed the logical systems, let's look at the difference between dualistic logical awareness and non-dualistic logical awareness applied to a Hegelian dialectical synthesis of monism, pluralism, and transcendentalism. Then we will look at the fundamental synthesis of dualism and non-dualism in relation to the previous syntheses.

#### i. Dualistic Synthesis 1:

*(Thesis) Monism versus (Antithesis) non-monism = (Potential Synthesis) Monism or non-monism*

If non-monism then pluralism or transcendentalism?

#### ii. Non-Dualistic Synthesis 1:

*(Thesis) Monism versus (Antithesis) non-monism = (Potential Synthesis) Monism qualified (1) Non-monism qualified (2) both monism and non-monism qualified (3) monism indescribable and qualified (4) non-monism indescribable and qualified (5) both monism and non-monism indescribable and qualified (6) indescribable and qualified (7)*

Analysis and anomalies: Noteworthy factors from a dualistic synthesis of monism and its antithesis is the anomalous concept of non-monism, which leads to an undefined alternative

#### iii. Dualistic Synthesis 2:

*(Thesis) Pluralism versus (Antithesis) non-pluralism = (Potential Synthesis) Pluralism or Non-pluralism*

If pluralism we have further dualism contained in a myriad of epiphenomenal dynamics. Examples of types of epiphenomenal relationships in pluralism:

Epiphenomenon as absolutes opposed  
 Epiphenomenon as relative spectrum

If non-pluralism then monism or transcendentalism?

#### iv. Non-Dualistic Synthesis 2:

*(Thesis) Pluralism versus (Antithesis) non-pluralism = (Potential Synthesis) Pluralism qualified (1) non-pluralism qualified (2) both pluralism and non-pluralism qualified (3) pluralism indescribable and qualified (4) non-pluralism indescribable and qualified (5)*

<sup>1</sup> A characteristic of transcendence would be not only replacement of a previous system but its integration and repurposing into a more complex system which limits the contradiction of the transcended system, Jain Logic does this to the inherent dichotomous structure of analytical logic.

both pluralism and non-pluralism indescribable and qualified (6) indescribable and qualified (7)

The next two syntheses are of paramount importance to the assertion of the paper as it begins an attempt to lineate the defining differences between solutions offered by each dualism and non-dualism, the differences will be offered as the qualities necessary to define transcendental phenomena.

Analysis and anomalies:

v. *Dualistic Synthesis 3:*

(Thesis) Transcendentalism versus (Antithesis) non-transcendentalism = (Potential Synthesis) Transcendentalism or non-transcendentalism

vi. *Non-Dualistic Synthesis 3: (using the difference in conditions)*

(Thesis) Dualism versus (Antithesis) non-transcendentalism = (Potential Synthesis) Transcendentalism qualified (1) Non-transcendentalism qualified (2) both transcendentalism and non-transcendentalism qualified (3) indescribable transcendentalism qualified (4) non-transcendentalism indescribable and qualified (5) both transcendentalism and non-transcendentalism indescribable and qualified (6) indescribable and qualified (7)

Analysis and anomalies:

vii. *Dualistic Synthesis 4:*

(Thesis) Dualism versus (Antithesis) non-dualism = (Potential Synthesis) Dualism (T) or Non-dualism (F)

viii. *Non-Dualistic Synthesis 4: (using the difference in conditions)*

(Thesis) Dualism versus (Antithesis) non-dualism = (Potential Synthesis) Dualism (1) Non-dualism qualified (2) both dualism and non-dualism qualified (3) dualism indescribable and qualified (4) non-dualism indescribable and qualified (5) Both dualism and non-dualism indescribable and qualified (6) indescribable and qualified (7)

Analysis: The variety of potential synthesis within the dualistic logical awareness remains at two while the varieties from a non-dual awareness can be up to 7. The integral factors to consider in the comparison are the 5 which are not common to both. However, the 5 potential conditions do not themselves explicitly correlate to transcendentalism; rather it is an understanding of the dynamics which allow those conditions to arise as 'truthful' (defined in a dualistic sense) which offers insights into the transcendental nature. The obvious dynamics which are suggest by non-dual synthesis rather than dualism is that phenomena may be and may not be simultaneously, that phenomena may be indescribable (despite all efforts to do so), and the necessity to qualify phenomena do to a contextual perception (paradoxically despite the potential for monism and the other conditions of non-dualism to be simultaneously 'true').

ix. *Overall analysis of the 4 syntheses:*

If we are to suggest transcendental phenomena or perspectives, it is arguable that we must reconcile the anomalies present in the paradigm which is to be transcended.

The anomalous aspects of dualistic monism were the undefined dynamics surrounding non-monism, and a logical system which necessitates and denotes an antithesis of true to validate claims of what is true. Wittgenstein demonstrates this as tautological. The anomalous aspects of dualistic pluralism were the undefined dynamics of non-pluralism and the nested dualism within pluralism. The anomalous aspect of dualistic transcendentalism is the ignorance of the non-transcendental; as if it transcends something there must be a linking or linear aspect to denote what was transcended, not merely a replacement, this is perhaps where Kuhn got stuck. If transcendental has any evolutionary connotations then part of the denotation of transcendental is a synthesis or replacement which encompasses that which it replaces or simply put the characteristics of that which it replaces must be accounted for.

The synthesis of non-dualism and dualism demonstrates that they are not pure opposites, but rather dualism accounts for the qualities found through dualism, incorporates and transcends the anomalies created by the dualism.

The dualistic anomaly of the potential non-monism can be interpreted in different ways; however none is a true antithesis of monism and merely a creation to satisfy the inability to conceptualize non-monism. Through qualification, accepted indescribability or a simultaneity non-dualism offers a variety of syntheses which better satisfies such an abstraction, I would suggest the indescribability of non-monism is an integral solution. The dualistic anomaly of the potential nesting of dualism within pluralism as well as the abstraction of non-pluralism can each be solved respectively by the simultaneity and indescribability offered by non-dualism. While the dualistic transcendental anomaly, based on the failure to account for its antithesis in the transcended phenomena, has already been discussed, lets repeat that non-dual awareness offers the potential for that which is to be transcended to also be represented in a new synthesis.

While there are many other qualities and examples we can use to understand the power of non-dualism, I chose Hegelian synthesis because of the theories relationship to the social sciences and its ability to be used to understand patterns of political. The next section will look at instances of dualistic synthesis which have failed to end polarization or conflict.

### III. SECTION TWO: CASE STUDIES – POLITICAL CONFLICT AS UNRESOLVED DIALECTICAL SYNTHESIS

In the last section we laid out various types of perceptions of reality and some of the dialectical synthesis which can be used to map dynamics between those perceptions. This section will take those dynamics and look at allegorical or literal manifestations of these perceptions in the political and geopolitical realm, especially where excessive polarization or conflict has occurred denoting unreconciled syntheses. The purpose of this analysis will be to demonstrate that dualistic logic leads to an unsatisfactory synthesis, and a further cycle of polarization or stalemate. We will then hypothesize and or give evidence of qualities of non-dual logic which may lead to a satisfactory synthesis.

It is assumed that a solution must be a common to all parties in a best case scenario, and as such this is an exercise to demonstrate that non-dual logic is better at distilling win-win or mutually acceptable solutions from seemingly intractable positions than is non-dual logic.

#### a) Political – Synthesis Solutions In Instances Of Abnormal Polarization Or Stalemate

##### i. Case Study 1: Russia – USA/Nato Geopolitical Polarization and Intractability

Synopsis: Mutually Assured Destruction is commonly credited with ending the cold war; this is a perception which has been thrust back to the front of consideration with the annexation of Crimea in 2014 by Russian forces. While this event needn't have been considered a re-instigation of an assumedly inished conflict, it is difficult to ignore the calls of renewed cold war. Let us consider that the conflict at the heart of the cold war never ended because the mechanism which ended it was flawed. Some will argue it was the negotiation process which followed that failed since the disarmament of the nuclear arsenals which underpinned the cold peace was never achieved. Perhaps this is correct, but even if this is true it only ensures that there is a vacuum for a new mechanism to ensure that the conflict is overcome. To rely only on the essential tension of MAD, in a world primed with the emergence of complex adaptive systems which reduces the rationality for assuming rational actors, if only because the ability to predict outcomes accurately decreases and hence incalculable and unpredictable actions increase giving the appearance of irrationality. Complex adaptive systems necessitate a new cooperative theory (Scott, 2008).

With the re-ignition of tensions, balancing mechanism must be ready. I offer a formulaic approach to aid in attempting to identify a win-win loosely termed Mutually Assured Non-Destruction (MAND) scenario by using the integral imperatives of the conflict in dualistic

and non-dualistic dialectical analysis then comparing the additional and perhaps transcendent qualities of the non-dual syntheses.

This exercise will identify the integral MAD imperatives and place them into parallel dialectical syntheses from each party's perspectives in both dualistic and non-dualistic logic.

Part 1: Identifying each parties Monism, survival is integral over the destruction of the opponent, hence the integral imperative is non-destruction of each owns country.

*USA: (Thesis) Non-USA's Destruction versus (Antithesis) USA's Destruction = (Potential Syntheses) USA's Destruction or USA's Non-Destruction*

*Russia: (Thesis) Russia's Non-Destruction versus (Antithesis) Russia's Destruction = (Potential Syntheses) Russia's Destruction or Russia's Non-Destruction*

Part 2: The synthesis of each parties' monism with the other in a dualistic synthesis, leads to a theoretical potential of 4 possible syntheses, however we will use only the 2 put forth and adopted by the MAD doctrine which after synthesis result in the 2 integral imperatives of, *Russia's Non-Destruction and USA's Non-Destruction*.

From here we can work backwards to arrive at the same conclusion without the necessity of first synthesizing the results against the dichotomy of mutual destruction. The question at the outset was how to replace the mechanism of essential tension created by mutual nuclear arsenals, with something more long lasting should disarmament ever occur. By once more starting from the beginning, but this time applying a non-dual logic to the synthesis of the monism's, we can hopefully examine the additional potential synthesis for a condition which matches the desired outcome.

First using the USA's monistic imperative of their non-destruction, we apply a non-dualistic synthesis to find all the potential synthesis which produce the integral imperative. We will then do the same for Russia and then compare the results in the hopes of commonality and reproducing a balance which may create a doctrine of mutually assured non-destruction.

#### 1. USA's integral monistic imperative synthesized with non-dual logic:

*(Thesis) USA's Non-Destruction versus (Antithesis) USA's Destruction = (Potential Syntheses) USA's Non-Destruction qualified (1) USA's Destruction qualified (2) Both USA's Non-Destruction and USA's Destruction qualified (3) USA's Non-Destruction indescribable and qualified (4) USA's Destruction indescribable and qualified (5) Both USA's Non-Destruction and USA's Destruction indescribable and qualified (6) indescribable and qualified (7)*

2. *Russia's integral monistic imperative synthesized with non-dual logic:*

*(Thesis) Russia's Non-Destruction versus (Antithesis) Russia's Destruction = (Potential Syntheses) and Russia's Non-Destruction qualified (1) Russia's Destruction qualified (2) Both Russia's Non-Destruction and Russia's Destruction qualified (3) Russia's Non-Destruction indescribable and qualified (4) Russia's Destruction indescribable and qualified (5) Both Russia's Non-Destruction and Russia's Destruction indescribable and qualified (6) indescribable and qualified (7)*

Analysis: Do any of these syntheses provide an interpretable path to the solution of 'Mutually Assured Non-Destruction'? Each of these syntheses gives an option which can be compared directly or argued through qualification. The least preferable are the qualified destruction options (2) and (5). The indescribable options, (4), (5), (6), (7) are perhaps the next least preferable due to lack of clear variables on which to found a pragmatic solution. So the two options that may fit the necessary requirements are synthesis (1) *Non-Destruction qualified* and (3) *Both Non-Destruction and Destruction qualified*. The paradoxical destruction and non-destruction synthesis is a distinct alternative solution which is inherent to non-dual logic. The practicality of the paradoxical condition depends on how we interpret *destruction and non-destruction*, this could mean changing how we understand destruction or a type of simultaneity which is still undefined. This returns us to option (1) which is non-destruction qualified.

Non-dual logic applied to synthesis has provided the novel concept of the potential synthesis of a solution based on both the destruction and non-destruction. This is not the mutually assured non-destruction which would have been an absolute opposite of mutually assured destruction of which was proffered in the introduction section rather a more complex solution is suggested. The denoted importance of this synthesis, from this analysis is the question of whether the potential for some destruction versus an essential tension where absolute destruction is a potentiality is preferable. Would we rather a dualistic balance where the potential for MAD is real, but unexercised, or where geopolitical complexity allows for both destruction and non-destruction but neither totally?

ii. *Case Study 2: Thailand – National Politics*

Over the past 11 years Thailand's political arena has become largely divided into a highly polarized dynamic revolving around a succession of power (Montesano, 2014). The failure to balance power or create a working synthesis within an acceptable political framework has resulted in coups, a pattern of major protests and numerous incidences of violent conflicts, as well as appeals to the UN and third party groups and currently the inability to conduct accepted elections or even legal mechanism to begin needed reforms. In this

case all conventional legal options have been exhausted and currently only extreme or creative mechanisms are being invoked to try to end the stalemate.

To uncover a solution, we must assume that both parties must arrive at the same solution, in this case demonstrated by a synthesis of the parties' respective suggested solutions. In the Thai case, each party offers a monistic option (denoting a no-solution if there monism is denied):

*Party 1: (Thesis) Reform before election versus (Antithesis) no solution = (Potential Syntheses) Reform before election or no solution.*

*Party 2: (Thesis) Election before reform versus (Antithesis) no-solution = (Potential Syntheses) Election before reform or no-solution*

If we compare the results we have two options to further synthesize:

*Option 1: (Thesis) Reform before election versus (Antithesis) election before reform = (Potential Syntheses) Reform before election or Election before reform.*

*Option 2: (Thesis) No solution versus (Antithesis) no-solution = (Potential Syntheses) no solution or no-solution*

Due to the monistic perception of each solution, the only acceptable synthesis in the dynamics between all potential syntheses is no-solution.

However, if we insert a non-dual logic into the equation the potential syntheses allow for a large variety of potential solutions to emerge. (I will skip to Option 1, rather than redo each step with non-dual logic, as it's the basic allegorical equivalent of the solutions offered in actual political discourse and from there we can evaluate the potential for synthesis from the currently offered positions of each party).

*(Thesis) Reform before election versus (Antithesis) election before reform = (Potential Syntheses) Reform before election qualified (1) Election before reform qualified (2) Both reform before election and election before reform qualified (3) Reform before election indescribable and qualified (4) Election before reform indescribable and qualified (5) Both reform before election and election before reform indescribable and qualified (6) indescribable and qualified (7)*

Analysis: As we see above non-dual logic increase the number of potential syntheses from which we can distill practical solutions. If we know that the syntheses using dualistic logic lead to a no-solution or stalemate, we can ignore the qualified solutions (1) and (2) from the non-dual as they are pragmatically the same as the dualistic syntheses, as such let's look at the other syntheses for literal or metaphorical solutions. (3) Provides the option, if interpreted as such, of reform both before and after an election, this is perhaps a candidate for an appropriate solution. (4) (5) and (6) Are

difficult due the necessary imperatives of practicality and transparency, although it's worth noting that option (5) has been a position of the PDRC which has been roundly criticized. Synthesis (7) in this case and as always is indescribable, yet paradoxically this does not necessarily denote its invalid nature, simply its ineffability, I think of this as the unforeseeable variable, regardless of what one would think however it definitively couldn't be acted upon but only not acted upon<sup>2</sup>.

