DMI - St. Eugene University

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From the desk of

Dr. T. X. A. ANANTH, BBA, MSW, MBA, MPhil, PhD

President –University Council

Dear Student Teachers,

Greetings

On behalf of DMI – St. Eugene University, I welcome you to third semester of the fast track teacher training programme, 2015.

At this point, we at DMI – SEU need to thank the Lord Almighty for the strength we have gained to face the second year at IVDL with improved facilities and renewed energy. I am duty bound to express my gratitude for encouragement received from Rev. Fr. Dr. J. E. Arulraj, our Founder-Chancellor of DMI – St. Eugene University, for his moral support, the financial assistance and guidance.

These books form the learning materials for your course in the III Semester and supportive references which will help your teaching career. Each subject is mapped to the syllabus and discussed in detail for easy understanding of the texts. Our dedicated team works to create texts that will be an additional asset in your career as teaching faculty in your respective institutions.

I welcome each of you once again on behalf of our respected Chancellor, members of the faculty and on my own behalf to benefit from the programme and contribute effectively to serve Zambia to reach the level of development envisioned by the country's early freedom fighters and liberators during their years of struggle for independence. Your efforts will be appreciated in harnessing the natural resources to generate the financial wealth that will move Zambia forward in the eyes of the developed world.

It is our endeavour to help you all in building a modern Zambia, a country that is blessed with an abundance of human and natural resources. I wish you all the best there in your second year at IVDL.

Dr. T. X. A. ANANTH

President – University Council

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UNIT-1

CIVIL SOCIETY AND THE MEDIA IN GOVERNACE

Introduction

The concept of civil society was revived in the 1990s. For this contemporary 'revival' of the idea of civil society, different reasons were given such as "globalization, political change in the post-Cold War era and a sense of dismay about the quality of society "1; it has also been seen as "the third element of a comprehensive reaction against the developmental states of the 1960s and 1970s in which civil society is a sociological counterpart of the market in the economic sphere and to democracy in the political sphere ", or as "a cure to virtually all the ills of the contemporary world"3. In accordance with these developments the definitions of civil society are reexamined; as a result, the concept of civil societyhas obtained a new dimension with regard to the consolidation of democracy.

Theoretical Framework

In different time periods, the notion of civil society is labeled in different ways. Civil society was denoted as an antithesis to the state in the 18th century. Such a definition of civil society changes in the 19th century, so that civil society was combined with concepts like bourgeoisie, market, and liberal economy. In coming to the 20th century, the notion of civil society took on a different meaning related to democracy. It was perceived as an entity promoting democratization and/or deepening democracy. In addition, in the 21st century, the concept of civil society was represented by supranational/transnational civil society organizations. Notwithstanding these variations and shifts in the meaning of civil society from the 18th century onwards, according to Shils, three central characteristics have been sustained: "the distinction and the independence of society from the state, the rights of individuals, a constellation of many autonomous economic units or business firms acting independently of the state and competing with each other. Accordingly, the term civil society is indispensable to grasp the changes that have occurred in Eastern Europe and Latin America. The reason behind this argument is that the struggles against authoritarian socialist party-states in Eastern Europe came from the civil society.

For Baker, the rediscovery of the concept of civil society arises from the fact that the opposition movements in Eastern Europe used "the idea of civil society in theorizing their struggle to create a protected societal sphere separate from the official sphere of the all-embracing party-state"

Despite the fact that the idea of civil society has been rediscovered, some scholars believe that the idea of civil society is getting so popular and vague. One of them is Dionne who attempts to anticipate the reasons. According to him, there are three reasons: "a move among thinkers on both left and right reflect on the failures of their perspective sides and face evidence, a widespread sense that changes in the economy and in the organization of work, family, and neighborhood have outpaced the capacity of older forms of civic and associational life to help individuals and communities cope with the change, and the impact of an antigovernment mood"

Conceptualization of Civil Society

In defining civil society, the shape and definition of civil society is reflected in the purposes to which a given group directs it. Therefore, to define civil society is difficult in a simple manner. Hence, it is necessary to categorize the definition of civil society.

Civil Society in Classical Terms

The notion of civil society was defined during the Enlightenment by John Locke in a way that "civil society played an important role as the sphere of social activity men entered in order to protect their individual property rights". For Hegel, "the state was the protector, suggesting that civil society could not remain civil unless it is ordered politically, subjected to higher surveillance of the state". According to Rooy, civil society is equalized with self-interested and egotistical society by Hegel and, since Hegel claims that "civil society developed as a means of protecting the individual rights and needs of the privileged to guarantee freedom in economic, social, and cultural spheres" Gramsci articulates the concept of civil society as a system of control and exclusion. "While the state is directly responsible for violent and coercive methods of control, civil society enables capitalists to exert control over social and economic practices through nonviolent means"

Contemporary Definitions of Civil Society

Hall explains civil society as an ideal capable of social embodiment. That is to say, civil society is "a form of societal self-organization which allows for cooperation with the state whilst enabling individuation"

The notion of civil society is interpreted differently by many scholars. Zaki identifies civil society as an "aspect of social life that is distinct and removed from the realm of the state-a collective entity that exists apart from the state". The concept is based on the free individual and the community consisting of free individuals that are free from the control of the state; nevertheless, their activities are regulated by law, that is to say, civil society is a public realm for the voluntary activities of autonomous individuals. According to Rooy, the concept of civil society is categorized as "values and norms, space for action, historical monument and antidote to the State". In the first analysis, civil society is described as the

ideal one in which "ambitions such as trust, tolerance, and cooperation are held to be universal and to be universally good". For Seligman, "two centuries after its origins in the Enlightenment, the idea of civil society is being reviewed to provide the answer to the greater good of society and, similarly, how society can advance the interests of the individuals who comprise it

Civil Society as a Space for Action

While classifying civil society as a space for action, the term is depicted as "one of the three spheres, together with State and market that interface in the making of democratic societies". Another notion of space is that "civil society is a space or arena between household and State which affords possibilities of concerted action and self-organization". In addition, Larry Diamond describes civil society as "the sphere that battles the State and keeps it check". Diamond asserts the concept of civil society as:

> *The realm of organized social life that is voluntary, self-generating,*
> *self-supporting, and autonomous from the State, and bound by a legal*
> *order or set of shared values. It is distinct from society in general in*
> *that it involves citizens acting collectively in a public sphere to*
> *express their interests, passions, and ideas, exchange information,*
> *achieve mutual goals, make demands on the State and hold State*
> *officials accountable.*

(Diamond, 1994:5)

Linz and Stepan share similar views with Diamond in a way that civil society refers to the "arena of the polity where self-organizing and relatively autonomous groups, movements, and individuals attempt to articulate values, to create associations and solidarities, and to advance their interests"

The term civil society is depicted as "a network of groups and associations between families and face-to-face groups on one side and out-right state organizations on the other, mediating between individual and state, private and public" by Cohen and Arato. According to Madison, a civil society is "one which expressly seeks to safeguard the autonomy of the different spheres of human agency" comparing to the oppressive homogeneity of the totalitarian state. For him, civil society is a pluralistic society in contrast to the monolithic totalitarian state. Indeed, the notion of civil society as a space for action overlaps with a pluralistic view of civil society in which the arbitrary use of the State power is challenged or limited, and the individual is protected against the unjust State actions. Consequently, "civil society is one which expressly seeks to safeguard the autonomy of the different spheres of human agency and is anintrinsically *pluralistic* society"

Civil Society as a Historical Moment

In accordance with Rooy's classification, the third notion describes civil society as an historical moment in which it is tried to find answer to the question of how civil society emerges. Seligman responds to the question by suggesting prerequisites for the existence of civil society: "the primacy of the individual, rights-bearing and autonomous, and a shared public space in which agreed rules and norms are sustained and followed." Similarly, Gellner argues that "the historical and social prerequisites for a civil society are notably the creation of atomized liberal individuals."

Civil Society as a Democratic Institution Builder

Apart from these, another description of civil society, as a democratic institution builder, needs to be added. Larry Diamond offers "the most comprehensive theoretical assessments of the virtue of civil society in the context of democratic transition and consolidation" which I shall refer to again later. There is a strong link between a healthy civil society and the existence of democracy. Civil society arises with the development of democracy. "The institution of civil society is the necessary condition of possibility of democracy, i.e., of a regime dedicated to the respect, recognition, and enhancement of universal human rights." Hence, civil society is seen an essential ingredient in democratization and in the health of established democracies by Madison.

Paradoxes of Civil Society

There are many paradoxes of civil society in respect to its meaning and its relationship with the state and democracy. In the first place, civil society is paradoxical insofar as it is rooted in individualization as well as in collectivism. Such a combination is stated by Habermas as "the spheres of private people come together as a public" There is a tension between the particular rights and obligations, and the collective membership in a civil society organization. The ideal notion of civil society emphases the respect for individual rights and freedoms as well as pluralism; however, the practices of civil society function on the behalf of the collectivity. Thus, the duality between the individualization and collectivity occurs.

A second paradoxical dimension of civil society is that definitions in which civil society is depicted as 'the realm of social activities' are too broad since such activities include "privately owned, market-oriented, voluntarily run and friendship-based organizations" The problem is that these definitions are unable to differentiate civil society from the spheres of ideological, religious and family life. For Alexander, these patterns must be carefully kept distinct.

Another paradox is that "civil society can never be separated from the state" Many thinkers define civil society as a realm distinct from the state or as a counterweight to the state. However, the state provides a legal framework for civil society to the extent that it is useful for the constitution of the latter. In this regard, civil society is connected with the state that is the provider of the legal and civil order.

The ideal type of civil society emphasizing the qualities of separation, autonomy, and voluntary association contradicts the empirical world in which civil society is embedded. For White, the reason is that in the empirical world, "the boundaries between state and civil society are often blurred: states may play an important role in shaping civil society as well as vice-versa, the two organizational spheres may overlap to varying degrees"

Civil society is portrayed as an autonomous sphere of social power within which citizens enable to pressure authoritarians for change, and democratize from below. Foley and Edwards's concern that "if civil society is a beachhead secure enough to be of use in thwarting tyrannical regimes, what prevents it from being used to undermine democratic governments?" The irony is that on the one hand it is desirable for civil society to be autonomous from the state and be strong enough to counterweight to the state;

A different kind of paradox is inequality within the realm of civil society in which a variety of social groups attempt to accumulate resources and provide services. Yet, all of them do not have the same capacity to acquire those resources and services. Walzer argues that " all forms of inequality are reflected and even magnified in the organizational life of civil society " Similarly, Trentmann states that "there is no such thing as a civil society without some conflict and inequality"48 . However, ideally civil society is rooted in self-help and mutual aid. The main core of civil society is voluntary giving money and of time and energy. According to Walzer, all different groups within civil society should have capabilities of serving their own members and of providing services. In doing so, the engagement of the state is required. Consequently, a contradiction between ideally having a sufficient material and institutional base and practically having no access to recourses which necessitates the state involvement.

The main function of civil society is to foster civic involvement and political participation; yet it is unlikely to promote democratic health in the same way or to the same extent by all associations. Therefore, such an unbalance creates a paradox.

Somehow civil society is identified with the entirety of social life rooted outside the state and the economy According to Alexander, such an attempt to agglomerate various institutions and cultural patterns must be corrected in a way that they must be much more carefully kept distinct. Likewise, Trentmann claims that it may helpful to differentiate between types and degrees of civil society.

There is always a danger in the idea of civil society so that plurality and inequality, tolerance and discrimination go hand in hand in civil society organizations.   Therefore, to create the balance between inclusion and exclusion is difficult.

Civil societytherefore,refers to the arena – distinct from the market and the state – in which citizens come together to pursue common interests through collective action, neither for profit nor for the exercise of political power. Thus, all organizations and associations that lie between the family and the state (except firms and political parties) are part of civil society. These include religious and professional organizations, labor unions, the not-for-profit media, grassroots organizations, and NGOs (World Bank 2003b).

Civil Societies in Zambia
Civil society in Zambia includes professional bodies, trade unions, gender-based groups,human rights and advocacy groups, service-oriented CSOs, faith-based organisations,international NGOs and the media. Around 43% of CSOs are classed as education, youthand child development organisations, perhaps reflecting an emphasis on and fundingsupport for activities which address MDGs. There are also sizeable concentrations of CSOsin the fields of governance (13%), HIV/AIDS (11%), employment (10%) and water andsanitation (10%).

The independent media is seen as a strong force within civil society, and a necessary counterpoint to the strength of the state media, particularly broadcast media. In 2011, several attacks were noted against independent journalists. Traditional leadership also continues to play an important role, particularly in rural Zambia. CSOs are however seen as overly concentrated in cities, with half of all CSOs based in the capital Lusaka, which challenges CSOs' ability to tackle rural poverty.

Civil society is viewed as well institutionalised, but somewhat untransparent. CSO governance structures are critiqued as often resulting from donor insistence on minimal governance standards as a condition of funding. CSO board members are not felt to be of the same quality as the board members of corporate sector institutions, and many CSOs remain dominated by founder membersand other long-serving individuals. This is acknowledged as undermining CSOs' significant role as a watchdog of government and promoter of good governance. Alongside the lack of enabling civil society legislation, CSOs acknowledge the absence of their own code of conduct; the NGO authorising board established by the 2009 NGO Act has been tasked with elaborating a code of conduct for NGOs. A need to develop participatory accountability mechanisms that are oriented around CSO beneficiaries rather than donors is also identified

The Role of Civil Society in Government issues

Civil society organisations have continued to growin Zambia since the 1990s.In additionto a consolidation ofestablished key players, a plethora of new organisations, umbrellas and formal or informalnetworks have beenentering the scene. By 2003, in a country of some ten million people, about ten thousandcivil society organisations have been registered, makingup even double as many withtheir branches. They have addressed a wide range of issues concerning development; from eradication of poverty, governance, democracy, human rights and the rule of law. Arecent example of civil society participation would be inthe context of formulating Zambia's Poverty Reduction Strategy Paper(PRSP), wherea large network was formed, crosscutting in its sectorspecific, regional and topical dimensions.It involved a process

Today Zambia has an active and diverse civil society.It is composed of NGOs; foundations; think tanks; private and public sector unions; professional, business and neighborhood associations; women's, indigenous, and a plethora of informal organizations, including for example church groups, sports clubs and youth groups.

Civil society organizations are likely to relate to the state and contribute to the governance process, in one of the following three ways (Liebenberg 2004: 108):

(a) **Complementing the state:** Civil society organizations (e.g. NGOs) do take part in providing services which the state would otherwise not be able to provide. Civil society organizations therefore become instruments of government policy implementation. They are partners of government in the development process since they are able to provide services required in the fields of welfare, development, local government and economic growth. However, taking into consideration that civil society organizations have their own weaknesses, we should not make NGOs as substitutes for government and let the government abandon its development role and pour huge amounts into the NGOs sector and leave the responsibility of development to the Civil society organizations. Because they have their own limitations NGOs cannot do all what government can do: government thus cannot function like NGOs and viseversa. NGOs and government should therefore just complement each other in the process of development. NGOs should identify which functions the government cannot perform as effectively as it should, and serve as an alternative in the provision of such services. The government should also realize that civil society organizations are checked so that they are accountable to the community and to the government otherwise if left unchecked individuals

or groups can use them for their own selfish ends and not for the common good.

(b) Opposing the state: Civil society organizations can oppose the state in one way or the other. They oppose the state directly or through various pressure groups in an effort to engage government with regard to its policies which the NGO and the community might feel are adversely affecting them. Please note that this is an important contribution of civil society to the governance process in that this is the tool civil society uses to ensure that there are checks and balances. Civil society organizations such as trade unions, church organizations, cooperatives, and opposition political parties often oppose government policies which they see to be out of touch with reality or are not serving the interests of the common people. Take for example, the role played by civil society in the opposition to the adoption the constitution through the National Constitution Conference (NCC) as opposed to being adopted by theconstituent Assembly; and recently the protest against the huge salaryincreases awarded to ministers and high ranking constitutional office holders.

(c)   Reforming the state: Civil society organizations can and often represent interest groups that are working at grassroots levels and negotiate with government to improve government policies. In this era of governance, new roles and relationships have occurred. There is change in the relationship between government and people (between citizens and the state). New sorts of interactions are emerging where the local communities no longer off -load their problems onto government agencies; instead there is now a shared or negotiated process of planning action where rules are not imposed but rather citizens themselves are actively involved in rule setting. There is also a movement away from community service to social capital. It is argued that like all other forms of capital socialcapital is productive; it is the feature of social organization, such as trust, normsand networks that can improve the efficiency of society by facilitating coordinatedaction. Thus social capital has becomepopular as an organizing idea precisely because it is derived from humanrelationships, communication and networks, and adds value.(Goss 2001 :53)

The Role of Civil Society in Democratic Consolidation

The first and basic function of civil society is to provide "the basis for the limitation of state power, hence for the control of the state by society, and hence for democratic political institutions as the most means of exercising that control" White argues that civil society can alter the balance of power between state and society in favor of the latter. Thus, civil society is a vital instrument for monitoring and restraining the exercise of power by the

State. By doing so, civil society also prevents any single group or ideology from dominating society; hence, sustains "open spaces for diverse views and interests"

Elshtain articulates the potential of civil society as "the best conceptual framework for understanding and responding to the most urgent challenge facing our society: the moral renewal of our democratic project " To him, the main task of civil society is to promote competence and character in individuals, build social trust, and help individuals to become good citizens. According to Elshtain, civil society is the sphere concerned with moral formation and with ends as well as with administration and the maximizing means.

The reason behind this role of civil society is Eberly's argument that public space, a place where people learn the very essential democratic habits such as trust, collaboration and compromise in a practical way, is provided by civil society civil society performs many democratic functions. Eberly asserts three main practical tasks of civil society: "to mediate between the individual and the large mega-structures of the market and the state, to temper the negative social tendencies associated with each, to create important social capital, and to impart democratic values and habits" In addition, the very role of civil society regarding to maintaining democracy is that civil society enables to build social ties and a sense of mutual obligation in a way that it coalesces isolated individuals around common objectives. Thus, for Eberly, the reciprocal ties nourished in civil society augment the vital role of civil society with respect to promoting democracy.

Challenges to the Role of Civil Society:
Robert A Dahl hadwritten if 'ordinary citizenscannot exert a relatively high degree ofcontrol over the leaders, then the minimalthreshold of democracy has not beenreached.'Though the role of the civil society inZambia has continuedto grow,a robust participation of thecivil societyin Zambia is stillimpeded by certain factors. Thesehave been analysed by leading research scholars andmaybe highlighted as follows:

- There is a lack of institution alised mechanisms for citizens' participation indecisionmaking other than elections and political parties. Government andadministrative structures are highly centralised. Even entirely local concerns haveto be brought to the attention of provincial or national level.
- The relationshipof government and civilsocietyhas been confrontational withregard to issues of governance, participation, human rights and the rule of law.
- The heavy dependence of civil society organisations on donors results in a highlycompetitive environment and places serious constraints on home grown strategiesfor development.

- Organisational and monetary constraints often force them to serve their own survival needs and compromise on larger goals of development and change.
- A vast majority of civil society organisations are based at national level and donot have local representation.
- Nationally or internationally based organisations that operate in rural areas, have a tendency to implement prescribed programmes. Frequently, these do not sufficiently respond to local needs and take into account local knowledge, interestand level of organisation.
- There is a definite lack of efficient coordination and collaboration within and between sectors of activity, regions and issues. In the same area, activities often duplicate efforts or contradict each other. Collisions of NGO activity withstructures of community based organisations are common.
- Though the Zambian media remains one of the most vibrant in Africa, access to it remains limited because of illiteracy, poverty, inability to afford newspapers, and the costs of radio and television. Moreover, poverty and the lack of electricity have kept the electronic media out of the reach of a majority of Zambia's citizens.

Citizen participation in Governance

Definition of Participation
Participation in social science refers to different mechanisms for the public to express opinions - and ideally exert influence - regarding political, economic, management or other social decisions. Participatory decision-making can take place along any realm of human social activity, including economic (i.e. participatory economics), political (i.e. participatory democracy or parpolity), management (i.e. participatory management), cultural (i.e. polyculturalism) or familial (i.e. feminism).

For well-informed participation to occur, it is argued that some version of transparency, e.g. radical transparency, is necessary but not sufficient. It has also been argued that those most affected by a decision should have the most say while those that are least affected should have the least say in a topic

Citizen Participation
UN Public Administration Glossary:
"...implies theinvolvement of citizens inawide range ofpolicymaking activities,including the determination of levels ofservice, budget priorities, and theacceptability of physical

constructionprojectsin order to orient governmentprograms toward community needs,buildpublic support, and encourage a sense ofcohesivenesswithin neighborhoods.

Objectives of participation

Participation activities may be motivated from an administrative perspective or a citizen perspective on a governmental, corporate or social level. From the administrative viewpoint, participation can build public support for activities. It can educate the public about an agency's activities. It can also facilitate useful information exchange regarding local conditions. Furthermore, participation is often legally mandated. From the citizen viewpoint, participation enables individuals and groups to influence agency decisions in a representational manner. How well participation can influence the relation between citizen and their local government, how it increases trust and boosts peoples willingness to participate Giovanni Allegretti explains in an interview using the example of participatory budgeting

Strengthening Citizen Participation in Local Governance

Citizen participationin local governance involves ordinary citizens assessing their own needs and participating in local project planning and budget monitoring. It is important for improving public resource management and reducing corruption, by making public servants and political leaders accountable to the people. For citizen participation to work, transparency of government information is needed, as well as the inclusion of members into decision-making from groups whose concerns are being addressed. Excluding the weak and powerless from decision-making is a cause of poverty because it denies them rights and creates unequal power relationships. Brazil has addressed this by introducing a number of mechanisms to enhance citizen participation, including its Participatory Budget and its public policy councils.

Civil and political rights, including freedom of expression and access to information, which are at the basis of political participation, are human rights in themselves. Citizen participation requires trust, belief and wholeness - trust in their co-participants, belief that participation can make a difference, and feeling socially included. To ensure strong participation of citizens in local governance, citizens need to understand and want to exercise their right to participate in local political issues. They need to feel confident and know where and how to participate, while local institutions should be prepared to facilitate the citizen participation. Engaging citizens in local governance improves accountability and the ability of local authorities to solve problems, creates more inclusive and cohesive communities, and increases the number and quality of initiatives made by communities. One way to increase awareness and to empower citizens to have a voice is through increased access to technology and in particular social media. The potential of public media

working in conflict regions is especially interesting, says one participant, for opening spaces for debate and dialogue and improving transparency and the hidden social structures that generate corruption.

How to strengthen citizen participation in local governance?
One participant identified three adjustments in tactics that promote more effective and sustained citizen participation in local governance: understanding and using formal institutions of power, electing and appointing local officials, and bringing together citizens' groups and government officials to jointly formulate program plans. A project in Uganda is working to create an interactive platform to provide stakeholders with key information, bring together the various actors involved in local governance, empower citizens to demand accountability from elected leaders, and ensure equitable distribution and provision of goods and services. Other projects experimenting with online and mobile technologies to increase citizen's participation at the local level include the World Bank's participatory budget monitoring at the local level in Eastern DR Congo. In Cambodia, an Oxfam's partner uses voter scorecards and volunteers with mobile phones in remote localities to monitor if elected representatives keep their election promises.

Education and training are crucial in empowering citizens to effectively participate in local governance, especially in communities that have experienced significant political change and must quickly learn how to find and vet timely political intelligence. In the Palestinian territory, youth centers, run by youth parliaments, teach adolescents about the democratic process and provide them with positive life experiences. In Brazil, INESC works in poorly performing, under-resourced schools, to strengthen the capacity of youths to secure their rights through the monitoring of public budgets and policies that affect them. The Youth Participatory Budgets in Portugal bring to the political arena citizens not yet able to vote in regular elections due to age and show that with the right means and good communication the youth, often accused of having little or no interest for the collective good; participate in fruitful and creative ways. Fahamu in Kenya introduced participatory budget as a way for communities who felt that their only avenue for engagement with the government was through NGO's to directly participate in county governments. Along with a mentorship program to strengthen movements Fahamu uses State of the Union campaign to sensitize the African Union, member states and the wider African public that many important decisions being taken at the continental level risk the not being implemented at local levels unless there is a change in the policies and practices of state and inter-state actors.

In Brazil, an NGO trained police officers to help them understand the vital role they can play as defenders of human rights as well as the many advantages of interactive security. In the Philippines, Education for Life complements the official government training program

for local officials on formal aspects of governance by focusing on the village level to reach the marginalized and train communities in appraisal, development planning, and peace building. With limited funding, instead of having paid full-time staff they developed some of the leader-graduates to become community-based educators. In Latin America, as a whole, political parties have been very important in promoting and adopting citizen participation processes in local government and examples show the importance of an accessible and empowering participatory budget, decentralizing, and being in a municipality where the political elite does not vehemently opposed new channels of citizen participation.

One participant shared the challenges and opportunities experienced by practitioners in the Philippines. Since the 1970s, community organization in the Philippines has had a "conflict-confrontation" approach to building up people power. As greater power was given to local governments and a shift in orientation took place from "politics of resistance" towards the "politics of participation" citizens' participation in local governance has significantly increased. For younger democracies the change to democracy is not always easy; citizens can be branded as opposition for questioning state related actions. It is thus important to invest in community-based leaders to insure sustained mobilization of village residents.

How do you measure the impact of stronger citizen participation?
Using a theory of change can be a useful tool in measuring impact. According to one participant, the first step is to building a theory of change around citizen participation which needs to be periodically revisited. Next, indicators measuring short and long term change must be identified. Because the path of progress that citizen participation will take cannot be predicted, practitioners need to remain alert to changes, positive or negative. In some cases, it may take many years for the desired impact to be noticed, while for others, progress can be noticed in a much shorter time, but every project should have clear phases after which an evaluation can be conducted and project leaders can see if any progress has been achieved.

In Pakistan, for example, media is playing a crucial role in creating political awareness among the citizens. It has assumed the role of watchdog of democracy by providing unbiased information to viewers through talk shows, current and international affairs programs and comedy shows on political themes. The media, particularly citizen journalism, can also be used to measure the impact of citizen participation.

Another method of measuring change around citizen participation is outcome mapping, which facilitates in measuring indicators that are meaningful, helps to understand power at

local levels and can be a great tool for integrating monitoring fully into management decisions in what needs to be an adaptive, opportunistic program to be successful.

Media and Governance

To better understand the inseparable ties between media and governance, it is important to review existing literature on governance. That way, we can establish that the mass media are essential vehicles to achieve governance within Africa and among Diaspora Africans.The concept of governance has attracted widespread interpretations covering social, political, and economic aspects of a country. Chime (2010) distinguished governance and good governance. To him, governance describes the steps involved in decision-making and established procedures for implementing or not implementing those decisions while good governance refers to the accomplishment of this task in a manner essentially free of abuse of due process, free of corruption, and with due regard for therule of law. The World Bank conceptualizes governance as a process that empowers rulers to set rules, enforce, and modify them (World Bank). Understanding governance, according to the World Bank, requires a proper identification of the ruler and processes in which he or she emerged from the rest of the society.

Governance is defined as the traditions and institutions by which authority in a country is exercised for the common good. This includes i) the process by which those in authority are selected, monitored, and replaced; ii) the capacity of the government to effectively manage its resources and implement sound policies; and iii) the respect of citizens for the institutions that govern economic and social interactions among them (Kaufman et. al 2003).

Accountability is a central element of good governance: citizens have the *right* todemand accountability and elected officials have an *obligation* to account for theiractions and performance. Accountability also underpins the electoral process, aselections are one way to hold elected officials accountable. Accountability is essentialfor effective public service delivery (if accountability relations fail, public services donot reach the poor); and it is also critical to deter public sector corruption (the abuseof public office for private gain). As social accountability actions seek to enhance theaccountability of the state, they can be important drivers for improving governance.

Media

Media (the plural of medium) are the collective communication outlets or tools that are used to store and deliver information or data. It is either associated with communication media, or the specialized communication businesses such as: print media and the press,

photography, advertising, cinema, broadcasting (radio and television), and/or publishing

The word medium is defined as "one of the means or channels of general communication, information, or entertainment in society, as newspapers, radio, or television."   The beginning of human communication through designed channels, i.e. not vocalization or gestures, dates back to ancient cave paintings, drawn maps, and writing.

The Persian Empire (centred on present-day Iran) played an important role in the field of communication. It devised what might be described as the first real mail or postal system, which is said to have been developed by the Persian emperor Cyrus the Great (c. 550 BC) after his conquest of Media. The role of the system as an intelligence gathering apparatus is well documented, and the service was (later) called angariae, a term that in time turned to indicate a tax system. The Old Testament (Esther, VIII) makes mention of this system: Ahasuerus, king of Medes, used couriers for communicating his decisions.[citation needed]

The word communication is derived from the Latin root communicare. This was due to the Roman Empire also devising what might be described as a mail or postal system, in order to centralize control of the empire from Rome. This allowed for personal letters and for Rome to gather knowledge about events in its many widespread provinces. More advanced postal systems later appeared in the Islamic Caliphate and the Mongol Empire during the Middle Ages.

The term "media" in its modern application relating to communication channels is traced back to its first use as such by Canadian communications theorist Marshall McLuhan, who stated in Counterblast (1954): "The media are not toys; they should not be in the hands of Mother Goose and Peter Pan executives. They can be entrusted only to new artists, because they are art forms." By the mid-1960s, the term had spread to general use in North America and the United Kingdom. ("Mass media", in contrast, was, according to H.L. Mencken, used as early as 1923 in the United States.)

Types of Media
The mass media are diversified media technologies that are intended to reach a large audience by mass communication. The technologies through which this communication takes place varies. Broadcast media such as radio, recorded music, film and television transmit their information electronically. Print media use a physical object such as a newspaper, book, pamphlet or comics, to distribute their information. Outdoor media is a form of mass media that comprises billboards, signs or placards placed inside and outside of commercial buildings, sports stadiums, shops and buses. Other outdoor media include flying billboards (signs in tow of airplanes), blimps, skywriting, and AR Advertising.

Public speaking and event organizing can also be considered as forms of mass media.

The digital media comprises both Internet and mobile mass communication. Internet media provides many mass media services, such as email, websites, blogs, and internet based radio and television. Many other mass media outlets have a presence on the web, by such things as having TV ads that link to a website, or distributing a QR Code in print or outdoor media to direct a mobile user to a website. In this way, they can utilize the easy accessibility that the Internet has, and the outreach that Internet affords, as information can easily be broadcast to many different regions of the world simultaneously and cost-efficiently.The organizations that control these technologies, such as television stations or publishing companies, are also known as the mass media

In the late 20th Century, mass media could be classifiedinto eight mass media industries: books, newspapers, magazines, recordings, radio, movies, television and the internet. With the explosion of digital communication technology in the late 20th and early 21st centuries, the question of what forms of media should be classified as "mass media" has become more prominent. For example, it is controversial whether to include cell phones, video games and computer games (such as MMORPGs) in the definition. In the 2000s, a classification called the "*seven mass media"*became popular. In order of introduction, they are:

1. Print (books, pamphlets, newspapers, magazines, etc.) from the late 15th century
2. Recordings (gramophone records, magnetic tapes, cassettes, cartridges, CDs, DVDs) from the late 19th century
3. Cinema from about 1900
4. Radio from about 1910
5. Television from about 1950
6. Internet from about 1990
7. Mobile phones from about 2000

Each mass media has its own content types, its own creative artists and technicians, and its own business models. For example, the Internet includes *web sites, blogs, podcasts,* and various other technologies built on top of the general distribution network. The sixth and seventh media, internet and mobile, are often called collectively as *digital media*; and the fourth and fifth, radio and TV, as *broadcast media.* Some argue that *video games* have developed into a distinct mass form of media.

While a telephone is a two way communication device, mass media refers to medium which can communicate a message to a large group, often simultaneously. However, modern cell phones are no longer a single use device. Most cell phones are equipped with internet access and capable of connecting to the web which itself is a mass medium. A question arises of whether this makes cell phones a mass medium or simply a device used to access a mass medium (the internet). There is currently a system where marketers and

advertisers are able to tap into satellites, and broadcast commercials and advertisements directly to cell phones, unsolicited by the phone's user.This transmission of mass advertising to millions of people is a form of mass communication.

Video games may also be evolving into a mass medium. Video games convey the same messages and ideologies to all their users. Users sometimes share the experience with each other by playing online. Excluding the internet however, it is questionable whether players of video games are sharing a common experience when they play the game separately. It is possible to discuss in great detail the events of a video game with a friend you have never played with because the experience was identical to you both. The question is if this is then a form of mass communication.Massively multiplayer online role-playing games (MMORPGs) such as Run escape provide a common gaming experience to millions of users throughout the globe. It is arguable that the users are receiving the same message, i.e., the game is mass communicating the same messages to the various players.

Characteristics

Five characteristics of mass communication have been identified by Cambridge University's John Thompson:

- "Comprises both technical and institutional methods of production and distribution" This is evident throughout the history of the media, from print to the Internet, each suitable for commercial utility.
- Involves the "commodification of symbolic forms", as the production of materials relies on its ability to manufacture and sell large quantities of the work. Just as radio stations rely on its time sold to advertisements, newspapers rely for the same reasons on its space.
- "Separate contexts between the production and reception of information"
- Its "reach to those 'far removed' in time and space, in comparison to the producers".
- "Information distribution" - a "one to many" form of communication, whereby products are mass-produced and disseminated to a great quantity of audiences.

The mediais an important civil societal force in Zambia and has played a crucial roleindevelopinga much more open society. Although far from being totally free, the media inZambia has been far freer than it was in the 27 years from independence in 1964 to the1991 electoral defeat of Kaunda andtheUNIP.Though the MMD continued to controlthe Zambia National Broadcasting Corporationas a statebroadcaster during the 1990s, itdid open up the airwaves to other voices.The number of radio receivers in Zambia grewfrom 760,000 in 1994 to 1,000,000 in 1996.Television grew more slowly, rising from 245,000 receivers in 1994to 270,000 in 1996.

In 2002 there were four newspapers inZambia: the stateownedZambia Daily Mailand theTimes of Zambia. The Post, which isindependent; and the UNIPownedSunday Times of Zambia. Recently, to countergovernmental control,eachof these papers tookadvantage of technology

and startedpublishingonline editionsThus, Zambians now have access to competing and opposing voices. The private press has taken upon itself the role of public watchdog and defenderof freedom and the truth and criticism of the government is no longer a crime

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Forms of mass media

Broadcast
The sequencing of content in a broadcast is called a schedule. With all technological endeavors a number of technical terms and slang are developed please see the list of broadcasting terms for a glossary of terms used.

Television and radio programs are distributed through radio broadcasting over frequency bands that are highly regulated by the Federal Communications Commission. Such regulation includes determination of the width of the bands, range, licensing, types of receivers and transmitters used, and acceptable content.

Cable programs are often broadcast simultaneously with radio and television programs, but have a more limited audience. By coding signals and having a cable converter box in homes, cable also enables subscription-based channels and pay-per-view services.

A broadcasting organization may broadcast several programs at the same time, through several channels (frequencies), for example BBC One and Two. On the other hand, two or more organizations may share a channel and each use it during a fixed part of the day. Digital radio and digital television may also transmit multiplexed programming, with several channels compressed into one ensemble.