The current political stalemate directly relates to the intransigence inherent to dualistic logic, the zero-sum monistic solution offered by the dialectically opposed parties does not allow for a mutually acceptable solution. The endgame here involved symmetrical power and each played to a draw. The best minds on each side have yet to offer a viable path out of the stalemate, while some of the absolute monists would rather engage in majority rule winner take all bloody brawls, division of the country or civil war to deem the 'winner'. Such solutions are wholly unacceptable to the peaceful-minded and those with hopes for transcending simple dualism, especially since there is no essential tension maintained by a policy similar to the function MAD provided in the conflict of the last case.

The potential solution stemming from the syntheses possible in non-dual Jain logic, were suggested as being (3) *both Reform before election and election before reform qualified*. This is open to interpretation due to its seemingly paradoxical inapplicable nature, but if we remove the contradicting temporal aspects (of both doing and not doing something before) and follow only what is practical, the solution may be reform before and after the election, something which leads us to an increase in complexity rather than more polarization.

#### IV. SECTION THREE: CONCLUSION AND SYNTHESIS

In both cases we discussed the potential synthesis based on the third condition of Jain Logic, seemingly paradoxical in nature, which provided what was argued as the best potential for overcoming the intractability and intransigence catalyzed by dualistic logic. It may be easy to argue against the value of the qualities in that synthesis due to inclination to dismiss paradoxical assertions, however with non-dual awareness we must not get trapped by the absoluteness of a truth, as it is the difference between monism, pluralism and their dualistic logic compared to the transcendent phenomenology which gives non-dual logic its comparative alternative value. There are multiple qualities we can identify within the different logics' syntheses, which

help us understand the comparative alternative (and perhaps transcendental but certainly transformative) value. In dualism we find only either/or zero-sum solutions, this leads to polarization and conflict. In non-dualism we have increased variability, qualification, and indefinability which don't create or manifest as dynamics of opposition. Parallelism and simultaneity are all acceptable mechanism in non-dual logic. If applied pragmatically in a finite circumstance, rather than only abstract ideology, the transformative ability of increasing complexity which is created by the additional variables allows us to transcend intractable dichotomies and even suggest direct solutions based on the integral imperatives at the core of conflicts.

#### REFERENCES RÉFÉRENCES REFERENCIAS

1. Grimes, J. (1996). *A Concise Dictionary of Indian Philosophy: Sanskrit Terms Defined in English*. New York: SUNY Press.
2. Josipovic Z. (2012). Influence of meditation on anti-correlated networks in the brain. *Frontiers in Human Neuroscience*.
3. Kuhn, T. S. (1962). *The Structure of Scientific Revolutions*. Chicago: The University of Chicago Press.
4. Montesano, M. J. (2014). What is to Come in Thailand. *ISEAS Perspectives*, 2-12.
5. Ogden, C. K. (1922). *Tractatus Logico-Philosophicus*, trans. London: Routledge and Kegan Paul.
6. Scott, J. J. (2008). INTERNATIONAL DEVELOPMENT IN A COMPLEX ADAPTIVE SYSTEM. *Public Administration Quarterly*, 32(3), 339-366.

<sup>2</sup>In a rational manner we cannot act without knowledge, but paradoxically non-action is an option.



This page is intentionally left blank



GLOBAL JOURNAL OF HUMAN-SOCIAL SCIENCE: F  
POLITICAL SCIENCE

Volume 14 Issue 2 Version 1.0 Year 2014

Type: Double Blind Peer Reviewed International Research Journal

Publisher: Global Journals Inc. (USA)

Online ISSN: 2249-460X & Print ISSN: 0975-587X

## The Role of National Assembly in Conflict Resolution: A Case of Anti-Subsidy Strikes of 2012

By Eme Okechukwu I.

*University of Nigeria, Nigeria*

**Abstract-** The legislature has added the responsibility of conflict mediation and resolution to its numerous functions. The legislature has established an enviable record of performance in this area. For instance, since 1999 the legislature has positively intervened and settled several government– labour disputes, be it over minimum wage, ASUU demands for better conditions of service in the Universities or most recently, the fuel subsidy strike. The timing of the removal of subsidy from petroleum products by the Executive was most inauspicious. It came at a time when majority of Nigerians were in their various villages and communities for the Christmas and New Year festivities. They were trapped and stranded as they could not afford the huge escalation in fuel price which moved from N65 to N140 per litre of petrol in the average Nigerian community. No one anticipated such sudden sharp increase as Nigerians had planned the budget for their trips based on existing cost parameters and indices. People were thus thrown into unavoidable economic turmoil and even reduced to the level of destitution and beggary.

**Keywords:** legislature, subsidy, corruption, investigative panel, conflict and conflict resolution and petroleum products.

**GJHSS-F Classification :** FOR Code : 160699



*Strictly as per the compliance and regulations of:*



© 2014. Eme Okechukwu I. This is a research/review paper, distributed under the terms of the Creative Commons Attribution-Noncommercial 3.0 Unported License <http://creativecommons.org/licenses/by-nc/3.0/>), permitting all non-commercial use, distribution, and reproduction in any medium, provided the original work is properly cited.

# The Role of National Assembly in Conflict Resolution: A Case of Anti- Subsidy Strikes of 2012

Eme Okechukwu I.

**Abstract-** The legislature has added the responsibility of conflict mediation and resolution to its numerous functions. The legislature has established an enviable record of performance in this area. For instance, since 1999 the legislature has positively intervened and settled several government- labour disputes, be it over minimum wage, ASUU demands for better conditions of service in the Universities or most recently, the fuel subsidy strike. The timing of the removal of subsidy from petroleum products by the Executive was most inauspicious. It came at a time when majority of Nigerians were in their various villages and communities for the Christmas and New Year festivities. They were trapped and stranded as they could not afford the huge escalation in fuel price which moved from N65 to N140 per litre of petrol in the average Nigerian community. No one anticipated such sudden sharp increase as Nigerians had planned the budget for their trips based on existing cost parameters and indices. People were thus thrown into unavoidable economic turmoil and even reduced to the level of destitution and beggary. As the representatives of the people, The National Assembly were inundated with barrage of calls and protestations from our constituents all over the country on their worsening economic situation occasioned by the subsidy removal. Confronted with such a terrible situation, the House of Representatives had to convene an emergency session on a Sunday, 8th January, 2012 (the first of its kind in our legislative history). This culminated in the decision of the House to set up the Hon. Farouk Law an led Ad-Hoc Committee on the Investigation and Monitoring of the Fuel Subsidy regime. To address the urgent matter of the impending strike, the National Assembly set up the Patrick Ikhariale Committee to reach out to Labour and arrest the situation. The findings of the Committee have since revealed that the huge funds being misapplied by a privileged few in our society in the name of oil subsidy could have been better and wisely deployed in funding the national budget to provide critical infrastructure and tackle mass poverty. The paper concludes by positing that in spite of the alleged bribery scandal, the report of the Subsidy Committee as adopted by the House remains sacrosanct. We urge the Executive to implement it without further delay. This paper addresses these issues.

**Keywords:** legislature, subsidy, corruption, investigative panel, conflict and conflict resolution and petroleum products.

**Author :** Department of Public Administration and local Government University of Nigeria, Nsukka. e-mails: okechukwunnncnt@yahoo.com, okechukwunnncnt@gmail.com

## I. INTRODUCTION

In a brusque manner that caught everybody, including members of the National Assembly Unawares, the Federal Government, on New Year's Day announced its decision to stop with immediate effect the subsidy on petroleum products. The immediate implication of this awkward New Year gist was the sudden rise in the price of premium Motor Spirit PMS, popularly called petrol here, from N65 to between N141 and N150, a sour taste in the mouth of most citizens. Naturally, the obviously unpopular decision immediately set off a whiff of national anger, with the leadership of organized labour re presented by the Nigeria Labour Congress (NLC) and the Trade Union Congress (TUC), vowing to shut down the country by January 9 if the federal government failed to retrace its step. It was not as if labour was totally opposed to the deregulation of the petroleum down stream sector, but its anger appeared to have stemmed from the fact that the government would take such critical decision when consultations" on the modalities and timing of its implementation were still on going. Even some lawmakers expressed indignation over what they called the tactical sidelining of the National Assembly in "the far-reaching economic decision when the 2012 budget is still under consideration", a decision, which, one senator said "runs against the gains of inclusive and representative democracy" (See Oladesu, et. al, 2011: 1, 2).

As the one week ultimatum labour gave the government to rescind its decision lapsed without the latter budging the nation woke up on Monday January 9 to a crippling national strike as government officers throughout the nation were deserted and private businesses grounded in most cities of the federation. Street protests were also held across the country, as labour and its civil society allies vowed never to retreat until government brought back the price of petrol to its former N65 per liters. On its part, the government insisted that the subsidy removal was irrevocable.

Such was the hard line stance adopted by the two disputants that hopes of any meaningful settlement of the crisis were being dimmed by the day until the National Assembly, which was on its Christmas and New year recess at the time the subsidy removal announcement was made, waded in.

Although, they too were not carried along in the government decision, the federal lawmakers immediately sprang into action as soon as they resumed with the House of Representatives even cutting short its holiday by two days to hold an emergency session on a Sunday on what was clearly becoming a serious national crisis. But while the House appeared to have used its controversial Sunday resolution to express its anger over the sidelining of the National Assembly in the subsidy removal decision, the Senate, through its leadership led by its President, Senator David Mark promptly initiated a damage control, peace deal between the Federal Government and organized labour through series of mainly nocturnal meetings with each of the disputants in the first instance. The lawmakers later succeeded in brining labour and government officials together to the negotiating table, a move that finally led to the resolution of the crisis one way or the other.

By their action, the Nigerian Labour Congress (NLC) has aptly demonstrated that it still commands the respect of most Nigerians. We say this considering the substantial compliance of its nationwide strike order in protest of fuel subsidy removal. Expectedly, Nigerians troop out to protest the subsidy removal, which they consider punitive, ill-timed and ill advised.

The nation's economy was literally put on hold while the strike was on. Schools, petrol stations, banks and markets were shut down in compliance of the order. In some major cities across the polity, there were disruptions of movement by anti-subsidy removal agitators who set bonfires on the roads. In most streets in the metropolis, idle youths were seen playing football, while in some areas hoodlums exploited the strike and had a field day. Small trading that went on was only visible in some neighbourhood streets.

Organized labour has insisted that government must go to the former pump price of N65 per litre of fuel before the current deregulated price of N141 per litre of petrol. The House of Representatives on its emergency sitting on Sunday (8<sup>th</sup> January, 2012) urged government to reverse itself and return to former price of N65 per litre of petrol so that it will go into dialogue with labour (See Olukayode and Kujenya, 2012:2).

The Lower Chamber resolved too that labour should shelve its current call for strike so as to negotiate with government. Regrettably, neither government nor labour heeded the House's call. Labour hailed the House's decision and urged the Senate to do the same.

Not even the launching on Sunday of the 1600 mass transit buses by President Good luck Jonathan and the various appeals by government's agents could make labour to call off the protest. Not even the purported 25 percent cut in salaries of political officeholders can make Nigerians see reasons with their embattled President who decided to wage so many battles against the populace all in one swoop without considering their consequences.

All the sermons and rhetoric of fuel subsidy removal appear to have fallen on deaf ears. The people no longer trust this government which in one breathes promised us fresh air and vowed that it will not inflict pains on Nigerians only to inflict the same people with the worst pains ever in the history of Nigeria some hours after the promise.

All governments from Obsanjo's first coming to his second coming have in one way or the other deregulated the oil sector, which we have been made to understand, as price hike in petroleum products. The most notorious were Obasanjo and Ibrahim Babangida regimes (See Eme, 2011).

Now as 100 percent (115 percent) price hike of petrol, Jonathan's regime will appear to be the worst if he does not reverse himself. There is no gain saying that Jonathan came to power with lots of goodwill from Nigerians. He appears to have fritted away all of them.

Nobody believes the president who went to school without shoes. Nobody believes that he is neither Pharaoh nor Nebuchednezzar. Nobody believes that Jonathan would rule Nigeria without iron hand. There is no doubt that the transformation train has hit a brick wall and the citizens are resisting the imposition of hardship under the guise of fuel subsidy removal. What Jonathan is doing is against all his campaign promises of turning the economy and making all Nigerians happy. He is inflicting greater pains on Nigerians by his every policy. He does not honour agreement (See Iba, 2009).

In fact, the subsidy removal apostles are economical with the truth. The whole exercise is riddled with fallacies. It is not true that the way Jonathan is going about the subsidy removal is the best way be deregulate the downstream oil sector (See Igbadu, 2002, Oladesu, et.al,:2011).

Nigerians have in the past five days reacted angrily to Government's actions on the fuel subsidy. Nigerians have concluded that their leaders are truly detached from the reality of economic hardship endured by Nigerians. This is so because virtually all high government officials and their families feed and live off tax payers' funds, yet they enjoy outrageous salaries and other emoluments. In some cases the amount budgeted for feeding and catering is as much as N 1 billion. Government officials travel limitlessly around the globe for the flimsiest of reasons collecting esta codes in billions even where the object of most of these journeys can be achieved by simply browsing the internet. Consequently, Nigerians have reacted spontaneously to this unwise and ill-motivated maneuver by demonstrations and other forms of protest nationwide. The aim of this paper is to discuss the role of the National Assembly in conflict resolution using the subsidy removal strikes in Nigeria as a case study.

## II. CLARIFICATION OF CONCEPTS

### a) *The Legislature*

The Legislature is the engine of democratic governance as laws made by it set the agenda for the government and regulate the conduct of the people. The legislature in Nigeria, being it the National Assembly or State Houses of Assembly, has a very significant role to play in creating the legal and institutional frameworks for ensuring the existence and sustainability of transparency and accountability in the public service. Abayomi (2003: 12) observed that, Assemblies have increasingly become scrutinizing bodies, the principal role of which is to deliver responsible or accountable government. Most Assemblies have developed institutional mechanisms designed to facilitate this role. Abayomi (2003: 13) also noted that the legislature emerged from the need to make government accountable to the people. This need for accountability has ensured that all activities of parliament are open to public scrutiny. Baldwin (2006: 5) describes the legislature as "the representative body that provides for legitimacy, enacts legislation and oversees and scrutinizes the actions and activities of the executive in a State".

The legislature is an assemblage of the representatives of the people elected under a legal framework to make laws for the good health of the society. It is also defined as "the institutional body responsible for making laws for a nation and one through which the collective will of the people or part of it is articulated, expressed and implemented" (Okoosi-Simbine, 2010:1).

The legislature controls through legislation all economic, social and political activities of the nation. It also scrutinizes the policies of the Executive and provides the framework for the judiciary to operate.

In light of the foregoing, we cannot talk about democracy in any meaningful form or manner without the legislature. Indeed, the legislature is at the very heart of any democratic arrangement or what scholars often refer to as "representative governance".

The significance of the legislature as one of the strong pillars of democratic governance (the others being the Executive and Judiciary), can therefore, be discerned from Abraham Lincoln's classical definition of democracy during the Gettysburg Address of 1863, as "government of the people, by the people and for the people" (Remy, 1994:31-34). Central to this definition is the existence of the representatives of the people due to the technical impossibility of all the people ruling and carrying on the business of government, at the same time, as was the original thinking in the famous Greek City States of old. (Lowi, Ginsberg, Shepsle, 2008:117-128).

Baldwin (1989: 20) categorized legislatures according to their capacity to influence policy.

Consequently, the four types of legislatures can be identified:

- policy – making legislatures (active legislatures)
- policy – influencing legislatures (reactive legislatures)
- legislatures with minimal or marginal policy effect
- legislatures with no real policy effect or "rubber-stamp" legislatures.

Of these categorization, the Nigerian legislatures be they at the National, State or Local Government Council levels are supposedly that of policy-making legislatures which enjoy significant level of autonomy and cannot only amend or reject measures brought forward by the executive, but can substitute for it policy of its own.

However, there are more to legislatures than either formulating policies or influencing the formulation of policies. This is because indeed, a wide-range of functions – some intended and some unintended, can be identified. In the Nigerian context, these functions can be looked upon from the backdrop of its powers and responsibilities. These can be classified into three:

- a) Expressed powers – as stated in the constitution
- b) Implied powers – arising from extension of the constitution
- c) Assumed powers – arising from constitutional lacuna "Consensus building".

In Nigeria, a presidential republic with a bi-cameral National Assembly consisting of a Senate with 109 members, and a House of Representatives with 360 members, as well as thirty-six State Assemblies and 774 Local Council Legislatures, the legislature has powers and responsibilities enshrined in the statutes especially the constitution through which it can ensure public service accountability.

The influential position of the legislature is expressed by section 4 of the amended 1999 Nigerian Constitution which deals elaborately with legislative powers, enables this arm of government to formulate and express the will of the people through legislation. Specifically, the legislative function as provided in the 1999 Constitution includes the following, among others:

- a) Law making and policy formulation functions
- b) Oversight functions
- c) Investigative functions
- d) Amendment of the constitution and laws
- e) Control of the administration or executive
- f) Representative or constituency
- g) Determination and control of finance (watchdog of public funds).

One of the most important functions of the legislature that is the concern of this work is the check it provides on the other arms of government (Executive and Judiciary) in pursuance of the doctrine of checks

and balances. Thus, for purposes of ensuring accountability in the public service, the legislature acts as an active supervisor or “watchdog” of the activities of the other arms of government as provided in sections 88 and 89 of the 1999 constitution for the National Assembly and sections 128 and 129 for States Houses of Assembly.

Loewenberg (1995: 736) conceptualizes legislatures as “assemblies of elected representatives from geographically defined constituencies, with law-making functions in the governmental process.”

In the same vein, Jewell (1997: 172) identified two features that distinguish legislatures from other branches of government. According to him, “they” (legislatures) have formal authority to pass laws, which are implemented and interpreted by the executive and judicial branches and their members normally are elected to represent various elements in the population.” It is significant to note that legislatures vary in terms of composition, structure and role, from one democracy to another.

It is important to note that despite this close affinity and the close emphasis of law making echoed by most analyst as the principal function of the legislature, the term still faces complex definitional problems as our knowledge about legislatures has become more sophisticated. For instance, it was discovered that legislators in some of these systems had little or no role in law making. It was in consideration of this variation that Mazey (1979: 3) defines the legislature thus:

I think of a legislature as predominantly elected body of people that act collegially and have at least the formal but not necessarily the exclusive powers to enact laws binding on all members of a specific geo-political entity.

Mazey’s thinking is reinforced by the fact that some laws enacted by the legislature are in truly professional sense, delegated. Despite the complexities in definition, this study adopts the definitional model which sees the legislature as a body of people (whether elected or otherwise) who have the powers to make laws which are binding on all members of a society, state or country (Ojo, 1993: 1). The adoption of this definitional model stems from the fact that the legislature in Nigeria has the exclusive power of law-making. Granted that the executive branch and its agencies are privy to proposing legislations, but in the final analysis, the responsibility of overhauling and passing such laws is the exclusive duty of the legislature.

The Nigeria’s Presidential Constitution, for the purpose of promoting transparency and accountability in the public service, vests on the legislature the power over appropriation and control of public funds. It is for this obvious reason that the legislature is described as the “watchdog of public funds”. In this capacity, it exercises its power to audit public finances as well as

the power of investigation into the affairs of government departments or public officers in order to scrutinize the use of such funds for purpose of accountability. The constitutional functions of the legislature with regards to control over public funds for purpose of accountability include among others:

- i. Pre and post-appropriation control
- ii. Authorization of expenditure from the consolidated revenue funds
- iii. Its role in the auditing of public accounts
- iv. Directing or causing to be directed, investigations into “the conduct of affairs of any person, authority, ministry or government department charged or intended to be charged with the duty of or responsibility for disbursing or administering moneys appropriated by the legislature.

What is of particular interest to us in this paper is the role the legislature played to ensure accountability in the recent subsidy face-off between the Presidency and Organised labour in early 2012.

#### b) *Conflict Resolution*

Mitchel and Banks (1996) use conflict resolution to refer to:

- i. An outcome in which the issues in an existing conflict are satisfactorily dealt with through a solution that is mutually acceptable to the parties, self-sustaining in the long run and productive of a new, positive relationship between parties that were previously hostile adversaries; and
- ii. Any process or procedure by which such an outcome is achieved.

Miall et al (2001:21) indicate that by conflict resolution, it is expected that the deep rooted sources of conflict are addressed and resolved, and behavior is no longer violent, nor are attitudes hostile any longer, while the structure of the conflict has been changed.

Conflict resolution is seen by Miller (2003:8) as “a variety of approaches aimed terminating conflicts through the constructive solving of problems, distinct from management or transformation of conflict.” Some people may use the term “conflict resolution” to refer to a specialized field of study and practice as in the field of conflict resolution (Best, 2009).

Putting these ideas together, it can be said that in principle, conflict resolution connotes a sense of finality, where the parties to a conflict are mutually satisfied with the outcome of a settlement and the conflict is resolved in a true sense. Some conflicts, especially those over resources, are permanently resolvable. From the point of view of needs, a conflict is resolved when the basic needs of parties have been met with necessary satisfier, and their fears have been allayed. Others, like those over values, may be non-resolvable and can at best be transformed, regulated or managed.

### c) *Subsidy*

It is defined as money that is paid by a government or an organization to reduce the cost of producing goods and services so that their prices can be kept low (Horn by, 2005:1476). According to the writer, subsidies can be granted in agricultural area or housing projects. In his own understanding of subsidy, Agu (2009:286), saw it as a payment made by government to producers of certain goods and services, to enable them produce and sell at lower prices than they would otherwise. Agu was of the view that the policy helps to lower the market prices below the factor costs, so that consumers would have the privilege to pay less for the goods and services than they cost the producer to produce same. In the same vein, Ezeagba (2005:45) believed that subsidy exists in a situation when consumers of a particular commodity are assisted by the government to pay less than the market price of the commodity in question. On the producers' side, Ezeagba saw it as the payment to producers of certain commodities by the government not to produce at all or augment their incomes when the prices of their products are less than break-even point.

In his own definition of the concept, Ovaga (2010:117), stated that it is a device employed by government to assist either the consumers or producers to consume or produce certain commodities at prices below the prevailing market prices. According to him, it is also an incentive given to either side (consumers or producers) to consume or produce more of the goods and services.

Todaro (1980:287), in his own understanding of subsidy, saw the importance of applying it in education sector for the less privileged ones in the society. He was of the view that low income groups should be provided with sufficient subsidies to permit them to overcome the sizeable costs of schooling. The essence of the policy in this circumstance is to reduce the costs of education for the less privileged ones, thereby encouraging them to avail themselves the opportunity of benefiting from the benevolence of the government. Ruffin and Gregory (1983:354-355), saw subsidy as a vital instrument for economic development and growth in a country. They said, when a foreign government subsidizes its exports, the ultimate beneficiaries are the citizens of the country. For instance, United States, which in 1970s had comparative advantage in commercial aircraft, subsidized the export of this very product, through below-market loans to the Boeing and McDonnell Douglas Corporation. It is in the light of the above that the writers claimed that foreign export duties are gifts to the American people.

Fuel subsidy was before the coming of the Jonathan administration, a policy of federal government meant to assist the people of Nigeria to cushion the effects of their economic hardship. Conceptually, fuel subsidy seeks to enhance financial capacity but also to

accept the implied financial capacity but also to accept the implied financial losses by it in the spirit of its national responsibility to ensure the well being of the populace. In other words, if a product, like fuel, is to sell for N141 per litre, but for some considerations, it cannot be sold at that rate but at N97 per litre and if government then accepts to pay the difference between N141 and N97, that is N44, this simply means that there is a subsidy to the tune of N85 for every litre purchased at the filling stations. Hat are particularly significant about the fuel subsidy are its politics and its national and international implications. At the domestic level, both the proponents and opponents of fuel subsidy have valid theses. Secondly, both of them also maintain a non-compromising altitude. That is, while the government is talking about no alternative to removal of petrol subsidy to the opponents insist on no negotiation with government until government restores fuel subsidy which was removed on January 1, 2012 (Ikumola, 2012).

Thirdly, the disagreement over removal of fuel subsidy has led to a nationwide-strike whose implications have now gone beyond the economic considerations of oil subsidy. In fact, the international dimensions are such that Nigerian's international image has become first victim.

Beyond these considerations, the removal of oil subsidy has provided a good platform for national reflection. One of the issues is the extent of political sovereignty. This is because true sovereignty belongs to the people. The paper concludes by positing that there is no disputing the fact that both the politics of oil subsidy removal and the strike have become a compelling factor for governmental accountability and good governance. It will go a long way in defining the success of President Jonathan in 2015 and the regimes after.

### III. THEORETICAL FRAMEWORK OF ANALYSIS

This work will use the Alternative Dispute Resolution (ADR) as its framework of analysis. The idea of Alternative Dispute resolution (ADR) is about the search for, and application of, "non-conventional" peaceful methods of setting disputes and resolving conflict situations using the least expensive methods, and in ways that satisfy the parties, as well as ways that preserve relationships after a settlement might have been reached. ADR is specially meant to serve as an alternative to the official conventional means of settling disputes, mainly through litigation and the courts, but with preference for non-violence.

The conflict resolution and transformation spectrum consists of a range of options employable for non-violent management of conflict. These can be classified into two, namely the voluntary processes, and

the involuntary processes. The voluntary processes are those in which parties have some control over the outcome. They include fact finding, in-depth research and case studies, facilitation, negotiation, conciliation, mediation and brokerage. The involuntary processes on the other hand, are more often than not, outside the control of the parties to the conflicted. Even though they may be non-violent, the third parties who broker the process may sometimes hand down outcomes, which the parties have to accept either in principle or in law. These options include arbitration, adjudication and law enforcement (otherwise called crisis management) using the coercive apparatus of state.

This diplomatic processes involve the use of discussions, fact-finding methods and bargaining to prevent the escalation of conflicts. Differences are resolved either directly by the contending parties themselves or with the discreet assistance of third parties. In such discussions or bargaining emphasis is on facts; the issue of law does not intrude.

Of all the procedures used to settle differences or manage conflicts, the most common and often the most effective is negotiation which ADR represents. To negotiate is to bargain; it is to confer for the purpose of reaching mutual agreement or understanding. The procedure consists basically of discussions between the interested parties. Such peaceful confrontation of the parties affords them an opportunity to present their own accounts and views of the facts of the dispute, to understand the different positions maintained by the parties and to reconcile divergent opinions. Negotiation does not involve any third party, at least when there is no difficulty in the two parties confronting each other. In this sense, it differs slightly from all the other forms of conflict management (Shaw, 1977:381)

However, the pre-requisite conditions for negotiation apply to all other diplomatic mechanisms of conflict management. The principles underlying successful negotiation also guide effective mediation and conciliation. The skills of a negotiator are germane too for a mediator and a conciliator.

The idea is to have people with institutional memories who can intervene during periods of national crisis. And so when it became imperative for the Senate to intervene we had to approach it from the point of view of maturity, the point of view of national interest and making sure that we gave our country, safeguard our unity so that we can have an atmosphere of peace. And that was why we had to initiate the dialogue between the labour and the federal government.

Information also emerged how the Office of the Special Adviser to the President on National Assembly Matters helped in ensuring that both Chambers of the National Assembly worked together with the Presidency to resolve the crisis.

Beside being seen at most venues of the talks, especially the ones held at the Presidential Villa, the

Presidential Liaison Officer to the National Assembly was visibly shutting between Senator David Mark and Hon. Aminu Tambuwal's Apo Legislative Quarters homes.

Investigation showed that the first role of the Special Adviser to the President on National Assembly Matters, Senator Joy Emodi was to ensure both chambers of the as to the approach to be adopted in resolving the crisis.

In such an important national matter, it would have been taken for granted that he leadership of both Chambers would consult on the approach and date if they had to reconvene, but it was clear from their approaches and the controversial Sunday session by the House that no consultations might have taken place.

Emodi known as the "Joy of the Senate" in her heydays in the Red Chamber, was said to have deployed the goodwill and respect she enjoys among the senators and House members and among their leadership to deploy her superb lobbying acumen towards an amicable resolution of the subsidy face-off.

Giving insights into their influence in the National Assembly, a source said: The good thing about Emodi was that beside being in the good book of the leadership of the Senate who were her former colleagues in the Upper Chamber, she also had sound relationship with both the House Leadership and other power brokers in the House of Representative for instance she worked with Speaker and the Deputy Speaker during the Constitution amendment processes in the 6<sup>th</sup> National Assembly while she also worked very closely with Hon. Farouk Lawan, who was her counterpart Chairman of the Committee on Education in the House(Eme,et.al,2012b:9).

Shortly after labour called off the strike and street protests, Emodi had acknowledged in unmistakable terms the role of the National Assembly, especially its leadership in resolving the subsidy crisis.

In an interview with news men, the Presidential adviser noted that the resolution of the subsidy dispute had "further crystallized the essence of the existing cordial working relationship between the executive and legislative arms of the Federal Government.

#### IV. PUMP PRICE ADJUSTMENTS IN NIGERIA AND THEIR FALLOUTS

It is rather ironic to posit that oil wealth which serves as the source of fortune for many countries is the main source of fortune for many countries is the main source of Nigeria's misfortune. At least Nigeria was economically steady and progressive before the so-called oil boom. At least there was no oil money when Nigeria went through a civil war for 30months without borrowing one kobo. Why has oil become oil doom?