When broadcasting is done via the Internet the term webcasting is often used. In 2004 a new phenomenon occurred when a number of technologies combined to produce podcasting. Podcasting is an asynchronous broadcast/narrowcast medium, with one of the main proponents being Adam Curry and his associates the Podshow.

Film
'Film' encompasses motion pictures as individual projects, as well as the field in general. The name comes from the photographic film (also called filmstock), historically the

primary medium for recording and displaying motion pictures. Many other terms exist—motion pictures (or just pictures and "picture"), the silver screen, photoplays, the cinema, picture shows, flicks—and commonly movies.

Films are produced by recording people and objects with cameras, or by creating them using animation techniques and/or special effects. They comprise a series of individual frames, but when these images are shown rapidly in succession, the illusion of motion is given to the viewer. Flickering between frames is not seen due to an effect known as persistence of vision—whereby the eye retains a visual image for a fraction of a second after the source has been removed. Also of relevance is what causes the perception of motion; a psychological effect identified as beta movement.

Film is considered by many to be an important art form; films entertain, educate, enlighten and inspire audiences. Any film can become a worldwide attraction, especially with the addition of dubbing or subtitles that translate the film message. Films are also artifacts created by specific cultures, which reflect those cultures, and, in turn, affect them.

Video games

A video game is a computer-controlled game where a video display such as a monitor or television is the primary feedback device. The term "computer game" also includes games which display only text (and which can therefore theoretically be played on a teletypewriter) or which use other methods, such as sound or vibration, as their primary feedback device, but there are very few new games in these categories. There always must also be some sort of input device, usually in the form of button/joystick combinations (on arcade games), a keyboard & mouse/trackball combination (computer games), or a controller (console games), or a combination of any of the above. Also, more esoteric devices have been used for input. Usually there are rules and goals, but in more open-ended games the player may be free to do whatever they like within the confines of the virtual universe.

In common usage, a "computer game" or a "PC game" refers to a game that is played on a personal computer. "Console game" refers to one that is played on a device specifically designed for the use of such, while interfacing with a standard television set. "Arcade game" refers to a game designed to be played in an establishment in which patrons pay to play on a per-use basis. "Video game" (or "videogame") has evolved into a catchall phrase that encompasses the aforementioned along with any game made for any other device, including, but not limited to, mobile phones, PDAs, advanced calculators,

Audio recording and reproduction

Sound recording and reproduction is the electrical or mechanical re-creation and/or amplification of sound, often as music. This involves the use of audio equipment such as microphones, recording devices and loudspeakers. From early beginnings with the invention of the phonograph using purely mechanical techniques, the field has advanced with the invention of electrical recording, the mass production of the 78 record, the magnetic wire recorder followed by the tape recorder, the vinyl LP record. The invention of the compact cassette in the 1960s, followed by Sony's Walkman, gave a major boost to the mass distribution of music recordings, and the invention of digital recording and the compact disc in 1983 brought massive improvements in ruggedness and quality. The most recent developments have been in digital audio players.

An album is a collection of related audio recordings, released together to the public, usually commercially. The term record album originated from the fact that 78 RPM Phonograph disc records were kept together in a book resembling a photo album. The first collection of records to be called an "album" was Tchaikovsky's Nutcracker Suite, release in April 1909 as a four-disc set by Odeon records. It retailed for 16 shillings—about £15 in modern currency.

A music video (also promo) is a short film or video that accompanies a complete piece of music, most commonly a song. Modern music videos were primarily made and used as a marketing device intended to promote the sale of music recordings. Although the origins of music videos go back much further, they came into their own in the 1980s, when Music Television's format was based on them. In the 1980s, the term "rock video" was often used to describe this form ofentertainment, although the term has fallen into disuse.Music videos can accommodate all styles of filmmaking, including animation, live action films, documentaries, and non-narrative, abstract film.

Internet

The Internet (also known simply as "the Net" or less precisely as "the Web") is a more interactive medium of mass media, and can be briefly described as "a network of networks". Specifically, it is the worldwide, publicly accessible network of interconnected computer networks that transmit data by packet switching using the standard Internet Protocol (IP). It consists of millions of smaller domestic, academic, business, and governmental networks, which together carry various information and services, such as email, online chat, file transfer, and the interlinked web pages and other documents of the World Wide Web.

Contrary to some common usage, the Internet and the World Wide Web are not

synonymous: the Internet is the system of interconnected computer networks, linked by copper wires, fiber-optic cables, wireless connections etc.; the Web is the contents, or the interconnected documents, linked by hyperlinks and URLs. The World Wide Web is accessible through the Internet, along with many other services including e-mail, file sharing and others described below.

Toward the end of the 20th century, the advent of the World Wide Web marked the first era in which most individuals could have a means of exposure on a scale comparable to that of mass media. Anyone with a web site has the potential to address a global audience, although serving to high levels of web traffic is still relatively expensive. It is possible that the rise of peer-to-peer technologies may have begun the process of making the cost of bandwidth manageable. Although a vast amount of information, imagery, and commentary (i.e. "content") has been made available, it is often difficult to determine the authenticity and reliability of information contained in web pages (in many cases, self-published). The invention of the Internet has also allowed breaking news stories to reach around the globe within minutes. This rapid growth of instantaneous, decentralized communication is often deemed likely to change mass media and its relationship to society.

"Cross-media" means the idea of distributing the same message through different media channels. A similar idea is expressed in the news industry as "convergence". Many authors understand cross-media publishing to be the ability to publish in both print and on the web without manual conversion effort. An increasing number of wireless devices with mutually incompatible data and screen formats make it even more difficult to achieve the objective "create once, publish many".

The Internet is quickly becoming the center of mass media. Everything is becoming accessible via the internet. Instead of picking up a newspaper, or watching the 10 o'clock news, people can log onto the internet to get the news they want, when they want it. For example, many workers listen to the radio through the Internet while sitting at their desk.

Even the education system relies on the Internet. Teachers can contact the entire class by sending one e-mail. They may have web pages where students can get another copy of the class outline or assignments. Some classes have class blogs in which students are required to post weekly, with students graded on their contributions.

Blogs (web logs)
Blogging, too, has become a pervasive form of media. A blog is a website, usually maintained by an individual, with regular entries of commentary, descriptions of events, or interactive media such as images or video. Entries are commonly displayed in reverse

chronological order, with most recent posts shown on top. Many blogs provide commentary or news on a particular subject; others function as more personal online diaries. A typical blog combines text, images and other graphics, and links to other blogs, web pages, and related media. The ability for readers to leave comments in an interactive format is an important part of many blogs. Most blogs are primarily textual, although some focus on art (art log), photographs (photo blog), sketch blog, videos (vlog), music (MP3 blog), audio (podcasting) are part of a wider network of social media. Micro blogging is another type of blogging which consists of blogs with very short posts.

Mobile

Mobile phones were introduced in Japan in 1979 but became a mass media only in 1998 when the first downloadable ringing tones were introduced in Finland. Soon most forms of media content were introduced on mobile phones, tablets and other portable devices, and today the total value of media consumed on mobile vastly exceeds that of internet content, and was worth over 31 billion dollars in 2007 (source Informa). The mobile media content includes over 8 billion dollars worth of mobile music (ringing tones, ringback tones, truetones, MP3 files, karaoke, music videos, music streaming services etc.); over 5 billion dollars worth of mobile gaming; and various news, entertainment and advertising services. In Japan mobile phone books are so popular that five of the ten best-selling printed books were originally released as mobile phone books.

Similar to the internet, mobile is also an interactive media, but has far wider reach, with 3.3 billion mobile phone users at the end of 2007 to 1.3 billion internet users (source ITU). Like email on the internet, the top application on mobile is also a personal messaging service, but SMS text messaging is used by over 2.4 billion people. Practically all internet services and applications exist or have similar cousins on mobile, from search to multiplayer games to virtual worlds to blogs. Mobile has several unique benefits which many mobile media pundits claim make mobile a more powerful media than either TV or the internet, starting with mobile being permanently carried and always connected. Mobile has the best audience accuracy and is the only mass media with a built-in payment channel available to every user without any credit cards or PayPal accounts or even an age limit. Mobile is often called the 7th Mass Medium and either the fourth screen (if counting cinema, TV and PC screens) or the third screen (counting only TV and PC).

Print media
Book
Main article: Book
BrockhausKonversations-Lexikon, 1902
A book is a collection of sheets of paper, parchment or other material with a piece of text written on them, bound together along one edge within covers. A book is also a literary work or a main division of such a work. A book produced in electronic format is known as an e-book.

Magazine
A magazine is a periodical publication containing a variety of articles, generally financed by advertising and/or purchase by readers. Magazines are typically published weekly, biweekly, monthly, bimonthly or quarterly, with a date on the cover that is in advance of the date it is actually published. They are often printed in color on coated paper, and are bound with a soft cover.

Magazines fall into two broad categories: consumer magazines and business magazines. In practice, magazines are a subset of periodicals, distinct from those periodicals produced by scientific, artistic, academic or special interest publishers which are subscription-only, more expensive, narrowly limited in circulation, and often have little or no advertising.

Magazines can be classified as:
   1. General interest magazines (e.g. Frontline, India Today, The Week, The Sunday Times etc.)
   2. Special interest magazines (women's, sports, business, scuba diving, etc.)

Newspaper
A newspaper is a publication containing news and information and advertising, usually printed on low-cost paper called newsprint. It may be general or special interest, most often published daily or weekly. The first printed newspaper was published in 1605, and the form has thrived even in the face of competition from technologies such as radio and television. Recent developments on the Internet are posing major threats to its business model, however. Paid circulation is declining in most countries, and advertising revenue, which makes up the bulk of a newspaper's income, is shifting from print to online; some commentators, nevertheless, point out that historically new media such as radio and television did not entirely supplant existing.

Outdoor media
Outdoor media is a form of mass media which comprises billboards, signs, placards placed

inside and outside of commercial buildings/objects like shops/buses, flying billboards (signs in tow of airplanes), blimps, skywriting, AR Advertising. Many commercial advertisers use this form of mass media when advertising in sports stadiums. Tobacco and alcohol manufacturers used billboards and other outdoor media extensively. However, in 1998, the Master Settlement Agreement between the US and the tobacco industries prohibited the billboard advertising of cigarettes. In a 1994 Chicago-based study, Diana Hackbarth and her colleagues revealed how tobacco- and alcohol-based billboards were concentrated in poor neighbourhoods. In other urban centers, alcohol and tobacco billboards were much more concentrated in African-American neighborhoods than in white neighborhoods

Professions involving mass media

Journalism
Journalism is the discipline of collecting, analyzing, verifying and presenting information regarding current events, trends, issues and people. Those who practice journalism are known as journalists.

News-oriented journalism is sometimes described as the "first rough draft of history" (attributed to Phil Graham), because journalists often record important events, producing news articles on short deadlines. While under pressure to be first with their stories, news media organizations usually edit and proofread their reports prior to publication, adhering to each organization's standards of accuracy, quality and style. Many news organizations claim proud traditions of holding government officials and institutions accountable to the public, while media critics have raised questions about holding the press itself accountable to the standards of professional journalism.

Public relations
Public relations is the art and science of managing communication between an organization and its key publics to build, manage and sustain its positive image. Examples include:

- Corporations use marketing public relations to convey information about the products they manufacture or services they provide to potential customers to support their direct sales efforts. Typically, they support sales in the short and long term, establishing and burnishing the corporation's branding for a strong, ongoing market.
- Corporations also use public relations as a vehicle to reach legislators and other politicians, seeking favorable tax, regulatory, and other treatment, and they may use public relations to portray themselves as enlightened employers, in support of

human-resources recruiting programs.

- Nonprofit organizations, including schools and universities, hospitals, and human and social service agencies, use public relations in support of awareness programs, fund-raising programs, staff recruiting, and to increase patronage of their services.
- Politicians use public relations to attract votes and raise money, and, when successful at the ballot box, to promote and defend their service in office, with an eye to the next election or, at career's end, to their legacy.

Publishing

Publishing is the industry concerned with the production of literature or information – the activity of making information available for public view. In some cases, authors may be their own publishers.

Traditionally, the term refers to the distribution of printed works such as books and newspapers. With the advent of digital information systems and the Internet, the scope of publishing has expanded to include websites, blogs, and the like.As a business, publishing includes the development, marketing, production, and distribution of newspapers, magazines, books, literary works, musical works, software, other works dealing with information.

Publication is also important as a legal concept; (1) as the process of giving formal notice to the world of a significant intention, for example, to marry or enter bankruptcy, and; (2) as the essential precondition of being able to claim defamation; that is, the alleged libel must have been published.

Software publishing

A software publisher is a publishing company in the software industry between the developer and the distributor. In some companies, two or all three of these roles may be combined (and indeed, may reside in a single person, especially in the case of shareware).Software publishers often license software from developers with specific limitations, such as a time limit or geographical region. The terms of licensing vary enormously, and are typically secret.

Developers may use publishers to reach larger or foreign markets, or to avoid focusing on marketing. Or publishers may use developers to create software to meet a market need that the publisher has identified.

Social impacts

Media technology has made communicating increasingly easier as time has passed throughout history. Today, children are encouraged to use media tools in school and are

expected to have a general understanding of the various technologies available. The internet is arguably one of the most effective tools in media for communication. Tools such as e-mail, Skype, Facebook etc., have brought people closer together and created new online communities. However, some may argue that certain types of media can hinder face-to-face communication and therefore can result in complications like identity fraud.

In a large consumer-driven society, electronic media (such as television) and print media (such as newspapers) are important for distributing advertisement media. More technologically advanced societies have access to goods and services through newer media than less technologically advanced societies.

Media, through media and communications psychology, has helped to connect diverse people from far and near geographical location. It has also helped in the aspect of on-line or internet businesses and other activities that have an on-line version. All media intended to affect human behavior is initiated through communication and the intended behavior is couched in psychology. Therefore, understanding media and communications psychology is fundamental in understanding the social and individual effects of media. The expanding field of media and communications psychology combines these established disciplines in a new way.

Timing change based on innovation and efficiency may not have a direct is correlation with technology. The information revolution is based on modern advancements. During the 19th century, the information "boom" rapidly advanced because of postal systems, increase in newspaper accessibility, as well as schools "modernizing". These advancements were made due to the increase of people becoming literate and educated.[citation needed] The methodology of communication although has changed and dispersed in numerous directions based on the source of its sociocultural impact.

The importance of the independence of the media in governance
In the report of the High Level Panel on the post-2015 Development Agenda, good governance is understood as a society's ability to guarantee the rule of law, free speech and open and accountable government. In turn, freedom of expression is an essential pillar of governance more broadly, because this right enables as many citizens as possible to contribute to, as well as monitor and implement, public decisions on development. The importance of press freedom in promoting good governance is underlined by the increasing numbers of people who have access to an expanded realm of media platforms. As one study has noted: "Press freedom and good governance are not mutually exclusive. They support each other while promoting a country's economic and human development".

In particular, a free, pluralistic and independent news media, on all platforms, is important for facilitating good governance and transparency. Within the much-broadened media landscape, news media still remain central conduits for ongoing public assessments of the activities of government and other institutions that have developmental impact. Journalism is the act of bringing information and opinion into the public arena. It provides a platform for discussion across a range of issues pertaining to development, such as environment, science, gender, youth, peace, poverty and participation. Only when journalists are free to monitor, investigate and criticize a society's policies and actions can good governance take hold.

Transparency is an issue in governance of great relevance to development and the role of news media in this. A lack of transparency ultimately feeds corruption which is one of the hardest issues that states have to face in the development process. Independent investigative journalism is an ally of open government and thereby enhances the effectiveness, and thence the legitimacy, of development processes. It is also significant to note that studies have shown that high corruption rates, more often than not, correlate to the low level of press freedom. In the words of Nobel Prize Laureate in Economics, Amartya Sen, "…in the terrible history of famines in the world, no substantial famine has ever occurred in any independent and democratic country with a relatively free press."

A society that is guaranteed access to public documents and public decision-making processes is able to bring conflicts of interest to light and empower citizens with information about development processes. This is greatly supported with a strong right to information law that enables the citizenry, including the news media, to easily access information in the public domain speedily, freely and readily. Freedom of Information laws are increasing around the world, but need improved implementation if they are to contribute to development.

Regulatory reform of media and defamation laws is a necessary step in the direction of good governance and development. Insult laws and criminal libel laws remain disproportionate in terms of international standards on legitimate limits of freedom of expression. Such restrictive laws artificially protect officials from being scrutinized by media or the public. They have a chilling effect on freedom of expression and are crippling to good governance in the long run. A thorough decriminalization of defamation laws is necessary in any regulatory reform process that seeks to shape development through enabling critical debate. Similarly, many media laws based on archaic colonial or dictatorial era laws are incompatible with public participation in the coming development decade.

Free, pluralistic and independent news media also contribute to empowerment, understood

as a social, economic and political process that is a natural outcome of the public's increased ability to access and contribute to credible information representing a plurality of opinions, facts and ideas. This is a people-centered approach of special relevance to women, youth, and the marginalized as actors in the development agenda.

The High Level Panel report also advocates that people must be "central to a new global partnership". To do this, persons must be empowered with the freedom to voice their views and participate in the decisions that affect their lives without fear. They need access to pluralistic information and to an independent media, as well as enhanced capacity to participate social in media and crowd-sourcing. In this way, governments, businesses, civil society organizations and academia can understand, interact with, and respond to citizens' needs in new ways.

One of the objectives of the current Millennium Development Goals (MDGs) is the reduction of poverty, and while progress has been made, this goal will remain as a top priority in the post-2015 development agenda. Poverty is more than just a lack of resources; it is a lack of empowerment. An important step in achieving this development goal is making reliable and quality information available to the poor, and providing them with platforms for public voice. This applies especially to two groups that are generally disproportionately impacted on by poverty: women and youth.

Empower women. One of the recommendations by the HLP includes achieving gender equality and eliminating violence against women. Considering the smaller number of women in the media in most societies and the special pressures they often face, much needs to be done to promote gender equity within the profession. UNESCO's Global Alliance for Media and Gender, launched in Bangkok in December 2013, is a significant step in this direction.

Empower youth. Youth are often the early adapter of technologies including information and communication technologies (ICTs). The use of ICTs by the youth has been a crucial element in the global political movement from the Reformasi movement in the late 1990s to the Arab Spring movement recently. There is a need to ensure that youth's voices, empowered by Media and Information Literacy, are heard in the development debates.

UNIT-II

ECONOMIC AND SOCIAL DEVELOPMENT

2.0 **Aim:**

This unit introduces you to Basic economic concepts and essentials of entrepreneurship

Unit Objectives

By the end of this unit you should be able to:

1. Define development

2. Define economics

3. Explain basic economic concepts.

4. Define entrepreneurship

5. Describe essentials of entrepreneurship

1. Describe forms of economic systems

6. Explore market structure and economic growth.

Introduction

This unit will acquaint you with some basic concepts and principles in economic and entrepreneurship. You may not easily conceptualize some ideas that immediately follow; however, you will be able to pick the concepts later as you read through the, many more economic concepts and principles which will be introduced. You will understand those as you go along because each is explained as it comes up. By the time you finish the unit you should be able to identify issues and problems and conflicting economic ideas in historical perspective to the present.

What is Development?

According to the World Bank, as many as half of the world's six billion inhabitants live on the equivalent of less than $2 per day, and about one-fourth of the world lives on the equivalent of less than $1.25 per day (Chen &Ravallion, 2008). Meanwhile, people in the 20 richest countries earn, on average, 39 times more than people living in the poorest 20 states (Milanovic, 2007).

At the same time, the extent of world poverty has declined significantly during recent years. For example, the World Bank estimates that from 1981-2005 the percentage of people living on less than $1 per day was halved, decreasing from 52 percent to 26 percent during this period (Chen &Ravallion, 2008).These contrasting trends highlight both the problems and the progress associated with the process of "development."

The term "development" in international parlance therefore encompasses the need and the means by which to provide better lives for people in poor countries. It includes not only economic growth, although that is crucial, but also human development—providing for health, nutrition, education, and a clean environment.

Development theorists have conceptualized the term development in many and different ways. For Walter Rodney in his provocative book: *How Europe Underdeveloped Africa;* development in human society is a many sided process. At the level of the individual**,** it implies increased skill and capacity, greater freedom, creativity, self-disciple, responsibility, and material well-being.

U Thant —a Burmese diplomat and the third SecretaryGeneral of the United Nations,from 1961 to 1971phrased development in somewhat mathematical formula. Simply, U Thant's phrase: development = economic growth+social change captures the essenceof development from all sectors.

Dudley Sears the British Economist says development is the creation of opportunities for the realization of human potential. What's happening to poverty? What's happening to unemployment? What's happening to inequality? If all three have declined from high to low, then the country can be said to enjoy a period of development.

Given the above postulations, can we say that Africa is developing? The answer of course may vary but the simple truth is that the continent has a long way to go. That journey towards development represents the agenda for development now and in the future. As law makers from different countries in Africa, you could assist to open your various

governments to the scrutiny of the people you represent. The formulation of policies and implementation of policies should be people centered and focused.

The Economic Problem

The economic problem is the problem of having to decide how to use the available things. How does an individual or a family unit-or even an entire society, decide whichways to use the things they have? Of course they would like to use the things available so as to come out "best." Every family and society would like to have enough food and clothing and shelter to take care of its people. Then, after these basic needs are satisfied there are all kinds of other things they would like to have, better food, better clothing, better housing, better transportation, more opportunities for music and the arts and recreation, and lots of other things, including more leisure time to enjoy. The problem of deciding, of choosing among all of these conflicting objectives, that's the "economic problem."

Scarcity

The "economic problem" of choosing among alternatives is basic to every individual, family, and society. It is forced upon all of us by the natural condition of scarcity. Scarcity means that the things available to work with are limited. We always have (and probably always will have) less things available to work with than we would like to have. Throughout history, in most societies there have always been poor and hungry people. This has resulted from the basic fact of scarcity, not as much as we would like to have of resources to work with. It has resulted also from the inefficient, primitive methods with which the available resources were used. In the modern world, great advances in production technology have made it possible to get a lot more output from our available (scarce) resources. But from ancient times all the way up to recent centuries, production methods remained very primitive. For many centuries there weren't any important technological breakthroughs. But even in the most advanced nations of the modern world, scarcity still exists everywhere. Almost everyone would like to have more and better things and more leisure time to enjoy them.

The Economic Problem Deals with Scarcity

The economic problem is the problem of dealing with scarcity. It's the problem of deciding, given the scarcities of the things we have, exactly how each of the available resources (including natural, human, and capital resources) will be used.

Opportunity Cost

The idea of "opportunity cost" is that "you can't have your cake and eat it too." Opportunity cost results from the basic fact of *scarcity.* It applies to every individual, every family, and

every society. The availability of things is always limited. So when you want to use something for one purpose, that means you can't use that same thing for some other purpose. Each time you choose to use an acre of land to produce wheat, then you give up the opportunity to use that land to produce corn. So the "opportunity cost" of the *wheat* you get, is the *corn* you must give up. When my daughter spends her allowance on candy bars she gives up the opportunity to go to a movie. So to her, the opportunity cost of the candy bars, is the movie When any society decides to increase its output of one thing (say, military hardware), then it must give up something else which it also wanted (say, better highways, or schools, or social security programs).

The concept of opportunity cost provides a helpful way of looking at and understanding the difficulties involved in making the economic choices.

The Marginal Concept
Economists use the term "marginal" to refer to *small adjustments* which individuals, businesses, and societies make as they are trying to "fine tune" their resource choices, seeking to arrive at their "optimum position" of (for the consumer) maximum satisfaction, or (for the producer) maximum profit, or (for the society) maximum "social good", however the society may choose to define that. The idea of a "marginal" adjustment is that a small change is made in the way in which resources are allocated. Then you ask "Is that better than before?" If the answer is yes, then you have moved closer to the "optimum" which you are seeking. Each individual, business, and society is constantly making "marginal adjustments" as they attempt to "optimize.'The marginal concept is very important in economics because it provides a way of describing and analyzing the process by which "optimization" is achieved.

The Three Basic Economic Questions
As the society works out its "economic problem" there are three basic questions that must be answered:
1. Which products (and how much of each) will be produced? How much food? Clothing? Shelter? And which kinds of each? And how much of various other things? Transportation? Education? Arts and recreation? etc. This is the *output* question: "What to produce?"
2. Which resources (natural resources, work-time inputs, tools, etc.) will be used in the production of each product? And how will the production be organized? Much labour on each small piece of land? Or much land for each worker to till? Many tools of the best-known kinds? Or only a few of the most primitive tools? Will the com rows be planted one foot apart? Or three feet apart? This is the *input* question: "How will the products be produced?"
3. Which members of the society will get a share (and how big a share) of the output?

That is, how will the output which is produced, be distributed (shared) among the members of the society? Will everyone receive an equal share regardless of age, sex, health, strength, "noble birth," political affiliation, or whatever? Or will more of the output go to the "nobles"? Or perhaps to the 0.nes who "need" more? Or to the ones who *produce* more? This is the *distribution* question: "How do we divide up the output among the people?"

All three of these questions somehow must be answered in every society. This has always been true. It probably always will be true. Certainly it will be true as long as Scarcityexists-as *long* as people desire more and better things than they have. So the questions must be answered. How?

The Three Ways to Answer the Basic Economic Questions
There are three ways-and *only* three ways, or "processes" which can be used, to answer the three basic economic questions and thereby solve the "economic problem" for the society. This is true for every society, ancient or modern, primitive or advanced. The three ways or, processes are:

The "Social Process" of "Tradition"
Tradition can answer all three of the questions. This means that all three questions can be answered in the "traditional" way; all the answers are the same as they always have been in the past. The people produce the same products, use the same kinds of resource inputs and production techniques, and then share the outputs among themselves in the same way that their parents, grandparents, and all their other ancestors did before them for as far back as anyone can remember.

Tradition played the most important role in solving the economic problem in ancient times and, in fact, throughout most of history. It still plays a very important role in some of the less developed countries of the world. Its influence still can be seen even in modem society in such things as the economic relationships among family members, and (sometimes) job discrimination against women.

The "Political Process" of "Command"
The power of *government* can be used to decide the answers to the three basic economic questions. Government can decide which products will be produced, which inputs and production techniques will be used, and how much of the output each person will get. As you read the following chapters you will see that *command* has played an important role in solving the economic problem in various societies from time to time throughout history. In the modem world there are several major nations in which command plays the most

important role. That's true of the USSR, the People's Republic of China, and of several other nations. Even in the "capitalist" countries such as the United States, the political process makes many of the production and distribution choices. You can see it in the development of highways and education, in the welfare and social security programs, in the armed forces, in urban renewal, and in many other government programs, federal, state, and local.

The "Market Process" and the "Price Mechanism"
The idea of the 'market process' and the "price mechanism" is that people produce things, not because that's what their ancestors did and not because the government directs them to do so, but because they think they can sell what they produce and earn income. When the market process is in charge of working out the choices, people produce things for "the market." Whatever people are demanding most and are willing to pay the highest prices for, those are the things which producers will produce. That solves the "output" question for the society automatically without anyone having to "decide." The "input" question is also solved automatically by the market process and the "price mechanism."

Every producer will carefully conserve those inputs which are most scarce and therefore most valuable, the ones that have the highest prices. Producers will always try to use the most plentiful, lowest-priced inputs and the lowest-cost production techniques. That's how they can earn the most income, or profit. So when the market process is answering the basic questions, each .producer responds to prices and tries to produce the most demanded (highest priced) things and to produce them using the most plentiful (lowest priced) inputs and the most efficient production techniques. Production of that item and producers shift into the production of something else, something that brings them more income.

The price mechanism exerts a powerful, almost irresistible force. And it works automatically, almost like magic. When the price of some- thing goes up very much, if you will wait awhile, you almost always will see more of this item being produced and less of it being consumed. Whenever the price of an item goes down very much, if you wait awhile you almost always will see more of this item being consumed, and less of it being produced. If the price of something goes low enough, eventually none of it will be produced. The price won't cover the cost. If the price goes high enough, none of it will be consumed.

Factors of Production
The inputswhich are used to produce outputs are called "factors of production." There are hundreds of different factors of production, of course. But for convenience and to simplify economic analysis, economists usually group these factors under three different headings:

land, labour, and capital.

Land: All natural resources, the "free gifts of nature", are grouped together and called "land." All human effort, whether it is physical effort or mental effort, highly skilled effort or unskilled effort, is grouped together and called "labor."

Capital. All tools, equipment, factories, and everything else which has already been produced, and which is to be used to assist in further production, are grouped together and called "capital.' Be careful to note that as economists' use the term "capital" it does not mean "money." It means the physical things which have been produced and are going to be used in further production. Much of the process of economic growth consists of building more and better capital. But economic growth also results from improving the abilities and skills of the society's labour. Improving the ability and skills of the labor force is sometimes referred to by economists as "building human capital."

Capitalist: The reason the owners of big businesses are called "capitalists" is because they are the ones who own most of the capital-the buildings and machines and equipment and other things, needed in the production process. And the reason some economic systems are referred to as "capitalist systems" is to emphasize the importance of "the capitalist" in the functioning of these economic systems.

The Entrepreneur: Economists sometimes define the *entrepreneur* as a fourth factor of production, separate from the other three. Ideally, the "entrepreneur" is the enterprising person who sees the opportunity to bring together some capital, labor, and land and produce a product which people will buy. The entrepreneur who succeeds in producing products which are in high demand and who produces the products efficiently (at low cost) will make a lot of profit, and then will reinvest the profit in more capital and generate even more profit. The entrepreneur is responsible for increasing the productivity and growth of the economy. In a "market-process-oriented" economic system, it is necessary for the "entrepreneurial function" to be performed. Otherwise the economy will not keep going, and growing. In the modem world, this function is performed mostly by big business organizations, not by one individual, an "entrepreneur." But as you will see in the following chapters, during the period of the industrial revolution and the rapid industrialization which occurred between the mid- 1700s and the early 1900s, the individual entrepreneur played a vital role.

Economic System
The term "economic system" is used to refer to the kind of arrangement which exists in a society for solving the "economic problem", for working out the answers to the three basic

economic questions: What to produce, what inputs and production techniques to use, and How to distribute (share) the output among the people. In all economic systems in the world today there is some mixture of all three processes, social, political, and market, for working out the answers to these questions. In all present-day economic systems, some of the economic choices are made in each of the three ways: some by tradition, some by command, and some by the price mechanism. But the *importance* of the role which each of these decision-making processes plays differs greatly from one economic system to another.

In some systems, tradition is most important. We see this in some of the less developed countries. In some other systems, *command* is most important. We see this in the so-called "Communist" countries. And in still other systems, including those of the United States, Canada, Western Europe, Japan, Australia, and several others-we see the *price mechanism* as most important. But in all economic systems, all three processes are at work to some extent. As you read through the following chapters you will find that throughout most of history, the social process of *tradition* has been most important in most places, most of the time.

Capitalism
Capitalism is a form of economic system in which the market process and the price mechanism are left free to work out the answers to the three basic economic questions."Pure capitalism"would operate with no government interference, and with no restrictions from "tradition." When the people are free to follow the influences of the price mechanism, to produce whateverthey think will be profitable, to produce it in the ways they think will be most efficient, and toearn and keep as much income or profit as they can, that's "capitalism." It is a system of "laissez-faire" (hands-off by government) and competition, where each person has an equal right to get into any market, to produce anything which looks profitable, to out-sell and under-sell the other producers, and "let the devil take the hindmost". In a system of "pure capitalism" the people who are highly productive get high incomes; the peope who do not produce anything do not get any incomes at all. This kind of harsh, dog-eat- dog, unrestricted capitalism doesn't exist anywhere in the world today. But a somewhat modified and tempered version of capitalism does exist in the United States, in the countries of Western Europe and Japan, and in several other places in the world.

Market Structure and Pure Competition
Pure competition is a kind of "market structure" in which there are many buyers and many sellers of the product. Pure competition means no seIler or buyer has any "monopoly power." Because of the large number of buyers and sellers for the product, no buyer or seller can do anything but accept the price as it exists in the market. In a market structure of

pure competition, the only time the price would go up is when many buyers are all trying to buy more, or many sellers are all offering less of the product for sale. Anyone of the many buyers could buy two or three times as much and it wouldn't influence the price. Anyone seller could stop producing and selling this product altogether, and it wouldn't influence the price. In markets of "pure competition" the price is set by the "impersonal forces of demand and supply. This kind of market structure (or something which results in approximately the same conditions) is necessary for the "pure market forces" to work as they are described in the "pure market model" developed by some of the economists you will be reading about in this book. You will find out that one of the important reasons for disagreement among economists in modem times stems from their basic disagreement about the extent to which modem-world economic systems work the way a market system of "pure competition" would. It's a question of whether or not the monopoly power (the lack of pure competition) which exists in most real-world markets does (or does not) prevent real-world economic systems from working more or less as the "pure competition model" specifies.

Economic Progress or Economic Growth

Economic growth is the process which results in increasing output per person. With economicgrowth, the average worker produces more, so in the end there is more total output to be sharedamong the members of the society. As economic growth proceeds, it softens some of the harsh-ness of "opportunity cost" the idea that when you get moreof one thing, that "costs you" theopportunity of having more of something else.With economic growth, a society can to some extent lessen the limitations imposed byopportunity cost. Over time, if better techniques of production can be introduced, or if more andbetter agricultural land can be discovered and/ or developed, then that society will be able tohave more of some things without having to give up something else. That's the great appeal of "economic progress" or "economic growth."'Economic growth comes about mostly from the discovery of better techniques of production, and the development of more and better tools and machines to work with. With more and betterequipment, each worker can produce more output per day, week, or year.But here's the problem with trying to generate economic growth. When everybody is already busy producing the food needed to keep the people from starving, who have the time to do what'snecessary to bring economic growth? Economic growth requires that energies and resources bedirected toward developing new techniques, and buildingtools, clearing land, and doing otherthings that will increase worker productivity in the future. Who is going to do this?

The Dilemma: Present ConsumptionOr Future Growth?

The energies and resources which are aimed toward increasing future production are not

addingany output for present consumption. If the society can only produce enough to just barely get byon, what happens when some of its energies and resources are shifted out of food production anddirected toward economic growth? You know what happens. The output of food goes down andsome of the people starve! That's the opportunity cost of economic growth. But if everything currently produced is aimed toward current consumption, then there is no economic progress, no economic growth. So the society faces a dilemma. If resources are diverted from consumption and aimed toward increasing future output, then some people will go hungry. And in a society where tradition locks everyone into their "proper role" in the production-distribution circle, there isn't much chance for anyone to break loose and strike out for economic progress. As you read the following chapters you will be able to understand why so little economic progress occurred for so many, many centuries.

The Definition(s) of Economics

Now that you understand some of the most basic concepts and principles of economics, you know what economics is all about. So now you're ready for a definition. Economics can be defined in various ways. One definition would be: *"Economics is the study of how people, individuals, families, businesses, organizations, and societies, work out their economic choices, how they 'solve' their 'economic problem".* Or economics can be defined as: "How people (and businesses, societies, etc.) choose (decide) about how to use the things they have." Another definition of economics would be: "Economics is concerned with how people (and businesses, societies, etc.) use the things they have to try to get the most of what they want." You can see that all of these definitions are saying the same thing. Economics is concerned with facing the natural condition of *scarcity,* and choosing which ways to use the available things. It always must deal with the inescapable reality of *opportunity cost.* Every choice to have more of one thing involves the loss of the opportunity to have more of something else. That's *economics.*

Political Economy

The term "political economy" refers to working out the solution to the "economic problem", deciding the answers to the three basic economic questions, just as does the term "economics." But the term political economy assumes that *government* will be playing an important role in influencing those choices. If you want to understand how an economic system can work "on its own," through the operation of the market process and the price mechanism, then you study "economics." But if you want to investigate the operation of an economic system in which government policies are playing an important role in influencing the operation of the economy, trying to re-aim and redirect the economic activities and choices of the people, then you study "political economy." In the

late medieval period and in the early years of the industrial revolution, most economic writers wrote books on "political economy." During that period, government was exerting strong influences on the operation of the economy. A good bit of the emphasis of these early "political economy" books was aimed toward explaining how government policies were interfering with the-efficient operation of the economy-holding down production and slowing economic progressin the nation. Since the late 1800s, most books in the field of economics have been called "economics", not"political economy." The emphasis of these more recent books has been on explaining how aneconomic system operates on its own, directed by the forces of the *market process* andthe *pricemechanism.*

Microeconomics

Microeconomics is that part of the study of economics which is concerned with most of the concepts and principles you have been reading about so far in this chapter. Microeconomics isconcerned with how "the economic problem" is solved, with how the three basic economicquestions are answered. It is concerned with making *choices* about what to do with the availableresources, given the natural condition of *scarcity.*Microeconomics is concerned with how these questions are answered by the individual,the business, and the total society. Microeconomics is the study of opportunity cost, of substitution, of choosing this or that, of trade-offs, of "deciding (among all of the possible alternatives) which ways to use the available resources." The definitions of *economics* which you read a few minutes ago are really definitions of "microeconomics.

Macroeconomics

Macroeconomics is a term which has come into use since the Great Depression of the 1930s. *Macroeconomics* is that part of economics which is concerned with understanding the *speed,* or *rate* at which the entire economy will run. .It is concerned with *totals:* the total level of production, output, employment, consumer spending, investment spending, government spending, national income, etc. If you are studying *macroeconomics* you are trying to understand what causes the economy to speed up and slow down-what causes recessions or depressions, and inflation. The term "macroeconomics" has arisen in connection with "Keynesian economics" which was introduced by John Maynard Keynes during the depression of the 1930s. As you will be finding out in this book, Keynes introduced   some   new   ways   of   looking   *directly*   at the question: "What determines the rate at which the economy will run?" As this "new approach" became integrated into the study of economics, it became necessary to have terms to distinguish between this kind of economics, and the other economic theories which had traditionally been "economics." So that's why we now talk about "microeconomics" and "macroeconomics." In this book you will find out how these developments occurred.

What is Economic Development?
Economic development ideally refers to the sustained, concerted actions of communities and policymakers that improve the standard of living and economic health of a specific locality. The definition of economic development given by Professor Michael Todaro is an increase in living conditions, improvement of the citizens self-esteem needs and free and a just society. He suggests that the most accurate method of measuring economic development is the Human Development Index which takes into account the literacy rates & life expectancy which in-turn has an outright impact on productivity and could lead to Economic Growth. However, economic development can also be measured by taking into account the GDI (gender related index).

Economic development can also be referred to as the quantitative and qualitative changes in an existing economy. Economic development involves development of human capital, increasing the literacy ratio, improve important infrastructure, improvement of health and safety and others areas that aims at increasing the general welfare of the citizens. The terms economic development and economic growth are used interchangeably but there is a very big difference between the two. Economic growth can be viewed as a sub category of economic development. Economic development is a government policy to increase the economic, social welfare and ensuring a stable political environment. Economic growth on the other hand is the general increase in the country products and services output.
Economic development will only be successful if the whole nation is willing to give their best efforts towards its achievement. A lot of theories have been forwarded by different schools of thought about how economic development should be achieved. Many economists have suggested that each country should try to achieve modernization and industrialization in order to achieve economic development.

There seems to be a lot of correlation between economic growth and human development. This can be explained by a simple example in an economy. We shall consider economic growth as a prerequisite for economic development. Assume we have a household in an economy that ekes their livelihood from a horticultural firm. Economic growth will bring business opportunities to the country and the effects spills over to all sectors of the economy. The firm will increase its profits which will in turn be used to pay for their generation education, improve the access to health care for that family and will increase the general living standard of the family. If this effect is replicated in each household overall economic development will be achieved.

Economic development leads to improvements in many sectors of a nation. There are a variety of indicators that economist use to measure the level of economic development in a

country. The indicators are: declining poverty rates, increasing literacy rates, declining infant morbidity and increasing life expectancy. Economic development has to be supported by the whole nation from economists, politicians, and also civilians. Thus it can be concluded that, economic development leads to the creation of more opportunities in the sectors of education, health sector, research, human development and environmental conservationit equally implies an increase in the per capita income of every citizen.

Entrepreneurship

What is an Entrepreneur?
An entrepreneur is one who creates a new business in the face of risk and uncertainty for thepurpose of achieving profit and growth by identifying significant opportunities and assembling the necessary resources to capitalize on them. Although many people come up with great business ideas, most of them never act on their ideas. Entrepreneurs do. In his 1911 book, *The Theory of Economic Development,* economist Joseph Schumpeter said that entrepreneurs are more than just business creators; they are change agents in society. The process of creative destruction, in which entrepreneurs create new ideas and new businesses that make existing ones obsolete, is a sign of a vibrant economy. Although this constant chum of business, some rising, others sinking, new ones succeeding, and many failing, concerns some people, in reality, it is an indication of a healthy, growing, economic system that is creating new and better ways of serving people's needs and improving their quality of life and standard of living.

The Entrepreneurial Personality
Researchers have invested a great deal of time and effort over the last few decades trying to paint a clear picture of the entrepreneurial personality. Although these studies have identified several characteristics entrepreneurs tend to exhibit, none of them has isolated a set of traits required for success. We now turn to a brief summary of the entrepreneurial profile.
1. *Desire for responsibility:* Entrepreneurs feel a deep sense of personal responsibility for the outcome of the ventures they start. They prefer to be control of their resources, and they use those resources to achieve self-determine goals.
2.*Preference for moderate risk:* Entrepreneurs are not wild risk takers but are instead calculated risk takers. A study of the founders of the businesses listed as *Inc.* magazine's fastest-growing companies found no correlation between risk tolerance and entrepreneurship. "The belief that Entrepreneurs are big risk takers just isn't true, "says researchers and former *Inc.* 500 CEO Keith McFarland. Unlike "high-rolling, riverboat" gamblers, entrepreneurs rarely gamble. Their goals may appear too high, even impossible, in others' eyes, but entrepreneurs see the situation from different perspective and believe

that their goals are realistic and attainable. They usually spot opportunities in areas that reflect their knowledge, backgrounds, and experiences, which increase their probability of success. One writer observes:

> *Entrepreneurship is not the same thing as throwing darts and hoping for the best. It is about planning and taking calculated risks based upon knowledge of the market, the available resources or products, and a predetermined measure of the potential for success.*

3.*Confidence in their ability to succeed***:** Entrepreneurs typically have anabundance of confidence in their ability to succeed and are confident that they chose the correct career path. A recent American Express Opens Ages Survey reports that 90 per cent of Baby Boomer business owners and 76 per cent of Generation *Y* business owners said that their decision to go to into business was the right one. Entrepreneurs' high levels of optimism may explain why some of the most successful entrepreneurs have failed in business, often more than once, before finally succeeding.

4.*Desire for immediate feedback***.** Entrepreneurs enjoy the challenge of running a business, and they like to know how they are doing and are constantly looking for feedback. "I love being an entrepreneur," says Nick Gleason, co-founder of City Soft Inc., a Web site design firm based in Cambridge, Massachusetts. "There's something about the sheer creativity and challenge of it that I like."

5.*High level of energy.*Entrepreneurs are more energetic than the average person. That energy may be a critical factor given the incredible effort required to launch a start-up company. Long hours and hard work are the rule rather than exception and the pace can be grueling. According to the American Express Open study, 66 per cent of Generation *Y* business owners and 58 per cent of baby Boomer owners work or more hours a day and do so six days a week.

6.*Future orientation:*Entrepreneurs have a well-defined sense of searching for opportunities. They look ahead and are less concerned with what they did yesterday than with what they might do tomorrow. Not satisfied to sit back and revel in their success, real entrepreneurs stay focused on the future.

Tom Sternberg, founder of the staples office supply chain, went on to start Zoots, a 54-store dry cleaning chain (he came up with the idea after a dry cleaners lost one of his Brooks Brothers dress shirts) and Olly Shoes, a small chain of children's shoe stores (he came up with the idea after a frustrating experience shopping for shoes for his four boys). Entrepreneurs see potential where most people see only problems or nothing at all, characteristics that often makes them the objects of ridicule (at least until their ideas become huge successes). Whereas traditional managers are concerned with managing available resources, entrepreneurs are more interested in spotting and capitalizing on opportunities.

In the United States 62 per cent of those engaged in entrepreneurial activity are opportunity entrepreneurs, those who start businesses because they spot an opportunity in the marketplace, compared to necessity entrepreneurs, those who start business because they cannot find work any other any other way. (Denmark leads the world with 81 per cent opportunity entrepreneurs). Serial entrepreneurs, those who repeatedly start businesses and grow them to a sustainable size before striking out again, push this characteristic to the maximum. The majority of serial entrepreneurs are people who start a company, manage its growth until they get bored, and then sell it to start another. A few are *jugglers (or parallel entrepreneurs),* people who start and manage several companies at once.

Opportunity entrepreneurs: entrepreneurs who start businesses because they spot an opportunity in the marketplace. Necessity entrepreneurs, entrepreneurs who start businesses because they cannot find work any other way. Serial entrepreneurs, entrepreneurs who repeatedly start businesses and grow them to a sustainable size before striking out again.

Social Development
Even though the term social development has been in regular use for more than half a century, it is still poorly defined. Today, it is used to mean different things. It is often associated with community-based projects in the developing countries such as microenterprises, women's groups, cooperatives, maternal and child welfare programmes, the provision of safe drinking water and the construction of schools and clinics. It also refers to government policies and programmes concerned with the 'social aspect' of development, such as reducing poverty, increasing literacy, combating malnutrition and improving access to health and education. This usage reflects international efforts to promote the Millennium Development Goals, which were adopted at the United Nations Millennium Summit in New York in 2000. In contrast to this practical approach, the term is also used to connote the achievement of lofty ideals, such as progress, social integration, peace and social justice.

Scholars working in different academic fields have also used the term in different ways. It is closely associated with development studies, where it is perhaps most frequently employed, but it is also influenced by scholarly work in sociology, social work and social policy. Sociologists have used the term to describe a process of 'guided' social change that improves society while some social workers have linked social development to community-based projects. Some have also invoked abstract ideals to characterize the field. As is well known, psychologists employ the term to refer to childhood develop- ment. It has also been used in social policy to refer to social improvements brought about by government 'welfare state' initiatives and it also characterizes recent discussions among social policy writers on

what is called 'welfare developmentalism'

Towards a definition
These very different approaches to defining social development reflect the diverse normative beliefs of scholars and practitioners. They also reveal the rich diversity of ideas that find expression in social development theory and practice today. However, these definitions prioritize different types of intervention and, accordingly, no single, agreed-upon definition has yet emerged. Since there is a need for a broad definition that incorporates social development's key features, it will be defined in this book as a process of planned social change designed to promote the well-being of the population as a whole within the context of a dynamic multifaceted development process.
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Like most other definitions, it has limitations but it does seek to be sufficiently general to capture the essence of the social development perspective as revealed in the definitions reviewed earlier. Some of its key aspects should be highlighted here. First, the concept of social development invokes the notion of process. Although this may seem self-evident, the dynamic nature of social development and its focus on transformative change should be stressed. Social development may be contrasted with static approaches which involve the immediate transfer of resources without requiring a longer-term commitment to changing pre-existing conditions. For example, government welfare services are often concerned with the provision of services to passive recipients and do not address underlying problems. Similarly, social work professionals frequently provide short-term services or crisis counseling to clients. This also reflects a far older
charity approach, which involves the immediate provision of aid to those in need. None evoke a longer-term sense of process that produces progressivesocial change.

Second, the process of social change in social development is progressivein nature. Although social change has historically been understood as a regressive process involving a decline from a past 'Golden Age' or as cyclical involving a never-ending process of improvement and decline, it is now more widely regarded as a process involving steady improvements in social conditions. It was primarily the social thinkers of the Renaissance and Enlightenment who popularized the progressive interpretation, promoting the idea that societies evolve along an upward trajectory to higher levels of prosperity, knowledge and civilization. In social development, the progressive notion of social change can be viewed conceptually as involving three ideal typical stages: first, a pre-existing social condition social development seeks to change; second, the process of change itself; and, finally, the end state in which goals are realized. In practical terms, social development is concerned with the projects, programs, policies and plans that promote progressive change. They are the 'how' in social development's 'from what to how' sequence.

Some social development writers use the term 'transformation' to describe the social development process, emphasizing the way it challenges existing social conditions. Although these accounts often imply that transformative change involves conflict and even revolutionary action, it will be shown later that social development practice has generally preferred an incremental or gradualist approach which nevertheless transforms those existing conditions that are inimical to human well-being. This approach is less reliant on ideological certainties than on pragmatically testing different interventions. This does not mean that social development scholars and practitioners are unconcerned about injustice and oppression or that they do not challenge entrenched power structures. Nor do they reject the need for activism; in fact, activism has a long history in social development.

However, while activism is an integral part of social development, providing a vital mechanism for challenging those in power and constraining the excesses of the market, some believe that it should be a primary and even dominant social development strategy. They insist that authentic change can only be achieved through conflict and reject the argument that an incremental approach, which is incorporated in the major social development practice strategies, can achieve transformative change. However, as will be argued in the last chapter of the book, significant changes in people's well-being have been produced through the pragmatic and incremental social development process.

Third, the social development process forms a part of a larger multifaceted process comprised of economic, social, political, cultural, environmental, gender and other dimensions which are integrated and harmonized. This is particularly pertinent to social development practice where economic, social and other interventions are linked and social investments are utilized to promote social well-being. The multifaceted nature of the process of change is encapsulated in what Midgley (1995) described as the three axioms of social development. These require, first, that organizational and institutional
arrangements be created by which social development interventions are harmonized with economic activities and the other dimensions of the wider development process.
The second axiom requires that economic policies and programs should be sustainable and specifically directed at improving social well-being. It also requires that people participate fully in the development process. The third axiom requires that social policies and programs should contribute to economic development. This latter idea finds expression in the concepts of social investment and productivism mentioned earlier, both of which play a vital role in social development.

Fourth, the process of social development is interventionist in that it requires human agency in the form of projects, programs, policies and plans that achieve social development goals.

The proponents of social development reject the idea that social improvements occur naturally as a result of the workings of the economic market or because of natural or inbuilt historical forces. They believe that deliberate efforts are needed to enhance people's well-being. Human beings are not swept along haphazardly by events, but are able to influence their own future in the context of wider social, economic and political changes and, accordingly, the role of agents who promotechange through social development practice is emphasized. They include individuals, households, grassroots associations, non-governmental organizations, faith-based organizations, communities, commercial providers and government ministries. Social development interventions are also implemented on different levels, including the household, community, regional and national levels. Often social development practice has a special focus in that many projects and programs seek to enhance social well-being within specific socio-spatial settings, such as rural communities, inner-city areas and geographic regions. In addition, as efforts to achieve the Millennium development Goals reveal, social development is also promoted at the international level.

Finally, social development is committed to the goal of promoting people's social wellbeing. Although it was mentioned earlier that scholars and practitioners have over the years identified a large number of different social development goals, such as those enshrined in the Millennium Declaration, these discrete goals may be encapsulatedwithin a broad commitment to improve the social
wellbeing of the population as a whole. As will be discussed in more detail later in this book, the notion of social well-being requires that social needs be met, problems are managed and opportunities maximized for families, communities and societies. Social development advocates believe that a commitment to achieve social well-being for all can best be realized through a dynamic multifaceted development process that utilizes social investments and harnesses the power of economic growth for social ends.

Basic human needs
The basic needs approach is one of the major approaches to the measurement of absolute poverty in developing countries. It attempts to define the absolute minimum resources necessary for long-term physical well-being, usually in terms of consumption goods. The poverty line is then defined as the amount of income required to satisfy those needs. The 'basic needs' approach was introduced by the International Labour Organization's World Employment Conference in 1976. "Perhaps the high point of the WEP was the World Employment Conference of 1976, which proposed the satisfaction of basic human needs as the overriding objective of national and international development policy. The basic needs approach to development was endorsed by governments and workers' and employers' organizations from all over the world. It influenced the programmes and policies of major multilateral and bilateral development agencies, and was the precursor to the human

development approach."

A traditional list of immediate "basic needs" *is food (including water), shelter and clothing*. Many modern lists emphasize the minimum level of consumption of 'basic needs' of not just food, water, clothing and shelter, but also *sanitation, education, and healthcare*. Different agencies use different lists.

The basic needs approach has been described as consumption-oriented, giving the impression "that poverty elimination is all too easy." Amartya Sen focused on 'capabilities' rather than consumption.

In the development discourse, the basic needs model focuses on the measurement of what is believed to be an eradicable level of poverty. Development programs following the basic needs approach do not invest in economically productive activities that will help a society carry its own weight in the future, rather it focuses on allowing the society to consume just enough to rise above the poverty line and meet its basic needs. These programs focus more on subsistence than fairness. Nevertheless, in terms of "measurement", the basic needs or absolute approach is important. The 1995 world summit on social development in Copenhagen had, as one of its principal declarations that all nations of the world should develop measures of both absolute and relative poverty and should gear national policies to "eradicate absolute poverty by a target date specified by each country in its national context.

Human Needs and Human-scale Development, developed by Manfred Max-Neef and others (Antonio Elizalde and Martin Hopenhayn), are seen as ontological (stemming from the condition of being human), are few, finite and classifiable (as distinct from the conventional notion of conventional economic "wants" that are infinite and insatiable).

They are also constant through all human cultures and across historical time periods. What changes over time and between cultures is the strategies by which these needs are satisfied. Human needs can be understood as a system - i.e. they are interrelated and interactive. In this system, there is no hierarchy of needs (apart from the basic need for subsistence or survival) as postulated by Western psychologists such as Maslow, rather, simultaneity, complementarity and trade-offs are features of the process of needs satisfaction.

Manfred Max-Neef and his colleagues developed taxonomy of human needs and a process by which communities can identify their "wealths" and "poverties" according to how their fundamental human needs are satisfied.

This school of Human Scale Development is described as "focused and based on the satisfaction of fundamental human needs, on the generation of growing levels of self-reliance, and on the construction of organic articulations of people with nature and technology, of global processes with local activity, of the personal with the social, of planning with autonomy, and of civil society with the state."One of the applications is within the field of Strategic Sustainable Development where the individual Fundamental Human Needs (not the marketed needs) and the mechanics of the collective social system need satisfying in a sustainable society. Together with other aspects of the Framework including the (socio-ecological) sustainability principles it helps to plan and design for sustainability.

Classification of needs
Max-Neef classifies the fundamental human needs as:
- subsistence
- protection
- affection
- understanding
- participation
- leisure
- creation
- identity
- freedom

Needs are also defined according to the existential categories of being, having, doing and interacting, and from these dimensions, a 36 cell matrix is developed.

Need	Being (qualities)	Having (things)	Doing (actions)	Interacting (settings)
Subsistence	physical and mental health	food, shelter, work	feed, clothe, rest, work	living environment, social setting
Protection	care, adaptability, autonomy	social security, health systems, work	co-operate, plan, take care of, help	social environment, dwelling
Affection	respect, sense of humour, generosity, sensuality	friendships, family, relationships with nature	share, take care of, make love, express emotions	privacy, intimate spaces of togetherness
Understanding	critical capacity,	literature, teachers,	analyse, study,	schools, families,

	curiosity, intuition	policies, educational	meditate, investigate,	universities, communities,
Participation	receptiveness, dedication, sense of humour	responsibilities, duties, work, rights	cooperate, dissent, express opinions	associations, parties, churches, neighbourhoods
Leisure	imagination, tranquility, spontaneity	games , parties, peace of mind	day-dream, remember, relax, have fun	landscapes, intimate spaces, places to be alone
Creation	imagination, boldness, inventiveness, curiosity	abilities, skills, work, techniques	invent, build, design, work, compose, interpret	spaces for expression, workshops, audiences
Identity	sense of belonging, self-esteem, consistency	language, religions, work, customs, values, norms	get to know oneself, grow, commit oneself	places one belongs to, everyday settings
Freedom	autonomy, passion, self-esteem, open-mindedness	equal rights	dissent, choose, run risks, develop awareness	anywhere

Factors that affect production

Production, in Economics is one of the important activities whatever human being is received goods as a natural gift cannot be consumed as such. It requires some processing and then and then only it is consumed. Through processing we transform some goods and services in to another one for example sugarcane into sugar, Cotton into cloth etc. In economics, sugarcane or cotton are termed as inputs factor or raw material while sugar or cloth are termed as output or finished product. Thus the term can be defined as under.

Production means transformation of inputs (goods and sieves) into output.

  1. Production of wealth or value.
  2. Production means creation (addition) of wealth or value.
  3. It may consist not only goods but also services.

Factors affecting the production: Following factors affect production.

  • Natural factors: like climatic conditions, soil type affect production. Production can

be diminished due to natural calamities like flood, drought etc.

- Technical progress: Can positively influence production. Use of improved variety, fertilizers, insecticides etc. can give us more production.
- Political factors: also affect production positively or negatively. Decisions pertaining to taxation, investment or fiscal. Policies of Govt. influence production.
- Infrastructure facilities: Like transport, credit, storage etc. are also equally important to have more production.
- Character of people: determines productivity. The hard workers and sincere workers always produce more and hence it is very important factor which influences production.

Capital Formation

Capital formation is a concept used in macroeconomics, national accounts and financial economics. Occasionally it is also used in corporate accounts. It can be defined in three ways:

1. It is a specific statistical concept used in national accounts statistics,econometrics and macroeconomics. In that sense, it refers to a measure of thenet additions to the (physical) capital stock of a country (or an economic sector)in an accounting interval, or, a measure of the amount by which the total physical capital stock increased during an accounting period. To arrive at this measure, standard valuation principles are used.
2. It is used also in economic theory, as a modern general term for capital accumulation, referring to the total "stock of capital" that has been formed, or to the growth of this total capital stock.
3. In a much broader or vaguer sense, the term "capital formation" has in more recent times been used in financial economics to refer to savings drives, setting up financial institutions, fiscal measures, public borrowing, development of capital markets, privatization of financial institutions, and development of secondary markets. In this usage, it refers to any method for increasing the amount of capital owned or under one's control or any method in utilizing or mobilizing capital resources for investment purposes. Thus, capital could be "formed" in the sense of "being brought together for investment purposes" in many different ways. This broadened meaning is not related to the statistical measurement concept or to the classical understanding of the concept in economic theory. Instead, it originated in credit-based economic growth during the 1990s and 2000s, which was accompanied by the rapid growth of the financial sector, and consequently the increased use of finance terminology in economic discussions.

Factors which affect capital formation
Capital as a factor that affecting economic growth and economic development

For countries that are developing, a lack of capital is inhibiting development. The lowlevel of capital formation in developing countries is caused by low saving ability. Lowsaving ability is caused by low income levels. Low levels of income caused by lowproductivity. The low level of productivity will lead to low incomes and low investment.Low level of investment due to the ability of low capital formation. Interplay between these factors will continue and difficult to disconnected. This is called a vicious cycle of poverty in developing countries, known as a vicious circle.

The world economy experts agreed that in the process of economic development in developing countries should be able to beat large enough to crack the vicious circle of poverty. One way that can be done to achieve that goal is by the formation and development of investment and workforce skills development so as to increase productivity and ultimately their incomes will increase. Without being able to do capital formation and investment, economic growth in developing countries will remain behind.

Role of development finance for the private sector
The development financial intuitions (DFIs') primary contribution to international development comes in providing finance to segments of the private sectors in developing countries that are underserved, thereby increasing employment opportunities, income, tax revenue, and product availability and so on. The DFI portfolio companies help to lift skill levels and facilitate the transfer of technology and knowledge through DFI participation in the management and development of the companies. All these factors contribute to strengthening local conditions and reducing aid dependency.

Barriers that limit private sector growth and lead to market failures
Private sector growth faces several obstacles. This section discusses four types of barriers that typically face private enterprises in developing countries:
• Access to finance
• Enabling environment
• Access to technology and business information
• Training and education

Access to finance
Businesses need money and capital to grow. It is estimated that over three billion people in

developing countries lack effective access to loan and deposit services. Access to finance is particularly a challenge in countries that are either rated ―non investment grade or not rated at all. Low or non-existent credit ratings make it difficult for private financial institutions to invest. Only 9 countries in Asia and five in Africa are rated as investment grade (Botswana, Libya, Morocco, South Africa, and Tunisia). This leaves 49 African countries. This means that 49 out of a total of 54 African countries are as non-investment grade or are not rated at all.

Excluded countries are those that do not issue debt on global markets and where market information tends to be very limited. Absence of a sovereign credit rating tends to increase the cost of borrowing further discouraging private investors from working here. For instance, in Sub Saharan Africa only 5-25% of households have a formal relationship with a financial institution. Interest rates in Africa average 8%, with some countries at 25%, compared to a global average of 5%. Least Developed Countries and Sub Saharan Africa along with postconflict and conflictcountries are more often than not rated as non-investment grade or areexcluded fromanalysis.

Enabling environment
The private sector also relies on an enabling environment to grow. Regulatory frameworks, infrastructure good trade conditions, etc. are crucial to private sector development. The absence of an adequate legal framework can hinder private businesses from operating in the formal sector. Regulation and oversight have impact on a range of factorsoutlined in World Bank‘s Ease of Doing Business rating system, which looks at what is required to start a new business, get the necessary permits, pay taxes, enforce contracts and partake contracts and partake in international trade Corruption at local, regional and national levels can also inhibit private sector development.

Public and privateinfrastructure,such asaccess to electricity, water supply, paved roadsandtelecommunications, is also needed to stimulateprivate sectorgrowth.EnterpriseSurveys show that private businesses in developing countries often rate a lack of adequateinfrastructure as one of their greatest problems. For example, one estimatehassuggested that the upgrading of a transnationalSub-Saharan Africaroad Network couldincrease tradeover land threefold to US $30 billion annually.

Access to technology and business information
Limited access to technology and business information is a barrier to growth of many enterprises in developing countries. This can in part be addressed by increasing access to market information and business knowledge, which can help to facilitate informed decision making and improve the success rate of their business activities. Also, access to business

skills and knowledge of best practices, such as how to best scale up and gain access to private capital can help local companies improve their performance

Being able to access new technologies can help companies to increase productivity substantially, e.g., through innovation and reduction of time consuming and complexand processes. Further, it facilitates information sharing and connection to internationalresources. For instance, restricted access to the internet impairs the flow of information to and from private businesses, especially in the more remote areas of many developingcountries and in politically and economically fragile post conflict countries.

Training and Education
Education and training of employees is a key factor in improving labour productivity. Businesses depend on public sector investments in education to be able to recruit employees with a certain level of skills. The businesses themselves can then contribute
through on the job training. There is no shortage of entrepreneurial spirit and innovation in developing countries, but the lack of an adequate educational infrastructure combined with a brain drain of skilled professionals can often present a significant challenge

Development finance for the "missing middle"
The lack of access to finance is particularly critical for SMEs
The three private sector segments large businesses, small and medium enterprises (SMEs), and micro businesses have different degrees of access to finance. Generally bigger and wealthier clients are served by large banks. Micro-businesses are increasingly served by microfinance institutions that have emerged in the last decade, often following the example of the Grameen bank and other pioneers. At the same time, SMEs are often considered by commercial banks and financial institutions to be risky and costly to serve. This issue is often referred to as the ―missing middle‖ in financing.

The offerings made available by commercial banks to SMEs are often mismatched to their needs, e.g. loans with high interest rates and short repayment periods. The lack of long term financing options, equity in particular, is a key issue for SMEs in developing countries. As a result, the financial needs of SMEs are often underserved, limiting their growth.They rely instead on access to finance from informal sources such as family members, overdraft and money lenders, who can charge high interest rates for loans that are too small to cover the SMEs'needs.

Work culture for economic development in Zambia
The Government of Zambia recognizes the importance of a vibrant and productive private sector in promoting growth and prosperity in the country. The Fifth National Development

Plan (FNDP) underscored the importance of stimulating broad based wealth and job creation, while the Sixth National Development Plan (SNDP) aims to build on the gains of the FNDP.

Sound macroeconomic policies and political stability have encouraged investment and growth in recent years but yet the environment is not sufficient for Zambian industries to be competitive and generate much needed wealth. As explained by the Zambia Development Agency, the private sector continues to be dominated by small, informal enterprises that face a number of challenges to growing their businesses and thereby contributing to the economy

The Task force on SMEs identified poor work culture in Zambia as being a factor that negatively affects the ambition and attitude of the labour force. An attitude of dependency on the government and donors further aggravates the situation and leads to a lack of commitment to progress. Such a constraint can be combated through capacity building programs and awareness rising of the gains from entrepreneurship. Furthermore, there are severe deficiencies in basic management and technical skills relating to fundamental areas necessary for enterprises to sustain themselves. These include strategic management capacities (i.e. the ability to manage entry into new markets and organizing labor and capital to respond to the changing markets, technologies and regulations), functional management skills (i.e. skills required in production, finance, purchasing and marketing to improve production of capital, quality control etc), technical management skills, inadequate information resources (on trade, investment, technology, training and application of quality control) and inaccessibility to finance/long term credit. Improvements in education can deliver both direct (i.e. better business and financial management) and indirect benefits (i.e. higher propensity to adopt technology such as irrigation or cell phones)

Despite positive growth, challenges remain to doing business in Zambia; corruption and nepotism are pervasive, and obstacles to economic growth include widespread poverty, poor service delivery and infrastructure, and the country's rising AIDS/HIV infection rates. These challenges are reflected in Zambia's ranking in the World Bank's 2014 Ease of Doing Business Survey, where it was ranked 111th out of 185 countries; a drop of 17 places from its 2013 ranking of 94. Zambia scored relatively well for getting credit (23rd), but scored particularly poorly for factors such as trading across borders (177th), registering property (152nd) and getting electricity (126th).

The role of the informal sector in national development
The *informal sector, informal economy, or grey economy* is the part of an economy that is neither taxed, nor monitored by any form of government. Unlike the formal economy,

activities that are engaged in the informal economy are not included in the gross national product (GNP) and gross domestic product (GDP) of a country. The informal sector can be described as a grey market in labor. Other terms used to refer to the informal sector can include the black market, the shadow economy, the underground economy, the agora, and System D. Associated idioms include "under the table", "off the books" and "working for cash".

Although the informal sector makes up a significant portion of the economies in developing countries about 41% in 2000 according to the official metric, it is often stigmatized as troublesome and unmanageable. However the informal sector provides critical economy opportunities for the poor and has been expanding rapidly since the 1960s. As such, integrating the informal economy into the formal sector is an important policy challenge

The original use of the term 'informal sector' is attributed to the economic development model put forward by W. Arthur Lewis, used to describe employment or livelihood generation primarily within the developing world. It was used to describe a type of employment that was viewed as falling outside of the modern industrial sector. An alternative definition uses job security as the measure of formality, defining participants in the informal economy as those 'who do not have employment security, work security and social security." While both of these definitions imply a lack of choice or agency in involvement with the informal economy, participation may also be driven by a wish to avoid regulation or taxation. This may manifest as unreported employment, hidden from the state for tax, social security or labour law purposes, but legal in all other aspects.

The term is also useful in describing and accounting for forms of shelter or living arrangements that are similarly unlawful, unregulated, or not afforded protection of the state. 'Informal economy' is increasingly replacing 'informal sector' as the preferred descriptor for this activity.

Informality, both in housing and livelihood generation has often been seen as a social ill, and described either in terms of what participant's lack, or wish to avoid. A countervailing view, put forward by prominent Dutch sociologist SaskiaSassen is that the modern or new 'informal' sector is the product and driver of advanced capitalism and the site of the most entrepreneurial aspects of the urban economy, led by creative professionals such as artists, architects, designers and soft-ware developers. While this manifestation of the informal sector remains largely a feature of developed countries, increasingly systems are emerging to facilitate similarly qualified people in developing countries to participate

UNIT-III

HUMAN RIGHTS

The unit looks at treaty based and non-treaty based supervisory mechanisms

Outcomes
Learning outcomes is a list of goals that you should achieve after studying the module.
Knowledge
After working through the unity, you should be able to:

- Explain the meaning of Human rights
- Discuss the categories and characteristics of human rights.
- Discuss the development of human rights
- Discuss the international bill of rights.
- Discuss the various human rights supervisory mechanism Skill

Universal declaration of Human Rights

Introduction

This unit discusses human rights, development of Human rights, composition of human rights and characteristics of human rights.

Learning Objectives
By the end the unity you should

- Define the term Human Rights
- Discuss the importance of Human Rights.

Definition
There are a number of definitions of what human rights are. Some of the definitions you shall meet in the study of human rights is that human rights are that Human rights are possessed by all persons, by virtue of their common humanity, to live a life of freedom and dignity. HumanRights are entitlements every human being has by virtue of his or her belonging to the human race. They are held by every person against the state and society and are based on the principle that all people are created equal and are endowed with inalienable rights and is reinforced by the international standards on human rights. Human rights are held independently of duties a person may have to the family, community or

society. From a legal standpoint, human rights are defined as the sum of individual and collective rights recognized by sovereign States and enshrined in their constitutions and in international laws.

Importance of Human Rights
The human rights are important because they:
- Human rights delimit State power
- They define relationships between individuals and power structures especially the State.
- They require States to take positive measures ensuring an environment that enables all people to enjoy their human rights.
- Human rights cover $_{all}$ aspects of life.
- Their exercise enables women and men to shape and determine their own lives in liberty, equality and respect for human dignity.

Examples of human rights and Freedoms are:
- Right to life
- Freedom from torture and cruel, inhuman or degrading treatment or punishment
- Freedom from slavery, servitude and forced labor
- Right to liberty and security of person
- Right of detained persons to be treated with humanity
- Freedom of movement
- Right to a fair trial
- Prohibition of retroactive criminal laws
- Right to recognition as a person before the law
- Right to privacy
- Freedom of thought, conscience and religion
- Freedom of opinion and expression
- Prohibition of propaganda for war and of incitement to national, racial or religious hatred
- Freedom of assembly
- Freedom of association
- Right to marry and found a family
- Right to take part in the conduct of public affairs, vote, be elected and have access to public
office
- Right to equality before the law and non-discrimination
In the area of economic, social and cultural rights

- Right to work
- Right to just and favourable conditions of work
- Right to form and join trade unions
- Right to social security
- Protection of the family
- Right to an adequate standard of living, including adequate food, clothing and housing
- Right to health
- Right to education

In the area of collective rights
- Right of peoples to:
- Self-determination
- Development
- Free use of their wealth and natural resources
- Peace

- A healthy environment

- Other collective rights:

- Rights of national, ethnic, religious and linguistic minorities

- Rights of indigenous peoples

Summary

Human rights are rights that a person has simply because he/she is a person. They are the sum of individual and collective rights recognized by sovereign states and enshrined in their constitutions and international law. The rights are important because they limit state power, define relationship between individuals and power structures, cover all aspect of life and is exercised by men and women to shape and determine their own lives.