In his nine years in office as Head of State, General Yakubu gowon took the price of petrol from 6kobo to 9.5kobo per litre. After him was General Murtala Ramat Muhammed who never tampered with the price of oil till his death in 1976. It was General Olusegun Obasanjo who first took fuel price by a leap moving it from 9.5kobo to 15 kobo. The regimes of Shehu Shagari and General Muhammadu Buhari maintained the status quo as they never increased fuel process and Nigeria did not fail as a nation.

When the self-styled military President Ibrahim Babangida took over in 1985, his first focus was oil. It was he who moved the price of petrol from N15kobo to 70kobo in his eight years of governance. But by far the greatest leap of oil priced in Nigeria was introduced by Chief Ernest Shonekan, an interim Head of State who took the price from 70kobo to N5.00 within the 87 days of his illegal rule (See Onanugu, 2011).

Then, General Sani Abacha forcefully hijacked power from Chief Shonekan and moved petrol from N5 to N11 within his five years in office. When Abacha died

in 1998, General Abdulsalami Abubakar became the Head of State and virtually concentrated on oil. It was he who took the price of petrol from N11 to N20 within the ten months he ruled Nigeria. When General Obasanjo returned to office as elected President in 1999, his first point of call was oil capitalization on the precedent laid by his predecessor, he went ahead to raise the price of fuel from N20 to N70 within eight years he spent in office. It was this singular action that pushed the masses to start kicking against such actions (Ofichenna, 2011).

Subsidy removal has been on since 2000 during the tenure of former NLC President, Adams Oshiomhole. The Administration of former president Olusegun Obasanjo increased petrol pump price from N11 to N30 per litre. The price hike raised a lot of dust. For eight days; the economy was at a stand still. The government later reduced the price to N20 per litre. The table below x-rays the various petrol adjustments in Nigeria since 1978.

*Table 1* : Various Petrol Adjustments in Nigeria Since 1978

S/No	Date	Administration	Price	Percentage Change
1	1978	Obasanjo	15k	
2	1990	Babangida	60k	300%
3	1992	Babangida	70k	17%
4	1992	Babangida	N3.25k	364%
5	1993	Babangida	N5.00	54%
6	1994	Shonekan	N11.00	120%
7	1994 – 1998	Abacha	N11.00	-
8	1998 – 1999	Abacha	N20.00	82%
9	2000	Obasanjo	N20.00	-
10	2000	Obasanjo	N22.00	10%
11	2001	Obasanjo	N26.00	18%
12	2003	Obasanjo	N40.00	54%
13	2004	Obasanjo	N45.00	13%
14	2007	Obasanjo	N70.00	56%
15	2007 – 2009	Yar'Adua	N65.00	0.07%
16	2010 – 2012	Jonathan	N65.00	-
17	2012 till date	Jonathan	N141.00	117%

## V. SUBSIDY STRIKE: ACTORS, ISSUES AND PEACE MEETINGS

The nation began to see some silver lining on the sky when on Monday 9, a day to the resumption of plenary, the Senate President, Senator David Mark succeeded in bringing the labour leaders to his Apo Legislative Quarters residence in Abuja. Although that Monday night meeting at Mark's residence failed to convince labour leaders to call off the strike, that was still in its first day, it at least succeeded in bringing out the comrades from their trenches and it marked the opening up of meaningful discussions at the highest level.

Emerging from the Parley, President of the Nigeria labour Congress, Comrade Abdul waheed Omar

said, "When windows are opening, nobody will like to miss that" (Eme, et. al, 2012b: 32) and expressed appreciation to the Senate President for his intervention.

On his part, the Senate President told newsmen that he had "very fruitful discussion"(Eme, ea. al, 2012b: 33) with the labour leaders at the meeting adding, we are making progress and whatever decision we arrive at will be in the best interest of the nation.

But if the Monday night meeting failed to sway labour, what followed the next day gave some indications that truce was on the way. That day when the upper chamber formally resumed plenary, the senators unanimously mandated the Senate President and the body of Principal Officers to meet President Good luck Jonathan to categorically demand the immediate suspension of the fuel subsidy removal allow the

parliamentary mediation to have some verve. The Senators also asked their leaders to press it on Jonathan to shift the implementation of the subsidy removal to April 1, 2012 in the light of the prevailing circumstance.

At a closed door meeting immediately on reconvening, the senators were said to have expressed grave concern about the gridlock and near short down of the national economy which the strike action has caused the nation.

Immediately after plenary, the Senate principal officers comprising Mark, his Deputy, Senator Ike Ekweremadu; majority leader, Senator Victor Ndoma Egba; majority whip, Senator Hayatu Bello Gwarzo; Deputy majority leader, senator Abudul Ningi; Deputy majority Whip, Senator Hosea Agboola; Minority leader, Senator George Akume; Minority Whip, Senator Ganiyu Solomon; Deputy Minority Leader, Senator Abu Ibrahim and Deputy Minority Whip, Senator Ahmed Rufai Sani, got cracking and again got the labour leaders to attend another late evening meeting at the Senate president's residence.

The meeting which lasted more than four hours was described by NLC President Omar as very useful deliberation. Although it also failed to achieve any concrete breakthrough in the move to get the unionist to suspend the strike, the fact that labour even honored the government's invitation to attend the meeting, according to Omar was "an indication that labour is already shifting ground

January 10, however marked the crescendo of the senators' sustained move to help end the labour government face off as they participated in three different meetings, one each separately with labour and the federal government and one together with the two parties.

The dispute was close to resolution as each of the disputants during the three-prong meeting showed sufficient readiness to make concessions, to shift some grounds.

It began with the early morning meeting between Mark and his team on one hand and President Jonathan and his team on the other. After the meeting, the lawmakers held another meeting with the labour at noon at which the later were briefed on the outcome of the early morning meeting, the senators had with the President's team.

Emerging from the noon parley that lasted about 30 minutes, NLC President Omar and Senate President Mark expressed optimism for an early resolution of the dispute.

Mark told newsmen,

Our role actually has been one of trying to get government and labour together to get to round table to talk to reach decision and call off the

strike. That has been our role and that is precisely what we are doing. We met with the President in the morning and then we met with labour now and they have agreed to meet and that is a giant step forward. It is really a big step which has not come easy at all. All I can say is that we can see the light of the end of the tunnel (Eme, et. al, 2012a: 8)

On his part, Omar said: we appreciate their intervention and we have just done one leg of this meeting. *We are also going to continue the meeting at a different venue at 5pm (Thursday)*"(Eme,et.al,2012a:9).

The "different venue" alluded to by Omar later turned out to be Aso Villa and the participants included the President's team, the lawmakers and the labour leaders. It was indeed the mother of all negotiations and one which anxious Nigerians believed held the ace to the final resolution of the extant crisis.

However, in continuation of the reconciliatory efforts to stave off further protests by organized labour and civil society groups over the fuel subsidy removal, Mark, after church service on Sunday January 15 hosted another high-powered meeting of government officials at his Apo Legislative Quarters residence in Abuja.

The meeting attended by federal government official and representatives of the Nigerian Governors Forum (NGF), was convened to review government's new position on its negotiation with labour leaders that broke down on Saturday night.

The new position entailed shifting more grounds to labour demand to avert the resumption of the strike the following day after the weekend partial truce.

At the Saturday night's parley between government and labour at the Aso Villa, labour was said to have remained adamant that the price of petrol must revert to N 65 per litre before any meaningful negotiation could take place, a position that was not acceptable to government.

However, emerging from the meeting, which lasted more than three hours, the Chairman of the Governors' Forum Governor Chibuike Amaechi of River State expressed optimism that compromise was on the way and urged Nigerians to exercise patient as *"something concrete could still come up between now (3.00 pm that Sunday) and 12.00 midnight"* (Eme, et. al, 2012b: 48).

Other who attended the meeting included Speaker of the House of Representatives, Hon. Aminu Tambuwa, Deputy Senate President, Senator Ike Ekweremadu, Deputy Speaker of the House of Representatives, Hon. Emeka Ihedioha, Senate Leader, Senator Victor Ndoma-Egba, Governor Peter Obi of Anambra State, Minister of Labour, Chief Emeka Wogu and his information counterpart, Mr. Labaran Maku.

And just as Amaechi hinted, the truce finally came after the midnight meeting with President

Goodluck Jonathan making an early morning nationwide televised broadcast to announce the historical ceasefire.

Speaking to reporters in an exclusive interview on the role played by the lawmakers in bringing normalcy back to the polity after the week-long stand-off, Deputy Senate President, Senator Ike Ekweremadu, who participated actively all the peace meetings, described the role played by the National Assembly as "a historical responsibility".

He said,

For us in the National Assembly, we consider it our responsibility to intervene when the country seems to be boiling. We have done that in the past and it yielded results during the time when our Late President Umaru Yar' Adua was ill, and the country expected us again to intervene at the critical moment of the fuel subsidy removal crisis (Eme et al, 2012a: 9).

Ekweremadu specially pointed out that what the senators, in particular, did was in tune with the concept of having an upper legislative house. He said, the country expects that in times of national crisis the upper legislative house needs to intervene. In other countries with similar legislative body have the same scenario of more elderly people, more experienced people occupying seats in the Senate. In the U.S, Senators are elected for years. So, when as a senator you've been there for three to four terms, you are looking at about 20 to 30 years being in the Senate. In other places, senators are elected for life like in Canada and the United Kingdom where you have the House of lords. The idea is to have people with institutional memories who can intervene during periods of national crisis. And so when it became imperative for the Senate to intervene we had to approach it from the point of view of maturity, the point of view of national interest and making sure that we gave our country, safeguard our unity so that we can have an atmosphere of peace. And that was why we had to initiate the dialogue between the labour and the federal government.

Information also emerged how the Office of the Special Adviser to the President on National Assembly Matters helped in ensuring that both Chambers of the National Assembly worked together with the Presidency to resolve the crisis.

Beside being seen at most venues of the talks, especially the ones held at the Presidential Villa, the Presidential Liaison Officer to the National Assembly was visibly shutting between Senator David Mark and Hon. Aminu Tambuwal's Apo Legislative Quarters homes.

Investigation showed that the first role of the Special Adviser to the President on National Assembly Matters, Senator Joy Emodi was to ensure both chambers of the assembly as to the approach to be adopted in resolving the crisis.

In such an important national matter, it would have been taken for granted that the leadership of both Chambers would consult on the approach and date if they had to reconvene, but it was clear from their approaches and the controversial Sunday session by the House that no consultations might have taken place.

Emodi known as the "Joy of the Senate" in her heydays in the Red Chamber, was said to have deployed the goodwill and respect she enjoys among the senators and House members and among their leadership to deploy her superb lobbying acumen towards an amicable resolution of the subsidy face-off.

Giving insights into their influence in the National Assembly, a source said: The good thing about Emodi was that beside being in the good book of the leadership of the Senate who were her former colleagues in the Upper Chamber, she also had sound relationship with both the House Leadership and other power brokers in the House of Representatives for instance she worked with Speaker and the Deputy Speaker during the Constitution amendment processes in the 6<sup>th</sup> National Assembly while she also worked very closely with Hon. Farouk Lawan, who was her counterpart Chairman of the Committee on Education in the House (Eme, et al, 2012b:9).

Shortly after labour called off the strike and street protests, Emodi had acknowledged in unmistakable terms the role of the National Assembly, especially its leadership in resolving the subsidy crisis.

In an interview with our correspondent, the Presidential adviser noted that the resolution of the subsidy dispute had "further crystallized the essence of the existing cordial working relationship between the executive and legislative arms of the Federal Government.

Emodi, who also hailed the maturity and understanding shown by President Jonathan and the leadership of organized labour, aid members of the National Assembly proved themselves to be true representative of the people with national interest at heart.

Emodi who described President Jonathan as a democrat committed to the wellbeing of the masses and cordial executive and legislative relationship, which her office has been working to promote, said the manner in which both arms of government rallied to resolve the dispute had reaffirmed her position that the executive and the legislature need to always work together as partners in progress to move the nation forward.

#### a) *Now, What Next?*

After the resolution of the crisis, the next question is: What is the way forward now in the light of the present circumstance? President Goodluck Jonathan in his speech enunciated several policy actions, which, according to him, would ameliorate the pains of the eventual total removal of subsidy. That being the case; what will be the role of the National

Assembly in the circumstance, especially against the backdrop of the role in played in bringing about the settlement of the subsidy dispute?

In this regard, the House of Representatives seek to work in partnership and harmony with the Senate of the Federal Republic of Nigeria to legislate for the common good and in the greater interest of the Nigerian people. They also seek the cooperation of other arms of government, particularly the Executive, in order to improve living conditions in Nigeria and make the government more responsive to the needs of the people. The legislative agenda of the House of Representatives for instance aim at reviving and diversifying the economy, generating employment, strengthening our national security, curbing corruption, tackling the electricity crisis and general infrastructural decay that confront us, improving our health and educational sectors and work to achieve the Millennium Development Goals (MDGs). The agenda also emphasised the importance of amending the Constitution to address several areas of concern. Our legislative agenda will be people-centred and correspond to the expectations of Nigerians.

Therefore the National Assembly seeks to do things differently and reverse the notion of business-as-usual approach that has been a source of worry to our people. According to the House, it promised to be sensitive to what the Nigerian people want and increase the public sensitivity quotient. Put differently, The Seventh House of Representatives seeks to build a new image for the legislature – a strong, vibrant and effective legislature, able to assert itself as an important partner with other arms of government in the delivery of good governance, due process and rule of law.

Senate's spokesman, Senator Enyinnaya Abaribe, who was confronted with these posers, said the way forward now is that subsequent budgets would have to be tinkered with in the light of the President's speech. He said, precisely, what will be done is to reduce the recurrent expenditure and increase the capital budget, particularly in roads and infrastructure in view of the anticipated increased in the Medium Term Expenditure Framework. It will also reflect the change in the oil bench mark, which will be increased from \$ 75 per barrel of crusade oil. All these he stated are measures that have to be fast tracked to take care of the painful effect of subsidy removal (Eme, et.al, 2012a: 12).

Again Abaribe said the efforts would assuage the fears of the people that the recent settlement of the dispute was pyrrhic and one that will not last. The Senate spokesman however assured that the Senate on its own would tighten its oversight functions, to bring it in tandem with the renewed commitment to sanitize the system and fight corruption. He concluded that the Senate will channel the oversight function properly especially focus in the petroleum industry to checkmate

any inherent profligacy and plug the leakages that have been witnessed in recent times.

## VI. RECOMMENDATIONS

Based on the above analysis, the underlisted recommendations are recommended:

The National Assembly and the Nigerian People certainly have challenges particularly in the areas of oil theft, the economy and security and for the polity to make progress and win the hearts and minds of the people, government must intensify the provision of social amenities in those areas where they are lacking. To achieve this, the National Assembly must do everything possible to address squarely, socio-economic needs of our people with determination and sincerity, honesty and transparency.