Activity
1. In your own words, define Human Rights.
2. Discuss the importance of studying human rights

TheHistorical Development of Human Rights

Introduction

The concept of human rights grows over years. This unit traces the development of human rights over years, composition of human rights, characteristics of human rights, categories of human rights, derogations and limitations.

Objectives

1.   Trace and discuss the development of Human Rights.
2.   Discuss the principle guiding human rights
3.   Discuss the composition of Human Rights.
4.   Identify and discuss the addressee and beneficiaries of human rights.

Development of Human rights

One of the main features of the post-Second World War era is the establishment of the United Nations (UN). The establishment of the UN extended the horizons of international law beyond its traditional structures to include among other things the protection of human rights. The development of modem international human rights law has been attributed to the gross violations of human rights in the Hitler era and to the belief that these could have been prevented had there been in existence an effective international system for the protection of human rights.

Thus, the UN has as some of its major purposes the promotion of human rights and fundamental freedoms. This is closely linked to the maintenance of international peace and security and the development of friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples. The link between human rights, friendly relations among nations and peace became an essential pre-condition for the realization of human rights and fundamental freedoms. In other words, whereas peaceful relations promote the enjoyment of, and respect for human rights, armed conflicts result in gross violations of human rights. Prior to the development of the modem international human rights law, there is already had been some developments in the area of human rights. For instance, there were anti-slavery treaties of the period 1815-1880, the Brussels Conference of 1890, the 1926 Slavery Convention prohibiting slavery and the slave trade, the 1924 Declaration of the Rights of the Child, et cetera. These early developments of human rights though were mainly humanitarian interventions, state responsibility for injuries to aliens, international humanitarian law and the protection of minorities. Despite that, there still was growth in the idea that governments and individuals were responsible

under international law for meeting international standards of decency in their conduct and that they should be accountable for failure to do so.

Even before the developments in the 1800s and the early 1900s, there were some notions of justice, fairness, dignity and respect. While some scholars argue that the notion that all human beings, simply because they are human have certain inalienable rights against society and the state/rulers was alien to pre-modem societies, there is a noticeable development in the area of human rights in the 1600s with the emergence of philosophers such as John Locke.

Locke supported a theory of natural rights, which begins with a pre-social state of nature in which equal individuals have natural rights to life, liberty and estates. Since in the absence of government these rights have no value and cannot be protected by individual action, people form societies, which in turn establish governments to enable themselves to enjoy their natural rights. The government is based on a social contract between the ruler and the ruled and the ruled are obliged to obey only if the government protects their rights. Therefore, government is legitimate to the extent that it protects and furthers the enjoyment of the human rights of it citizens.'

The last two centuries have seen struggles for the expansion of the recognition and enjoyments of human rights by all. For instance, there were struggles for universal suffrage, for fair wages, for safe and humane working conditions in the West prior to the two World Wars. After the Second World War, the international community through the United Nations Charter came together and put human rights high on its agenda. This was followed by the conclusion of a number of important human rights treaties and the ending of colonialism during the 1950's, 1960's and 1970's. This is because by its very nature, colonialism amounted to a denial of human rights. There are many documented accounts showing how colonialism resulted into some of the grossest violations of human rights in living memory.

By concluding the early human treaties and undertaking to cooperate at the international level for the promotion and protection of human rights, States were limiting their sovereignty and internationalizing a subject which had hitherto been considered to be a domestic matter and not subject to international regulation .

The development of international cooperation meant that national borders were no longer limits to human rights, but by their nature, human rights represented trans-boundary values. International cooperation implies that human rights area matter of legitimate international concern and that wherever and whenever human rights have been seriously breached, the

international community is entitled to raise such issues.' International concern also entails an obligation on the part of States to fulfill (and protect and promote) in good faith the undertakings they have assumed on the basis of the United Nations Charter and other instruments.

The of adoption of standard-setting human rights instruments would ensure the promotion of respect for and the observance of, human rights and fundamental freedoms everywhere in the world.

Principles of Human rights
One of the cornerstones of the concept of human rights enshrined in the United Nation Charter and other international instruments is the principle of **non-discrimination.** The principle of nondiscrimination underlines the idea of human rights and hence the big profile it has been granted in international law.

Article 2 of the Universal Declaration of Human Rights sets out the principle when it states that: "everyone is entitled to all the rights and freedoms set forth in the Declaration, without distinction of any kind, such as race, colour, sex, Language, religion, political or other opinion, national or social origin, property, birth or other status." This is repeated in the Covenant on Civil and Political Rights which forbids discrimination in Articles 2 and 26.

The principle of Non-discrimination is given pride of place in the African Charter on Human and Peoples rights of 1981. In this regional mechanism, the drafters decided to base their concept of human rights on the principle of non-discrimination.[10]Through this, human rights are given universal content.

Activity.
1.   In your own word define the phrase "human rights"
2.   Trace and discuss the history of human rights.
3.   Identify and discuss the major world events that led to the development of human rights.
4.   What principles guide the operations of the international human rights instruments?

Composition of Human Rights
Human rights comprise civil and political rights, social, economic and cultural rights and the collective rights of peoples to self-determination, equality, development, peace and a clean environment. The civil and political rights are also known as "first generation rights". This isbecause they are based on the concept of non-interference of the State in private affairs. The social, economic and cultural rights are called "second generation" because

these rights require the State ₁o take positive action for them to be enjoyed. The collective rights 'are called third generation rights because these should be enjoyed collectively.

The right to development places the human person at the centre of the development process and recognizes that the human being should be the main participant and beneficiary. The 1986 UN Declaration on the Right to Development states that:

1.   "... every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized", [and]

2.   "The human right to development also implies the full realization of the right of peoples to self-determination, which includes, subject to the relevant provisions of both International Covenants on Human Rights, the exercise of their inalienable right to full sovereignty over all their natural wealth and resources."

3.   The right to development is based on the principle of the indivisibility and interdependence of all human rights and fundamental freedoms. Equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights.

The Millennium Development Goals of September 2000 defines the eradication of poverty as the overarching objective of the development process. United Nations Member States have pledged to meet, inter alia, the following goals, by the year 2015: reduce by half the proportion of people living on less than a dollar a day and who suffer from hunger; achieve universal primary education for all boys and girls; reduce child mortality by two thirds; reduce the maternal mortality rate by three quarters; combat HIV/AIDS, malaria and other major diseases; ensure environmental sustainability and develop a global partnership for development. Governments and other duty bearers are under an obligation to respect, protect and promote full- human rights. This forms the basis for legal entitlements and remedies in case of non-fulfillment. Today it is acknowledged that, for human rights to become a reality, States and theinternational community must take steps to create the conditions and legal frameworks necessary for the exercise of human rights as a whole.

The "generation" technology harks back to language used during the cold war; nowadays, the emphasis is placed on the principles of universality, indivisibility and interdependence of all human rights.

Activity

1. To what extent do Zambian exercise their inalienable right to full sovereignty over their natural wealth and resources?

2. How does the Zambia bill of rights depict the indivisibility and interdependence of

all rights and freedoms?
3. Discuss the measures the Zambian government has put in place to meet millennium development goal one (1) to education.
4. Is Zambia on the right pass to meet millennium development goal 4 and 5.

The Characteristics of Human Rights.
It has been noted that human rights are the rights one has simply because one is human.[11]Although this sounds more like unicorn", human rights are claims that every human being has or should have, upon the society in which one live. They are universal, which means that they are due to every human being in every society, irrespective of geographical, historical, subculture, ideological, political, economic systems or stage of development. They do not depend on gender, race, class or status. Human rights are therefore claims of right and not merely appeals to grace, charity, brotherhood or love nor are they aspirations or assertions of goods but claims of entitlement and corresponding obligations.
The major characteristics of human rights are: • they are universal
   • They are inalienable
   • They are indivisible, interrelated and interdependent
   • They derive from the dignity and worth of the human person
   • Their enjoyment is based on the principle of non-discrimination.

Human Rights are Universal.
Human rights are universal because they are based on every human being's dignity, irrespective or race, sex, religion, ethnicity, political or other opinion, national or social origin, They apply to every human being in the world because human beings are the same everywhere as human nature is the same. It has been argued, however, that regional or national peculiarities may be considered in the implementation of human rights standards. This is because the world has in its various regions different cultures, traditions, religions and beliefs.

The position taken here is that human rights are not necessarily in conflict with the cultures or ways of people. For example, the International Covenant on Economic, Social and Cultural Rights does in fact protect cultural rights Art. 15. The problem comes in when people want to use the excuse of culture to deny the enjoyment of individual rights and freedoms, e.g. the continued practice of female genital mutilation in some African cultures.

Another instance of this protection can be found in the Africa Charter on Human and People's Rights whose adoption took into account the African Peoples' "virtues of their

tradition and values of African civilization which should inspire and characterize their reflection on the concept of human and peoples' rights."

The Charter also recognizes that 'fundamental human rights stem from the attributes of human beings, which justifies their national and international protection..' therefore, it is only the positive aspects of our traditions and culture that we must promote and practices that does not violate human life and dignity.

Human Rights are 'Inherent' and "Inalienable.'

Human rights and fundamental freedoms are regarded as 'inherent' because they are the birthright of all human beings. This means that we are all born with these rights and freedoms. In other words, human rights flow from human nature. According to the Vienna Declaration and Programme of Action on HumanRights (1993) "human rights and fundamental freedoms are the birthright of all human beings, their protection and promotion is the first responsibility of governments."

If human rights are the birthright of all human beings, then it is correct to say that human rights exist even independently of the law. The law does not create the rights and freedoms that we have as human beings. The law, however, recognizes the existence of human rights and facilitates their enforcement through the creation of procedures and institutions to ensure that there are protected and promoted e.g. the court system and the international legal framework comprising of the International Bill of Rights which provide legal redress for the violation of human rights. In this regard, human rights are not given, bought, earned or inherited. They belong to people simply because they are human. The only qualification needed is to be a human being. Human rights are also considered to be 'inalienable' in so far as no person can be divested of his or her human rights save under clearly defined legal circumstances.

Human Rights are Indivisible, Interdependent and interrelated

Human rights are indivisible, interdependent and interrelated. This means that the protection of human rights depends on the effective promotion and protection of other rights. It is also true to argue that the violation of one right affects the exercise of other human rights. For example, the right to life presupposes respect for the right to food and to an adequate standard of living, the right to be elected to public office implies access to basic education. The defence of economic and social rights presupposes freedom of expression, of assembly and of association. Accordingly, civil and political rights and economic, social and cultural rights are complementary and equally essential to the dignity and integrity of every person.

Amartya Sen, Nobel Laureate in economics, has provided empirical proof that all human rights are indivisible and interdependent. In his research on famines, for instance, he found that among rich and poor countries alike, no functioning democracy has ever suffered a major famine,because in such States it is inter alia likely that the media will call attention to the risk of famine and that political parties and the public will respond.

The Vienna Declaration provides that the international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis. It is, therefore, essential and indispensable to ensure a minimum in one or more of the rightsin order to avoid or prevent degradation in another. There are no human rights which are more important than others. All rights and freedoms deserve equal attention.

However, significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind. It is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms."

Activity
1. How has culture been used to deny others the full enjoyment of rights and freedoms entitled to them?
2. Discuss the phrase "human rights are "inherent and inalienable"
3. How is the right to freedom of expression and the press related to right to food?

The Categories of Human Rights
Although human rights are indivisible and inter-dependent, they are generally divided into three generation or branches. The categories can further be divided into sub-categories depending on the nature of right and what it seeks to promote for the fall development of a person.First Generation Human Rights (the Civil and Political Rights)
Civil and political rights emphasize the freedom of the individual and normally require the State to abstain from interfering in their enjoyment.

civil and political rights impose what is termed a "ne^{g}ative" obliggian pri the state. These are mainly enjoyed on an individual basis by every person and they are of immediate application. The state has an obligation to refrain from interfering with their enjoyment i.e. they, limit the state's actions vis-a-vis the individual. Examples include the rights to life; liberty and security of person; freedom from torture and slavery; political participation; freedom of opinion, expression, thought, conscience and religion; freedom of association and assembly.

They are just table, which means that it is possible to pursue a legal remedy in respect of them in an ordinary court of law. However, the fact that these rights are immediate, impose obligations on states not to interfere with their enjoyment and that they are justiciable should not be overstated.[18] Since the State has an obligation or a duty to protect those rights, it requires a functioning judiciary and the establishment of laws aimed at protecting a certain right e.g. the right to life. However, legislative measures are not enough. The State is required to take actual steps of enforcement to prevent the violations of those rights or, if the violation has occurred, to punish its perpetrators. Although the government has a duty of abstention concerning the first generation rights, it has to take active steps to ensure that their obligation is complied with by all authorities. This includes also the duty of investigation if the fundamental right has been violated. The same or similar elements may be found in other generations.

Second Generation Rights (Economic, Social and Cultural Rights)
The second generation category consists of rights that are termed economic, social and cultural rights. These are 'security-oriented' rights e.g. the right to food, healthcare or education. Their realization should bring about social justice and equity. They are said to require 'positive 'action on the part of the state, meaning that the State should take deliberate or active steps to bring about conditions in which every person enjoys adequately his or her economic, social and cultural rights. Although these are mainly goals which the state has to fulfill, some of them raise the same obligations as those of the first generation.

However, most of the economic, social and cultural rights can be realized progressively, through positive state intervention. They can be both individual and group rights. This category includes the right toeducation, work and work related rights, adequate standards of living, food, healthcare and shelter. Traditionally, the second generation rights have generally not been justiciable. However, there is a growing trend towards their justifiability in international law and especially domestic law.

Third Generation Rights (Collective, Solidarity or Group Rights)
Collective or group rights are by their nature asserted not by individuals as such, but by people as a group. These rights include the right of self-determination, the right to a clean and healthy environment, the right to peace and the right to development, indigenous and minority rights. These are enjoyed in community with others, and, although it is ultimately the individual who suffers from a violation, violations of this generation of rights are not targeted at individuals. Third generation rights are very complex and also very vague. This makes enforcement, and even simple recognition, very difficult. States, especially Western States more often prefer to sidestep these rights.

Activity

    1.   What is the difference between the first generation rights and second generation rights?

    2.   Discuss the extent to which the third generation rights area reality in Zambia.

    3.   Discuss the similarities between the second and third generation rights.

Human rights can be also be further categorized as follows:

i Existential rights: the focus of human rights is on life and dignity of human beings. A person's dignity is violated when they are subjected to torture, forced to live in slavery or poverty, i.e. without a minimum of food, clothing and housing. Other economic, social and cultural rights, such as access to a minimum of education, medical care and social security, are as fundamentally important to a life of dignity as are respect for privacy and family life or personal freedom. Therefore existential rights form the nucleus around which other rights have been created.

ii. Freedom rights: these include the freedom of expression, conscience, religion,movement, assembly and association.

iii. Equality rights: these include equality before the law and equal protection of the law; protection against discrimination on the grounds of sex, race, colour, religion, ethnic or social origin et cetera.

iv. Political rights: includes the right to vote; equal access to public services; freedom to forma political party: the right to petition etc.

V. Procedural rights: these are especially important in the administration of criminal justice

vi. Specific rights for vulnerable groups: these groups include women, children, the elderly, sick, the disabled, asylum seekers and refugees etc.

Beneficiaries and addressees of Human Rights

The traditional human rights paradigm has focused on the rights of the individual and the corresponding obligations of his or her state. The State is primarily responsible for ensuring respect for, and observance of human rights. It is the state which is a party to international human rights instruments and assumes direct obligations in relation to human rights.

By becoming parties to international human rights treaties, States incur three broad obligations: the duty to respect, to protect and to fulfill. Under the obligation to respect, the state obligation is to refrain from interfering. This means the prohibition of certain acts by the state that may undermine the enjoyment of rights. The obligation to respect implies the obligation to protect individuals against abuses by non-state actors. Under the third obligation, the state is required to take positive action to ensure that human rights can be exercised and realized.

It is important to realize that the state is not the only entity that is obliged to respect human rights. In the modem era, even individuals can be held accountable for human rights violations. For example, the United Nations created the International Criminal Court specifically to deal with persons accused of serious crimes such as genocide, war crimes and crimes against humanity. These crimes always involve serious and mass violations of human rights.

The Influence of the International Bill of Rights Introduction
This unit discusses the universal declaration of Human rights (UDHR), the international covenant on civil and political rights (ICCPR) and the optional protocols, international covenant on economic, social and cultural rights.

Learning Outcomes
At the end of this you should:
I.   Discuss the influence of the Universal Declaration on the growth of Human rights.
II.   Identify and discuss the international human rights instruments that make up the international human rights instruments.
III.   Discuss the supervisory and monitoring mechanisms.

The Universal Declaration of Human Rights,
The Universal Declaration of Human Rights (UDHR) was adopted by Resolution 217 (111) of 10th December 1948 of the United Nations General Assembly. The declaration was not intended to impose legal obligations on States but rather to establish goals for States to work towards. The operative part of the resolutions reads as follows:
"... *The General Assembly proclaims this (UDHR) as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society... shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance...*"
From 1948, when the Universal declaration of Human Rights was adopted and proclaimed, until 1976, when the International Covenant on Human Rights entered into force, the declaration was the only completed portion of the international Bill of Human Rights. The Declaration, andlater the Covenants exercised a profound influence on the thoughts andactions of individuals and their governments in all parts of the world.

For more than 25 years, the Universal Declaration of Human Rights stood alone as an international "standard of achievement for all peoples and all nations' human rights." It became known and was accepted as authoritative both in States which became parties to one or both of the Covenants and in those which did not ratify or accede to either. Its provisions were cited as the basis and justification for many important decisions taken by United Nations bodies. They inspired the preparation of a number of international rights instruments, both within and outside the United Nations system; they exercised a significant influence on a number of multilateral and bilateral treaties; and they had a strong impact as the basis for the preparation of many new national constitutions and national laws.

The Universal Declaration came to be recognized as a historic document articulating a common definition of human dignity and values. The declaration is a yardstick by which to measure the degree of respect for, and compliance with, international human rights standards everywhe.re-on earth. The Universal Declaration is truly universal in scope as it preserves its validity for every member of the human family ever^{y}where_ regardless of whether or not governments have formally accepted its principles or ratified the Covenants. On the other hand, the covenants, by their nature as multilateral conventions, are Wally binding only on those States which accepted them by ratification or accession.

Over the preceding years, many important resolutions and decisions adopted by the United Nations bodies, including the Security Council and the General Assembly, the Universal Declaration of Human Rights and one or both Covenants have been cited as the basis for action. For example, the UN Security Council Resolution 1973 on Libya involved the use of Universal Declaration on Human Rights and also the international Covenant on Civil and Political Rights.

Activity
1. Critically analyze the extent to which the UDHR inilu8ces the promotion and respect of human rights in the world.
2. To what extent has the UDHR and other human rights instruments guaranteed the freedoms and rights of people in the world.
3. How has the 1949 UDHR instrument influenced the Zambian bill of rights?

The major international human rights instruments and supervisory mechanisms.
The United Nations Charter of 1945 carries some human rights provisions aimed at the promotion of human rights. The preamble to the Charter reads in part:
"We the people of the United Nations, determined , reaffirm <u>faith</u> in human rights, in the dignity <u>and worth of the human </u>person, in the equal rights of men and women... have resolve to combine our efforts to accomplish these aims."

Article 1(3)of the Charter proclaims as one of the purpose of the UN, the following:
"To *achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion."*

Article 55." These purposes include the promotion by the UN of Universal respect for, and the observance of, human rights and the fundamental freedoms for all without distinction as sex, race, language or religion.

To facilitate this cooperation, Article 13(1)(b) of the Charter provides that the UN General Assembly shall initiate studies and make recommendations for the purpose, among other things of, assisting 'in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

Art. 62(2) of the UN Charter empowers the United Nations Economic and Social Council (ECOSOC) to make recommendations for the purpose of promoting respect for, and the observance of, human rights and fundamental freedoms for all, while Art. 68 require it to set up commissions in the economic and social fields and for the promotion of human rights. Art. 76 makes the promotion of human rights and fundamental freedoms for all one of the basic objectives of the trusteeship system.

While the human rights provisions in the Charter have been generally considered as broad and vague, they have had significant impact on human rights. In that they "internationalized" and/or codified human rights with the consequence that members of the United Nations recognize that the human rights referred to in the Charter area subject of international concern and are no longer within their exclusive domestic jurisdiction. The charter obligation on members of the United Nations to cooperate with the organization in the promotion of human rights and fundamental freedoms. Though the Charter did not give a definition of human rights or spell them out, two points are worth noting:

   i.   The United Nations Charter internationalized human rights. By adhering to the Charter which is a multilateral treaty', the States parties recognized that human rights referred to in it area subject of international concern and, to that extent, no-longer within their exclusive domestic jurisdiction

   ii. The obligation of the member states of the United Nations to co-operate with the organization in the promotion of human rights and fundamental freedoms has provided the UN with the requisite legal authority to undertake a massive effort to define and codify these rights. That effort is reflected in the adoption of the

international Bill of Human Rights and the numerous other human rights-instruments and the creation of Charter-based institutions designed. to ensure compliance by all member states.

The International Covenants.

Together with the Universal Declaration of Human Rights (UDHR), the two international covenants, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights form part of the International Bill of Human Rights. Originally, the United Nations envisaged only one general human rights treaty to give binding force to the provisions of the UDHR. During the early years of the Cold War, the Western States succeeded in their demand for two separate covenants with different state obligations and different monitoring bodies and procedures. In their view, only the civil and political rights of the first generation were genuine human rights that could be guaranteed immediate) and implemented b *judicial procedures, whereas the economic, socialand .Rural rights of the second generation were only considered 'programme rights.

The socialist states, on the other hand, stressed the independence and indivisibility of human rights and objected to any judicial or quasi-judicial monitoring system. These ideological conflicts contributed to the delay in the adoption of the Covenants for almost 20 years. December 1966, both Covenants were adopted unanimously by 106 states and the first protocol to the International Covenant on Civil and Political Rights which provides for the possibility of individual complaints. Zambia acceded to both Covenants on 10`ˢ April 1984.

The two covenants differ principality in relation to the terms of their respective <u>obligation</u> clauses 5 Article 2 in each of the covenants and their systems of supervision. Economic, social and cultural rights were to be implemented 'progressively' rather than immediately, and were to be subject to supervision by the Economic and Social Council rather than by a committee of Independent experts. Ina similar way, while a system of individual and State complaints was envisaged for the Covenant on Civil and Political Rights, the Covenant on Economic,Social and Cultural Rights was to be supervised by means of a system of period'

Despite these differences, it was a condition for the separation of the covenants that as many provisions as possible would remain the same. Thus the preamble to each of the covenant is substantially the same, as are **Articles. 1,** 3 *(mutatis mutandis* i.e. with the necessary changes having been carried out), 5 and **Articles. 24-31** in the Covenant on Economic, Social and Cultural Rights, and Arts. 46-53 of the Covenant on Civil and Political Rights.

 The provisions of the various articles are listed below.

Article 1: All human beings are born free and equal in dignity and rights.

Article 2: Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind.

Article 3: Everyone has the right to life, liberty and security of person.

Article 4: No one shall be held in slavery or servitude.

Article 5: No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6: Everyone has the right to recognition everywhere as a person before the law.

Article 7: All are equal before the law and are entitled without any discrimination to equal protection of the law.

Article 8: Everyone has the right to an effective remedy by the competent national tribunals.

Article 9: No one shall be subjected to arbitrary arrest, detention or exile.

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Article 10: Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal.

Article 11: Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial.

Article 12: No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation.

Article 13: Everyone has the right to freedom of movement and residence within the borders of each state.

Article 14: Everyone has the right to seek and to enjoy in other countries asylum from persecution.

Article 15: Everyone has the right to a nationality.

Article 16: Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family.

Article 17: Everyone has the right ^{to} own property alone as well as in association with others.

Article 18: Everyone has the right to freedom of thought, conscience and religion.

Article 19: Everyone has the right to freedom of opinion and expression.

Article 20: Everyone has the right to freedom of peaceful assembly and association.

Article 21: Everyone has the right to take part in the government of his country.

Article 22: Everyone, as a member of society, has the right to social security.

Article 23: Everyone has the right to work.

Article 24: Everyone has the right to rest and leisure.

Article 25: Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family.

Article 26: Everyone has the right to education.

Article 27: Everyone has the right freely to participate in the cultural life.

Article 28: Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29: Everyone has duties to the community in which alone the free and full development of his personality is possible.

Article 30: Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

The International Covenant on Civil and Political Rights.

The International Covenant on Civil and Political Rights (ICCPR) was adopted unanimously by the UN General Assembly in 1966. It contains legal obligations to be assumed by States as well as measures of implementation. The catalogue of civil and political rights enumerated in the covenant is drafted with great judicial specificity and it lists more rights than the UDHR. The ICCPR basically guarantees the same civil and political rights guaranteed by the UDHR, but in addition provides an undertaking by States not to deny members of ethnic, religious or linguistic minorities the right, in community with other members of their group "to enjoy their own culture, to profess and practice their own religion, or use their ownlanguage," (Article. 27).

The Covenant also provides for implementation measures. Art. 28 establishes a Human Rights Committee as the principal organ of implementation of the ICCPR. It considers State reports on implementation and makes appropriate recommendations, and considers inter-state complaints, both of which are provided for in the Covenant under Arts. 40 and 41 respectively.

The committee has additional functions under the Optional Protocol of the ICCPR to consider individual complaints or communications. While the Optional Protocol enables private parties claiming to be victims of violation of the Covenant to file individual complaints or communications to the Human Rights Committee, the Second Optional Protocol seeks to abolish the death penalty. Once a state ratifies or accedes to the latter, it must abolish the death penalty.

Supervision Mechanisms. The Human Rights Committee.

'The Human Rights Committee is **a treaty monitoring body**. It is established under Art. 28 of the ICCPR with the task of monitoring the compliance of states parties with their obligations under the Covenant. It consists of 18 independent experts who are elected for a period of four years at biannual meetings of states parties. Although they are nominated and elected by governments, the experts sit on the Committee in their individual capacities.

They are usually professors of law or judges in their home countries and represent all geopolitical regions and major legal systems.

Together with the first Optional Protocol, the Covenant establishes three kind s of supervision procedures. These are the Reporting Procedure under Art 40 and the Inter-State Complaints Procedure provide for in Arts. 41 and 42 of the Covenant and the First Optional Protocol also establishes the Individual Complaints Procedure. The details of the provision of the ICCPR are listed below.

PART I

Article 1: All peoples have the right of self-determination.

PART II

Article 2: Each states partyto the present Covenant undertakes to respect and to ensure to all individuals within its territory.

PART II

Article 2: Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory.

Article 3: The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant.

Article 4: In time of public emergency which threatens the life of e nation and the existence of which is officially proclaimed, the States Parties to the present Covenant may take measures derogating from their obligations under the present Covenant.

Article 5: Nothing in the present Covenant may be interpreted as implying for any State, group or person any right to engage in any activity or perform any act aimed at the destruction of any of the rights and freedoms recognized herein.

PART III

Article 6: Every human being has the inherent right to life.

Article 7: No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. ,

Article 8: No one shall be held in slavery; slavery and the slave-trade is prohibited.

Article 9: Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention

Article 10: All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.

Article 11: No one shall be imprisoned merely on the ground of inability to fulfill a contractual obligation.

Article 12: Everyone lawfully within the territory of a State shall, within that territory, have

the right to liberty of movement and freedom to choose his residence.

Article 13; An alien lawfully in the territory of a State Party to the present Covenant may be expelled therefrom only in pursuance of a decision reached in accordance with law.

Article 14: All persons shall be equal before the courts and tribunals.

Article 15: No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence, under national or international law, at the time when it was committed.

Article 16: Everyone shall have the right to recognition everywhere as a person before the law.

Article 17: No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation.

Article 18: Everyone shall have the right to freedom of thought, conscience and religion.

Article 19: Everyone shall have the right to hold opinions without interference.

Article 20: Any propaganda for war shall be prohibited by law.

Article 21: The right of peaceful assembly shall be recognized

Article 22: Everyone shall have the right to freedom of association with others,

Article 23: The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 24: Every child shall have, without any discrimination as to race, colour, sex, language, religion, national or social origin, property or birth, the right to such measures of protection

Article 25: Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions take part in the conduct of public affairs, directly or through freely chosen representatives.

Article 26: All persons are equal before the law and are entitled without any discrimination to the equal protection of the law.

Article 27: In those States in which ethnic, religious or linguistic minorities exist, persons, belonging to such minorities shall not be denied the right.

PART IV

Article 28: There shall be established a Human Rights Committee

Article 29: The members of the Committee shall be elected by secret ballot from a list of persons possessing the qualifications prescribed in article 28.

Article 30: The initial election shall be held no later than six months after the date of the entry into force of the present Covenant.

Article 31: The Committee may not include more than one national of the same State.

Article 32: The members of the Committee shall be elected fora term of four years.

Article 33: If, in the unanimous opinion of the other members, a member of the Committee has ceased to carry out his functions for any cause other than absence of a temporary

character, the Chairman of the Committee shall notify the Secretary-General of the United Nations, who shall then declare the seat of that member to be vacant.

Article 34: When a vacancy is declared in accordance with article 33 and if the term of office of the member to be replaced does not expire within six months of the declaration of the vacancy, the Secretary-General of the United Nations shall notify each of the States Parties to the present Covenant, which may within two months submit nominations in accordance with article 29 for the purpose of filling the vacancy.

Article 43: The members of the Committee, and of the ad hoc conciliation commissions which may be appointed under article 42, shall be entitled to the facilities, privileges and immunities of experts on mission for the United Nations.

Article 44: The provisions for the implementation of the present Covenant shall apply without prejudice to the procedures prescribed in the field of human rights.

Article 45: The Committee shall submit to the General Assembly of the United Nations, through the Economic and Social Council, an annual report on its activities.

PART V

Article 46: Nothing in the present Covenant shall be interpreted as impairing the provisions of the Charter of the United Nations.

Article 47. Nothing in the present Covenant shall be interpreted as impairing the inherent right of all peoples to enjoy and utilize fully and freely their natural wealth and resources.

PARTVI

Article 48: The present Covenant is open for signature by any State Member of the United Nations.

Article 49: The present Covenant shall enter into force three months after the date of the deposit with the Secretary-General of the United Nations.

Article 50. The provisions of the present Covenant shall extend to all parts of federal States without any limitations or exceptions.

Article 51: Any State Party to the present Covenant may propose an amendment and file it with the Secretary-General of the United Nations.

Article 52: Irrespective of the notifications made under article 48, paragraph 5, the Secretary-General of the United Nations shall inform all States referred to in paragraph I of the same article of the following particulars:

Article 53: The present Covenant, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations.

The International Covenant on Economic, Social and CulturalRights.

Like the ICCPR, the International Covenant on Economic, Social and Cultural Rights (ICESCR) was adopted by the UN General Assembly in 1966. However, this Covenant protects different rights from those protected by the ICCPR, with the exception of common Art 1, which protects the right of all peoples to self-determination. Articles 2 to 5, like those

of the ICCPR, set out the general provisions on the obligations of States. However, whereas the obligations under the ICCPR are for immediate implementation or application, the obligations under the ICESCR may be progressively realized. Article 2 makes special provision for developing countries, that with regard to human rights and their national economy, they may determine to what extent they would guarantee the economic rights recognized in the covenant to non-nationals.

PART I

Article 1: All peoples have the right of self-determination

Article 2: Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant.

Article 3: The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.

Article 4: The States Parties to the present Covenant recognize that, in the enjoyment of those rights provided by the State in conformity with the present Covenant, the State may subject such rights only to such limitations as are determined by law.

Article 5: Nothing in the present Covenant may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights or freedoms recognized herein.

PART III

Article 6: The States Parties to the present Covenant recognize the right to work

Article 7 : The States Parties to the present Covenant recognize the right of everyone to the enjoyment of just and favorable conditions of work which ensure, in particular:

Article 8: The States Parties to the present Covenant undertake to ensure the right of everyone to form trade unions and join the trade union of his choice.

Article 9: The States Parties to the present Covenant recognize the right of everyone to social security, including social insurance.

Article 10: The States Parties to the present Covenant recognize that, the widest possible protection and assistance should be accorded to the family and Marriage must be entered into with the free consent of the intending spouses.

Article 11: The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family.

Article 12: The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

Article 13: The States Parties to the present Covenant recognize the right of everyone to education.

Article 14: Each State Party to the present Covenant which, at the time of becoming a

Party, has not been able to secure in its metropolitan territory or other territories under its jurisdiction.

Article 15: The States Parties to the present Covenant recognize the right of everyone.

Article 16: The States Parties to the present Covenant undertake to submit in conformity with this part of the Covenant reports on the measures which they have adopted and the progress made in achieving the observance of the rights recognized herein.

Article 17: The States Parties to the present Covenant shall furnish their reports in stages, in accordance with a programme to be established by the Economic and Social Council.

Article 18: Pursuant to its responsibilities under the Charter of the United Nations in the, field of human rights and fundamental freedoms, the Economic and Social Council may make arrangements with the specialized agencies in respect of their reporting to it on the progress made in achieving the observance of the provisions of the present Covenant.

Article 19: The Economic and Social Council may transmit to the Commission on Human Rights for study and general recommendation or, as appropriate, for information the reports concerning human rights submitted by States in accordance with articles 16 and 17.

Article 20: The States Parties to the present Covenant and the specialized agencies concerned may submit comments to the Economic and Social Council on any general recommendation under article 19

Article 21: The Economic and Social Council may submit from time to time to the General Assembly reports with recommendations of a general nature and a summary of the information received from the States Parties to the present Covenant and the specialized agencies on the measures taken and the progress made in achieving general observance of the rights recognized in the present Covenant.

Article 22: The Economic and Social Council may bring to the attention of other organs of the United Nations, their subsidiary organs and specialized agencies concerned with famishing technical assistance any matters arising out of the reports.

Article 23: The States Parties to the present Covenant agree that international action for the achievement of the rights recognized in the present Covenant includes such methods as the conclusion of conventions, the adoption of recommendations, the furnishing of technical assistance and the holding of regional meetings and technical meetings for the purpose of consultation and study organized in conjunction with the Governments concerned.

Article 24: Nothing in the present Covenant shall be interpreted as impairing the provisions of the Charter of the United Nations

Article 25: Nothing in the present Covenant shall be interpreted as impairing the inherent right of all peoples to enjoy and utilize fully and freely their natural wealth and resources.

PART V

Article 26: The present Covenant is open for signature by any State Member of the United Nations or member of any of its specialized agencies.

Article 27: The present Covenant shall enter into force three months after the date of the

deposit with the Secretary-General of the United Nations of the thirty-fifth instrument of ratification or instrument of accession.

Article 28: The provisions of the present Covenant shall extend to all parts of federal States without any limitations or exceptions.

Article 29: Any State Party to the present Covenant may propose an amendment and file it with the Secretary-General of the United Nations.

Article 30: Irrespective of the notifications made under article 26, paragraph 5, the Secretary-General of the United Nations shall inform all States referred to in paragraph I of the same article of the following particulars of Signatures, ratifications and accessions under article 26; the date of the entry into force of the present Covenant under article 27 and the date of the entry into force of any amendments under article 29.

Article 31: The present Covenant, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations.

Summary.

The unit has discussed UDHR, ICCPR, and ICESCR as the first international human rights instruments. These instruments were drawing their influence from the UN Charter on human rights of 1945. Each of the instruments has its own supervisory mechanism of human rights.

SPECIALISED UN HUMAN RIGHTS CONVENTIONS.

Introduction

The UN system has also adopted a number of human rights instruments outside of the International Bill of Rights. This was because of the recognition by different actors in the international community, for the need for added protection of the human rights of certain vulnerable groups such as women, children, minorities, migrant workers and indigenous peoples.

Learning Objectives

I.   Define the meaning of specialized human rights
II.   Identify and discuss the specialized human rights instrument.
III.   What justification did the international community had when establishment of the convention on the rights of the child
IV.   Discuss the supervisory mechanism for the CEDAW.

The International Convention on Elimination of All Forms of Racial discrimination (CERD) 1965.

The UN General Assembly adopted this convention in 1965 and entered into force e January 1969. The preamble among other things recognizes that all human beings are born free and equal in dignity and rights and that all human beings are equal before the law and are entitled to equal protection of the law against any discrimination and against any

incitement to discrimination and that any doctrine of superiority based on racial differentiation is scientifically false, morally condemnable, socially unjust and that there is no justification for racial discrimination. The convention notes that the UN has condemned colonialism and all practices of segregation and discrimination associated therewith and affirms the necessity of speedily eliminating racial discrimination throughout the world in all forms and manifestations.

The Convention has been described "as the most comprehensive and unambiguous codification in treaty form of the idea of the equality of races." It prohibits racial discrimination, which it defined in Art.1 as 'any distinction, exclusion, restriction or preference based on race, color, descent or national or ethnic origin' having the effect of nullifying or impairing the recognition,enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field in public life.

States have a legal obligation to eliminate racial discrimination in their territory and to enact laws necessary to ensure non-discrimination. Apart from government authorities, individuals, groups and organizations are prohibited from practicing discrimination. However, Art. 2 (1)(d) allows for special measures i.e. positive or affirmative action, for the purpose of remedying of past racial discrimination, provided that they do not foster other forms of racial discrimination and shall not be continued after the objectives for which they were undertaken have been achieved.

Enforcement measures include a committee established in terms of Art. 8 for the purposes of reviewing periodic State reports and considering individual and inter-state complaints or communications.

Supervisory Mechanisms.
CERD provides for three relevant supervisory mechanisms to enable the Committee to exercise its tasks of monitoring and reviewing the legislative, judicial, administrative and other measures which States Parties have undertaken in relation to their commitments under the Convention to fight racial discrimination. These include the following:
- The Reporting Procedure under Art. 9
- The State Complaints Procedure governed by Arts. 11, 12 and 13
- The Individual Complaints procedure established under Art.14.
The details of the various articles are listed below:

PART I
Article 1: In this Convention, the term "racial discrimination" shall mean any distinction,

exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

Article 2: States Parties condemn racial discrimination and undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in $_{all}$ its forms and promoting understanding among all races, and, to this end.

Article 3: States Parties particularly condemn racial segregation and apartheid and undertake to prevent, prohibit and eradicate $_{all}$ practices of this nature in territories under their jurisdiction.

Article 4: States Parties condemn $_{all}$ propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form.

Article 5: In compliance with the fundamental obligations laid down in article 2 of this Convention, States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone.

Article 6: States Parties shall assure to everyone within their jurisdiction effective protection and remedies, through the competent national tribunals and other State institutions, against any acts of racial discrimination which violate his human rights and fundamental freedoms contrary to this Convention.

Article 7: States Parties undertake to adopt immediate and effective measures, particularly in the fields of teaching, education, culture and information, with a view to combating prejudices which lead to racial discrimination and to promoting understanding, tolerance and friendship among nations and racial or ethnical groups.

PART II

Article 8: There shall be established a Committee on the Elimination of Racial Discrimination (hereinafter referred to as the Committee) consisting of eighteen experts of high moral standing and acknowledged impartiality elected by States Parties from among their nationals, who shall serve in their personal capacity.

Article 9: States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Committee, a report on the legislative, judicial, administrative or

Other measures which they have adopted and which give effect to the provisions of this Convention.

Article 10: The Committee shall adopt its own rules of procedure.

Article 11: If a State Party considers that another State Party is not giving effect to the provisions of this Convention, it may bring the matter to the attention of the Committee.

Article 12: After the Committee has obtained and collated all the information it deems necessary, the Chairman shall appoint an ad hoc Conciliation Commission (hereinafter

referred to as the Commission) comprising five persons who may or may not be members of the Committee. The members of the Commission shall be appointed with the unanimous consent of the parties to the dispute, and its good offices shall be made available to the States concerned with a view to an amicable solution of the matter on the basis of respect for this Convention.

Article 13: When the Commission has fully considered the matter, it shall prepare and submit to the Chairman of the Committee a report embodying its findings on all questions of fact relevant to the issue between the parties and containing such recommendations as it may think proper for the amicable solution of the dispute and the Chairman of the Committee shall the report of the Commission to each of the States parties to the dispute.

Article 14: A State Party may at any time declare that it recognizes the competence of the Committee to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by that State Party of any of the rights set forth in this Convention.

Article 15: Pending the achievement of the objectives of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960, the provisions of this Convention shall in no way limit the right of petition granted to these peoples by other international instruments or by the United Nations and its specialized agencies.

Article 16: The provisions of this Convention concerning the settlement of disputes or complaints shall be applied without prejudice to other procedures for settling disputes or complaints in the field of discrimination laid down in the constituent instruments of, or conventions.

PART III

Article 17: This Convention is open for signature by any State Member of the United Nations or member of any of its specialized agencies, by any State Party to the Statute of the International Court of Justice, and by any other State which has been invited by the General Assembly of the United Nations to become a Party to this Convention.

Article 18: This Convention shall be open to accession by any State referred to in article 17, paragraph 1, of the Convention.

Article 19: This Convention shall enter into force on the thirtieth day after the date of the deposit with the Secretary-General of the United Nations of the twenty-seventh instrument of ratification or instrument of accession.

Article 20: The Secretary-General of the United Nations shall receive and circulate to all States which are or may become Parties to this Convention reservations made by States at the time of ratification or accession.

Article 21: A State Party may denounce this Convention by written notification to the Secretary-General of the United Nations.

Article 22: Any dispute between two or more States Parties with respect to the interpretation or application of this Convention, which is not settled by negotiation or by the procedures expressly provided for in this Convention, shall, at the request of any of the parties to the dispute, be referred to the International Court of Justice for decision, unless the disputants agree to another mode of settlement.

Article 23: A request for the revision of this Convention may be made at any time by any State Party by means of a notification in writing addressed to the Secretary-General of the United Nations.

Article 24: The Secretary-General of the United Nations shall inform all States referred to in article 17, paragraph 1, of this Convention of the following particulars.

Article 25: This Convention, of which the Chinese, English, French, Russian and Spanish text are equally authentic, shall be deposited in the archives of the United Nations.

 The Convention on the Elimination of All Forms of Discrimination against Women (**1979)**

Women suffer the most in conditions of poverty because they have less access than men to healthcare, education and food. Since the Second World War, many human rights instruments have upheld individual rights without distinction of any kind including the aspect of sex (gender). Sex discrimination has thrived despite the trend toward equal rights in human rights instruments, particularly in the socio-economic sphere. The UN recognized the necessity of a human rights regime that addresses women's issue directly and protects their socio-economic as well as civil and political rights. In 1967, the UN adopted the Declaration on the Elimination of All Forms of Discrimination against Women. Based on this Declaration, the Convention for the Elimination of All Forms of Discrimination against Women (CEDAW) was adopted by the United Nations General Assembly on the 18"' of December 1979.

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) recognizes the equal rights of men and women and seeks to ensure the equal rights of men and women in the enjoyment of $_{all}$ economic, social, cultural, civil and political rights. It is noted in the preamble that despite the existence of various instruments prohibiting discrimination against women and encouraging the equality of the rights of men and women, extensive discrimination against women continues to exist, hence that need for comprehensive convention. Therefore, the CEDAW seeks to do away with discrimination against women.

It describes "discrimination against women as any distinction or restriction made on the basis of sex," and which has the effect of impairing the enjoyment by women of human rights and fundamental freedoms in the political, economic, social, civil or any other field

under **Art. 1.** States are obliged to condemn discrimination against women and to embody the principle of equality of men and women in their constitutions and the other appropriate legislation, and to adopt laws or other measures, including sanctions where appropriate, prohibiting all forms of discrimination against women as provided for by **Art.** 2. States also obliged to take measures in the political, economic, social, cultural and other spheres of life to advance the enjoyment of equal rights' by women. Furthermore, Art. 5 provide that States have to take appropriate measures to, among other things, modify social and cultural patterns of conduct of men and women and the superiority of men are eliminated.

States parties to CEDAW undertake to embody the principle of equality of men and women by adjusting their laws and constitutions to reflect their commitment to non-discrimination by imposing sanctions on those who discriminate, by abolishing discriminatory practices and customs, and by taking all other appropriate measures to achieve the practical realization of a society which treats men and women equally. The States Parties also undertake to promote women's development and advancement in political, social, economic and cultural fields. This is so in order that women might participate on a *de faCto*[23] *equal* basis with men in those areas. Therefore the Convention stipulates that neither temporary measures taken to reach such *de facto* equality, nor measures to protect maternity shall be considered discrimination.

Examples of such equality include women's right to vote, to shape government policy, to participate in Non-Governmental Organization activities and to represent her government at international level under Arts. 7 and 8. States parties under Arts. 10 to 14 concerning economic, social and cultural rights are obligated to take appropriate measures to eliminate discrimination in educational opportunities, access to health care and employment opportunities e.g. women must receive equal pay for equal work. Art. 14 focuses on the specific problems faced by rural women and ensures their participation and benefit from rural development.

Supervisory mechanisms/implementation mechanism.
CAT provides for the creation of a supervisory body called the Committee against Torture. The Committee has a mandate to receive individual and State complaints under Arts. 21 and 22 on violations of the conventions as well as periodic reports from State parties on the measures they have taken to give effect to the provisions of the conventions. Art. 20 contains the possibility of an inquiry procedure, initiated by the Committee if it receives reliable information from NGOs or individuals which appears to contain well-founded indications that torture is being systematically practiced in the territory of a State Party. Such an inquiry may include a visit to the territory of the State Party concerned if the State agrees.

Article 15 asserts the full equality of women in civil and business matters, demanding.that all instruments rested at restricting women's legal capacity "shall be deemed null and void". Finally, in article 16, the)nvention returns to the issue of marriage and family relations, asserting the equal rights and obligations of amen and men with regard to choice of spouse, parenthood, personal rights and command over property.

Aside from civil rights issues, the Convention also devotes major attention to a most vital concern of women, namely their reproductive rights. The preamble sets the tone by stating that "the role of women in procreation should not be a basis for discrimination". The link between discrimination and women's reproductive role is a matter of recurrent concern in the Convention. For example, it advocates, in article 5, "a proper understanding of maternity as a social function", demanding fully shared responsibility for child-rearing by both sexes. Accordingly, provisions for maternity protection and child-care are proclaimed as essential rights and are incorporated into all areas of the Convention, whether dealing with employment, family law, health care or education. Society's obligation extends to offering social services, especially child-care facilities that allow individuals to combine family responsibilities with work and participation in public life. Special measures for maternity protection are recommended and "shall not be considered discriminatory". (Article 4). "The Convention also affirms women's right to reproductive choice. Notably, it is the only human rights treaty to mention family planning. States parties are obliged to include advice on family planning in the education process (article I o.h) and to develop family codes that guarantee women's rights "to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights" (article 16.e).

The third general thrust of the Convention aims at enlarging our understanding of the concept of human rights, as it gives formal recognition to the influence of culture and tradition on restricting women's enjoyment of their fundamental rights. These forces take shape in stereotypes, customs and norms which give rise to the multitude of legal, political and economic constraints on the advancement of women. Noting this interrelationship, the preamble of the Convention stresses "that a change in the traditional role of men as well as the role of women in society and in the family is needed to achieve full equality of men and women". States parties are therefore obliged to work towards the modification of social and cultural patterns of individual conduct in order to eliminate "prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women" (article 5). And Article 10.c. mandates the revision of textbooks, school programmes and teaching methods with a view to eliminating stereotyped doncepts in the field of education. Finally, cultural patterns

which define the public realm as a man's world and the domestic sphere as women's domain are strongly targeted in all of the Convention's provisions that affirm the equal responsibilities of both sexes in family life and their equal rights with regard to education and employment. Altogether, the Convention provides a comprehensive framework for challenging the various forces that have created and sustained discrimination based upon sex.

Supervisory Mechanisms.
Article 17 of CEDAW establishes the Committee on the Elimination ofDiscrimination against Women. It has a membership of 23 experts nominated by theirGovernments and elected by the States parties as individuals "of high moral standingand competence in the field covered by the Convention".

Its main function is to administer the Reporting Procedure. Each state Party must submit an **initial report** within one year of the convention's entry into force for that Party. Thereafter, reports must be submitted every four years and when the Committee requests them. Art. 28 provide that reservations incompatible with the object and purpose of the Convention shall not be permitted.

The optional protocol to the Convention on the Elimination of All Forms of Discrimination against Women grants the Committee power to receive and consider communications submitted by or on behalf of individuals or groups of individuals claiming to be victims of a violation by a State party of any of the rights set forth in the Convention. The Optional Protocol was adopted in 1999. Zambia ratified CEDAW on the 21" of June 1985, but she's not yet a Party to the Optional Protocol. Specifications of the various articles are listed below:

PART I
Article 1. For the purposes of the present Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.
Article 2: States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women.
Article 3: States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to en sure the full

development and advancement of women.

Article 4: Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women.

Article 5: States Parties shall take all appropriate measures to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices, customs and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women.

Article 6: States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.

PART 11

Article 7: States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right to vote, participate in the formulation of government policy and the implementation, participate in non-governmental organizations and associations concerned with the public and political life of the country.

Article 8: States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.

Article 9: States Parties shall grant women equal rights with men to acquire, change or retain "their nationality.

PART III

Article 10: States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education.

Article 12: States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services.

Article 13: States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life.

Article 14: States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families.

PART IV

Article 15: States Parties shall accord to women equality with men before the law.

Article 16: States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations.

PART V

Article 17: There shall be established a Committee on the Elimination of Discrimination against Women consisting, at the time of entry into force of the Convention, of eighteen and, after ratification of or accession to the Convention by the thirty-fifth State Party, of twenty-three experts of high moral standing and competence in the field covered by the Convention. The experts shall be elected by States Parties from among their nationals and shall serve in their personal capacity.

Article 18: States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Committee, a report on the legislative, judicial, administrative or other measures which they have adopted to give effect to the provisions of the present Convention.

Article 19: The Committee shall adopt its own rules of procedure.

Article 20: The Committee shall normally meet fora period of not more than two weeks annually in order to consider the reports submitted.

Article 21: The Committee shall, through the Economic and Social Council, report annually to the General Assembly of the United Nations on its activities.

Article 22: The specialized agencies shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their activities.

PART VI

Article 23: Nothing in the present Convention shall affect any provisions that are more conducive to the achievement of equality between men and women which maybe contained in the legislation of a State Party or any other international convention, treaty or agreement in force for that State.

Article 24: States Parties undertake to adopt all necessary measures at the national level aimed at achieving the full realization of the rights recognized in the present Convention.

Article 25: The present Convention shall be open for signature by all States.

Article 27: The present Convention shall enter into force on the thirtieth day after the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.

Article 28: The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.

Article 29: Any dispute between two or more States Parties concerning the interpretation or application of the present Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration.

Article 30: The present Convention, the Arabic, Chinese, English, French, Russian and

Spanish texts of which are equally authentic. General of the United

Convention against Torture and Other Cruel, Inhuman or DegradingTreatment or Punishment (CAT)(1984)

The Convention against Torture and other Cruel, Inhuman or <u>Degrading</u> Treatment (CAT) has 124 States Parties with only 10 signatories States. The convention defines what torture is and also introduces supervisory mechanism to enforce the convention. The substantive provisions of the convention start with a definition of torture in Art.l. The definition includes $_{all}$ forms of severe pain or suffering, whether physical or mental. It is worthy to note that pain or suffering arising from lawful sanctions is not included in the definition. States parties are obliged to take effective measures to prevent acts of torture sswithin their jurisdiction. No exceptional circumstances maybe invoked as a justification. States Parties are required by Art. 3 not to expel return or extradite a person to another State where there are substantial grounds for believing that he or she would be subject to torture. The details each articles are listed below:

PART I

Article 1: For the purposes of this Convention, the term "torture" means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.

Article 2: Each State Party shall take effective legislative, administrative, judicial or other measures to prevent acts of torture m any territory under its jurisdiction.

Article 3: No State Party shall expel, return ("refouler") or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture.

Article 4: Each State Party shall ensure that all acts of torture are offences under its criminal law.

Article 5: Each State Party shall take such measures as may be necessary to establish its jurisdiction over the offences referred to in article 4.

Article 6: Upon being satisfied, after an examination of information available to it, that the circumstances so warrant, any State Party m whose territory a person alleged to have committed any offence referred to in article 4 is present shall take him into custody or take other legal measures to ensure his presence,

Article 7: The State Party in the territory under whose jurisdiction a person alleged to have committed any offence referred to in article 4 is found shall in the cases contemplated in article 5, if it does not extradite him, submit the case to its competent authorities for the purpose of prosecution.

Article 8: The offences referred to in article 4 shall be deemed to be included as extraditable offences in any extradition treaty existing between States Parties. States Parties undertake to include such offences as extraditable offences in every extradition treaty to be concluded between them.

Article 9: States Parties shall afford one another the greatest measure of assistance in connection with criminal proceedings brought in respect of any of the offences referred to in article 4, including the supply of all evidence at their disposal necessary for the proceedings.

Article 10: Each State Party shall ensure that education and information regarding the prohibition against torture are fully included in the training of law enforcement personnel, civil or military, medical personnel, public officials and other persons who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment.

Article 11: Each State Party shall keep under systematic review interrogation rules, instructions, methods and practices as well as arrangements for the custody and treatment of persons subjected to any form of arrest, detention or imprisonment in any territory under its jurisdiction, with a view to preventing any cases of torture.

Article 12: Each State Party shall ensure that its competent authorities proceed to a prompt and impartial investigation, wherever there is reasonable ground to believe that an act of torture has been committed in any territory under its jurisdiction.

Article 13: Each State Party shall ensure that any individual who alleges he has been subjected to torture in any territory under its jurisdiction has the right to complain to, and to have his case promptly and impartially examined by, its competent authorities. Steps shall be taken to ensure that the complainant and witnesses are protected against all ill-treatment or intimidation as a consequence of his complaint or any evidence given.

Article 14: Each State Party shall ensure in its legal system that the victim of an act of torture obtains redress and has an enforceable right to fair and adequate compensation, including the means for as full rehabilitation as possible. hi the event of the death of the victim as a result of an act of torture, his defendants shall be entitled to compensation.

Article 15: Each State Party shall ensure that any statement which is established to have been made as a result of torture shall not be invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made.

Article 16: Each State Party shall undertake to prevent in any territory under its jurisdiction other acts of cruel, inhuman or degrading treatment or punishments which do not amount to torture as defined in article I.

PART II

Article 17: There shall be established a Committee ten experts of high moral standing and recognized competence against Torture (hereinafter referred to as the Committee) which shall carry out the functions hereinafter provided.

Article 18: The Committee shall elect its officers fora term of two years. They may be re-elected.

Article 19: The States Parties shall submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have taken to give effect to their undertakings under this Convention, within one year after the entry into force of the Convention for the State Party concerned.

Article 20: If the Committee receives reliable information which appears to it to contain well-founded indications that torture is being systematically practised in the territory of a State Party, the Committee shall invite that State Party to co-operate in the examination of the information and to this end to submit observations with regard to the information concerned.

Article 21: A State Party to this Convention may at any time declare under this article that itrecognizes the competence of the Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under this Convention.

Article 22: A State Party to this Convention may at any time declare under this article that it recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention.

Article 23: The members of the Committee and of the ad hoc conciliation commissions which may be appointed under article 21, paragraph I (e), shall be entitled to the facilities, privileges and immunities of experts on mission for the United Nations as laid down in the relevant sections of the Convention on the Privileges and Immunities of the United Nations.

Article 24: The Committee shall submit an annual report on its activities under this Convention to the States Parties and to the General Assembly of the United Nations.

PART III

Article 25: This Convention is open for signature by all States.

Article 26; This Convention is open to accession by all States. Accession shall be effected by the deposit of an instrument of accession with the Secretary General of the United Nations.

Article 27: This Convention shall enter into force on the thirtieth day after the date of the deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.

Article 28: Each State may, at the time of signature or ratification of this Convention or accession thereto, declare that it does not recognize the competence of the Committee provided for in article 20.

Article 29: Any State Party to this Convention may propose an amendment and file it with the Secretary-General of the United Nations.

Article 30: Any dispute between two or more States Parties concerning the interpretation or application of this Convention which cannot be settled through negotiation shall, at the request of one of them, be submitted to arbitration.

Article 31: A State Party may denounce this Convention by written notification to the Secretary-General of the United Nations.

Article 32: The Secretary-General of the United Nations shall inform all States Members of the United Nations and all States which have signed this Convention or acceded to it of the following: Signatures, ratifications and accessions under articles 25 and 26, the date of entry into force of this Convention under article 27 and the date of the entry into force of any amendments under article 29 and denunciations under article 31.

Article 33: This Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

The Convention on the Rights of the Child (1989).
The United Nations General Assembly adopted the Convention on the Rights of the Child in 1989. Pursuant to a proclamation by the UN that Childhood is entitled to special care and assistance, that the family is a fundamental group unit of society in respect of which the natural environment for the growth and well-being of all its members and particularly children should be afforded the necessary protection and assistance, so that it can fully assume its responsibilities within the community, the Convention on the Rights of the Child seeks to promote the full and harmonious development of children, in an atmosphere of happiness, love and understanding, and in the spirit of peace, dignity, tolerance, freedom and solidarity.

In addition to affording children the civil, political, economic and cultural rights provided for in the UDHR, ICCPR and ICESCR, States have an obligation to protect children against practices of special danger to their welfare, such *as* economic exploitation, illicit use of drugs, all forms of Sexual exploitation and abuse, etc. the guiding principle of the Convention for the Rights of the Child is outlined in Art. 3(1), which provides that in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall he^r primary consideration,

Supervisory Mechanism.

Article 43 of the Convention for the Rights of the Child establishes a Committee on the Convention for the purpose of monitoring progress made by State Parties in achieving the rights enshrined in the Convention. The **committee** reviews _periodic State reports, but has no power to entertain individual or_ inter-state- complaints. The summary of the various articles are listed below.

PART I

Article 1: For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.

Article 2:States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

Article 3: In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

Article 4**:** States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention.

Article 5: States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent

with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.

Article 6: States Parties recognize that every child has the inherent right to life.

Article 7: The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and. as far as possible, the right to know and be cared for by his or her parents.

Article 8: States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.

Article 9: States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child.

Article 10: In accordance with the obligation of States Parties under article 9, paragraph 1,

applications by a child or his or her parents to enter or leave a State Part^y for the purpose of family reunification shall be dealt with by States Parties in a positive, humane and expeditious manner.

Article 11: States Parties shall take measures to combat the illicit transfer and non-return of children abroad.

Article 12: States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

Article 13: The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

Article 14: States Parties shall respect the right of the child to freedom of thought, conscience and religion.

Article 15: States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly.

Article 16: no child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, or correspondence, or to unlawful attacks on his or her honour and reputation.

Article 17: States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health.

Article 18: States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.

Article 19: States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

Article 20: A child temporaril^y or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.

Article 21: States Parties that recognize and/or permit the system of adoption shall ensure that the best interests of the child shall be the paramount consideration and they shall:

Article 22: States Parties shall take appropriate measures to ensure that a child who is

seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which *the* said States are Parties.

Article 23: States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community.

Article 24: States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.

Article 25: States Parties recognize the right of a child who has been placed by the competent authorities for the purposes of care, protection or treatment of his or her physical or mental health, to a periodic review of the treatment provided to the child and all other circumstances relevant to his or her placement.

Article 26: States Parties shall recognize for every child the right to benefit from social security, including social insurance, and shall take the necessary measures to achieve the full realization of this right in accordance with their national law.

Article 27: States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.

Article 28: States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity.

Article 29: States Parties agree that the education of the child shall be directed to:

Article 30: In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practice his or her own religion, or to use his or her own language.

Article 31: States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.

Article 32: States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.

Article 33: States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of

narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.

Article 34: States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

Article 35: States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

Article 36: States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

Article 37: States Parties shall ensure that no child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age.

Article 38: States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.

Article 39: States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse, torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

Article 40: States Parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.

Article 41: Nothing in the present Convention shall affect any provisions which are more conducive to the realization of the rights of the child and which may be contained in the law of a State party or International law in force for that State.

PART II
Article 42: States Parties undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike.

Article 43: For the purpose of examining the progress made by States Parties in achieving the realization of the obligations undertaken in the present Convention, there shall be established a Committee on the Rights of the Child, which shall carry out the functions

hereinafter provided.

Article 44: States Parties undertake to submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made on the enjoyment of those rights within two years of the entry into force of the Convention for the State Party concerned and thereafter every five years.

Article 45: In order to foster the effective implementation of the Convention and to encourage international co-operation in the field covered by the Convention:

PART III

Article 46: The present Convention shall be open for signature by all States.

Article 47: The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 48: The present Convention shall remain open for accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 49: The present Convention shall enter into force on the thirtieth day following the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.

Article 50: Any State Party may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties, with a request that they indicate whether they favor a conference of States Parties for the purpose of considering and voting upon the proposals.

Article 51: The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.

Article 52: A State Party may denounce the present Convention by written notification to the Secretary-General of the United Nations. Denunciation becomes effective one year after the date of receipt of the notification by the Secretary-General.

Article 53: The Secretary-General of the United Nations is designated as the depositary of the present Convention.

Article 54: The original of the present Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic.

Note: The General Assembly, in its resolution 50/155 of 21 December 1995, approved the amendment to article 43, paragraph 2, of the Convention on the Rights of the Child, replacing the word "ten" with the word "eighteen". The amendment entered into force on 18 November 2002 when it had been accepted by a two-thirds majority of the States parties (128 out of 191).

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Unit - IV
INTRODUCTION TO THE ZAMBIAN LEGAL SYSTEM

INTRODUCTION:
This unit introduces you to basic concepts of law, the legal system, the legal framework and the Public Policy Making process. As civic education teaches you need to be conversant with basic public policy analysis skills. Given this knowledge you will be equipped with tools of analyzing public Policy and relating it to the legal framework.

AIM
This unit aims at equipping you with legal knowledge and policy analysis basic skills to enable you understand and analyze public policy MAP.

OUTCOMES:
At the end of the module you should be able to
(a) Define various concepts in law
(b) Discuss elements of a good legal system
(c) Describe sources of law
(d) Distinguish between criminal and civil cases.
(e) Define Public Policy
(f) Describe the policy cycle and explain stages in the policy making process.
(g) Relate the policy making process to the legal framework

Introduction to Legal Education

Definition of Law

There is a difficulty in offering a precise definition of the term law. Such difficulty arises from the fact that the term law is used in a variety of senses. For example, in physics law means asequence of cause and effect; but in the legal context socialand customary laws guide thebehaviour of men in their collective life, moral laws relate to the question of intrinsic right andwrong, good and bad. In this sense, thecentral idea in law is that of control. In a democraticsociety law is a technique with a purpose - it is the sum of the social influences regularlyrecognized and applied by the state in the administration of justice (Johari, 2009 a).

The word law comes from the old usage which means to lay, to place, to set, or tofix somethingin an even manner. Law is, therefore, something positive or imposed. It is something set or laiddown. Due to its different uses by persons belonging to different schools the term law hasexistence of a variety of its sense. The positivists treat it as the command of the sovereign,while the Marxists regard it asan expression of society's general interests and needs emergingfrom a given material means of production. The historians trace sanctions of law inthe established habits and customs of the people while the sociologists discover thesame in theneeds and interest of the community it serves.

Keeping all this in view, law, as distinguished from theory, is described, from such different perspectives, as follows(Johari, 2009 b: 165):

British Law

Another important influence on the legal system came from the British. Hundreds of years ago, English kings and queens could make laws; enforce them, and settle disputes in any way they chose. However, In 1215, this claim to absolute rule was challenged. In that year, King John was forced to sign the Magna Carta. The Magna Carta established the idea that even a king or queen must obey the law. The document also strengthened the idea of the right to trial by jury. From the British also came the right of habeas corpus. As you know, habeas corpus means that anyone accused of a crime must be brought before a court to make sure that due process is being followed. This protects people from being wrongfully imprisoned.

One other British contribution to the legal system is, perhaps, the most important. This is the system of common law. Common law is the body of law that is based on court decisions, rather than on a strict legal code. As such, it can be altered by judges to fit the changing needs and circumstances of time.
Common law, sometimes called judge-made law, developed over many years of British

history. When a judge decided a case, the decision was based on an earlier precedent, or it becamea precedent itself on which other decisions were based. The decisions in those cases, over time,became commonly used throughout the land. The rules that resulted were called common laws.

Laws from the Constitution

The Constitution of a country is the highest or supreme law of the land. You will remember thatthis clause often is called the Supremacy Clause. Its meaning is clear and is that all lawsestablished by the Constitution are superior to any other laws.

Laws from the Legislative Branch

The great majority of laws passed today are passed by the legislative branches of government. A law passed by a legislature is known as a statute. Remember that statuesmay be passed bylegislative bodies on higher and lower levels of government. In thefederal system of governmentall three levels of government pass laws: The Congress passes national laws. State legislatures pass state laws. City councils pass ordinances (bye-laws). In the unitary system parliamentpasses national laws while the city councils pass bye-laws. However, it must be brought to yourattention that legislative power is limited. All of these groups are limited, by the Constitution, asto the laws they may pass. In addition, as Joharitj.Iohari, 2009 c: 166), has explained "thenoticeable point at this stage is that with the pace of political development, legislation hasbecome the most important source that has outplaced the significance of other traditional forcelike custom and religion. Due to the codification of law, uncertainties and ambiguities whichused to get easily accommodated in the spheres of religious and customary laws have been sufficiently removed".

Laws from the Executive Branch

Another source of laws today is the executive branch of government. While the executive branch cannot pass statutes, it can pass rules and regulations that have the force of law.These laws are called executive orders. Executive orders usually are quite specific. Theyoften aremeant to describe the details of a statute so that it can be carried out. Suppose, for example, alegislature passes a law calling for guest houses to meet certain standards in order to be licensed.To carry out this law, the executive branch will have to specify what those standards should be.It also will have to prepare guidelines for inspectors to use when checking guest houses. It mayset penalties for guest houses that do not meet the standards. So, to enforce the statute, theexecutive branch must pass laws of its own.

Laws from the Judicial Branch

One other source of laws today is the judicial branch. Unlike the other two branchesgovernment, the judicial branch does not pass laws or rules and regulations. Instead, itinterpretsthe law. In this way, the courts decide what the law means and apply the decision to thehand. Such rulings have the force of law. As you know, many court decisions   are precedents. Once a decision is handed down, it is used as the basis for decisions inthis upholds the system of common law and the principle of *stare decisis,* whichdecision stand." Remember, though, that precedents can be overturned. Sometimes, this happens because the values of the people change. What might have been considered just and reasonable in the nineteenth and twentieth centuries may not seem so in the twenty-first century.

Laws from Customs:

In every community the earliest form of law is traceable in well-established practices of the people. The practices, once started, gradually but imperceptibly developed because of the utilitythat inhered in them. In due course, a practice becomes a usage which after a sufficient standingwas hardened into a custom. From the past up to now customs seem to play an important partwhere the life of the people is quite simple. The law of today is based on the customs of thepeople. It is, for the most part, a translation of an age old established practices into specificwritten terms by the state.

Laws from Religion

Religion, as a source of law finds its sanction in religious books of the people. Since time immemorial, people have reposed their faith in the power of some super natural agenciesandtried to lay down rules for the regulation of their behaviour so as to be respectful to their deities.The result is that the words contained in the holy books and their interpretations made by thepriests and divines constitute the religious law of the people. With passage of time, most of theprinciples of religious law have been translated by the state in terms of specific rules. Thus wemay take note of the personal laws of the Hindus, the Muslims, the Christians and the like.

Laws from Adjudication

As the process of social organization became more and more complex in response to the growthof civilization, the meaning and nature of custom were referred to the wisest men of thecommunity who delivered verdicts to settle the points in question. The decisions formedprecedents for future guidance even if they were handed down by tradition and onlysubsequently put in writing as the interpreter force of the customs of the people. As judgesbecame the wisest men of community their decisions came to have a special

sanctityand asthese were given in writing, they constituted, what came to be known as the case-law.

Laws from Equity

One more important source of law is contained in equity - an informal method of making new law or altering an old one depending on intrinsic fairness or equality of treatment. In simple words it means proper or natural justice in cases where the existing law does not apply properlyand judgment has to be given according to commonsense or fairness. Obviously equity, as asource of law, raised from the fact that as the time passed and new conditions of life developed,positive law becomes unsuitable or inadequate to the new situations. To make it suitable, eitherthe old law should be changed, or it should be adapted by some informal method. Thus, equityenters to fill the void. In the absence of a positive law, judges decide cases on general principlesof fairness, reasonableness, commonsense and natural justice. The principles of equity thus,supplement the premises of law when they are put into specific terms by the state.

Laws from Standard works

The source of law may also be traced in scientific commentaries in which leading thinkers, jurists and statesmen express their views and which when recognized, are treated as binding byvirtue of being the decisions of the wisest men of the community. The opinions of these greatmen of the community are accepted by the courts and also incorporated into the law of the land.The importance of these standard works lies in the fact that they compile, compare andlogically arrange legal principles, customs and decisions of the wisest men of the communitydecipher important principles for the guidance of the people in future possible cases.

Laws from Treaties

In recent times treaties have become a very important source of international law. Their importance lies in the fact that they embody rules which have been agreed to be binding by the states making them. For instance the Treaty of Versailles of 1919 that was signed by a large number of states and that incorporated the covenant of the League of Nations.

Kinds of Law

Although you may be aware that our country has many laws, it is obvious that you and most people are not aware of its various kinds of laws. There are laws against driving too fast,against making noise, against setting fire to a building, and against robbery.. There are laws that assurethe quality of food, laws that promote highway safety, and laws that

requirerecords to be kept ofbirths and deaths. One way to study our many laws is to group them into two categories public law and private law. Both groupings are broken down intospecific kinds of law. Asyou read about the specific groups, keep in mind that theysometimes overlap. Remember thatLaw has been classified into various forms according to the basis taken by a juristic thinker onthis subject (Turner *1990)* For instance, on the basis of the relations which it seeks to adjustbetween the people and their organized communities, it has been classified into two varietiesnational and international. Then, onthe basis of the manner of its formulation and the sanctitybehind it, law is divided into two more varieties - constitutional and ordinary. Besides,keeping in view the nature of thewrong committed by a person and the availability of theremedy to undo its evil effects, law is further divided into two varieties - civil and criminal onemay also keep in one's consideration the idea of the creator of the law and the nature of it aspremised and divide into two more categories - natural and positive.

In light of the foregoing, you must remember that a neat and water-tight classification of laws may hardly be presented, but however, we may point out essential varieties of law in the following manner.