More than ever before, the populace expects the National Assembly to adopt a bipartisan approach and to rise above narrow and parochial considerations in its deliberations.

The National Assembly pledges to stand by the Nigerian people, at all times and in all circumstances; this is the least they can and must do. This commitment to patriotically stand with the people as their elected Representatives and should also influence every moderating intervention they make to stabilize the polity.

The National Assembly should review legislative branch budget in line with the requirements of openness, effectiveness and accountability in order to reduce cost of governance in Nigeria. .

The National Assembly should review the 1999 Constitution in all relevant areas to facilitate the implementation of the Senate and House of Representatives legislative agenda and in line with the aspirations of Nigerians and engage actively with other arms of government to restore public order and national security, and

The National Assembly should institution- alise mechanisms that will facilitate more effective engagement with various stakeholders including constituents and Civil Society Organisations (CSOs) and those indicted by National Assembly investigative panels on subsidy scam should be prosecuted.

## VII. CONCLUSION

Government appears adamant in the quest to remove fuel subsidy. The people are equally resolved in its opposition to the removal of subsidy. Nigeria is up for the rough times ahead. The time has come for the final determination whether those in government derive their power from the people or whether they are independent and owe their stay in power to other entities other than the people.

It is unfortunate that the populace must at this point in time be forced to confront government as a

result of the latter's unviable and self serving economic policies. Government is not in the business of making a profit for itself and her cronies and sponsors who are in the oil industry. If anything untoward happens in the course of this protest, then the blood of innocent Nigerians is on the head of President Jonathan. In every democracy, a leader or leaders must govern according to the will of the people. No leader has a monopoly of knowledge of wisdom over and above the people that put him there. At all times government must remain respectful and accountable to the will of the people or face the consequences.

I am deeply impressed by the brilliant leadership and resilient mediatory support of the National Assembly leadership in the course of the whole impasse and it is my expectation that this experience will strengthen our democracy and usher in a new path in our quest for national development.

### REFERENCES RÉFÉRENCES REFERENCIAS

1. Abayomi, K. (2003). *A Critical Analysis of the Legislative Process in Nigeria*, Ibadan: Longman.
2. Agu, C.C., (2009), *Principles of Economics*, Enugu: Immaculate Publication Limited.
3. Akanbi, F. and Agbo, M. (2012), "Strike: Nigerians Count their Losses," *This Day*, Sunday, January 15, P. 24.
4. Akinwumi, F.S, Isuku, E.j. and Agwaranze, D.Q. (2005), "University Education Deregulation: Pros and Cons" in G.O. Akpa, S.U. Udoh and E.O. Fagbamiji (eds) *Deregulating the Provision and Management of Education in Nigeria*, Jos: NAEAP Publication. Pp. 151-158.
5. Alli, Y., Ofikhenua, J. and Ugwuanyi, E. (2012), "Fuel Protests Rock Cities," *The Nation*, Wednesday, January 4, Pp. 1, 4.
6. Alozie, E. (2009), "The lies About Deregulation", *Nigerian Newsword* Vol. 3 Num 4, October 26, Pp 15 –21.
7. Baldwin D. J. N. (1989), *Legislative Weakness, Scrutinizing*.
8. Baldwin D. J. N. (2006), *Executive Leadership and Legislative Assemblies*, Abingdon, Oxon: Routledge Group.
9. Bankole, T. (2001), "Nigeria and perennial Fuel Scarcity," *The Tribune*, Tuesday, March 21, P.14.
10. Best, S.G. (2009), The Methods of Conflict Resolution and Transformation, in Best S.G. (ed.), *Introduction to Peace and Conflict Studies in West Africa: A Reader*, Abuja: Spectrum Books Ltd.
11. Chiejina, N (2012), "Subsidy Beneficiaries Financed Jonathan's Election, says el-Rufai," *The Nation*, Wednesday, January 11, p 6.
12. Eme, O.I. (2011), "Deregulation of the Downstream oil Sector in Nigeria: History and Fallacies; *Journal of Public Administration and Policy Research*, Vol. 3 (11), (December), Pp. 128 – 139.
13. Ezeagba, C.E., (2005), "Deregulation of Nigerian Economy: Implications for the Downstream Petroleum Industry," *Certified national Accountant*, July – September.
14. Heywood, A. (2002), *Politics: An introduction*, Basing Stoke: Palgrave.
15. Hornby, A.S., (2005), *Oxford Advanced Learners Dictionary*, New York: Oxford University Press, International Students' Edition.
16. Iba, L. (2009), "Fuel Crisis: Will deregulation roll away all our problems?", *Daily Sun*, October 5, Pp 3,39.
17. Igbadu, J. (2002), "Senate Blames Exploits for Fuel Price Hike," *The Guardian*, Friday, October 4, P. 12.
18. Ikhilae, E. (2012), "Falana urges EFCC to Probe PPPRA, NNPC," *The Nation*, Friday, January 6, P.6.
19. Ikuomola, V. (2012), "Jonathan: It will be Tough, but not too Painful", *The Nation*, Monday, January 2, P.4.
20. Izibili, M. and Aiya, F. (2007), "Deregulation and Corruption in Nigeria: An Ethical Response", *Kamal – Raj. Journal of Sciences*. 14(3): 229 – 234.
21. Loewenberg, G. (1995). "Legislatures and Parliaments" in Lowi, T., Ginsberg, B and Shepsle, K. (2008), *American Government: Power and Purpose*, 10th Edition, New York: Norton.
22. Maduabuchi, E. (2011), Fuel Subsidy: Courting the Big Bang?" *Sunday Independent*, December 18, Pp. 15 – 17.
23. Mark, D. (2013), 3rd Session/7th Senate: An Updated Legislative Agenda House of Senate Federal Republic of Nigeria House of Senate, National Assembly, Nigeria, 6th June.
24. Miall, H., Ramsbotham, O. and Woodhouse, T. (1999), *Contemporary Conflict Resolution: the Prevention, Management and Transformation of Deadly Conflicts* Cambridge: Polity Press.
25. Mitchell, C. and Banks, M. (1998), *Handbook of Conflict Resolution the Analytical Probe-Solving Approach*, London: Pinter.
26. Miller, C. A. (2003), *A Glossary of Terms and Concepts in Peace and Conflict Studies*, Geneva: University for Peace.
27. Ofikhenua, J. (2012), "Strike begins on Monday," *The Nation*, Thursday, January 5, Pp. 1, 4.
28. Ofikhenua, J., (2011), "Subsidy: Labour Accuses Okonjo-Iweala of Lying," *The Nation*, December 22, Pp. 1 – 4.
29. Ojo, E.O. (1999), "The Military and Democratic Transaction in Nigeria: An Indept Analysis of General Babangida's Transition Programme (1985 – 1993)", *Journal of Political Sociology*, Vol. 28, No 1 (Summer), Pp. 148 – 162.
30. Ojo, T. I. (1993), "Legislative Powers, Privileges and Immunities" Text of a Paper Presented at the Training Programme for Legislative Staff of the National and States Houses of Assembly, Abuja.

31. Okoosi, S. (2010), "Understanding the Role and Challenges of the Legislature in the Fourth Republic: The Case of Oyo State House of Assembly," *Nigeria Journal of Legislative Affairs*, Vol 3, (March), Nos. 1& 2.
32. Okpaga, A, Ugwu S. C, & Eme, O.I (2012), Deregulation and anti- subsidy removal strikes in Nigeria, 2000 -2012, *Oman chapter of Arabian Journal of Business and Management Review (AJBMR) Vol. 1, No. 6, February Edition, Pp. 69 -83.*
33. Oladesu, E., Alli, Y., Yishau, O. and Ajetunmobi, W., (2012), "Petrol Prices go Wild", *The Nation*, Tuesday, January 3, Pp. 1- 6.
34. Oladesu, O., Olaoye – Osinkolu, Olugbamila, A., Olaniyi, B., and Omokhunu, G., (2011), "Fuel Subsidy: Employers arm Government to Avert Crisis," *The Nation*, Monday, December 19, Pp. 1-2.
35. Olukayode, T. and Kujenya, J. (2012), "New Year, New Pains as Fuel Price Hike Bites," *The Nation*, Thursday, January 5, Pp. 6 -7.
36. Omonijo, B. (2012), "Subsidy Removal, Tougher Times Ahead in 2012", *The Nation*, Monday, January 2, P. 2
37. Onanuga, A., (2011), "Subsidy Battle in Lagos: labour, government forces clash at Town Hall Meeting," *The Nation*, Friday, December 23, Pp. 1, 3.
38. Onyishi, A.O, Eme, I.O. & Emeh, I.E.J. (2012), the Domestic and International Implications of Fuel Subsidy Removal Crisis in Nigeria. *Kuwait chapter of Arabian Journal of Business and Management Review (AJBMR) Vol. 1, No. 6, February Edition, Pp. 57 - 80.*
39. Ovaga, O.H., (2010), "Deregulation of Downstream Oil Sector in Nigeria: Its Prospect," *Journal of Social Sciences and Public Policy*, Centre for Research and Innovations, December, Vol.2.
40. Remy, R. (1994), *United States Government Democracy in Action*, New York: Gilencoe, 1994.
41. Ruffin, R.J., and Gregory, P.R., (1983), *Principles of Macro-Economics*, Illinois: Scott, Foreman and Company.
42. Seymour Martin Lip Set (9<sup>th</sup> ed), *The Encyclopedia of Democracy, Volume III*, London: Macmillan.
43. The Nation Editorial (2012),"Unsubsidized in Congruities," *The Nation*, Thursday, November 29, P. 39.
44. Tambuwal, W., (2013), Mid-Term Report of the Legislative Agenda of the 7th House of Representatives Federal Republic of Nigeria House of Representatives, National Assembly, Nigeria, 6th June.
45. Todaro, M.P., (1980), *Economics for a Developing World*, London: Longman Group Limited.

# GLOBAL JOURNALS INC. (US) GUIDELINES HANDBOOK 2014

---

[WWW.GLOBALJOURNALS.ORG](http://WWW.GLOBALJOURNALS.ORG)

# FELLOWS

## FELLOW OF ASSOCIATION OF RESEARCH SOCIETY IN HUMAN SCIENCE (FARSHS)

Global Journals Incorporate (USA) is accredited by Open Association of Research Society (OARS), U.S.A and in turn, awards “FARSHS” title to individuals. The 'FARSHS' title is accorded to a selected professional after the approval of the Editor-in-Chief/Editorial Board Members/Dean.



- The “FARSHS” is a dignified title which is accorded to a person’s name viz. Dr. John E. Hall, Ph.D., FARSS or William Walldroff, M.S., FARSHS.

FARSHS accrediting is an honor. It authenticates your research activities. After recognition as FARSHS, you can add 'FARSHS' title with your name as you use this recognition as additional suffix to your status. This will definitely enhance and add more value and repute to your name. You may use it on your professional Counseling Materials such as CV, Resume, and Visiting Card etc.

*The following benefits can be availed by you only for next three years from the date of certification:*



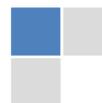
FARSHS designated members are entitled to avail a 40% discount while publishing their research papers (of a single author) with Global Journals Incorporation (USA), if the same is accepted by Editorial Board/Peer Reviewers. If you are a main author or co-author in case of multiple authors, you will be entitled to avail discount of 10%.

Once FARSHS title is accorded, the Fellow is authorized to organize symposium/seminar/conference on behalf of Global Journal Incorporation (USA). The Fellow can also participate in conference/seminar/symposium organized by another institution as representative of Global Journal. In both the cases, it is mandatory for him to discuss with us and obtain our consent.



You may join as member of the Editorial Board of Global Journals Incorporation (USA) after successful completion of three years as Fellow and as Peer Reviewer. In addition, it is also desirable that you should organize seminar/symposium/conference at least once.

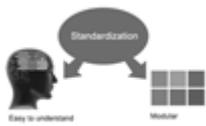
We shall provide you intimation regarding launching of e-version of journal of your stream time to time. This may be utilized in your library for the enrichment of knowledge of your students as well as it can also be helpful for the concerned faculty members.





The FARSHS can go through standards of OARS. You can also play vital role if you have any suggestions so that proper amendment can take place to improve the same for the benefit of entire research community.

As FARSHS, you will be given a renowned, secure and free professional email address with 100 GB of space e.g. [johnhall@globaljournals.org](mailto:johnhall@globaljournals.org). This will include Webmail, Spam Assassin, Email Forwarders, Auto-Responders, Email Delivery Route tracing, etc.



The FARSHS will be eligible for a free application of standardization of their researches. Standardization of research will be subject to acceptability within stipulated norms as the next step after publishing in a journal. We shall depute a team of specialized research professionals who will render their services for elevating your researches to next higher level, which is worldwide open standardization.

The FARSHS member can apply for grading and certification of standards of the educational and Institutional Degrees to Open Association of Research, Society U.S.A. Once you are designated as FARSHS, you may send us a scanned copy of all of your credentials. OARS will verify, grade and certify them. This will be based on your academic records, quality of research papers published by you, and some more criteria. After certification of all your credentials by OARS, they will be published on your Fellow Profile link on website <https://associationofresearch.org> which will be helpful to upgrade the dignity.



The FARSHS members can avail the benefits of free research podcasting in Global Research Radio with their research documents. After publishing the work, (including published elsewhere worldwide with proper authorization) you can upload your research paper with your recorded voice or you can utilize chargeable services of our professional RJs to record your paper in their voice on request.

The FARSHS member also entitled to get the benefits of free research podcasting of their research documents through video clips. We can also streamline your conference videos and display your slides/ online slides and online research video clips at reasonable charges, on request.





The FARSHS is eligible to earn from sales proceeds of his/her researches/reference/review Books or literature, while publishing with Global Journals. The FARSHS can decide whether he/she would like to publish his/her research in a closed manner. In this case, whenever readers purchase that individual research paper for reading, maximum 60% of its profit earned as royalty by Global Journals, will be credited to his/her bank account. The entire entitled amount will be credited to his/her bank account exceeding limit of minimum fixed balance. There is no minimum time limit for collection. The FARSS member can decide its price and we can help in making the right decision.

The FARSHS member is eligible to join as a paid peer reviewer at Global Journals Incorporation (USA) and can get remuneration of 15% of author fees, taken from the author of a respective paper. After reviewing 5 or more papers you can request to transfer the amount to your bank account.



## MEMBER OF ASSOCIATION OF RESEARCH SOCIETY IN HUMAN SCIENCE (MARSHS)

The ' MARSHS ' title is accorded to a selected professional after the approval of the Editor-in-Chief / Editorial Board Members/Dean.

The “MARSHS” is a dignified ornament which is accorded to a person’s name viz. Dr John E. Hall, Ph.D., MARSHS or William Walldroff, M.S., MARSHS.



MARSHS accrediting is an honor. It authenticates your research activities. After becoming MARSHS, you can add 'MARSHS' title with your name as you use this recognition as additional suffix to your status. This will definitely enhance and add more value and repute to your name. You may use it on your professional Counseling Materials such as CV, Resume, Visiting Card and Name Plate etc.