(a) Natural and Positive Law:
While the law of nature is abstract on account of being authored by nature or some supernatural being, the law of state is concrete for the reason of being a creation of man. As such, while thedictates of the former are understandable by the rational facility of man aswritten in the heartof man by the finger of God 'the latter can be easily understood as it iswritten and has its placein the statute book. It is called positive law, for its terms are quite specific and binding.Moreover, while natural law has its sanction in respect for or fear of some supernatural power,the positive law is enforced by the sovereign authority and, for this reason; it is calleddeterministic or imperative law.

(b) National and international law:
A law formulated by the sovereign authority and applicable to the people living under its territorial jurisdiction is called national (Municipal) law. It determines private and public relations of the people living in a state. Different from this, international law regulates the conduct of states in their interaction with each other. Both are man-made laws. However,the essential point of difference between the two lies in that while National Law has theforce of asovereign authority on its back; International Law derives its sanction from the good sense of thecivilized nations ofthe world.

(c) Constitutional and Ordinary Law:
While both are laws of the state, they differ from each other in respect to sanctity attached

tothem. While Constitutional Law has a higher status on account of being a part of theconstitution of the state, Ordinary Law occupies a lower place and has to keep itself in consonance with the former. The former may be partly written by some constitutions conventionand partly unwritten on account of being in the form of well-established practices. The latter isthe creation of a legislative organ or of some other authority having delegated powers.

(d) Civil and Criminal Law:

Civil law deals with a case committed by a person who harms the interests of another, for example, by non-payment of dues or the violation of the terms of a contract. Criminal law is related to a criminal act of a person like theft, robbery and murder. In each case, the procedure is different. You will learn more about civil case and criminal case proceedings later in this unit.

(e) Private and Public Law:

While Private law is concerned with the relationship between individuals, Public law andthe relationship between the people and state. Public law is concerned with the organizationthe state, the limits on the functions of the government, and the relations between theits citizens.

(I) Public Law

Public law is the first broad classification of law. This is the set of laws that directly affects the government. Conflicts addressed by public law can be between the government and a person accused of a crime, for example. Such conflicts also can be between two levels of government, or between our government and the government of another country. Public law consistsof thefollowing: Constitutional Law, Criminal Law. Administrative, Law and International Law.

a) Constitutional Law.

Constitutional law is the set of laws found in a constitution. The laws in the constitution of a country are the highest laws in the land. Constitutions are intended to give stability to government so that rules and forms of government may not be changed quickly during brief political, social, or economic upheavals.

b) Criminal Law.

Criminal law is, perhaps, the most familiar kind of law. Criminal law is the set of laws that describes what we should and should not do. It also includes the punishments set for people who break the law. It is easy to see why criminal law would be a part of public law. It affectsthegovernment, of course, because it is the government that makes the laws. Yet, the

laws alsoaffect society as a whole. They protect the public safety and maintain order. When a criminallaw is broken, it affects not only the victim, but also the rest of societythe public,

c) Administrative Law.

As you know, it is the duty of the executive branch to administer, or carry out, laws. In practice, many of the day-to-day functions of government are carried out by the government bureaucracy.The many agencies and bureaus that are a part of the bureaucracy set rules and regulations togovern their own areas. These rules make up the body of the law known asadministrative law.When a person and an administrative agency have a conflict, the court'sdecision regarding thatconflict also is included under administrative law. However, theserules and regulations have theforce of law only so long as they do not exceed the powers given to an agency when it was setup.

d) International Law.

International law is the body of law that deals with one country and other countries, that affects another government is considered a part of international law. Among theseconcerning imports and exports, international fishing rights, and so on.

(ii) Private Law

The other general category of law is private law. Private law is the body of law that governs how *people* act towards one another, either as individuals or as groups. *Such* laws *usually* do notdirectly involve the government. Private law is also called civil law. Under private law we havethe following:

a) Tort Law.

A tort is a wrong or an injury someone suffers at the hands of another person. Therefore, tort law is a set of laws concerned about the rights and duties of people' roed in a dispute. Car accidents are torts. If someone were to hit another person's carnot on purpose that person has not committed a crime. But, he or she has committed a ton.

b) Contract Law

A contract is an agreement between two parties.

c) Family Law.

Family law is that body of law that deals with the family unit. Included in this broad categoryare laws about marriage, divorce, abandonment, and adoption.

d) Property Law.

Property law is the set of laws that have to do with property. Some property is considered to be real property. This includes land and anything that is built or growing on that land.

Functions of law

Laws in society serve the general purpose of ensuring that society is orderly and people live in harmony, specifically laws exist for the following purposes:

a) To Resolve Conflicts

Laws ensure that there are peaceful ways of resolving conflict. When a conflict like thishappens, citizens can take their complaints to the courts. There, judges and juries can applythelaw and settle the dispute.

b) To Limit Government

One of the principal purposes of the Constitution is to limit the government. Laws supporting the Constitution do not allow the government to take away our privileges without good reason. There are laws prohibiting the government from seizing one's property or using it without hispermission. In the same way, there are laws against carrying out illegal searches, tappingphones, arresting people without cause, and so on. All of these laws are meant to limitgovernment.

c) To Protect Rights

Citizens have many rights. You will remember that the Constitution lists some of these rigSome examples are freedom of speech and right to a fair trial. Other rights are not.they still are protected Laws have been passed to protect our rights.

d) To Promote Citizens' Welfare

Some laws are needed to protect the general welfare of the people. Laws assuring the qualityoffood, medicines, and many other products. There are other Laws that create orprotect jobs, lawsregarding social services and unemployment. More and more laws are written every year thatare meant to promote the general welfare ofthe people and to improve the quality of their lives.

e) To Control Crime

Although most people obey the law, there are those who commit crimes. Laws are needed to define what is and what not a crime is. Laws also are needed to deal with those found guilty ofcommitting crimes. A crime is an act that breaks a law. This means that it if a person commitsan act in violation of the law, or if or she does not perform an act required by law, that person iscommitting a crime. Once laws have defined crimes, punishmentsmust

be set for those found guilty of committingthem. Laws set punishments according to the severity of the criminal act. Suppose two peoplehave been convicted of committing crimes. Of these two one person created a public disturbancewhile the other murdered someone. Certainly, murder is the more serious crime. Would it befair for both people to receive the same punishment? The law says no. The person who createda public disturbance might have to pay a fine. The person convicted of murder might have tospend the rest of his or her life in prison.

Elements of a Good Legal System

Laws regulate the conduct of everyone in a society, and they are binding on all citizens. Therefore, it is important for citizens to understand law. Certain characteristics can be used as standards to judge other laws, to determine whether or not they are good.Good laws are especially important in a democracy such as Zambia. In a democracy, it is the people who have the final say in government. The people, through their representatives, decide what laws will be passed. By working together, People also can change laws. In fact, over theyears, certain laws have been revised or even dropped because the citizens decided they did notmeet the standards of a good law. What are these standards?

Good Laws are Just

It is important that the laws be just, or fair, to both individuals and groups of people. Suppose two people committed the same crime. It would not be fair to punish one personmore severelythan the other. The reason for this is that the two people and the circumstances involved areassumed to be exactly the same. In reality, however, applying the standard of justice to laws isnot always so easy. To be fair, it is often necessary to treat people differently. That is why goodlaws also must be reasonable.

Good Laws are Understandable

Citizens are expected to obey the law. But, how can one be expected to obey a law if he/she does not understand it? For years, individuals and interest groups in Zambia have been pressuring lawmakers to, other than just draft laws in simple, straightforward language, also translate it into local languages. Though such efforts have not been entirely successful, lawmakers, however, are becoming more aware of the need for clearly written laws that can be easily understood and, in turn, obeyed.

Good Laws are Enforceable

For a law to be considered good, it must be enforceable. That is, the members of the executive branch must be able to carry it out. Because good laws must be enforceable, there are somelimits as to what a law can accomplish. Even though you might think "there ought to be a lapsing a law is not the answer to every problem. For example, Laws made

bygovernment cannot change natural events. They cannot stop rivers from flowing or people from becoming ill. Laws can, however, see that rivers are damned. Laws also can assure that the foods and the medicines we take are safe. These laws are enforceable.

Sometimes, laws cannot be enforced because they violate the norms of the majority of people. Norms are unwritten standards that guide people's behaviour. If a law were passed that requiredpeople to throw all their money out the window, that law could not be enforced. People wouldsimply ignore it, because it would go against their values. Such a law would conflict with thenorms of society.

Criminal and Civil Cases

Court Procedures in Civil Cases
In Zambia today, many different problems and issues are taken to court. The kind of court case that you are probably most familiar with is that which a criminal case in which a person isaccused of breaking the law. However, most cases settled by the courts today are civil cases.Civil cases, you will remember, are cases in which there is a dispute between people or groups,or between people and government. There are two major kinds of civil suits handled by thecourts. These are suits at law and suits in equity.

Lawsuits
Suits at law, or lawsuits, are one kind of civil case. A lawsuit is a suit in which a person or group believes they have been wronged by another. Many different kinds of cases are taken to court as lawsuits. For example, a lawsuit involving asmall amount of money would be settled in a small claims court. These courts also may be usedby businesses to collect payments from customers, and so on. Other lawsuits may be quitecomplex, involving juries, lawyers, and huge sums of money. Not all lawsuits come to trial.Often, the persons involved agree to "settle out of court." This means that one side agrees tomake amends to the other, often by paying an amount of money in damages, or compensation.

Going to Court
Each person or group involved in a suit is known as a party. The party who brings suit against someone else is called the plaintiff. The party accused of wrongdoing is known as the defendant. The plaintiff begins a suit by filing a complaint. This is a brief statement that gives the court thefacts of a case. A complaint also asks the court to award damages to the plaintiff. This usually isin the form of a certain amount of money. Once a complaint is filed, the defendant must answerthe charges in a written statement. These papers, along with the complaint, are known as thepleadings. After the pleadings have been filed, a trial date is set by the clerk of courts.

There is much work to be done before the trial. Although it is not required, most people hire lawyers to help them prepare their cases and to present their arguments in court. The lawyers for both sides spend weeks preparing for the trial. During this time, they gather evidence and other information about the incident and the parties involved. One way of gathering such information is through a subpoena. A subpoena is an order to produce a witness or document.

The Trial.
Civil cases are presided over by a judge, either with or without a jury. However here in Zambia use of a jury is not in place and so the judge is alone. But in countries like the U.S.A a judgemay be with jury, usually, depending on what the parties involved prefer. Many times, theparties choose to present their case before a jury. They feel it is important to have their casedecided by their peers - people who are ordinary citizens like themselves.Jurors, or the members of a jury, have a great responsibility. It is the jury that decides thefacts in a case - what happened and why. Often, the jury decides the punishment, if any, fora personfound guilty.

The jury also decides what damages should be paid to the injured party. How are jurors chosen? In most cases, jurors are selected from among the people who live in community in which the incident in quest took place. Their names are chosen at random tax rolls or voter registration lists. Once chosen, the person will receive a letter that tellsand where to report for jury duty. Only under special circumstances, such as familyemergenciesor business commitments, can a citizen be excused. Depending on the state, jurors serve must meet certain qualifications. Among these is citizenship, residency eligibility to vote.

Most juries are made up of 12 people. In many states, however, juries made up of six people arecommon. For each case, many more jurors are called than will be needed. The jurors arequestioned by the judge and by the lawyers for both sides. Only those who appear to be able tojudge the case fairly will be chosen to serve. The ideal juror is one who has no opinions orknowledge about the case. He or she should not have been influenced by what was in thenewspapers or on television. He or she should not have feelings favoring one side or the other.And, the juror should not know any of the parties in the case.

After the jury has been chosen, the trial can begin. First, opening statements are made in which the lawyers tell the court what they hope to prove. Then, each side presents its case. The plaintiff presents his or her case first. The plaintiffs lawyer often begins by calling witnessestothe stand. These are people who have some knowledge of the incident in question. As witnessesare called, they are sworn in. Then, as they are questioned,

thewitnesses give their testimony, orsworn statements, to the court.In calling witnesses, the lawyer for the plaintiff hopes to bring out as many facts as possible that support the plaintiffs case. Once a witness has been questioned, the lawyer for the other side may cross-examine the witness. Cross-examination is a type of questioning used to check thetruth of a witness's previous answers.

After all the witnesses for the plaintiff have testified, it is the defense's turn. The defendant's lawyer also calls witnesses, hoping to bring out facts supporting the defendant's side in the case. As before, the opposing lawyer is allowed to cross-examine each witness. After each side has presented its case, the lawyers give closing statements. These are statements in which the lawyers summaries their case and explain why the court or jury should support their side.

The Verdict
Once both sides have presented their closing statements, the court must make a decision. This decision is known as the verdict. In a case being decided by a judge, the he/she makes the final decision about who, if anyone, isin the wrong. Should the judge decide in favour of the plaintiff, the judge also decides whatdamages must be paid.

In a case that is heard by a jury, the jury reaches a verdict. This is done in complete privacy byamajority vote. Many times, the jury also decides the amount of damages to be paid, should theplaintiff win the case.

Suits in Equity
Another kind of civil case is a suit in equity. The word equity means "fair treatment." An equitysuit allows a person or group to seek fair treatment when there is no law to remedy a situation.Often, people bring such suits in order to stop an action from taking place before it causesdamages. Many of the steps in an equity suit are the same as those in a lawsuit. Both sidesusually hire lawyers to file the pleadings. The lawyers also prepare the case for trial. Mostoften, equity suits are decided by a judge rather than by a jury. Because of this, some testimonymay be given and recorded in writing before the trail begins. The judge then studies thedepositions to make a decision. If the judge decides in favour of the plaintiff, an injunction maybe issued. This is a court order that requires a person or group to stop or to delay a certainaction.

Court Procedures in CriminalCases
The second broad category of cases handled by the courts today is criminal cases. As was earlier stated a criminal case is one in which a person or group is accused of breaking a law. The courtprocedures followed in criminal cases sometimes vary, depending on the crime

involved. Lessserious crimes often are handled quickly in local courts. For most minor traffic violations, forexample, a date is set for the accused person to appear in court. On that day, the judge hearsevidence in the case, hands down a decision, and sets the punishment, if any. Seriousmisdemeanors and felonies are handled differently. Such cases could take months to resolve.As you read about court procedures in criminal cases, remember that crimes affect not only thevictims, but all of society. The government is the legal representative of society. For thisreason, it is the first to bring a law suit against the defendant in a criminal case.

The Arrest

Criminal proceedings begin with an arrest. If a police officer witnesses a crime, he or she can make an arrest on the spot. If not, a warrant for the person's arrest must be obtained. A warrant is a court order explaining the charges being brought against a suspect. As you know, persons accused of crimes in Zambia and other countries have many important rights. These begin as soon as a person is arrested. All suspects must be read their rights before any information they give can be used in court. These rights must be read as a person is arrested. Once arrested, a suspect is taken to the police station to be booked. This means that his or hername and other information are recorded. The suspect is photographed and his or herfingerprints are taken. During this time, the suspect has the right to contact a lawyer. He or shemay call a lawyer of his or her choice, or a lawyer will be provided by the state.

The arraignment

Up to this point, a person accused of a crime is only a suspect - someone arrested in connection with a crime. In our legal system, the accused is presumed to be innocent until proven guilty. Itis up to the government to prove whether he or she is guilty. Following the preliminary hearing,the suspect may have been released on bailer held in jail. Regardless, the suspect must beformally charged with a crime before the case can be brought to trial.

This formal charge takesplace at the arraignment.Remember that, in criminal cases, it is the government that brings charges against those accusedof a crime. The government's representative in criminal cases is known as a prosecutor. If it isdecided that an accused person be charged an indictment, or formal charge, will be written. Inmany cases an indictment is not always needed. Information may be used to charge a person with a crime. This is an accusation made under oath by the prosecutor. Almost all misdemeanor cases and most felonies are filed through information rather than heard and determined.

Once it is decided to charge a person with a crime, an arraignment date is scheduled. At the

arraignment, the accused is told of the charges being brought. He or she then is asked to plead "guilty" or "not guilty." If the defendant pleads guilty, the judge will set a date for the sentence, or punishment, to be announced. If the defendant pleads not guilty, a trial will be scheduled.

Plea-Bargaining

In some criminal cases, a trial is never held. These cases are settled by plea-bargaining. A plea-bargain is an agreement made between the prosecutor and the defendant. In most cases, thedefendant agrees to plead guilty, but to a less serious charge. In return, the defendant receives alighter sentence than if he or she were to be found guilty of the more serious crime.

Why is plea-bargaining used so often? Many times, both sides have something to gain. The government saves the money and time involved in a trial. The guilty plea assures that the accused will receive some punishment. After all, there is a chance that the prosecutor could lose the case. The defendant also has something to gain - most important, a lighter sentence.The defendant, too, risks losing the case when a trial is held.

The Preliminary Hearing

As soon as a suspect is booked, he or she must be taken before a judge for a preliminary hearing.At this hearing, the judge decides whether the accused person should be released before beingbrought to trial. For less serious crimes, those accused may be released on their own recognizance. This meansthat they are free, but agree to appear in court when called for trial. The judge also might allow the suspect to be released on bail. Bail is an amount of money an accused person must pay tocourt in order to be released. When the suspect appears in court for trial, the bail is returned,Bail helps make sure that accused persons will not try to run away before the trial begins.

The amount of bail is decided by the judge. This amount varies according to the seriousness of the crime. In setting bail, a judge must keep one general guideline in mind that the amount ofbail must not be excessive. In some cases, the request for bail may be turned down. This occurswhen it is believed that the accused, if set free, will be a threat to society.

The Trial

For those cases that do go to trial, both sides spend weeks or even months in preparation. The prosecutor and the lawyer for the defendant gather as much information about the caseas possible. People may be subpoenaed. Special investigators may be called in and depositions may be given.Criminal trails are conducted in much the same way as civil trails. Some criminal cases areheard by a judge. Most cases however are heard by a jury. Jury

selection in a criminal casefollows the same basic steps as in a civil case. When the trail begins, each side gives an openingstatement. Following these, the prosecutor presents the government's case. Then, the defensepresents its side. Witnesses are questioned by both sides. After all the evidence has beenpresented, each side gives a closing statement.

Although court procedures in criminal and civil trails are similar, keep this important difference in mind. In a criminal case, the prosecutor must prove a defendant to be guilty "beyond a reasonable doubt." In a civil case, a party may win simply because the evidence points in his orher direction.

The Verdict
Following the closing statements, the jury leaves the courtroom and begins deliberations. Juries always meet in private. No one else is present - not the judge, the lawyers, nor the parties in thecase. Once the jury meets, members choose a foreperson. This man or woman serves as spokespersonfor the group. The jury begins its deliberations by reviewing the facts in the case. Then, a firstvote is taken. It takes a unanimous vote, or a vote in which all members agree, for a verdict to bereached in a criminal case. Once a decision is agreed upon, jury members return to thecourtroom. There, the foreperson announces the verdict to the judge.

The jury may decide in favour of the defendant. In other words, the jury decides that the accused is not guilty. This is called an acquittal. If an accused is acquitted, he or she is released immediately. If a guilty verdict is returned, the judge will set a date for sentencing. What if the jury cannot reach a unanimous decision? The jury may continue to discuss and vote on the case. Some juries, however, never reach agreement. In such a case, a mistrial is declared.

The defendant may be given a new trial, or the charges may be dropped. SentencingIn a criminal case, the judge decides the sentence for those found guilty. Sometimes, the jury may recommend a sentence. Punishment may be in the form of a fine, a prison term, or both. When sentencing a criminal, Judges must follow state guidelines that set minimum and maximum penalties for crimes. Judges also must take into consideration the individual circumstances in a case.As you know, though sentencing guidelines are set by the state, Judges, however, still haveseveral decisions to make for each individual case. Many times, these decisions involvesentencing criminals to prison. Prison Sentences (paying the Penaltyfor Crime).

Most people in our society believe that prison terms are fair punishment for those found guilty of serious crimes. There are four traditional views that explain why most people

feelthat imprisonment is necessary punishment for criminals.

1. Retribution
Many people believe that society has the right to punish those who break its laws. These people want the criminal to "pay back"

2. Deterrence
Others look at punishment as a way to deter, or help prevent, further crimes. Putting criminals' prison warns others of the consequences of crime.

3. Protection of Society
A third reason for sentencing people to prison is to protect society. Criminals are dangerous to people's lives and property and therefore must be kept away from other members of society.

4. Rehabilitation
Still others believe that prison is a way to rehabilitate criminals. Rehabilitation is seen as a way to change unacceptable behaviour. By putting criminals in a protected and controlled environment, society can work to help them. The purpose is one day to release inmates as law-abiding citizens.

Imprisonment
Nowadays, more and more people are being sentenced to correctional facilities. There are many kinds of correctional facilities in use today. Judges usually decide the kind of prison to which acriminal should be confined. The length of the prison term, of course, depends on theseriousness of the crime.

Maximum-Security Prisons
More than one half of all state prisons are maximum-security prisons. These are reserved for themost dangerous criminals. Living conditions are not pleasant. There are high walls and heavybars, prisoners may be isolated from one another, and violence often occurs.

Medium-Security Prisons
These prisons are for those who commit less serious crimes. The emphasis is on rehabilitation rather than conferment. For example, prisoners may go to classes to further their education.Or, they may receive training so that they will have a better chance of finding a job when theyare released.

Minimum-Security Prisons

These are prisons for those who are judged to be the least dangerous to society. Housing may bein dormitory-like buildings. Movement around the prison, and in the outside world, is less restricted and confined than in other kinds of prisons. For example, many prisoners leave to goto work during the day and return to the prison at night.

Remand Prison

These are often used for keeping those awaiting trial, either because they could not post bail, orbecause bail was denied. Sometimes, a person who is given a sentence of less than one yearremains in remand rather than going to those other prisons.

Parole

Parole is a programme that allows an inmate to be released from prison early, before serving acomplete sentence. A prisoner must serve a certain part of his or her sentence before becomingeligible for parole. Parole may be granted to those who have shown signs of rehabilitation, orwho have demonstrated good behavior. Depending on the seriousness of the crime, somepeople may never be considered for parole.

Once a person becomes eligible for parole, a request is sent to the prison's parole board. Members of this board include prison officials, social workers, psychiatrists, lawyers, and judges. Or even other eminent, citizens are appointed to serve on parole boards. Final decisions are made at parole hearings, in which all of these persons take part. Once parole is granted, former prisoners usually are assigned to a parole officer. This person watches over the parolee'sactivities and provides help when needed. The parolee also must follow several rules.

Juveniles and the Legal System

The legal system for juveniles is one part of law that must be considered apart from the others already discussed. A juvenile is a person who is not legally adult. The age at which aperson is considered to be an adult varies from country to country. However, most countries, adult age is 21years. Until a young person reaches this age, he or she is treated differently' legal system (Turner, 1990)

I.   Juvenile Crime

Juveniles make up a big percent of all those arrested for committing crimes today. Some juvenile crimes are misdemeanors, such as driving without a license or littering. Others are more serious. Among these are burglary, arson, armed robbery, rape, and murder. Statistics show that one third of those arrested for committing serious crimes are under the age of 18(Tumer, 1990)

2. Juvenile Courts

Years ago, young people accused of wrongdoing were treated the same as adults. They were tried in the same courts and given the same sentences; they were sent to the same prisons as adultoffenders. Reformers worked toward changing the way young offenders were treated; and as a result thesystem has changed and juvenile courts have been devised. Today, juvenile courts handle twokinds of cases - cases of neglect and cases of delinquency. Neglect cases involve young peoplewhose parents do not care for them properly. Such cases are handled by the courts because theyoung people need the care and protection of society. Cases of juvenile delinquency are cases inwhich young people are unruly or are accused of breaking the law. The organization of juvenilecourts varies. Juvenile courts may form a separate division within a court structure. Or, they may be part of other courts.

3.Protecting Juveniles from Society

One of the basic reasons juvenile courts were established was to protect young people. From what kinds of things do juveniles need to be protected? Sometimes, adults and society place young people in danger. Juvenile courts can offer a degree of protection for them. For example,courts can take action in cases of neglect by parents, unfit living conditions in the home, orhomelessness. In these kinds of cases, a young person may be made a ward of the court. This means that theyoung person is placed under the legal control of the courts, rather than of his or her parents.This allows the court, along with social workers, to decide how to help each young person best. Neglected are placed in foster homes. These are homes where young people are cared for by families other than their own.

4. Protecting Juveniles in Court.

Unlike adults, juveniles are protected from some parts of the legal process. For example, when juveniles are arrested, they usually are not photographed or fingerprinted. In court, cases oftenare handled at informal hearings with only a judge, a social worker, the young person, and his orher parents present. The judge then decides what action to take to best help the young person.Juveniles' records also are kept confidential. This means that when the young person reachesadult age, he or she will not have a criminal record. It is as if the person is given a clean slate. Although juvenile courts have been in operation since the early 1900's, they have not alwaysacted in the best interests of juveniles. Juvenile cases were handled separately from adult cases.Yet, some courts did not give young people some of the same rights guaranteed to adults accusedof wrongdoing. Juveniles have the right to know the charges against them. Juveniles have theright to have a lawyer - either one of choice, or one provided by the state. Juveniles must beprotected against self-incrimination. And, juveniles have the right to face and cross-examinewitnesses against them.

5.   Punishing Juveniles

The juvenile court system operates on the belief that young people in trouble can be rehabilitated, or helped. For this reason, any punishment given to juvenile offenders is meant tohelp improve their behaviour. Most people today feel that confinement in prison is not the only,or best, solution to the problems of young people and crime. Sometimes, a simple warning willkeep a young person out of further trouble. Judges also may ask that the parents of juvenileoffenders seek counselling to help them deal with their children. In other cases, judges try tomake the punishment fit the crime. For example, the court may order a young person foundguilty of robbing a store to go to work for the person whose property was stolen. Other times,judges may feel that juvenile offenders will benefit from community service projects.

More serious or repeat offenses have more severe penalties. One of the most common penalties given to young offenders is probation. Probation is a time period during which a person foundguilty of a crime is given a chance to show that he or she can reform. While on probation, theyoung person must follow certain hour every night. And, he or she probably would have to meetwith a probation officer once a week. Probation officers work not only with the juvenile, butalso with friends, relatives, teachers, and others to see that the best interests of the young personare met.

In the most serious cases, juveniles face assignment to a youth correctional facility. Such detention usually is ordered only after other attempts to help a young person have failed.Most institutions for lawbreakers under the age of 18 are called training schools or reformatories. Most inmates of training schools are held from six to nine months. Institutions at whichyoungoffenders stay for a shorter time are called juvenile detention centres. The emphasis in both ofthese facilitates is on rehabilitation, rather than punishment.

Unit Summary

In this unit you have explored legal education. What do you think was your major benefit from foregoing discussion? Well, in my view, I see you to have gained much knowledge about whatconstitutes the components of a legal framework. With this knowledge you should be able toenlighten people in your community on the legal system of Zambia, the rights andresponsibilities of citizens, on what is legal and what is illegal and the powers that the statewields. Given this knowledge you should be able to see the difference between a good policyand bad policy; it being private or public. Given this scenario, in the next unit you will learnmore about the law. But this time it will be in terms of public policies; how the are formulatedand how they affect society and government.

Activity

1.The term law is described, by different scholars from different perspectives, identify such various different perspectives and propose one most widely understood sense which, the term 'law' signifies.

2.In the sphere of social sciences the varieties of meaning of law emanates from its sources; Itemize the various sources of law and briefly explain them

3.Explain the difference between Private law and Public law. List the kinds of law falling under (i) Public Law and (ii)private Law and describe each one in detail.

4.Laws in society serve the general purpose of ensuring that society is orderly and people live in harmony. , List and explain five specific functions of laws.

5.Laws regulate the conduct of everyone in a society, and they are binding on all citizens. In view of this laws are supposed to be good. Explain what characterizes a good law.

6.Explain difference between a civil case and criminal case and show the differences in the procedures used by the courts when handling such cases.

7.The legal system treats juvenile's cases differently from those of adults. Give reasons why this is so.

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UNIT-V

GENDER EQUITY AND EQUALITY

INTRODUCTION

Welcome to unit 4. This is the fourth unit in the module is on Gender and Development Course. In this unit we explore the discourse of gender and gender as a discourse. We shall also examine the various concepts and ideas used in gender and also those that are related with gender and development. This unit thus seeks to provide you with a critical presentation of the nature of gender issues and how they are linked to development. You are therefore encouraged to familiarize yourself with other works on gender and development since what you are given in this unit is not a self-contained kind of information but an attempt in helping you to open up your mind on issues to do with gender and development at various levels. You are also encouraged to read other books and materials related to this unit from other programmes so that you have a variety of thoughts and ideas on the same.

Aim

The aim of this unit is meant to improve and enhance students'understanding on the discourse of gender and gender as a discourse from different settings and not necessary from the point of view of Civic Education

Objectives

 After studying this unit, you should be able to:

a) Discuss the discourse of gender and gender as a discourse

b) Evaluate the meaning of gender

c) Examine the concepts and issues in gender

Gender as a discourse

Gender as a concept is not a fixed identity that each individual possesses; rather it is a social discourse that sets expectations for people's lives, without necessarily forming theiridentities or gaining their allegiance. 'Discourse' is a relatively contentious term.Nevertheless, for our purpose, especially in this module the following definition should be sufficient: a relatively organized set of propositions about a particular object that hasclaims to represent the authoritative truth about that object. For example, thediscursive formation on men would trigger the following train of propositions and assumptions: "men have penises, they don't have breasts, they are sex-maniacs and interested in women of a particular type, they don't quite have the same connection with their children as mothers do,

they like cars and sports." This discourse constructs identities and sets expectations forbehavior, while at the same time, coloring people's analyses of a particular person. There are generally two types of discourses about gender: the discourse about the content of gender and discourse about gender itself. The former refers to thevarious non-physical attributes of men and women, and the list of acceptable behaviors for each gender. This discourse is flexible, changeable, up-for debate, and (re)constructed on a more-or-less daily basis. For instance, while the social discourse on the content of gender emphasizes that men like sports and fast cars, in recent years, normative masculinity has appropriated many so allied 'feminine' practices as well, such as grooming, manicures, pedicures, waxing, and applying skincare products. This is indicative of how malleable the discourse on the content of gender is. It is very much up for debate and flexible: the list of acceptable behaviors for men and women can change often.

The discourse of gender itself, however, displays the opposite attributes. We wouldcharacterize it (at least within the context certain culture) as hard, inflexible, andexceptionally difficult to change. It so often goes unquestioned that it has an existence independent of the mass of individuals that put it into practice. What are the main postulates of this discourse about gender? There are two and only two genders; Gender characteristics follow 'naturally' from 'biological' sex traits; there must at all times be a difference between the two genders. So, just as we noted above that men could appropriate certain 'feminine practices, we should also note that, in the process of thatappropriation, the difference between men and women has to be upheld.

There is never any question of men becoming women or being like women. Rather, in appropriating 'feminine' beautification and grooming practices, they have to be translated into a masculine context, renamed and reinterpreted so as to fit the changed content of masculinity. Thus, manicures become 'hand-fixes', skincare and grooming products begin to wear the label 'For Men', and a new masculine identity (metro sexuality) is created in order to make sense of the changes. Despite the appropriation of 'feminine' beautypractices, a difference between genders has been maintained: men are still men and women are still women. Culture, gender flexibility seems to stop at the point at which the two-gender model and the assumption of essential difference between men and women are challenged. Nevertheless, the inflexible and hard nature of this discourse does not mean that it is not possible to change it. The very existence of people who do not accept the two-gender system, whose gender characteristics follow different paths than their 'biology' would normatively lead one to believe, and who are not obsessed with always producing a difference between men and women, is profoundly destabilizing. Simply confronting people with the fact that the above assumptions do not apply for everybody, that there are people whose experiences differ vastly from what the discourse of gender itself

postulates,should be enough to destabilize it.

DEFINING AND UNDERSTANDING GENDER
According to Oakley (1973), she introduced the term sex sociology to refer to the biological division of male and female. She defined sex in the context of gender as a parallel sense, socially unequal, division into femininity. The term gender and sex therefore could be used interchangeably and can be used almost simultaneously to make a clear distinction between them.Therefore is a socially, culturally conditioned roles of men and women, hence the assumptions about men and women in nature are different.

In most cases the inferior cases of women in many fields of work and politics, there are assumed as gender differences. The term gender has since become extended to refer, not only to individual identity and personality but also symbolic and cultural level of ideals. Because of these factors and or other things developed like stereotypes. Similarly, it is argued that women considerably bear a great burden in child rearing and caring for older or infirm relative arises from socially conditions expectations of gender roles rather than biological differences. For many feminists, gender is the most fundamental social and political division, more important than social class or ethnicity and therefore they are always seeking for gender equality. And yet while most feminist deny that there are any socially or politically significant differences between men and women and that the two sexes are subsequently similar.

Some feminist are prepared to asset that women are different. These feminist argue those women, maybe less aggressive, cooperative and more caring. Feminist seek women's liberation from the male domination or patriarchy. Like other ideologies, feminism involves a critic, an ideal and a program. When looking at the three aspects we can easily explain that; a critic contains analysis of the discrimination and injustices suffered by women in existing society. The ideal is just for women generally but not exclusive to mean full equality between the sexes; while the practical program includes action to secure for women political and legal rights and equality in the economic fame. It also means the elimination of sexual discrimination in education and the work place giving it more equitable division of child rearing duties and projection against physical and sexual violence.

Concepts and issues in gender

(a) Changes in gender identity and gender relations
Gender roles and characteristics in almost all societies have undergone many. Recentadjustments and changes in response to development, technological change

andglobalisation, which have led to massive economic and social changes in all parts of theworld. Changes in gender roles and relations often meet resistance, particularly in the formof tradition. Social and gender analysis can demonstrate that change in certain aspects of social roles and relations between women and men can improve the quality and conditionsof life for everyone.

(b) Social and gender analysis Social and gender analysis attempts to understand the roles of different social groups, (including women and men) in relation to what they do in a given social setting and in relation to the resources they have. There is also a need to understand gender relations: how women and men relate to one another and who makes decisions over which resources. Social and gender analysis identifies the roles, relations, responsibilities, access to and control over resources, decision-making and power, as well as the needs and potentials of different social groups of both women and men. Social and gender analysis is not limited only to the social sectors, but can also be used at all levels and areas of village development.

(c) Sex and gender

Sex refers to the biological differences between men and women, which are universal and do not change. Gender refers to social attributes that are learned when growing up as a member of a community. Because these attributes are learned behaviors, they can and do change over time. Inaddition, they vary between different cultures and ethnic groups. Gender therefore refers to the socially given attributes, roles, activities, responsibilities and needs connected to being men (masculine) and women (feminine) in a given society at a given time. Women's and men's gender identity determines how they are perceived and how they are expected to think and act as men,and women. Gender is one of the variables (along with ethnicity, age and class) used in the distribution of privilege, prestige, power and a range of social and economic resources. While carrying out social andgender analysis increases knowledge of social gender roles, inequalities and different impacts, this alone will not automatically bringabout change. The results of social and gender analysis should be used to bring about necessary changes in relation to planning, priorities, choice of methods, and division of labor and implementation of activities.

(d) Sex Difference and Gender Difference

How do you know when to call something a sex difference rather than agender difference? Using the definitions given for sex (biological differences between males and females) and gender (socially defined differences between men and women), sex differences therefore refer only to those differences that can be attributed solely to biological difference. Medical literature most commonly addresses biological sex differences. Increasingly we find thatmedical evidence is published with sex as a variable of analysis. Gender

differencesdelineate those differences that exist between men and women. Gender differences bydefinition take into consideration the fact thatoutside the test tube it is impossible to control for the interactions between people and their environment. Outcomes data therefore demonstrate gender difference because it is impossible to tell whether health outcomes are attributable to the biology of males and females or whether they are some mixture of the interaction between biology and the environment within which men and women experience them.

It is therefore more common to use gender differences as a blanket term for .sex and gender difference when speaking about people because you can't separate them from their environment. The generic rule of thumb must therefore be: If you know that the difference is 100 biological it's a Sex Difference, Everything else must be considered a Gender Difference.

Summary
At this stage it is hoped that you have tried to come to terms with the issuesdiscussed under this unit and that you have come to understand the issues on the discourse of gender and gender as a discourse and that you will now be able to discuss freely matters of gender and development with others at an informed level than before.

Activities
1. Critically examine the concept of gender?
2. Explore the major differences between gender and sex?

GENDER-ROLE DEVELOPMENT

Objectives
 After studying this unit, you should be able to:
d) Discuss gender role development
e) Describe different concepts and ideas on gender role development
f) Examine the development of sex and gender issues among people

Gender Role Development
Gender-role development is one of the most important areas of humandevelopment. In fact,the sex of a newborn sets the agenda for a whole array of developmental experiences that will influence the person throughout his or her life. This will be seen as you explore the subsequent sections of this unit.

The Development of Sex and Gender

The often controversial study of the development of gender is a topic that is inherentlyinteresting to parents, students, researchers, and scholars for several reasons. First andmostsalient characteristics that are presented to other people. Secondly, one is a male or a female becomes a significant part of one's overall identity; it is one of the first descriptors people use about them. Labeling oneself as a "boy" or "girl" can begin as early as eighteen months.Thirdly, gender is an important mediator of human experiences and the way in which individuals interact with each other and the physical environment. Individuals' choices offriends, toys, classes taken in middle school, and vocation all are influenced by sex. Finally, the study of sex, gender development, and sex differences becomes the focal point of an age-old controversy that has influenced the field of developmental psychology: the controversy.

The following questions become helpful in trying to under the gender role development:Are gender roles and sex differences biologically determined? What are the effects of society and culture on gender and sex? How do biology (nature) and environment (nurture) interact and mutually influence each other in this significant dimension of human development?

When discussing gender-role development, the definitions of the terms "sex" and "gender" need to be understood. Referring to the nature-nurture controversy, scholars have found it important to distinguish those aspects of males and females that can be attributed to biologyand those that can be attributed to social influences. The term "sex" denotes the actual physical makeup of individuals that define them as male or female. Sex is determined bynetic makeup, internal reproductive organs, the organization of thebrain (such as in the control of hormone production), and external genitalia. By contrast, the behavior of individuals as males or females, the types of roles they assume, and their personality characteristics, may be as much a function of social expectations and interactions as their biological makeup. Forexample, in American culture, females are expected to be nurturing, and males aggressive. These behaviors and characteristics are dependent upon the social context. In order to differentiate social roles and behaviors fromforemost, you will learn that one's sex is one of thebiological features, scholars refer to these as "gender" and "gender roles." Obviously, sex and gender are intertwined. Social expectations usually are enacted once body parts reveal the biological makeup of the individual. Both sex and gender have a developmental story to tell that begins before. Birth(prenatal) and continues throughout the lifespan. Importantdevelopmental changes occur from conception through the adolescence years, and there are important theoretical perspectives and research studies that have tried to shed light on these developmental accomplishments. The next section focuses on these stages of gender-development.

a. Prenatal Development

Gender-role development begins at conception. If the fertilized cell has an XYchromosomal pattern, the baby will become a genetic male; an XXchromosomal pattern will lead to agenetic female. There cannot be a geneticmale without that Y chromosome. Sometimes there are aberrations to these patterns, which can ultimately lead to a number of syndromes such as females with only one X chromosome (Turner's syndrome) or males with two XS and one Y (Klinefelter's syndrome). Frequently these syndromes result in some form of cognitive and physical impairment. At around week six of gestation, the hormone testosterone will stimulate the tissues into developing into the male internal organs; otherwise, the organs will become part of the female reproductive system. Then, by around three or four months, the external genitalia are formed. It is also during early prenatal development that the brain, bathed by the male and female hormones, maydifferentiate into a II female II or "male" brain (for example, female brains may be more symmetrically organized), but most of this research is still inconclusive.

Prenatal sex differentiation culminates at birth. When the proclamation of "It'sa boy!" or "It's a girl!" is made, the complex process of socialization begins. Itis important to recognize that the path of prenatal development may takesignificant deviations. Aside from the chromosomal abnormalities alreadymentioned, there are instances during prenatal development when females are bathed by the male hormones (androgens) and situations where malegenital tissues are insensitive to the differentiating function of the malehormones. Both situations can lead to a baby born with ambiguous genitalia.In such situations, parents face agonizing decisions: whether to surgically"correct" the condition and whether to raise the baby as a female or as a male.

B. Infancy

Overall, the sex differences between boys and girls in the first year of life are minimal. Boys may be a bit more active or fussier and girls more physically mature and less prone to physical problems, but that may be the extent of the significant differences. Yet, baby boys are bounced and roughhoused, whereas girls are talked to more. Mothers tend to ignore the emotional expressions of their infant sons, while fathers spend more time with their boys than with their girls. Even during infancy, their names, their clothing, the "sugar and spice" messages in baby congratulation cards, and their room furnishings shape girls and boys. According to Marilyn Stern and Katherine H. Karraker, adults will characterize the same baby as strong and hardy if they think it is a male, and delicate and soft if they think it is a female. In these and other ways, gender-role socialization has already begun in earnest.

C. Early Childhood

The years from about age two to age six are crucial years in the development of gender roles. During these years, children become aware of their gender, where play styles and behaviors begin to crystallize around that core identityof "I am agirl" or "I am a boy." (Reflection Photo library) their gender,where play styles and behaviors begin to crystallize around that core identityof "I am a girl" or "I am a boy/ and that the social context of family, school,the peer group, and the media exert potent messages in stereotyped ways.Because of the centrality of gender-role development during these years, most. Theories of social and personality development highlight the early childhood years.

We know, for example, in the psychoanalytic theory of Sigmund Freud, as we see later, in his third stage of psychosexual development; a male child encounters the Oedipal Crisis, a time when the only way in which he can cope with his desire for his mother and fear of his father is to completely identify and incorporate his father's characteristics within himself. Freud posited a similar process for girls! desires for their fathers (the Electra complex). Although many contemporary psychologists do not agree with this theory in general, Freud is credited with highlighting the development of gender and gender-role behaviors very early in childhood and their link to identification with parents.

Social learning theory, developed by Albert Bandura, emphasizes the importance of children's imitation of the behavior of others (models). The theory posits that boys learn how to behave as boys from observing and imitating masculine behaviors, especially from their fathers, and girls learn from imitating females, especially their mothers. When children imitate same-sex behaviors, they are rewarded, but imitating the other sex may carry the threat of punishment. Although the research indicates that most parents value the same behaviors for their sons and daughters, some rewards or punishments are given on the basis of gender typing, particularly during play. This is even truer for boys than for girls, with fathers being the most punitive if, for example, they observe their sons playing with Barbie dolls or sporting red fingernail polish.

Finally, cognitive developmental theory underscores the importance of understanding what it means to be a boy or girl in the development of gender roles. In 1966 Lawrence Kohlberg conceived of gender development as a three-stage process in which children first learn their identity ("I am a boy"),

then gender stability ("I will always be a boy and grow up to be a man"), and finally gender constancy ("Even if I wore a dress, I would still be a boil), all by about six years of age. A newer version of this approach, formulated by Carol Martin and Charles Halverson in 1981, emphasized the development of gender schemas - children's ideas of gender that help them categorize experiences as relevant to one sex or the other.

Regardless of which theoretical explanation of gender roles is used, the early acquisitions of such ideas and behaviors make for very stereotyped youngsters. Because young children see the world in black- and-white terms, they may go as far as to insist that only men could be physicians, even when their own pediatrician is a woman!

d. Middle Childhood

Whereas parents play a significant role in gender socialization when their children are very young, when most Western boys and girls enter school they separate into gender-segregated groups that seem to operate by their own set of peer-driven rules. Gender segregation is such a widespread phenomenon that boys and girls seem to work and play together only when there is a coercive adult present. During unstructured free time, the lapse into the "two cultures of childhood" (Maccoby 1998, p. 32) is quite obvious-the other sex becomes "toxic." A typical boys' group is large, competitive, hierarchical, with one or two boys at the top of the pecking order, and organized around large group outdoor activities such as sports. Rough-and-tumble play and displays of strength and toughness frequently occur. In contrast, girls I groups tend to be smaller and dependent on intense, intimate conversations where the emphasis is upon maintaining group cohesion. Girls try very hard to be "nice" to one another, even as they attempt to covertly promote their own agenda. In her 1998 book The Two Sexes, Eleanor Maccoby stated her belief that this segregation, hints of which may be seen as early as age four or five, begins .when girls shy away from their exuberant, active male playmates, who do not rely as much upon language for persuasion and influence. The boys' groups ultimately evolve into a strict order that avoids anything perceived as feminine. Girls have much greater latitude in American society to cross that sacred border. Maccoby contended that these interaction styles, to some extent, continue throughout adolescence and adulthood.

e. Adolescence

Erik H. Erikson believed that adolescence represented a crucial turning point

in the development of a sense of identity. All of the physical, social, and cognitive changes of these years lead to frequent soul-searching about IIWho am I?H Such uncertainty and insecurity also can further promote conformity into one's gender role, or "gender intensification. II During early adolescence, boys may emulate "macho" role models and be quite homophobic; girls may adhere to strict dress codes (e.g., that which is "in") and play down their intellectual talents and abilities. The timing of puberty may also have significant implications for adolescent gender development. Girls are more likely to encounter social difficulties when they mature early, but for boys the opposite is true.

For many adolescents, the uncertainties, conflicting demands, and withdrawal of adult and community support are predictors of significant problems. Much has been written about how difficult the adolescent years are for girls, as they are more likely than boys to experience depression, eating disorders, and low self-esteem. This may vary, however, according to the ethnicity of the girl. In his 1998 book Real Boys, William Pollack emphasized the realization that gender-role socialization makes life hard for boys. Because Western culture provides boys little opportunity for self-expression and close emotional relationships, the suicide rate and rate of violence in teenage boys is far greater than for girls.

By the end of adolescence, both sexes usually become more tolerant of themselves and others in terms of their consideration of gender-related behaviors. Individuals I evolution as men and women continues throughout the lifespan, however, as each person encounters major life transitions such as marriage, parenthood, middle age, and old age. It is important to recognize. That although humans emphasize the differential paths of boys and girls in the development of gender roles, the fundamental dimensions of humanity-male and female - are more similar than different.

Activities
1. Explain with clear examples on gender role -development?

Society and Gender Roles
According to psychologists such as Sandra Bern, one cognitive process that seems nearly inevitable in humans is to divide people into groups. We can partition these groups on the basis of race, age, religion, and so forth.

However, what is critical each time such a division is done is the issue of gender and you will also realize that each time you are meeting someone what will come to your mind or that person's mind is the issue of gender. Why do you think it is always like this or that? Well you will be to see and discuss as you walk through this unit which is on society and gender roles.

This process of categorizing others in terms of gender is both habitual and automatic. It is nearly impossible to suppress the tendency to split the world in half, using gender as the great divider. When we divide the world into two groups, males and females, we tend to consider all males similar, all females similar, and the two categories of "males" and "females" very different from each other. In real life, you will appreciate that these characteristics of women and men tend to overlap and unfortunately, however, gender polarization often creates an artificial gap between women and men and gender roles that are very difficult to change in time. This kind of situation is thus discussed inthe next section on gender stereotypes.

Gender stereotypes for males and females

Stereotypes are representative of a society's collective knowledge of customs, myths, ideas, religions, and sciences. It is within this knowledge that an individual develops a stereotype or a belief about a certain group. Social psychologists feel that the stereotype is one part of an individual's social knowledge. As a result of their knowledge, or lack of knowledge, the stereotype has an effect on their social behaviour.

Stereotypic behaviour can be linked to the way that the stereotype is learned, transmitted, and changed and this is part of the socialization process as well. The culture of individuals influence stereotypes through information that is received from indirect sources such as parents, peers, teachers, political, religious leaders and mass media.

In order to understand stereotyping, an individual must first be made knowledgeable about the definition of a stereotype. Stereotyping is how we perceive each other, especially individuals outside our group. What we believe to be "normal" is associated with who we are hanging out with of which in most cases are usually our friends and social networks.

Gender stereotypes are related to cognitive processes because we have,different expectations for female and male behaviour and the traditionalgender roles help to

sustaingender stereotypes, such as for example males aresupposed to be adventurous, assertive, aggressive, independent and taskoriented, whereas females are seen as more sensitive, gentle, dependent,emotional and people-oriented. Here we will deal with the opposite   male dominance and feeling superior to women. Of course, not all men have power and arrogantly dominate over women. Indeed, according to Miller, many Gender stereotypes are related to cognitive processes because we have men are dominated by "thesystem" and considered disposable. Also, womenare given certain advantages and *I protected" in many ways that men do notenjoy. Clearly, each sex has and utilizes power in certain ways and we aregetting more equal, but, clearly, the sexes aren't equal yet. The most recentsuggestion to solve this problem is to completely disassociate gender from all.

Personalitytraits.

Within the two career families of today, the women-are-inferior attitude is muted and concealed, but the archaic sex role expectations are still subtly there. The old rules still serve to "put down women and keep them in their place." By nature, men and women have some biological differences, but it is life experience that reinforces or contradicts those differences. The truth lies in differential socialization, which claims that males and females are taught different appropriate behaviours for their gender.

Gender Socialisation
Socialisation is the process, through which the child becomes an individual respecting his or her environment laws, norms and customs. Gender socialisation is a more focused form of socialisation, it is how children of different sexes are socialised into their gender roles and taught what it means to be male or female.

Gender socialisation begins the moment we are born, from the simple question "is it a boy or a girl?" We learn our gender roles by agencies of socialisation, which are the "teachers" of society. The main agencies in society of gender socialisation as we will discuss each of these in details are the family, peer groups, schools and the media. In respect with gender socialisation, each of the agencies could reinforce the gender stereotypes.

Gender differences result from the socialization process, especially during our childhood and adolescence. The classical example of gender socialisation is the experiment done with babies that were introduced as males to half of the study subjects and as females to the other half. The results are interesting and

quite disturbing at the same time. The participants behave differently .according to the sex they had been told. These findings show that other people contribute a lot to how we see ourselves only on the basis of gender.

As we will see in the subsequent section on agents of socialisation, the family is the primary agent of this process through gendered relationships which have influence on the process. Thus, it is said before that parents are the primary influence on gender role development in the early years of one's life. With regard to gender difference, the family in fact, unlike other groups, is characterized by a specific way of living and constructing gender differences through a process that is surely biological, but also relational and social.

Thefamily is "the social and symbolic place in which difference, in particular sexual difference, is believed to be fundamental and at the same time constructed ". In particular, in the family the gender characterization reflects the individualities of the parents. The family is therefore a "gender relation". In the family, the relation with the father and the mother assumes therefore one fundamental importance in the definition of the gender belonging, because it is the first experience of relation with males and females. Gender identities and the expectations towards male and female roles are socialized within the parents-children relationship; such expectations are today various and new compared with the past.

The models from which fathers and mothers take inspiration need to be verified because" the crisis of the paternal authority has given more space to the father in shaping the educational relation with the child. They think that the important thing is to converse and to build convincing representations of the world". The gender socialization inside the family relations evidences therefore also the temporal dimension of the transmission of styles and expectations between parents andchildren. The parents' generation, in comparison with the child's can highlight markeddifferences too. Parents today probably have different expectations from those their parentshad, and their children have even more different expectations.

We must go deeper into thematter on how transmission of gender differences happens today and howthe genderbelonging is constructed. If such differences seem to diminish on the one side, on the other instead they move on different areas in comparison with the past. Between children in fact the sexual difference produces various models of belongings and continuity, and they are today completely different from those of the previous generation. In the past, families had different educational demands for their sons and daughters after

puberty; they then tended to differentiate them in the sense to promote the autonomy of the males and the dependency of the females. It was implicit that the boy should realize himself, even if against family ties, while the,girl had, in some ways, to accept and to conserve them. This difference has always favoured the fact that youngwomen lived their desire of autonomy with a sense of guilt and of independency with intolerance. A child's parents are the first socialization agents he or she will come intocontact with. Parents teach stereotypes through different ways and behaviour: "the way they dress their children, they way they decorate their children's rooms, the toys they give their children to play with, their own attitudes and behaviour". The starting point in the sociology of gender is the idea that behavioural and experimental differences between women and men are culturally constructed, and not biologically determined.

Sociologists have made use of a distinction between sex and gender coined in the 1960's by American psychoanalyst Robert Stoller. Stoller suggested that the anatomical features which are associated with men and women might be labeled I sex' while the behaviour or the cultural practices of men and womenshould be referred to as ' gender'. In other words sex is a biologicalcharacteristic, while gender is culturally constructed. Following this argument, Stoller (1960) stated that then was no cmrelau.on between sex and gender. It did not always follow, for example that a boy must behave in a masculine way or a girl in a feminine way. Therefore, it is reasonable to suggest that women took the bulk of domestic responsibilities in any given household because that was seen as culturally appropriate feminine behaviour and not because they were biologically inclined to do so. Gender socialization begins as soon as one is born. Gender learning by infants is almost unconscious. Before children can accurately label themselves as either a boy or a girl, they receive a range of pre-verbal cues. For example, male and female adults usually handle infants differently. The cosmetics women use contains scents different from those the baby might learn to associate with males. Differences in dress, hair styles, and voices and so on provide visual cues for the infant in the learning process.

By the age of two, children have a partial understanding of sex differences. They know whether they are a boy or a girl, and they can categorize others accurately. At about 5 or 6 years, the child knows that a person's gender does not change, and that sex differences between girls and boys are anatomically based. The toys, pictures books and television programmes with which young children come into contact all tend to emphasize differences between male and female attributes.

Agents of Socialization
Many socialization agents are important forces in the shaping of gender identities. Therefore they contribute significantly to reproducing stereotypical gender roles as will be

seen in the following discussions on the agents of socialisation.

a. Family

Families may reproduce gender roles by assigning different household chores along traditional lines: Girls baby sit, cook, wash dishes while boys take garbage out and do yard work. The divisions of household chores between .parents also send a powerful message to children about domestic work roles. Studies indicate that women do the majority of domestic labour, thereby defining it as women's responsibility. Even when women work full time outside the home, they still perform most of the household chores, a situation some observers have referred to as the second shift. Such role models teach children that the appropriate behaviour for women includes cooking, cleaning and caring for children regardless of the time spent working outside the home. Similarly, they imply that a man's appropriate role is that of paid worker who is not expected to assume household or child care responsibilities. Toys, games and recreation activities Toys and games are important means of informal learning and may indicate 'appropriate' and 'inappropriate' gender roles. An analysis of toys carried out in the United States showed that 'masculine' toys were found to be more varied, complex, and active and encouraged spatial, mathematical and scientific skills whereas feminine toys were simpler and focused on passive and solitary activity.

h. Schools

Schools also reinforce gendered social roles, for example, researchers have documented the differential treatment given to boys and girls in the classroom that reinforces a sense of inferiority and lack of initiative among female students. Boys are far more likely than girls to be given specific information that guides improvement of their performance. Boys also receive greater encouragement to reach for higher standards for themselves. Teacher expectations of pupils' performance and abilities can operate as a self-fulfilling prophecy within the classroom. Some teachers take boys to be more logical and quicker at grasping concepts than girls.

Teacher-pupil interaction in some studies shows that teachers spend more time talking to boys than to girls. Consequently, boys receive more assistance. from teachers than girls. Sometimes teachers tend to know more personaldetail about the boys they teach than the girls. Children's self-esteem is not only shaped by the quantity of teacherattention they get but also by the quality of that attention. Rewards and punishments meted out within the classroom differ for boys and girls. Boys are regarded as aggressive and unruly but essentially intelligent and are given more attention in the form of rewards and punishment. Girls are more often rewarded for conforming behaviour and are encouraged to be compliant but not autonomous. Girls are also more likely to be reprimanded for intellectual

inadequacy. The effects of biased classroom interaction are that girls experience status given to them within the intimate classroom daily. Girls are often encouraged to enter nurturing or helping professions such as teaching (especially at elementary levels), nursing, social work and clerical work. On the other hand, boys are encouraged to take science and technological fields. They are pushed towards more autonomous. Girls are also more likely to be reprimanded for intellectual inadequacy. It can be concluded that this does not constitute the kind of climate in whichconfidence and a sense of personal worth is inspired for girls.

Teachers as models

Teachers' attitudes determine development and provide important role models for children. Educators around the world are concerned about the under-representation of women in positions of leadership in the education system and the identification of male and female teachers with specific age groups of pupils or with specific subject areas. Most school teachers worldwide are female, with the greatest concentration of women in primary school teaching. In contrast, women are under-represented in headships and other positions of leadership. This reinforces the perception that women teach while men control. Global patterns also indicate that women teachers tend to be under-represented in certain subject areas such as mathematics and science. and concentrated in stereotyped women's fields such as home economics, language and other liberal arts. Texts books used in schools explicitly and implicitly reinforce gender roles through their content and their form, for example text books are often dominated by the works of men. Men are portrayed as intelligent, powerful the women are portrayed as weak, meek andsubmissive.

c. Media

The media also contributes to stereotypes of gender roles. In some media, men are depicted as aggressive and dominating actors and women as docile and submissive objects. Television and films tend to offer very limited roles for women, and those they do often perpetuate female stereotypes and caricatures. Research shows that children as young as toddlers imitate behaviours they see on television and that this copying intensifies through adolescence. Therefore, media images of gender can be powerful socialisers. However, the situation appears to be changing now as children's shows are beginning to show case strong, intelligent female characters.

d. Language and gender socialization

Language use plays an important role in gender socialization. For example, the use of the generic pronoun "he" and the term" man" to refer any member of the human species invokes an image of a male, thereby excluding women from individuals' consciousness as important members of humanity. Suchterms as firemen instead of fire fighter; man power as opposed to human resource or labour power; chairmanas opposed to chairperson alsounderscores the power of language to devalue women and elevate men as theimportant members of society. Some newspapers have resisted eliminating sexist language in their reporting. Only recently have some reporters agreed

to use Ms. instead of Miss or Mrs. to describe women in articles. Formal titles like Miss or Mrs clearly identify women by their relationships to men. Theterm Mslike the term Mrmakes marital status irrelevant and focusesreporting on women in their own right.

A Relational Approach to Gender Roles and Socialization
Gender socialization is the tendency for boys and girls to be socialized differently. Boys are raised to conform to the male gender role, and girls are raised to conform to the female gender or role. The process by which the individual learns and accepts roles is called socialization as earlier explained. It works by encouraging wanted anddiscouraging, sometimes even forbidding, unwanted behaviour.

Thesesanctions by agencies of socialization such as the family, schools, and themedia make it clear to the child what the behavioural norms it ought to followare. The child follows the examples of its parents, siblings and teachers.Mostly, accepted behaviour is not produced by outright coercion. Theindividual does have some choice as to if or to what extent he or sheconforms. Also, typical encouragements of gender role behaviour are nolonger as powerful as they used to be a century ago. Statements like "boysdon't play with dolls" could typically be questioned by a "why not?" youngwomen would say "I don't want to become like my mother." Still, once theperson has accepted a set of behavioural norms these are very important tothe individual. Sanctions to unwanted behaviour and role conflict can becomestressful. Thus, gender roles are quite powerful.

The most important aspect of the sociological reflection is the ability to use theconcepts elaborated in the theoretical debate at an empirical level, realizing it's a,hermeneutic" connection between the interpretative framework and sociallife. Gender socialization can be read like a "relational process".

It is unavoidable that in the transformation a simplification is put into effect, a reduction of the complexity of the terms in game, because you need to lead

back to the factors that explain a social phenomenon to one more rigid patternof reality: in order not to fall into the trap of the merely casual interpretation itis necessary to always place, to the centre of attention, the relation betweendifferent factors that concur to see the phenomena from more points of view,in a multidimensional perspective.

The relational model is assumed like the point of observation to verify thehypotheses in order to characterize those that are the gender socializingoutcomes in the contemporary society. Within a risky society the relational model considers every phenomenon astheoutcome of a process in which the challenges and the resources are putimplicitly orexplicitly in comparison. The risk therefore is given from therelation of adequacy inadequacy between challenges and resources.

That appears clear if it is believed that every choice is linked tomultidimensional situations, which are relational contexts, in which thephenomena are networks ofphenomena and every mode represents interlacesof challenges, ties and resources.

Speaking about challenges and resources in gender socialization simplifiesreality and circumscribes a point of view from which to observe a phenomenon, but it always takesinto account that is a relationalphenomenon, in which more dimensions are intersected.Consequently thegender socialization process is divided into two orders of factors, oneleadsthe challenges and the other the resources, in the hypothesis that behindevery phenomenon there are however the intentions of the actors who arrange in a more orlessbalanced way, with reference to the context ofoptions that delimits the action, objects toreach and strategies of participation

SOCIO-CULTURALATTRIBUTES

Gender attitudes youth
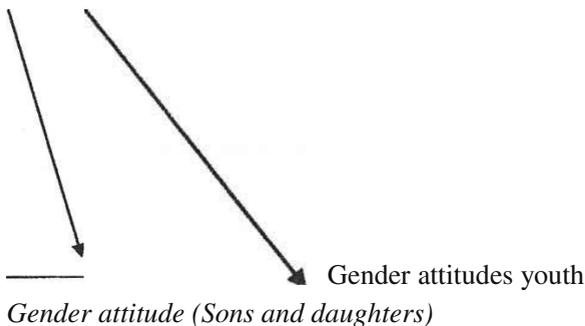
Gender attitude (Sons and daughters)

Figure 1
An Analytical framework of the relationships among the socio-demographic attributes gender attitude of parents and gender attitudes of the youths.

Gender Inequality

Gender inequality refers to the differences between men and women in the distribution of societal resources of power, prestige or status and property. Most positions of power around the world in politics, business, and the military, religious and educational institutions are occupied by males. This situation is justified by the belief that women do not project images of leadership; that they are not socialized to be comfortable with power, and thatthey do not have the same driving ambition as men do to reach the top. As long as women assume major responsibility for raising children, they cannot compete on equal grounds with men for positions that are thought to require extraordinary investments of time and energy.

Gender Roles

A gender role is a set of behaviors, attitudes, and personality characteristics expected and encouraged of a person based on his or her sex. Gender role is a term used in the social sciences and humanities to denote a set of behavioural norms that accompany a given gendered status (also called a gendered identity) in a given social group or system. Gender is one component of the gender/ sex system, which refers to "the set of arrangements by which a society transforms biological sexuality into products of human
activity, and in which these transformed needs are satisfied" (Halper & Diane 2000:159). Every known society has a gender/sex system, although the components and workings of this system vary widely from society to society. In many ways gender identity and roles function as any other social identity and role.

Every known human society presents individuals with a set of statuses by which members of the society identify themselves and one another. Such statuses may be assigned to an individual automatically, based on the status of his or her parents, or based on some physical characteristic (including ones that emerge through the aging process); such statuses are called "ascribed." Other statuses may be achieved based on the activities and accomplishments of an individual. Scientists used to believe that gender was universally ascribed; today most recognize that elements of gender can be achieved. In either case, gender, like any other role, involves socially proscribed and prescribed behaviours, which may take the form of rules or values. Such rules and values do not determine or control an individual'sbehaviours absolutely. Usually they define boundaries of acceptable behaviour within which there is always variation and room for individual creativity. Most researchersrecognize that the concrete behaviour of individuals is a consequence of bothsocially enforced rules and values, and individual disposition, whether genetic, unconscious, or conscious, although some researchers emphasize the objective social system, and others emphasize subjective orientations anddispositions.

Moreover, such creativity may, over time, cause the rules and values tochange. Although all social scientists recognize that cultures and societies are dynamic and change, there have been extensive debates as to how, and how fast, they may change. Such debates are especially intense when they involve the gender/sex system, as people have widely differing views about theextent to which gender depends on biological sex. According to the interactionist approach, roles, such as gender roles, are not fixed, but are constantly negotiated between individuals. Gender role can influence all kinds of behaviour, such as choice of clothing, choice of work and personal relationships; e.g., parental status.

Controversies and Misconceptions on Gender Roles

Gender roles have long been a staple of the Nature/Nurture debate: "folk" theories of gender usually assume that one's gender identity is a natural given. For example, it is often claimed in Western societies that women are naturally fit to look after children. This outlook is equally prominent in the African set up and may not necessarily be a western concept. One would even further argue that it is a universal ideology where women are always associated with child rearing as far gender role is concerned. Therefore, the idea that differences in gender roles originate in differences in biology has

found some (controversial) support in parts of the scientific community. 19th- century anthropology sometimes used simplistic descriptions of the imagined life of Palaeolithic hunter-gatherer societies for evolutionary explanations for gender differences. For example, the need to take care of the offspring may have limited the females' freedom to hunt and assume positions of power.

Changing Roles

Gender role is comprised of several elements. A person's gender role can be expressed through clothing, behaviour, choice of work, personal relationships and other factors.Gender roles were traditionally divided into strictly feminine and masculine gender roles, though these roles have diversified today into many different acceptable male or female gender roles. However, gender role norms for women and men can vary significantly from one country or culture to another, even within a country or culture. People express their gender role somewhat uniquely.

Gender role can vary according to the social group to which a person belongsor the subculture with which he or she chooses to identify. Historically, for example, eunuchs had a distinct gender role. Androgyny, a term denoting the display of both male and female behaviour, also exists. Many terms have been developed to portray sets of behaviours arising in this context. The .masculine gender role for instance has become more malleable since the 1950s. One example is the II sensitive new age guy" (SNAG), which could bedescribed as a traditional male gender role with a more typically "female"empathy and

associated emotional responses. Another is the metro-sexual, amale who adopts similarly "female" grooming habits. According to sociological research, traditional feminine gender roles have become less relevant and hollowed in Western societies since industrializationstarted. For example, the cliche that women do not follow a career is obsolete in many Western societies. On the other hand, in the media there are attempts to portray women who adopt an extremely classical role as a subculture.

One consequence of social unrest during the Vietnam War era was that menbegan to let their hair grow to a length that had previously been considered appropriate only for women.Somewhat earlier, women had begun to cut their hair to lengths previously considered appropriate only to men. Hence gave birth to issues of transgendered and inter-sexed people and this is further discussed in the next section. Transgendered and Inter-sexed PeopleAslong as a person's perceived physiological sex is consistent with that person's gender identity the gender role of a person is so much a matter of course in a stablesociety that people rarely even think of it. Only in cases where, for whatever reason, an individual adopts a gender role that is inconsistent with his or her perceived gender identitywill the matter draw attention. When an individual exhibits a gender role that is discordant with his or her gender identity, it is most often done to deliberately provoke asense of incongruity and a humorous reaction to the attempts of a person of one sex to pass himself or herself off as a member of the opposite sex.

People can find much entertainment in observing the exaggerations or the failures to get nuances of an unfamiliar gender role right. Not entertaining, but usually highly problematic, however, are cases wherein the external genitalia of a person, that person's perceived gender identity, and or that person's gender role are not consistent. People naturally, but too easily, assume that if a person has a penis, scrotum, etc., then that person is chromosomally male (i.e., that person has one X chromosome and one Y chromosome), and that the person, in introspection, feels like a male. Nature is much more inventive than our language and system of traditional concepts allow. In one example, a person may have a penis and scrotum, but may be a female (with XX chromosomal sexual identity and with normal female sexual organs internally). When that person reaches puberty, "his" breasts may enlarge to ordinary female proportions, and "hell may begin to menstruate, passing menstrual blood through II his II penis. In addition, this person may have always accepted a gender identity that is consistent with II his II external genitalia or with "her" internal genitalia. When the true sex of the individual becomes revealed at puberty, the individual and/ or the community will be forced to reconsider what gender role is to be considered appropriate. Biological conditions that cause a person's physiological sex to be not easily determined are collectively known as intersex.

Another example is to consider transgender people, some who refuse to adhere to one set of gender roles or to transcend the scheme of gender roles completely, regardless of their physiological sex. Trans-sexualism also exists, where a person who is born as one sex andis brought up in that sex, but hasgender identity of the opposite sex and wishes to live anddoes live according to the gender roles associated with that sex. When we consider these more unusual products of nature's inventiveness, the simple picture that we saw originally, in which there was a high degree of consistency among external genitalia, gender identity, and gender role, then dissolves into a kind of jigsaw puzzle that is difficult to put together correctly. The extra parts of this jigsaw puzzle fall into two closely related categories, atypical gender identity and a typical gender role. In Western society, there is a growing acceptance of inter-sexed and transgendered people. However, there are some who still do not accept these people and may even react violently and persecute them: this kind of negative value judgment is sometimes known as trans-phobia. Nevertheless, such incidents are rare. For the vast majority of people their gender is commensurate with their genitalia. In the next section we discuss the gender roles with reference to feminism and this is in an attempt to find out how these roles assume a feminine position in our communities.

Gender Roles and Feminism

Most feminists argue that traditional gender roles are oppressive for them. They assume that the female gender role was constructed as an opposite to an ideal male role, and helps to perpetuate patriarchy. For approximately the last 100 years women have been fighting for equality (especially in the 1960s with second-wave feminism and radical feminism, which are the most notable feminist movements) and were able to make changes to the traditionally accepted feminine gender role. However, most feminists today still argue that there is still work to be done in the area of gender roles. Numerous studies and statistics show that even though the situation for women has improved during the last century, discrimination is still massive: women earn a smaller percentage of aggregate income than men, occupy lower-ranking job positions than men and do most of the housekeeping work.

Some feminists, dispute this claim. They argue that women actually earn 98percent dollars than men when factors such as age, education, and experience are taken into account.Furthermore, there has been a perception of Western culture, in recent times, that the female gender role is dichotomized into either being a "stay at home mother" or a "career woman". In reality, women usually face a double burden: the need to balance job and child care deprives women of spare time. Whereasthe majority of men with university educations have a career as well as a family, only 50 percent of academic women have children. The double burden problem was introduced to scientific theory in 1956 by Myrdal and Klein in their work "Women's two roles: home and work," published in London. When feminism became a conspicuous protest movement in the 1960s critics

often times argued that women who wanted to follow a traditional role would be

discriminated against in the future and forced to join the workforce. This has not proven true. At the beginning of the 21st century women who choose to live in the classical role of the "stay at home mother" are acceptable to Western society. There is not complete tolerance of all female gender roles there is some lasting prejudice and discrimination against those who choose to adhere to traditional female gender roles (sometimes termed being a girly girl"), despite feminism not being about the choices made but the freedom to make that choice. In the next section we discuss the gender roles with reference to stereotypes.