*The following benefits can be availed by you only for next three years from the date of certification.*



MARSHS designated members are entitled to avail a 25% discount while publishing their research papers (of a single author) in Global Journals Inc., if the same is accepted by our Editorial Board and Peer Reviewers. If you are a main author or co-author of a group of authors, you will get discount of 10%.

As MARSHS, you will be given a renowned, secure and free professional email address with 30 GB of space e.g. [johnhall@globaljournals.org](mailto:johnhall@globaljournals.org). This will include Webmail, Spam Assassin, Email Forwarders, Auto-Responders, Email Delivery Route tracing, etc.





We shall provide you intimation regarding launching of e-version of journal of your stream time to time. This may be utilized in your library for the enrichment of knowledge of your students as well as it can also be helpful for the concerned faculty members.

The MARSHS member can apply for approval, grading and certification of standards of their educational and Institutional Degrees to Open Association of Research, Society U.S.A.



Once you are designated as MARSHS, you may send us a scanned copy of all of your credentials. OARS will verify, grade and certify them. This will be based on your academic records, quality of research papers published by you, and some more criteria.

It is mandatory to read all terms and conditions carefully.



## AUXILIARY MEMBERSHIPS

### Institutional Fellow of Open Association of Research Society (USA) - OARS (USA)

Global Journals Incorporation (USA) is accredited by Open Association of Research Society, U.S.A (OARS) and in turn, affiliates research institutions as “Institutional Fellow of Open Association of Research Society” (IFOARS).

The “FARSC” is a dignified title which is accorded to a person’s name viz. Dr. John E. Hall, Ph.D., FARSC or William Walldroff, M.S., FARSC.



The IFOARS institution is entitled to form a Board comprised of one Chairperson and three to five board members preferably from different streams. The Board will be recognized as “Institutional Board of Open Association of Research Society”-(IBOARS).

*The Institute will be entitled to following benefits:*



The IBOARS can initially review research papers of their institute and recommend them to publish with respective journal of Global Journals. It can also review the papers of other institutions after obtaining our consent. The second review will be done by peer reviewer of Global Journals Incorporation (USA) The Board is at liberty to appoint a peer reviewer with the approval of chairperson after consulting us.

The author fees of such paper may be waived off up to 40%.

The Global Journals Incorporation (USA) at its discretion can also refer double blind peer reviewed paper at their end to the board for the verification and to get recommendation for final stage of acceptance of publication.



The IBOARS can organize symposium/seminar/conference in their country on behalf of Global Journals Incorporation (USA)-OARS (USA). The terms and conditions can be discussed separately.

The Board can also play vital role by exploring and giving valuable suggestions regarding the Standards of “Open Association of Research Society, U.S.A (OARS)” so that proper amendment can take place for the benefit of entire research community. We shall provide details of particular standard only on receipt of request from the Board.

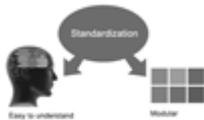


Journals Research  
inducing researches

The board members can also join us as Individual Fellow with 40% discount on total fees applicable to Individual Fellow. They will be entitled to avail all the benefits as declared. Please visit Individual Fellow-sub menu of GlobalJournals.org to have more relevant details.



We shall provide you intimation regarding launching of e-version of journal of your stream time to time. This may be utilized in your library for the enrichment of knowledge of your students as well as it can also be helpful for the concerned faculty members.



After nomination of your institution as “Institutional Fellow” and constantly functioning successfully for one year, we can consider giving recognition to your institute to function as Regional/Zonal office on our behalf. The board can also take up the additional allied activities for betterment after our consultation.

**The following entitlements are applicable to individual Fellows:**

Open Association of Research Society, U.S.A (OARS) By-laws states that an individual Fellow may use the designations as applicable, or the corresponding initials. The Credentials of individual Fellow and Associate designations signify that the individual has gained knowledge of the fundamental concepts. One is magnanimous and proficient in an expertise course covering the professional code of conduct, and follows recognized standards of practice.



Open Association of Research Society (US)/ Global Journals Incorporation (USA), as described in Corporate Statements, are educational, research publishing and professional membership organizations. Achieving our individual Fellow or Associate status is based mainly on meeting stated educational research requirements.

Disbursement of 40% Royalty earned through Global Journals : Researcher = 50%, Peer Reviewer = 37.50%, Institution = 12.50% E.g. Out of 40%, the 20% benefit should be passed on to researcher, 15 % benefit towards remuneration should be given to a reviewer and remaining 5% is to be retained by the institution.



We shall provide print version of 12 issues of any three journals [as per your requirement] out of our 38 journals worth \$ 2376 USD.

**Other:**

**The individual Fellow and Associate designations accredited by Open Association of Research Society (US) credentials signify guarantees following achievements:**

- The professional accredited with Fellow honor, is entitled to various benefits viz. name, fame, honor, regular flow of income, secured bright future, social status etc.



- In addition to above, if one is single author, then entitled to 40% discount on publishing research paper and can get 10% discount if one is co-author or main author among group of authors.
- The Fellow can organize symposium/seminar/conference on behalf of Global Journals Incorporation (USA) and he/she can also attend the same organized by other institutes on behalf of Global Journals.
- The Fellow can become member of Editorial Board Member after completing 3yrs.
- The Fellow can earn 60% of sales proceeds from the sale of reference/review books/literature/publishing of research paper.
- Fellow can also join as paid peer reviewer and earn 15% remuneration of author charges and can also get an opportunity to join as member of the Editorial Board of Global Journals Incorporation (USA)
- • This individual has learned the basic methods of applying those concepts and techniques to common challenging situations. This individual has further demonstrated an in-depth understanding of the application of suitable techniques to a particular area of research practice.

**Note :**

//

- In future, if the board feels the necessity to change any board member, the same can be done with the consent of the chairperson along with anyone board member without our approval.
- In case, the chairperson needs to be replaced then consent of 2/3rd board members are required and they are also required to jointly pass the resolution copy of which should be sent to us. In such case, it will be compulsory to obtain our approval before replacement.
- In case of “Difference of Opinion [if any]” among the Board members, our decision will be final and binding to everyone.

//



## PROCESS OF SUBMISSION OF RESEARCH PAPER

---

The Area or field of specialization may or may not be of any category as mentioned in 'Scope of Journal' menu of the GlobalJournals.org website. There are 37 Research Journal categorized with Six parental Journals GJCST, GJMR, GJRE, GJMBR, GJSFR, GJHSS. For Authors should prefer the mentioned categories. There are three widely used systems UDC, DDC and LCC. The details are available as 'Knowledge Abstract' at Home page. The major advantage of this coding is that, the research work will be exposed to and shared with all over the world as we are being abstracted and indexed worldwide.

The paper should be in proper format. The format can be downloaded from first page of 'Author Guideline' Menu. The Author is expected to follow the general rules as mentioned in this menu. The paper should be written in MS-Word Format (\*.DOC,\*.DOCX).

The Author can submit the paper either online or offline. The authors should prefer online submission.Online Submission: There are three ways to submit your paper:

**(A) (I) First, register yourself using top right corner of Home page then Login. If you are already registered, then login using your username and password.**

**(II) Choose corresponding Journal.**

**(III) Click 'Submit Manuscript'. Fill required information and Upload the paper.**

**(B) If you are using Internet Explorer, then Direct Submission through Homepage is also available.**

**(C) If these two are not convenient, and then email the paper directly to dean@globaljournals.org.**

Offline Submission: Author can send the typed form of paper by Post. However, online submission should be preferred.



# PREFERRED AUTHOR GUIDELINES

## MANUSCRIPT STYLE INSTRUCTION (Must be strictly followed)

Page Size: 8.27" X 11"

- Left Margin: 0.65
- Right Margin: 0.65
- Top Margin: 0.75
- Bottom Margin: 0.75
- Font type of all text should be Swis 721 Lt BT.
- Paper Title should be of Font Size 24 with one Column section.
- Author Name in Font Size of 11 with one column as of Title.
- Abstract Font size of 9 Bold, "Abstract" word in Italic Bold.
- Main Text: Font size 10 with justified two columns section
- Two Column with Equal Column with of 3.38 and Gaping of .2
- First Character must be three lines Drop capped.
- Paragraph before Spacing of 1 pt and After of 0 pt.
- Line Spacing of 1 pt
- Large Images must be in One Column
- Numbering of First Main Headings (Heading 1) must be in Roman Letters, Capital Letter, and Font Size of 10.
- Numbering of Second Main Headings (Heading 2) must be in Alphabets, Italic, and Font Size of 10.

**You can use your own standard format also.**

### Author Guidelines:

1. General,
2. Ethical Guidelines,
3. Submission of Manuscripts,
4. Manuscript's Category,
5. Structure and Format of Manuscript,
6. After Acceptance.

### 1. GENERAL

Before submitting your research paper, one is advised to go through the details as mentioned in following heads. It will be beneficial, while peer reviewer justify your paper for publication.

### Scope

The Global Journals Inc. (US) welcome the submission of original paper, review paper, survey article relevant to the all the streams of Philosophy and knowledge. The Global Journals Inc. (US) is parental platform for Global Journal of Computer Science and Technology, Researches in Engineering, Medical Research, Science Frontier Research, Human Social Science, Management, and Business organization. The choice of specific field can be done otherwise as following in Abstracting and Indexing Page on this Website. As the all Global

Journals Inc. (US) are being abstracted and indexed (in process) by most of the reputed organizations. Topics of only narrow interest will not be accepted unless they have wider potential or consequences.

## 2. ETHICAL GUIDELINES

Authors should follow the ethical guidelines as mentioned below for publication of research paper and research activities.

Papers are accepted on strict understanding that the material in whole or in part has not been, nor is being, considered for publication elsewhere. If the paper once accepted by Global Journals Inc. (US) and Editorial Board, will become the copyright of the Global Journals Inc. (US).

**Authorship: The authors and coauthors should have active contribution to conception design, analysis and interpretation of findings. They should critically review the contents and drafting of the paper. All should approve the final version of the paper before submission**

The Global Journals Inc. (US) follows the definition of authorship set up by the Global Academy of Research and Development. According to the Global Academy of R&D authorship, criteria must be based on:

- 1) Substantial contributions to conception and acquisition of data, analysis and interpretation of the findings.
- 2) Drafting the paper and revising it critically regarding important academic content.
- 3) Final approval of the version of the paper to be published.

All authors should have been credited according to their appropriate contribution in research activity and preparing paper. Contributors who do not match the criteria as authors may be mentioned under Acknowledgement.

Acknowledgements: Contributors to the research other than authors credited should be mentioned under acknowledgement. The specifications of the source of funding for the research if appropriate can be included. Suppliers of resources may be mentioned along with address.

**Appeal of Decision: The Editorial Board's decision on publication of the paper is final and cannot be appealed elsewhere.**

**Permissions: It is the author's responsibility to have prior permission if all or parts of earlier published illustrations are used in this paper.**

Please mention proper reference and appropriate acknowledgements wherever expected.

If all or parts of previously published illustrations are used, permission must be taken from the copyright holder concerned. It is the author's responsibility to take these in writing.

Approval for reproduction/modification of any information (including figures and tables) published elsewhere must be obtained by the authors/copyright holders before submission of the manuscript. Contributors (Authors) are responsible for any copyright fee involved.

## 3. SUBMISSION OF MANUSCRIPTS

Manuscripts should be uploaded via this online submission page. The online submission is most efficient method for submission of papers, as it enables rapid distribution of manuscripts and consequently speeds up the review procedure. It also enables authors to know the status of their own manuscripts by emailing us. Complete instructions for submitting a paper is available below.

Manuscript submission is a systematic procedure and little preparation is required beyond having all parts of your manuscript in a given format and a computer with an Internet connection and a Web browser. Full help and instructions are provided on-screen. As an author, you will be prompted for login and manuscript details as Field of Paper and then to upload your manuscript file(s) according to the instructions.



To avoid postal delays, all transaction is preferred by e-mail. A finished manuscript submission is confirmed by e-mail immediately and your paper enters the editorial process with no postal delays. When a conclusion is made about the publication of your paper by our Editorial Board, revisions can be submitted online with the same procedure, with an occasion to view and respond to all comments.

Complete support for both authors and co-author is provided.

#### 4. MANUSCRIPT'S CATEGORY

Based on potential and nature, the manuscript can be categorized under the following heads:

Original research paper: Such papers are reports of high-level significant original research work.

Review papers: These are concise, significant but helpful and decisive topics for young researchers.

Research articles: These are handled with small investigation and applications

Research letters: The letters are small and concise comments on previously published matters.

#### 5. STRUCTURE AND FORMAT OF MANUSCRIPT

The recommended size of original research paper is less than seven thousand words, review papers fewer than seven thousands words also. Preparation of research paper or how to write research paper, are major hurdle, while writing manuscript. The research articles and research letters should be fewer than three thousand words, the structure original research paper; sometime review paper should be as follows:

**Papers:** These are reports of significant research (typically less than 7000 words equivalent, including tables, figures, references), and comprise:

(a) Title should be relevant and commensurate with the theme of the paper.

(b) A brief Summary, "Abstract" (less than 150 words) containing the major results and conclusions.

(c) Up to ten keywords, that precisely identifies the paper's subject, purpose, and focus.

(d) An Introduction, giving necessary background excluding subheadings; objectives must be clearly declared.

(e) Resources and techniques with sufficient complete experimental details (wherever possible by reference) to permit repetition; sources of information must be given and numerical methods must be specified by reference, unless non-standard.

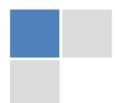
(f) Results should be presented concisely, by well-designed tables and/or figures; the same data may not be used in both; suitable statistical data should be given. All data must be obtained with attention to numerical detail in the planning stage. As reproduced design has been recognized to be important to experiments for a considerable time, the Editor has decided that any paper that appears not to have adequate numerical treatments of the data will be returned un-refereed;

(g) Discussion should cover the implications and consequences, not just recapitulating the results; conclusions should be summarizing.

(h) Brief Acknowledgements.

(i) References in the proper form.

Authors should very cautiously consider the preparation of papers to ensure that they communicate efficiently. Papers are much more likely to be accepted, if they are cautiously designed and laid out, contain few or no errors, are summarizing, and be conventional to the approach and instructions. They will in addition, be published with much less delays than those that require much technical and editorial correction.



The Editorial Board reserves the right to make literary corrections and to make suggestions to improve brevity.

It is vital, that authors take care in submitting a manuscript that is written in simple language and adheres to published guidelines.

## Format

*Language: The language of publication is UK English. Authors, for whom English is a second language, must have their manuscript efficiently edited by an English-speaking person before submission to make sure that, the English is of high excellence. It is preferable, that manuscripts should be professionally edited.*

Standard Usage, Abbreviations, and Units: Spelling and hyphenation should be conventional to The Concise Oxford English Dictionary. Statistics and measurements should at all times be given in figures, e.g. 16 min, except for when the number begins a sentence. When the number does not refer to a unit of measurement it should be spelt in full unless, it is 160 or greater.

Abbreviations supposed to be used carefully. The abbreviated name or expression is supposed to be cited in full at first usage, followed by the conventional abbreviation in parentheses.

Metric SI units are supposed to generally be used excluding where they conflict with current practice or are confusing. For illustration, 1.4 l rather than  $1.4 \times 10^{-3} \text{ m}^3$ , or 4 mm somewhat than  $4 \times 10^{-3} \text{ m}$ . Chemical formula and solutions must identify the form used, e.g. anhydrous or hydrated, and the concentration must be in clearly defined units. Common species names should be followed by underlines at the first mention. For following use the generic name should be constricted to a single letter, if it is clear.

## Structure

All manuscripts submitted to Global Journals Inc. (US), ought to include:

Title: The title page must carry an instructive title that reflects the content, a running title (less than 45 characters together with spaces), names of the authors and co-authors, and the place(s) wherever the work was carried out. The full postal address in addition with the e-mail address of related author must be given. Up to eleven keywords or very brief phrases have to be given to help data retrieval, mining and indexing.

*Abstract, used in Original Papers and Reviews:*

### Optimizing Abstract for Search Engines

Many researchers searching for information online will use search engines such as Google, Yahoo or similar. By optimizing your paper for search engines, you will amplify the chance of someone finding it. This in turn will make it more likely to be viewed and/or cited in a further work. Global Journals Inc. (US) have compiled these guidelines to facilitate you to maximize the web-friendliness of the most public part of your paper.

### Key Words

A major linchpin in research work for the writing research paper is the keyword search, which one will employ to find both library and Internet resources.

One must be persistent and creative in using keywords. An effective keyword search requires a strategy and planning a list of possible keywords and phrases to try.

Search engines for most searches, use Boolean searching, which is somewhat different from Internet searches. The Boolean search uses "operators," words (and, or, not, and near) that enable you to expand or narrow your affords. Tips for research paper while preparing research paper are very helpful guideline of research paper.

Choice of key words is first tool of tips to write research paper. Research paper writing is an art. A few tips for deciding as strategically as possible about keyword search:



- One should start brainstorming lists of possible keywords before even begin searching. Think about the most important concepts related to research work. Ask, "What words would a source have to include to be truly valuable in research paper?" Then consider synonyms for the important words.
- It may take the discovery of only one relevant paper to let steer in the right keyword direction because in most databases, the keywords under which a research paper is abstracted are listed with the paper.
- One should avoid outdated words.

Keywords are the key that opens a door to research work sources. Keyword searching is an art in which researcher's skills are bound to improve with experience and time.

Numerical Methods: Numerical methods used should be clear and, where appropriate, supported by references.

*Acknowledgements: Please make these as concise as possible.*

#### References

References follow the Harvard scheme of referencing. References in the text should cite the authors' names followed by the time of their publication, unless there are three or more authors when simply the first author's name is quoted followed by et al. unpublished work has to only be cited where necessary, and only in the text. Copies of references in press in other journals have to be supplied with submitted typescripts. It is necessary that all citations and references be carefully checked before submission, as mistakes or omissions will cause delays.

References to information on the World Wide Web can be given, but only if the information is available without charge to readers on an official site. Wikipedia and Similar websites are not allowed where anyone can change the information. Authors will be asked to make available electronic copies of the cited information for inclusion on the Global Journals Inc. (US) homepage at the judgment of the Editorial Board.

The Editorial Board and Global Journals Inc. (US) recommend that, citation of online-published papers and other material should be done via a DOI (digital object identifier). If an author cites anything, which does not have a DOI, they run the risk of the cited material not being noticeable.

The Editorial Board and Global Journals Inc. (US) recommend the use of a tool such as Reference Manager for reference management and formatting.

#### Tables, Figures and Figure Legends

*Tables: Tables should be few in number, cautiously designed, uncrowned, and include only essential data. Each must have an Arabic number, e.g. Table 4, a self-explanatory caption and be on a separate sheet. Vertical lines should not be used.*

*Figures: Figures are supposed to be submitted as separate files. Always take in a citation in the text for each figure using Arabic numbers, e.g. Fig. 4. Artwork must be submitted online in electronic form by e-mailing them.*

#### Preparation of Electronic Figures for Publication

Even though low quality images are sufficient for review purposes, print publication requires high quality images to prevent the final product being blurred or fuzzy. Submit (or e-mail) EPS (line art) or TIFF (halftone/photographs) files only. MS PowerPoint and Word Graphics are unsuitable for printed pictures. Do not use pixel-oriented software. Scans (TIFF only) should have a resolution of at least 350 dpi (halftone) or 700 to 1100 dpi (line drawings) in relation to the imitation size. Please give the data for figures in black and white or submit a Color Work Agreement Form. EPS files must be saved with fonts embedded (and with a TIFF preview, if possible).

For scanned images, the scanning resolution (at final image size) ought to be as follows to ensure good reproduction: line art: >650 dpi; halftones (including gel photographs) : >350 dpi; figures containing both halftone and line images: >650 dpi.



Color Charges: It is the rule of the Global Journals Inc. (US) for authors to pay the full cost for the reproduction of their color artwork. Hence, please note that, if there is color artwork in your manuscript when it is accepted for publication, we would require you to complete and return a color work agreement form before your paper can be published.

*Figure Legends: Self-explanatory legends of all figures should be incorporated separately under the heading 'Legends to Figures'. In the full-text online edition of the journal, figure legends may possibly be truncated in abbreviated links to the full screen version. Therefore, the first 100 characters of any legend should notify the reader, about the key aspects of the figure.*

## **6. AFTER ACCEPTANCE**

Upon approval of a paper for publication, the manuscript will be forwarded to the dean, who is responsible for the publication of the Global Journals Inc. (US).

### **6.1 Proof Corrections**

The corresponding author will receive an e-mail alert containing a link to a website or will be attached. A working e-mail address must therefore be provided for the related author.

Acrobat Reader will be required in order to read this file. This software can be downloaded

(Free of charge) from the following website:

[www.adobe.com/products/acrobat/readstep2.html](http://www.adobe.com/products/acrobat/readstep2.html). This will facilitate the file to be opened, read on screen, and printed out in order for any corrections to be added. Further instructions will be sent with the proof.

Proofs must be returned to the dean at [dean@globaljournals.org](mailto:dean@globaljournals.org) within three days of receipt.

As changes to proofs are costly, we inquire that you only correct typesetting errors. All illustrations are retained by the publisher. Please note that the authors are responsible for all statements made in their work, including changes made by the copy editor.

### **6.2 Early View of Global Journals Inc. (US) (Publication Prior to Print)**

The Global Journals Inc. (US) are enclosed by our publishing's Early View service. Early View articles are complete full-text articles sent in advance of their publication. Early View articles are absolute and final. They have been completely reviewed, revised and edited for publication, and the authors' final corrections have been incorporated. Because they are in final form, no changes can be made after sending them. The nature of Early View articles means that they do not yet have volume, issue or page numbers, so Early View articles cannot be cited in the conventional way.

### **6.3 Author Services**

Online production tracking is available for your article through Author Services. Author Services enables authors to track their article - once it has been accepted - through the production process to publication online and in print. Authors can check the status of their articles online and choose to receive automated e-mails at key stages of production. The authors will receive an e-mail with a unique link that enables them to register and have their article automatically added to the system. Please ensure that a complete e-mail address is provided when submitting the manuscript.

### **6.4 Author Material Archive Policy**

Please note that if not specifically requested, publisher will dispose off hardcopy & electronic information submitted, after the two months of publication. If you require the return of any information submitted, please inform the Editorial Board or dean as soon as possible.

### **6.5 Offprint and Extra Copies**

A PDF offprint of the online-published article will be provided free of charge to the related author, and may be distributed according to the Publisher's terms and conditions. Additional paper offprint may be ordered by emailing us at: [editor@globaljournals.org](mailto:editor@globaljournals.org) .



Before start writing a good quality Computer Science Research Paper, let us first understand what is Computer Science Research Paper? So, Computer Science Research Paper is the paper which is written by professionals or scientists who are associated to Computer Science and Information Technology, or doing research study in these areas. If you are novel to this field then you can consult about this field from your supervisor or guide.

#### TECHNIQUES FOR WRITING A GOOD QUALITY RESEARCH PAPER:

**1. Choosing the topic:** In most cases, the topic is searched by the interest of author but it can be also suggested by the guides. You can have several topics and then you can judge that in which topic or subject you are finding yourself most comfortable. This can be done by asking several questions to yourself, like Will I be able to carry our search in this area? Will I find all necessary recourses to accomplish the search? Will I be able to find all information in this field area? If the answer of these types of questions will be "Yes" then you can choose that topic. In most of the cases, you may have to conduct the surveys and have to visit several places because this field is related to Computer Science and Information Technology. Also, you may have to do a lot of work to find all rise and falls regarding the various data of that subject. Sometimes, detailed information plays a vital role, instead of short information.

**2. Evaluators are human:** First thing to remember that evaluators are also human being. They are not only meant for rejecting a paper. They are here to evaluate your paper. So, present your Best.

**3. Think Like Evaluators:** If you are in a confusion or getting demotivated that your paper will be accepted by evaluators or not, then think and try to evaluate your paper like an Evaluator. Try to understand that what an evaluator wants in your research paper and automatically you will have your answer.

**4. Make blueprints of paper:** The outline is the plan or framework that will help you to arrange your thoughts. It will make your paper logical. But remember that all points of your outline must be related to the topic you have chosen.

**5. Ask your Guides:** If you are having any difficulty in your research, then do not hesitate to share your difficulty to your guide (if you have any). They will surely help you out and resolve your doubts. If you can't clarify what exactly you require for your work then ask the supervisor to help you with the alternative. He might also provide you the list of essential readings.

**6. Use of computer is recommended:** As you are doing research in the field of Computer Science, then this point is quite obvious.

**7. Use right software:** Always use good quality software packages. If you are not capable to judge good software then you can lose quality of your paper unknowingly. There are various software programs available to help you, which you can get through Internet.

**8. Use the Internet for help:** An excellent start for your paper can be by using the Google. It is an excellent search engine, where you can have your doubts resolved. You may also read some answers for the frequent question how to write my research paper or find model research paper. From the internet library you can download books. If you have all required books make important reading selecting and analyzing the specified information. Then put together research paper sketch out.

**9. Use and get big pictures:** Always use encyclopedias, Wikipedia to get pictures so that you can go into the depth.

**10. Bookmarks are useful:** When you read any book or magazine, you generally use bookmarks, right! It is a good habit, which helps to not to lose your continuity. You should always use bookmarks while searching on Internet also, which will make your search easier.

**11. Revise what you wrote:** When you write anything, always read it, summarize it and then finalize it.



**12. Make all efforts:** Make all efforts to mention what you are going to write in your paper. That means always have a good start. Try to mention everything in introduction, that what is the need of a particular research paper. Polish your work by good skill of writing and always give an evaluator, what he wants.

**13. Have backups:** When you are going to do any important thing like making research paper, you should always have backup copies of it either in your computer or in paper. This will help you to not to lose any of your important.

**14. Produce good diagrams of your own:** Always try to include good charts or diagrams in your paper to improve quality. Using several and unnecessary diagrams will degrade the quality of your paper by creating "hotchpotch." So always, try to make and include those diagrams, which are made by your own to improve readability and understandability of your paper.

**15. Use of direct quotes:** When you do research relevant to literature, history or current affairs then use of quotes become essential but if study is relevant to science then use of quotes is not preferable.

**16. Use proper verb tense:** Use proper verb tenses in your paper. Use past tense, to present those events that happened. Use present tense to indicate events that are going on. Use future tense to indicate future happening events. Use of improper and wrong tenses will confuse the evaluator. Avoid the sentences that are incomplete.

**17. Never use online paper:** If you are getting any paper on Internet, then never use it as your research paper because it might be possible that evaluator has already seen it or maybe it is outdated version.

**18. Pick a good study spot:** To do your research studies always try to pick a spot, which is quiet. Every spot is not for studies. Spot that suits you choose it and proceed further.

**19. Know what you know:** Always try to know, what you know by making objectives. Else, you will be confused and cannot achieve your target.

**20. Use good quality grammar:** Always use a good quality grammar and use words that will throw positive impact on evaluator. Use of good quality grammar does not mean to use tough words, that for each word the evaluator has to go through dictionary. Do not start sentence with a conjunction. Do not fragment sentences. Eliminate one-word sentences. Ignore passive voice. Do not ever use a big word when a diminutive one would suffice. Verbs have to be in agreement with their subjects. Prepositions are not expressions to finish sentences with. It is incorrect to ever divide an infinitive. Avoid clichés like the disease. Also, always shun irritating alliteration. Use language that is simple and straight forward. put together a neat summary.

**21. Arrangement of information:** Each section of the main body should start with an opening sentence and there should be a changeover at the end of the section. Give only valid and powerful arguments to your topic. You may also maintain your arguments with records.

**22. Never start in last minute:** Always start at right time and give enough time to research work. Leaving everything to the last minute will degrade your paper and spoil your work.

**23. Multitasking in research is not good:** Doing several things at the same time proves bad habit in case of research activity. Research is an area, where everything has a particular time slot. Divide your research work in parts and do particular part in particular time slot.

**24. Never copy others' work:** Never copy others' work and give it your name because if evaluator has seen it anywhere you will be in trouble.

**25. Take proper rest and food:** No matter how many hours you spend for your research activity, if you are not taking care of your health then all your efforts will be in vain. For a quality research, study is must, and this can be done by taking proper rest and food.

**26. Go for seminars:** Attend seminars if the topic is relevant to your research area. Utilize all your resources.



**27. Refresh your mind after intervals:** Try to give rest to your mind by listening to soft music or by sleeping in intervals. This will also improve your memory.

**28. Make colleagues:** Always try to make colleagues. No matter how sharper or intelligent you are, if you make colleagues you can have several ideas, which will be helpful for your research.

**29. Think technically:** Always think technically. If anything happens, then search its reasons, its benefits, and demerits.

**30. Think and then print:** When you will go to print your paper, notice that tables are not be split, headings are not detached from their descriptions, and page sequence is maintained.

**31. Adding unnecessary information:** Do not add unnecessary information, like, I have used MS Excel to draw graph. Do not add irrelevant and inappropriate material. These all will create superfluous. Foreign terminology and phrases are not apropos. One should NEVER take a broad view. Analogy in script is like feathers on a snake. Not at all use a large word when a very small one would be sufficient. Use words properly, regardless of how others use them. Remove quotations. Puns are for kids, not grunt readers. Amplification is a billion times of inferior quality than sarcasm.

**32. Never oversimplify everything:** To add material in your research paper, never go for oversimplification. This will definitely irritate the evaluator. Be more or less specific. Also too, by no means, ever use rhythmic redundancies. Contractions aren't essential and shouldn't be there used. Comparisons are as terrible as clichés. Give up ampersands and abbreviations, and so on. Remove commas, that are, not necessary. Parenthetical words however should be together with this in commas. Understatement is all the time the complete best way to put onward earth-shaking thoughts. Give a detailed literary review.

**33. Report concluded results:** Use concluded results. From raw data, filter the results and then conclude your studies based on measurements and observations taken. Significant figures and appropriate number of decimal places should be used. Parenthetical remarks are prohibitive. Proofread carefully at final stage. In the end give outline to your arguments. Spot out perspectives of further study of this subject. Justify your conclusion by at the bottom of them with sufficient justifications and examples.

**34. After conclusion:** Once you have concluded your research, the next most important step is to present your findings. Presentation is extremely important as it is the definite medium through which your research is going to be in print to the rest of the crowd. Care should be taken to categorize your thoughts well and present them in a logical and neat manner. A good quality research paper format is essential because it serves to highlight your research paper and bring to light all necessary aspects in your research.

## INFORMAL GUIDELINES OF RESEARCH PAPER WRITING

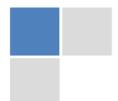
### Key points to remember:

- Submit all work in its final form.
- Write your paper in the form, which is presented in the guidelines using the template.
- Please note the criterion for grading the final paper by peer-reviewers.

### Final Points:

A purpose of organizing a research paper is to let people to interpret your effort selectively. The journal requires the following sections, submitted in the order listed, each section to start on a new page.

The introduction will be compiled from reference matter and will reflect the design processes or outline of basis that direct you to make study. As you will carry out the process of study, the method and process section will be constructed as like that. The result segment will show related statistics in nearly sequential order and will direct the reviewers next to the similar intellectual paths throughout the data that you took to carry out your study. The discussion section will provide understanding of the data and projections as to the implication of the results. The use of good quality references all through the paper will give the effort trustworthiness by representing an alertness of prior workings.



Writing a research paper is not an easy job no matter how trouble-free the actual research or concept. Practice, excellent preparation, and controlled record keeping are the only means to make straightforward the progression.

**General style:**

Specific editorial column necessities for compliance of a manuscript will always take over from directions in these general guidelines.

To make a paper clear

- Adhere to recommended page limits

Mistakes to evade

- Insertion a title at the foot of a page with the subsequent text on the next page
- Separating a table/chart or figure - impound each figure/table to a single page
- Submitting a manuscript with pages out of sequence

In every sections of your document

- Use standard writing style including articles ("a", "the," etc.)
- Keep on paying attention on the research topic of the paper
- Use paragraphs to split each significant point (excluding for the abstract)
- Align the primary line of each section
- Present your points in sound order
- Use present tense to report well accepted
- Use past tense to describe specific results
- Shun familiar wording, don't address the reviewer directly, and don't use slang, slang language, or superlatives
- Shun use of extra pictures - include only those figures essential to presenting results

**Title Page:**

Choose a revealing title. It should be short. It should not have non-standard acronyms or abbreviations. It should not exceed two printed lines. It should include the name(s) and address (es) of all authors.



## Abstract:

The summary should be two hundred words or less. It should briefly and clearly explain the key findings reported in the manuscript-- must have precise statistics. It should not have abnormal acronyms or abbreviations. It should be logical in itself. Shun citing references at this point.

An abstract is a brief distinct paragraph summary of finished work or work in development. In a minute or less a reviewer can be taught the foundation behind the study, common approach to the problem, relevant results, and significant conclusions or new questions.

Write your summary when your paper is completed because how can you write the summary of anything which is not yet written? Wealth of terminology is very essential in abstract. Yet, use comprehensive sentences and do not let go readability for brevity. You can maintain it succinct by phrasing sentences so that they provide more than lone rationale. The author can at this moment go straight to shortening the outcome. Sum up the study, with the subsequent elements in any summary. Try to maintain the initial two items to no more than one ruling each.

- Reason of the study - theory, overall issue, purpose
- Fundamental goal
- To the point depiction of the research
- Consequences, including definite statistics - if the consequences are quantitative in nature, account quantitative data; results of any numerical analysis should be reported
- Significant conclusions or questions that track from the research(es)

## Approach:

- Single section, and succinct
- As an outline of job done, it is always written in past tense
- A conceptual should situate on its own, and not submit to any other part of the paper such as a form or table
- Center on shortening results - bound background information to a verdict or two, if completely necessary
- What you account in an abstract must be regular with what you reported in the manuscript
- Exact spelling, clearness of sentences and phrases, and appropriate reporting of quantities (proper units, important statistics) are just as significant in an abstract as they are anywhere else

## Introduction:

The **Introduction** should "introduce" the manuscript. The reviewer should be presented with sufficient background information to be capable to comprehend and calculate the purpose of your study without having to submit to other works. The basis for the study should be offered. Give most important references but shun difficult to make a comprehensive appraisal of the topic. In the introduction, describe the problem visibly. If the problem is not acknowledged in a logical, reasonable way, the reviewer will have no attention in your result. Speak in common terms about techniques used to explain the problem, if needed, but do not present any particulars about the protocols here. Following approach can create a valuable beginning:

- Explain the value (significance) of the study
- Shield the model - why did you employ this particular system or method? What is its compensation? You strength remark on its appropriateness from a abstract point of vision as well as point out sensible reasons for using it.
- Present a justification. Status your particular theory (es) or aim(s), and describe the logic that led you to choose them.
- Very for a short time explain the tentative propose and how it skilled the declared objectives.

## Approach:

- Use past tense except for when referring to recognized facts. After all, the manuscript will be submitted after the entire job is done.
- Sort out your thoughts; manufacture one key point with every section. If you make the four points listed above, you will need a least of four paragraphs.



- Present surroundings information only as desirable in order hold up a situation. The reviewer does not desire to read the whole thing you know about a topic.
- Shape the theory/purpose specifically - do not take a broad view.
- As always, give awareness to spelling, simplicity and correctness of sentences and phrases.

#### **Procedures (Methods and Materials):**

This part is supposed to be the easiest to carve if you have good skills. A sound written Procedures segment allows a capable scientist to replacement your results. Present precise information about your supplies. The suppliers and clarity of reagents can be helpful bits of information. Present methods in sequential order but linked methodologies can be grouped as a segment. Be concise when relating the protocols. Attempt for the least amount of information that would permit another capable scientist to spare your outcome but be cautious that vital information is integrated. The use of subheadings is suggested and ought to be synchronized with the results section. When a technique is used that has been well described in another object, mention the specific item describing a way but draw the basic principle while stating the situation. The purpose is to text all particular resources and broad procedures, so that another person may use some or all of the methods in one more study or referee the scientific value of your work. It is not to be a step by step report of the whole thing you did, nor is a methods section a set of orders.

#### **Materials:**

- Explain materials individually only if the study is so complex that it saves liberty this way.
- Embrace particular materials, and any tools or provisions that are not frequently found in laboratories.
- Do not take in frequently found.
- If use of a definite type of tools.
- Materials may be reported in a part section or else they may be recognized along with your measures.

#### **Methods:**

- Report the method (not particulars of each process that engaged the same methodology)
- Describe the method entirely
- To be succinct, present methods under headings dedicated to specific dealings or groups of measures
- Simplify - details how procedures were completed not how they were exclusively performed on a particular day.
- If well known procedures were used, account the procedure by name, possibly with reference, and that's all.

#### **Approach:**

- It is embarrassed or not possible to use vigorous voice when documenting methods with no using first person, which would focus the reviewer's interest on the researcher rather than the job. As a result when script up the methods most authors use third person passive voice.
- Use standard style in this and in every other part of the paper - avoid familiar lists, and use full sentences.

#### **What to keep away from**

- Resources and methods are not a set of information.
- Skip all descriptive information and surroundings - save it for the argument.
- Leave out information that is immaterial to a third party.

#### **Results:**

The principle of a results segment is to present and demonstrate your conclusion. Create this part a entirely objective details of the outcome, and save all understanding for the discussion.

The page length of this segment is set by the sum and types of data to be reported. Carry on to be to the point, by means of statistics and tables, if suitable, to present consequences most efficiently. You must obviously differentiate material that would usually be incorporated in a study editorial from any unprocessed data or additional appendix matter that would not be available. In fact, such matter should not be submitted at all except requested by the instructor.



## Content

- Sum up your conclusion in text and demonstrate them, if suitable, with figures and tables.
- In manuscript, explain each of your consequences, point the reader to remarks that are most appropriate.
- Present a background, such as by describing the question that was addressed by creation an exacting study.
- Explain results of control experiments and comprise remarks that are not accessible in a prescribed figure or table, if appropriate.
- Examine your data, then prepare the analyzed (transformed) data in the form of a figure (graph), table, or in manuscript form.

### What to stay away from

- Do not discuss or infer your outcome, report surroundings information, or try to explain anything.
- Not at all, take in raw data or intermediate calculations in a research manuscript.
- Do not present the similar data more than once.
- Manuscript should complement any figures or tables, not duplicate the identical information.
- Never confuse figures with tables - there is a difference.

### Approach

- As forever, use past tense when you submit to your results, and put the whole thing in a reasonable order.
- Put figures and tables, appropriately numbered, in order at the end of the report
- If you desire, you may place your figures and tables properly within the text of your results part.

### Figures and tables

- If you put figures and tables at the end of the details, make certain that they are visibly distinguished from any attach appendix materials, such as raw facts
- Despite of position, each figure must be numbered one after the other and complete with subtitle
- In spite of position, each table must be titled, numbered one after the other and complete with heading
- All figure and table must be adequately complete that it could situate on its own, divide from text

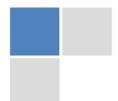
### Discussion:

The Discussion is expected the trickiest segment to write and describe. A lot of papers submitted for journal are discarded based on problems with the Discussion. There is no head of state for how long a argument should be. Position your understanding of the outcome visibly to lead the reviewer through your conclusions, and then finish the paper with a summing up of the implication of the study. The purpose here is to offer an understanding of your results and hold up for all of your conclusions, using facts from your research and generally accepted information, if suitable. The implication of result should be visibly described. Infer your data in the conversation in suitable depth. This means that when you clarify an observable fact you must explain mechanisms that may account for the observation. If your results vary from your prospect, make clear why that may have happened. If your results agree, then explain the theory that the proof supported. It is never suitable to just state that the data approved with prospect, and let it drop at that.

- Make a decision if each premise is supported, discarded, or if you cannot make a conclusion with assurance. Do not just dismiss a study or part of a study as "uncertain."
- Research papers are not acknowledged if the work is imperfect. Draw what conclusions you can based upon the results that you have, and take care of the study as a finished work
- You may propose future guidelines, such as how the experiment might be personalized to accomplish a new idea.
- Give details all of your remarks as much as possible, focus on mechanisms.
- Make a decision if the tentative design sufficiently addressed the theory, and whether or not it was correctly restricted.
- Try to present substitute explanations if sensible alternatives be present.
- One research will not counter an overall question, so maintain the large picture in mind, where do you go next? The best studies unlock new avenues of study. What questions remain?
- Recommendations for detailed papers will offer supplementary suggestions.

### Approach:

- When you refer to information, differentiate data generated by your own studies from available information
- Submit to work done by specific persons (including you) in past tense.
- Submit to generally acknowledged facts and main beliefs in present tense.



ADMINISTRATION RULES LISTED BEFORE  
SUBMITTING YOUR RESEARCH PAPER TO GLOBAL JOURNALS INC. (US)

Please carefully note down following rules and regulation before submitting your Research Paper to Global Journals Inc. (US):

**Segment Draft and Final Research Paper:** You have to strictly follow the template of research paper. If it is not done your paper may get rejected.

- The **major constraint** is that you must independently make all content, tables, graphs, and facts that are offered in the paper. You must write each part of the paper wholly on your own. The Peer-reviewers need to identify your own perceptives of the concepts in your own terms. NEVER extract straight from any foundation, and never rephrase someone else's analysis.
- Do not give permission to anyone else to "PROOFREAD" your manuscript.
- **Methods to avoid Plagiarism is applied by us on every paper, if found guilty, you will be blacklisted by all of our collaborated research groups, your institution will be informed for this and strict legal actions will be taken immediately.)**
- To guard yourself and others from possible illegal use please do not permit anyone right to use to your paper and files.



CRITERION FOR GRADING A RESEARCH PAPER (COMPILATION)  
BY GLOBAL JOURNALS INC. (US)

Please note that following table is only a Grading of "Paper Compilation" and not on "Performed/Stated Research" whose grading solely depends on Individual Assigned Peer Reviewer and Editorial Board Member. These can be available only on request and after decision of Paper. This report will be the property of Global Journals Inc. (US).

Topics	Grades		
	A-B	C-D	E-F
<i>Abstract</i>	Clear and concise with appropriate content, Correct format. 200 words or below	Unclear summary and no specific data, Incorrect form  Above 200 words	No specific data with ambiguous information  Above 250 words
<i>Introduction</i>	Containing all background details with clear goal and appropriate details, flow specification, no grammar and spelling mistake, well organized sentence and paragraph, reference cited	Unclear and confusing data, appropriate format, grammar and spelling errors with unorganized matter	Out of place depth and content, hazy format
<i>Methods and Procedures</i>	Clear and to the point with well arranged paragraph, precision and accuracy of facts and figures, well organized subheads	Difficult to comprehend with embarrassed text, too much explanation but completed	Incorrect and unorganized structure with hazy meaning
<i>Result</i>	Well organized, Clear and specific, Correct units with precision, correct data, well structuring of paragraph, no grammar and spelling mistake	Complete and embarrassed text, difficult to comprehend	Irregular format with wrong facts and figures
<i>Discussion</i>	Well organized, meaningful specification, sound conclusion, logical and concise explanation, highly structured paragraph reference cited	Wordy, unclear conclusion, spurious	Conclusion is not cited, unorganized, difficult to comprehend
<i>References</i>	Complete and correct format, well organized	Beside the point, Incomplete	Wrong format and structuring



# INDEX

---

---

## **A**

Ameliorate · 2, 4, 69  
Arguably · 53

---

## **B**

Bolsheviks · 5

---

## **C**

Contravening · 27

---

## **D**

Damascus · 8  
Despotism · 53  
Disenchanted · 5, 6  
Dissidents · 2, 4, 5, 6, 10

---

## **E**

Epistemological · 53

---

## **H**

Hygroscopic · 30

---

## **M**

Monarchies · 2

---

## **N**

Nocturnal · 62

---

## **P**

Proletariat · 2  
Pyrrhic · 70

---

## **R**

Rebellion · 8  
Ropriateness · 54

---

## **S**

Scrutinized · 8, 18

---

## **T**

Tautologies · 54  
Traumatized · 45, 47

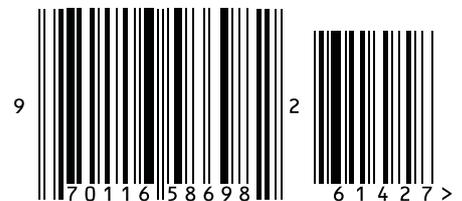


save our planet



# Global Journal of Human Social Science

Visit us on the Web at [www.GlobalJournals.org](http://www.GlobalJournals.org) | [www.SocialScienceResearch.org](http://www.SocialScienceResearch.org)  
or email us at [helpdesk@globaljournals.org](mailto:helpdesk@globaljournals.org)



ISSN 975587

© Global Journals