Gender Roles and Stereotypes
Gender roles are "socially and culturally defined prescriptions and beliefs about the behaviour and emotions of men and women" (Anselmi and Law 1998: 195). Many theorists believe that perceived gender roles form the basis for the development of gender identity. Prominent psychological theories of gender role and gender identity development includeEvolutionary Theory (Buss 1995; Shields 1975), Object-Relations Theory (Chodorow 1989), Gender Schema Theory (Bern 1981, 1993) and Social RoleTheory (Eagly 1987).

Evolutionary theories of gender development are grounded in genetic bases I for differences between men and women. Functionalists propose that men and women have evolved differently to fulfill their dillerent and complementary functions, which are necessary for survival. Similarly, socio-biologists suggest that behavioral differences between men and women stem from different sexual and reproductive strategies that have evolved to ensurethat men and women are able to efficiently reproduce and effectively pass on their genes. These evolutionary-based theories share similarities with the essentialist and maximalist perspectives discussed previously. In contrast, object-relations theorists focus on the effects of socialization on gender development. For example, Nancy Chodorow (1989) emphasizes the role of women as primary caregivers in the development of sex differences.

Chodorow asserts that the early bond between mother and child affects boys and girls differently. Whereas boys must separate from their mothers to form their identities as males, girls do not have to endure this separation to define their identities as females. Chodorow (1989) explains that the devalued role of women is a product of the painful process men undergoes to separate them from the female role. Gender schema theory (Bern 1981) focuses on the role of cognitive organization in addition to socialization. This theory postulates that children learn how their cultures and/ or societies define the roles of men and women and then internalize this knowledge as a gender schema, or unchallenged core belief. The gender schema is then used to organize subsequent experiences (Bern 1993).

Children's perceptions of men and women are thus an interaction between their gender schemas and their experiences. Eventually, children willincorporate their own self-concepts into their gender schema and will assume the traits and behaviors that they deem suitable for their gender. Alice Eagly (1987) offers yet another explanation of gender development that is based on socialization. Eagly's social role theory suggests that the sexual division of labor and societal expectations based on stereotypes produce gender roles. Eagly (1987) distinguishes between the communal and agentic dimensions of gender-stereotyped characteristics. The communal role is characterized by attributes, such as nurturance and emotional expressiveness, commonly associated with domestic activities, and thus, with women. The agentic role is characterized by attributes such as assertiveness and independence, commonly associated with public activities, and thus, with men. Behaviour is strongly influenced by gender roles when cultures endorse gender stereotypes and form firm expectations based on those stereotypes (Eagly 1987).As Eagly suggests, gender roles are closely linked with gender stereotypes. Stereotypes are "over generalized beliefs about people based on their membership in one of many social categories". Gender stereotypes vary on four dimensions: traits, role behaviours, physical characteristics, and occupations (Deaux and Lewis 1983). For example, whereas men are more likely to be perceived as aggressive and competitive, women are more likely to be viewed as passive and cooperative. Traditionally, men have been

viewed as financial providers, whereas women have been viewed as caretakers. Physical characteristics and occupations have also been considered consistent or inconsistent with masculine or feminine roles. Traditional gender stereotypes are most representative of the dominant (white, middle-class) culture. Landrine (1999) asserts that although race andsocial class may not be mentioned when inquiring about gender stereotypes, most people will make assumptions about these categories. Her researchsuggests that when race and social classes are specified, different gender stereotypes emerge.

Traditionally, white women in heterosexual couples remained at home and completed most of the domestic labor, while their male partners worked outside the home to provide the family income. Although women have increasingly joined the workforce over the past thirty years, they continue to do the majority of the household labor. Kurdek (1993) studied white, heterosexual, gay, and lesbian couples without children. He found that heterosexual more likely than lesbian couples to divide household labor so that one partner did the majority of the work. Lesbian couples were most likely to share domestic tasks or take turns doing the tasks (Kurdek 1993). Gender roles often become more differentiated when men and women become parents. Overall, women provide more direct care for and spendmore time with children (Walzer 2001).

This care includes taking responsibility for the mental work of gathering and processing

information about infant care, delegating the tasks related to infant care, and worrying about infant health and well-being. In sum, the unequal division of both household labor and childcare, with women doing the bulk of the work, is thought to contribute to the reported lower marital satisfaction for women (Walzer 2001).Gender roles and stereotypes affect men and women in different ways. Specifically, men and women may be judged by how well they conform to traditional stereotypes. In his theory of masculine gender role strain, Pleck in Beal (1994), asserted that boys and men are pressured to fulfill a standard of masculinity. Boys and men, for example, who do not fulfill the standard often, suffer from low self-worth (Beal, 1994). Other lifelong consequences befall men who experience traumatic socialization practices such as rites of passagethat entail violence. Even men who successfully fulfill the standard of masculinity suffer psychologically or emotionally from rigid constraints on acceptable parenting roles for men. Basow (1980), contend that gender role strain is pronounced with men of colour. Men of colour must balance the dominant standards of masculinity with their cultures' standards of

masculinity in an effort to fulfill both satisfactorily. In addition, men of colour must overcome prejudice and other obstacles to fulfill the standards of masculinity. The result is increased gender role strain for men of colour. Likewise, white women and women of colour may be constrained by standards of femininity, such as the pressure to have children. Gender stereotypes can also affect men's and women's performance. Stereotype threat is defined as "an individual's awareness that he or she may be judged by or may self-fulfill negative stereo-types about her or his gender or ethnic group" (Fausto, 1992). Researchindicates that stereo-type threat can negatively affect performance by increasing anxiety. For example, Steven Spencer, Claude Steele, and Diane Quinn (1999) found that women performed significantly worse than men on a math test when the participants were led tobelieve that the test would probably produce gender differences. In contrast, women and men performed equally well when the participants were led to believe that the test did not produce gender differences. These findings suggest that negative stereotypes can and do negatively affect performance even when the stereotype has not been internalized or incorporated into the view of the self.

Origins of Sex Differences
Discussion of sex starts with human genetics, our sex and much of our biological make up is a result of genes contributed by our fathers' sperm cells and the mothers' egg cells at conception. That is at the formation of a new cell. All of this genetic material is contained in 23 pairs of chromosome which reside in that new cell. The sperm and egg each contribute genetic information one member of each pair. We are concerned to the 23rd pair ofchromosome, the sex chromosome. This pair is noted XX for female or XY formale. It is the logic of genetics that an egg, (female cell) can contribute only an X to the 23rd chromosome pair since it has the XX cell. But since the sperm (male cell) contains the XY

pair, it can contribute either in X resulting in an XX pair which is female child or a Y resulting in an XY pair which is a male child.

Origins of Gender Differences

When we move from the physical differences, that is sex difference between women and men to differences in attitudes and behaviour which is gender differences we enter a much more disputed area. There is a general agreement about what the main physical differences between female and males are, and how those develop. Opinions are from time to time divided, however about what general differences in the behaviour of women and men. Which is found in all cultures and given that these do exist and how they should be explained. Many writers and scholars hold that there are biologically built in differences of behaviour between men and women. That appears in every community of any society. Some believe that the findings of social biology point strongly in this direction. They arelikely to draw attention to the fact that in all known early cultures men rather women tookpart in hunting. Surely they argue, this demonstrates that men have biologically based tendencies towards aggression that women luck. Though this is challenged by others who argue that, it varies between different cultures. It is said that the first thing we ask of a new-born baby is "Is it a boy or a girl?" But it might be considered that this is the first thing we ask ourselves whenever we meet anyone new. Perhaps this is why we find it so threatening if the cues are uncertain or ambiguous, and even more so if we find our firstassumptions turns out to be incorrect. Men are different from women. That would seem to be self-evident. They are different in aptitude, skill and behaviour, but then, so is every individual person. So why do we make such afuss about it? It seems not unreasonable to suggest that the sexes are different because their brains are different, but then no two human brains are the same. It is suggested that our culture is in trouble because many women have beenbrought up to believe they should be as good as a man. Well, why not? We will only touch on these topics briefly. There is enough material for a dozen books. Suffice it to say that all the studies report on the way boys andgirls are not how they got to be that way. Or rather how they were at the time of the study. Commonality across cultures and species implies some biological basis. The fact that the situation is changing reflects the power ofsocialisation. Other stereotypes about girls are more sociable, more nurturing, and morecompliant and have lower self-esteem, are hard to sustain. One that definitely seems to have disappeared over the last two decades is that girls have less motivation to achieve.There are studies about relative abilities of perception, vision sound and touch. Certainly, if you watched a carpenter run his fingers along a planed surface and being able to tell how "true" it was, you would find it difficult to believe that boys lack tactile sensitivity. Another is that girls tend to pick up auditory information while boys do better visually. Several studies suggested that, from school age on, boys outperformed girls in areas of mathematics involving abstract concepts of space, relationships and theory. It

turned out that these were gifted pupils. The studies said nothing about the average boy or girl. Why are girls more successful at school, If girls are better at verbal communication than boys, then they are likely to succeed. But, if there are more boys in remedial reading classes, does it not imply a serious defect in our educational system?In general, men are taller and heavier than women. In sports, men tend to outperform women in strength and speed. Women seem to have greaterendurance. In spite of many attempts, sports have never become completely unisex.

Men, it is said, are generally more aggressive, physically and verbally, and enjoy taking risks. They play fighting games and enjoy 'dares.' More men than women are convicted for crimes, especially crimes of violence. Some say that this is simply a matter of biology, others suggest that it is a function of the way we organise the sex and gender roles in our society. In fact, many of the findings, in this area, have turned out to be unsatisfactory,and often they turn out to be very small differences with a large degree of overlap. Biologically, men certainly seem to be the weaker sex. Although one would
expect there to be an equal chance of the foetus being a boy or girl, it appearsthat the ratio for boys is about 20 percent higher, yet only about the same number come to term. This greater tendency for male foetuses to be aborted carries on, with more boys stillborn and susceptible to congenital or inherited conditions, such as haemophilia, cerebral palsy, convulsions, or heart disease. "On average, men experience heart attacks 10 years earlier than women, and have a better rate of survival after one year. Symptoms also vary by sex:women experience shortness of breath, fatigue, and chest pain; most male heart attacks come on as a sudden, striking pain in the chest." In adulthood, men have greater vulnerability to virus infections and a shorter average lifespan. In recent years, a great many biological sex differences have been found
throughout the body, including the brain, both in metabolism and genetic expression.

They have for instance, raised worries about differences in the efficacy and side effects of various drugs. Another new area of study is the phenomenon of imprinting whereby a given gene from the father could silence or activate a gene from the mother, or vice versa. However, regardless of the findings that sex differences really do exist after all, or the pressure todeny them, socially we still expect women to behave like women and men like men. The real problem is not that sex differences exist but, in oureveryday intuition of what sexual, or gender, behaviour is appropriate, our concepts may be too narrow or too rigid. The biological determinism argument, too often, reinforces this. While others now say that there is too much biological evidence that personality development is based on innate precursors to deny the fact of sexual difference, we cannot ignore the effect of learning. For a start, the idea that we are the helpless products of our heredity takes away our free will. We must not allow those who insist on the difference to blind us to the similarities and we

must not allow the biological stereotypes to get away with the idea that there is only one kind of man and one kind of woman. This is true not only of recent biological analyses of sexual divisions in Society but also of the analogous biological explanations of these divisions advanced in the nineteenth century.

The similarity between earlier and current versions of the theses that 'biology is woman's destiny' is striking" (Parpart, 1996). The big issue is the difference in the spatial abilities between men and women. It seems that men find it much easier to visualise and deal with spaces, the position of objects, relative heights and dimensions. In a test involving a three dimensional mechanical apparatus, only a quarter of the women could perform the task better than men. It is as well to remember that at least some of the women could perform the task as well as the men and it isn't recorded if any men were actually worse. Out of the plethora of papers that had been produced up unti11974, about differences between boys and girls, Maccoby and Jacklin found only the following main differences: Males are more aggressive than females. Though this finding has been challenged, and the definition of aggression itself questioned, it is a fairly common feature, both of human cultures and ofthe more complex species that male offspring are more likely to engage in play fighting and adults more likely to fight. Many workers challenge this, while others assert that it is the primary indicator of masculinity or femininity. Females have more verbal ability than males, while males have better visuo-spatial skills (Maccoby, 1998). The distinction seems to appear at about the age of eleven and, because of the relevance to education, it has received a great deal of attention. Although girls and boys seem to have the same ability for computational arithmetic, teenage boys also seem to do better at the more abstract maths. It might seem that a childhood of social experience is the primary factor. However, the biological argument suggests that the hormonal changes of puberty activate previous dormant differences.

Gender Relations and Interaction

In simple terms; sex refers to the permanent and immutable biological characteristics common to individuals in all societies and cultures, while gender defines traits forged throughout the history of social relations. Gender, although it originates in objective biological divergences, goes far beyond the physiological and biological specifics of the two sexes in terms of the roles each is expected to play. Gender differences, unlike the immutable characteristics of sex, are universally conceded in historical and comparative social analyses to be variants that are transformed over time and from one culture to the next, as societies change and evolve.

Gender relations are accordingly defined as the specific mechanisms whereby different cultures determine the functions and responsibilities of each sex. They also determine

access to material resources, such as land, credit andtraining, and more ephemeral resources, such as power. The implications for everyday life are many, and include the division of labour, the responsibilities of family members inside and outside the home, education and opportunities for professional advancement and a voice in policy-making.

Many studies are being conducted or carried out on whether or not genderdifferences are as a result of social factors. Studies of mother infant interaction show differences in treatment of boys and girls even when parents believe their reaction to both are the same. Adults who are requested to assess the personality of a baby give different answers according to whether or not they believe a child to be a girl or boy. One study analyzed the words used about new born babies by the medical personnel attending to pet. New born male- infants where more described than the female counterparts. Males were described as handsome, sturdy, strong and tough. Female infants were more often talked as deity, delicate, beautiful, sweet, and charming and so on. There was no overall size or weight differences between the infants in question (Ref. Hundsen quoted in Scanzoni and Fox 1980). In short male and female adults handle infants differently. Cosmetic differences attached to both girls and boys, systematic differences in dress, hair style provide visual clues for the infants in the learning process.

A CULTURE OF PEACE

PEACE –What does peace mean?

One of the first reactions to the question "What is peace?" might be "the opposite ofwar". This, in turn, leads to the question "What is war?" This leaves the impressionthat it is almost impossible to define peace without using the term 'war'. But is itfair to describe peace as the opposite or absence of war? What about other factorslike security or the role of justice? Is it possible to have circumstances that are bothpeaceful and unjust? Given that politicians, scientists and political philosophershave deliberated on these questions for centuries, it is impossible to address thesequestions in depth in this book.

Origins of the term peace

Peace in classical Judaism was seen as a necessary preconditionfor the preservationof the existence of humanity and also a requirement for its development. This meansthat peace was defined with an explicit reference to the internal working structuresof a society: source, creator, supporter, multiplier and protector of all that is goodin heaven and earth. In the Old Testament, the term Salom is used to define theconformity between God and man, and the condition for peace is the total defeatof the enemies of Israel. Peace is given through the power of the divine ruler, fromwhom the granting of internal justice is also dependent2. "He shall judge betweenthe nations, and shall decide for many peoples; and they shall beat their swords intoploughshares, and their spears into pruning hooks; nations shall not lift up

swordagainst nation, neither shall they learn war anymore," Is 2.4. A radically oppositeposition is found in the New Testament with the call to love your enemy "You shalllove your neighbour as yourself " Mt 22.39–40 or "But I say to you that hear, Loveyour enemies, do good to those who hate you, bless those who curse you, pray forthose who abuse you. To him who strikes you on the cheek, offer the other also; andfrom him who takes away your coat do not withhold even your shirt." Lk 6.27–29Peace in the New Testament is understood as a worthwhile aim to be achieved"Let us then pursue what makes for peace and for mutual upbuilding." Rom 14.19and furthermore there are implications that happiness comes from working forpeaceful relationships: "Blessed are the peacemakers, for they shall be called sonsof God." Mt 5.9.

The Muslim greeting "As-Salaamualaykum" translates to "Peace be uponyou"—an indication of the fundamental desire for peace in Islam. The word Islamitself means "peace". The task of the prophets that have been sent from God throughoutthe ages was to spread the message of love and friendship in every society. Thisincludes that people must live their true nature, which is marked by compassion,tolerance, love and loyalty to each other because only then can societies be createdwhere justice, well-being, security, peace and real brotherhood prevail. Peace inIslam is therefore an essential element for human development. The Koran commandsto be kind to each other and to not act violently. The following order to establishpeace might explain what this entails: "Whosoever killed a person—unless it befor killing a person or for creating disorder in the land—it shall be as if he had killedall mankind" (Al Mahida, CH 5: v. 33). This means that unlawful shedding of theblood of a single life is to be seen like killing the whole human race. Acting violentlyis therefore a sin, an act that violates peace. Peacemakers, according to the Koran,are agents of good and those who breach the peace are elements of sin (of whichkilling is one); peacemakers are people who advocate for a way of living together insociety with peace and affection for each other.

At the beginning of the european Middle Ages (6th–15th century) and especiallyin modern times, an integrated understanding of peace has developed. Particularlyunder the influence of international law, peace was reduced to the relationshipsbetween societies, while the conditions for human development in the internalarea of societies were ignored. During the development of the territorial state andthe Absolutism period (16th–18th century), the conditions for human developmentplayed only a minor role. It wasn't until the Enlightenment period (around 1756) andfinally the French Revolution (1789–1795) that the political significance of the livingconditions of the population was considered.Concepts like prosperity (material distributive justice) and democracy (parti-cipatory distributive justice) were included, but the norm of peace was still reservedfor relationships between societies. Peace as a norm began to overshadow the development of people's existence after WWII

(1939–1945) as increasing interdependencebegan to close the gap between states.

Conceptions, definitions, thoughts and models of peace
Anyone who is asked if they want peace would answer "yes". This would be theanswer of those who accept the need for coercive force (including violence) andthose who take a totally non-violent stance, and the many others with views inbetween. But the ideas on what peace really is vary greatly. In this book we focus onpeace in life on earth, not on eternal peace after death. Peace is always linked tohuman interaction, people's interests, the struggle for power and recognition; simplystriving for justice leads to conflict—all these issues are thus related to peace andpeace making.

Below is a list with a variety of thoughts and kinds of definitions about peace.Although this list is just a tiny selection, it highlights a variety of thoughts about thecontents of peace.

▶ Peace is the absence of war.

▶ Peace is often defined in the negative as freedom from war. Peace, developmentand democracy form an interactive triangle. They are mutually reinforcing.Without democracy, fair distribution of economic progress and wealth isunlikely. Without sustainable development the disparities become marked andcan be a cause for unrest, and without peace, developmental gains are quicklydestroyed.

▶ Peace is not the absence of war. Peace is a virtue, an attitude, a tendency togood, trust and justice. (Spinoza 1632–1677).

▶ Peace means the absence of violence in all forms.

▶ Peace is a natural social condition, whereas war is not.

▶ Peace is a process, a many-sided and never-ending struggle to transformviolence.

▶ Peace is often compared to health, in that is it is more easily recognized byits absence.

▶ Peace is a prime force in human behaviour (pacifism).

▶ Peace describes the unfolding of conflict in a constructive way, it does notmean the total absence of conflict. Peace therefore exists where people interactnon-violently and manage their conflict positively, with respectful attention tothe legitimate needs and interest of all concerned. Peace can be considered aswell-managed social conflict.

▶ Peace means a balanced, fair, just and calm state of affairs, where all concernedknow and enjoy their due rights and protection.

P E AC E
▶ Peace is an interweaving of relationships between individuals, groups andinstitutions thatvalue diversity and foster the full development of humanpotential.

▶ Sustainable peace is characterized by the absence of physical and structuralviolence, the

elimination of discrimination and self-sustainability.

▸Preventing war over the long-term means replacing it with non-warlikeconflict solution methods. When this has been achieved, there's peace. It is notidentical with the avoidance of war over certain periods, but actually excludesits preparation based on the acceptance and readiness for war. Peace in thissense describes a process in the international system that is characterized bythe non-violent discharging of the conflicts arising within it. In this sense,peace exists when conflicts in the international system are being resolved in away that is overwhelmingly free from military force.

▸ Peace has generally been defined as the safety from fear and want and theabsence of war or violence. Peace is sometimes structured in three stages. Thefirst stage is durable peace (positive peace) marked by a high level of cooperationand understanding amongst parties based on shared values and goals; thesecond stage is stable peace which is higher in its degree of tension than theprecedent and marked by limited cooperation and trust despite the relativenational stability; the last stage is the unstable peace which comes as a result ofunresolved differences leading to rising tensions. Here tension and mistrustrun very high and the possibilities of resorting to a crisis are equally very high.It is sometimes characterized at intrastate level by sporadic violence and governmentrepression of opposition. If situations persist in this direction, thepeace may move to the level of a crisis marked by direct confrontationsbetween opposing parties. Such a conflict may move from a crisis level to an open and fully-fledged war.

Where does peace begin?
As the list above makes obvious, it is almost impossible to define peace withoutusing the terms 'violence', 'conflict' and 'war'. The illustration of the continuum providesan impression of the relationship between these terms and peace and how they are connected to each other.The continuum is divided into two halves with the civilization of the conflictforming the focal point (pivot). Conflict, as a fundamental part of life, forms the(invisible) background of the continuum. The critical question is whether theseconflicts can be resolved by the use of violence or not. War and peace represent thetwo extremes. The decisive factor is the degree to which violence exists: If a greatdeal of violence is present, it's war. If non-violence is the main characteristic, it'speace. Actual and structural violence on the left-hand side are opposed by cooperationand integration on the right-hand side.

The point at which peace begins is contested. It implies the question "What does itactually mean when somebody says that there has been an end to violence?" Withinthe framework of this book, this question concerns the distinction between positiveand negative peace, and direct, structural and cultural violence. Johan Galtung'sframework on these issues is the

most widely used today; it also serves as a reference in this book. He distinguishes, for example, between positive and negative peace assummarized below:

Negative peace

… refers to the absence of war, fear, direct violence and conflict at individual,national, regional and international levels. It requires institutional reforms to preventacts of direct physical violence committed by individuals or groups. Negativeperception of a former enemy or conflicting party is neutralized or shifted after aviolent conflict is settled. In this scenario, there may be little or no hostility but theconflicting parties may be sceptical toengage in positive interactions that mightlead to building trust. During the period of negative peace, there is no emphasis ondealing with the causes of violence or conflict.Rather, it is limited to addressing themanifestation of factors that led and lead to violence.

Positive peace

… refers to the absence of indirect and structural violence, the absence of unjuststructures and unequal relationships; it refers to peace on different levels like behavioral, attitudes or structures. Positive peace is filled with positive contents suchas the restoration of relationships, the constructive resolution of conflict and thecreation of social systems that serve the needs of the whole population. Positivepeace encompasses all aspects of a good society that one might envisage for oneself:universal rights, economic well-being, ecological balance and other core values.It describes a situation where justice and fairness reign, it seeks to promote andimprove the quality of life.

Positive peace is the concept that most peace and conflict researchers adopt todescribe peace, in this sense peace provides for:

▶conditions able to respond to underlying causes of conflict that can
lead to violence,
▶possibilities towards building bridges between conflicting parties
(for example by common grounds in fighting non-human enemies like
hunger, diseases or corruption),
▶initiatives towards bridge building between victims and perpetrators,
▶ structures working towards co-operation and integration among
groups or social institutions,
▶situations where there are no winners and losers—all are considered
winners,
▶available institutions for the consolidation of peace like independent
democratic institutions, peace research institutes or peace studies

centres.

Creating a culture of peace

"There has never been a good war or a bad peace." "A culture of peace will be achieved when citizens of the worldunderstand global problems, have the skills to resolve conflictsand struggle for justice non-violently, live by internationalstandards of human rights and equity, appreciate culturaldiversity, and respect the Earth and each other." Based on the assumption that the ultimate aim of peace is a world in which the richdiversity lives together in an atmosphere marked by intercultural understanding,tolerance and solidarity; it doesn't matter if we talk about global peace or peace atthe micro-level of a family or community. Peace is not a one-person-show; it is notsomething that once achieved will never fade away. It might be helpful to look atbuilding and maintaining peace as a 'culture of peace'. A culture of peace is like ariver that is fed from diverse streams—from every tradition, culture, language, religion,and political perspective. It consists of values, attitudes, behaviours and waysof life based on non-violence and respect for the fundamental rights and freedomsin a culture of peace, power grows not by force (e.g.: guns, inherited status) butfrom participation, dialogue and cooperation. It rejects violence in all of its forms,including war and the culture of war. In place of domination and exploitation by thestrong over the weak, the culture of peace respects the rights ofeveryone, economicas well as political. It represents a caring society which protects therights of thosewho are weak, such as children, the handicapped, the elderly and the socially disadvantaged.In a culture of peace, people assume a global human identity that does notreplace, but is built upon other identities such as gender, family, community, ethnicgroup or nationality. It rejects all hatred, xenophobia, racism and the designationof others as enemies. A culture of peace is a process that grows out of the beliefsand actions of the people themselves and develops differently in each country andregion, depending upon its history, culture and traditions. It cannot be imposedfrom outside.Building peace can be compared with building a house. Even when the constructionof the house is finalized, it requires permanent maintenance; otherwisethe house will collapse due to influences like weather conditions or daily use by thepeople living in it. The task of achieving peace and creating a culture of peace willalso never be concluded once and for all because circumstances, people and theirrelationships are changing all the time.

Strategies for peace

Mahatma Gandhi said:

"There is no way to peace. Peace is the way. … Concentrate on
the means and the purpose will take care of itself. (8. 5. 1937)."

His perception of peace represents a pragmatic understanding of peace. It meansthat the process towards achieving peace cannot culminate in a final state which,once it has been

achieved, never fades away. Additionally, as far as Gandhi was concerned,it is the means (the non-violent actions) that are important rather than concentratingon the purpose (the search/fight for peace that might be reached sometimein the distant future).The fundamental condition for all subsequent objectives in building peace isthe absence of war. Therefore to prevent war is the first and foremost important taskof peace politics. Furthermore, when developing strategies to achieve this aim of'peace', we should begin by considering the causes of war. These causes can be identifiedacross three levels: the individual, the societal and international level. For eachof the three levels that are obviously interwoven, strategies to build peace can bedeveloped. The following are important issues in peacebuilding strategies:

Individual

Improving education is the most decisive factor as far as the individual level is concerned. "… since wars begin in the minds of men, it is in the minds of men that thedefenses of peace must be constructed". This statement highlights the importantrole of education in building peace, for both men and women.Besides acquiring formal general knowledge as provided in formal institutionslike schools or universities, peace education includes, for example, repairing the'peace deficits' of individuals such as prejudices and intolerance. Peace educationalso covers the provision of insights into people's relationships and their conflict resolutionmechanisms as well as how society and the international system work (political,economic, social systems; national and international laws).

Society

Although democracies do proxy wars between each other and even fight their wars onforeign soils, it seems that democratization in its varieties—in comparison to authoritarianregimes or dictatorships—tends to seek peaceful ways of settling conflicts.The classic argument is as follows: "When the citizens rather than kings are left todecidewhetherwarshouldbe entered into or not, the decision for war is far less likely.This is because it is the citizens who are affected and bear the suffering of war."

Poverty and the unjust distribution of wealth are important causes of war. Thereforeone strategy to achieve sustainable peace is to increase prosperity, as those who havemore, have more to lose by war. One of the most important factors in increasingprosperity is free and fair trade. Trade also means exchange, which might lead tomore understanding of differences (of people, structures, and cultures). This idea isbuttressed by the undisputed fact that exchange coupled with close and fair tradingrelationships promote peace.Several religions have and still prophesy that their divinity would produceeternal peace in the future. The most famous idea on how to reach peace come fromthe book of Isaiah 2:4 and is carved into a wall in Ralph Bunche Park opposite theUN Headquarters in New York: "…

and they shall beat their swords into plough -shares, and their spears into pruning hooks; nation shall not lift up sword againstnation, neither shall they learn war anymore."

International

The level of international systems is a central point for peace and conflict research.The fundamental problem associated with this level is that there is no such thing as aworld state as a highest authority. No single institution therefore has the legitimatepower to force nations to abide by the law in the way a national state is able to dowith its citizens. Peace theory has always addressed and discussed problems relatedto this issue.

Two proposed solutions were:

1) International law and especially international organizations weredeveloped to have a direct influence on the interaction between politicalsystems (e.g. the United Nations, Human Rights). Peace politics includedeveloping these institutions further, to strengthen their security-givinginfluence on interaction and thereby eradicate the need for militaryforce caused by the structure of the system.

2) The concepts of international organizations explicitly targetthe elimination or restriction of violence. The idea behind this is to replacethe use of force with diplomacy (compromise, negotiation and mediation)and even jurisdiction (e.g. International criminal courts).Human rights have been laid down in a large number of human rights instrumentssince after WWII. Some examples of the most important human rights instrumentsare:

▶ Universal Declaration of Human Rights (UDHR)

▶ African Charter on Human and Peoples' Rights (Banjul Charter)

▶ International Covenant on Civil and Political Rights (ICCPR)

▶ First and Second Optional Protocols to the ICCPR

▶ International Covenant on Economic, Social and Cultural RightsInternational Convention on the Elimination of All Formsof Racial Discrimination

▶ Convention against Torture and other Cruel, Inhumane orDegrading Treatment

▶ Convention on the Prevention and Punishment of the Crimeof Genocide

▶ Convention on the Rights of the Child

▶ Convention on the Elimination of All Forms of Discriminationagainst Women

▶ Convention relating to the Status of Refugees

▶ Protocol relating to the Status of Refugees

Charter of the United Nations

"We the peoples of the United Nations determined to save succeeding generationsfrom the scourge of war … and for these ends to practice tolerance and live togetherin peace with

one another as good neighbours, and to unite our strength to maintaininternational peace and security…".."The purpose of the United Nations is: 1. To maintain international peace andsecurity, and to that end: to take effective collective measures for the prevention andremoval of threats to the peace, and for the suppression of acts of aggression or otherbreaches of the peace, and to bring about by peaceful means, and in conformity withthe principles of justice and international law, adjustment or settlement of internationaldisputes or situations which might lead to a breach of the peace;".

Statute of the International Court of Justice

"The International Court of Justice established by the Charter of the United Nationsas the principal judicial organ of the United Nations shall be constituted and shallfunction in accordance with the provisions of the present Statute." "TheCourt shall be composed of a body of independent judges, elected regardlessof their nationality from among persons of high moral character, who possess thequalifications required in their respective countries for appointment to the highestjudicial offices, or are juries-consults of recognized competence in international law." "Only states may be parties in cases before the court."

Peacebuilding

The term peacebuilding came into widespread use after the then United NationsSecretary-General, Boutros Boutros-Ghali—announced his Agenda for Peace in199217. Since then, peace building has become a broadly used but often ill-definedterm implying activities that go beyond crisis intervention, such as long-term development,building of governance structures and institutions or building the capacityof non-governmental organizations (including religious institutions) for peacemakingand peacebuilding. The United Nations distinguishes between several differentkinds of intervention to bring about peace. In addition to humanitarian aid oremergency assistance, designed to provide the immediate means of survival forpopulations at risk, the main categories of intervention are:Peace-making … implies interventions designed to end hostilities and bring aboutan agreement using diplomatic, political and military means as necessary. Thefocus lies in the diplomatic effort to end the violence between the conflictingparties, to move them towards nonviolent dialogue and eventually reach apeace agreement.

Peace-keeping … means monitoring and enforcing an agreement— even by usingforce as necessary. Peacekeeping operations not only provide security, but alsofacilitate other non-military initiatives. It may include:
a) assisting parties to transform from violent conflict to peace by separatingthe fighting parties and keeping them apart,

b) verifying whether agreements are being kept,

c) supervising agreed confidence-building activities,

d) managing through third-party intervention (often, but not alwaysdone by military forces).

Peace-building … are programs designed to address the causes of conflict, the grievancesof the past and to promote long-term stability and justice. Often it isunderstood as the phase of the peace process that takes place after peacemakingand peacekeeping. On the other hand, peacebuilding is an umbrella conceptthat encompasses not only long-term transformative efforts, but also peacemakingand peacekeeping. In this view, peacebuilding includes early warningand response efforts, violence prevention, advocacy work, civilian and militarypeacekeeping, military intervention, humanitarian assistance, ceasefire agreementsand the establishment of peace zones.

There is a great deal of human suffering related to violent conflicts, political instabilityor unjust policies and practices. While short-term humanitarian relief and crisisintervention are most important to reduce the immediate sufferings in violent conflicts,they are not enough in fragile states or post-conflict societies. There must beadditional initiatives for post-conflict reconciliation, for the development of capacityfor conflict transformation and for the building of sustainable peace. Meanwhilethere is increasing awareness of the need to increase the capacities for nonviolentconflict transformation everywhere, even before open violence has occurred.

What is peacebuilding?

As you may expect, the term "peacebuilding" is not clearly defined and is used in avariety of areas19. It is most often used to describe work that has peace-enhancingoutcomes, and it attaches great importance to how things happen. It involves a fullrange of approaches, processes and stages needed to transform towards more sustainableand peaceful relationships, just governance modes and fair structures. Thelist below might give a glimpse of the current state of understanding and discussion:

▶ Peacebuilding is the set of initiatives by diverse actors in government andcivil society to address the root causes of violence and protect civilians before,during, and after violent conflict. Peacebuilders use communication, negotiation,and mediation instead of belligerence and violence to resolve conflicts.Effective peacebuilding is multi-faceted and adapted to each conflict environment.There is no one path to peace, but pathways are available in every conflictenvironment. Peacebuilders help belligerents find a path that will enablethem to resolve their differences without bloodshed. The ultimate objective ofpeacebuilding is to reduce and eliminate the frequency and severity of violentconflict.

▶ Peacebuilding consists of a wide range of activities associated with capacitybuilding,

reconciliation and societal transformation. Peacebuilding is along-term process that occurs after the violent conflict has slowed down orcome to a halt. In a narrower sense, peacebuilding is a process that facilitatesthe establishment of durable peace and tries to prevent the recurrence of violenceby addressing the root causes and effects of conflict through reconciliation,institution building and political as well as economic transformation.This consists of a set of physical, social and structural initiatives that are oftenan integral part of post-conflict reconstruction and rehabilitation.

Peacebuilding includes building legal and human rights institutions as wellas fair and effective governance and dispute resolution processes and systems.To be effective, peacebuilding activities require careful preparation and participatoryplanning, coordination among various efforts, and sustained commitmentsby local partners and external institutions. According to Lederach,peacebuilding involves a long-term commitment to a process that includesinvestment, gathering of resources and materials, architecture and planning,coordination of resources and labour, laying solid foundations, constructionof walls and roofs, finishing work and ongoing maintenance. He emphasizesthat peacebuilding centrally involves the transformation of relationships.

▶ Peacebuilding is not primarily concerned with conflict behaviour but looksat theunderlying context and attitude that give rise to violence, such as un -equal access to employment, discrimination, unacknowledged and unforgivenresponsibility for past crimes, prejudice, mistrust, fear or hostility betweengroups. It is therefore applicable work that can continue through all stages of aconflict. But it is likely to be stronger either in earlier stages before any openviolence has occurred or in later stages following a settlement and a reductionin violent behaviour.

▶ Peacebuilding is a complex and lengthy process that requires the establishmentof a climate of tolerance and respect for the truth. It encompasses a widerange of political, developmental, humanitarian and human rights programsand mechanisms (e.g.: reintegration of refugees, de-mining and removal ofwar debris, emergency relief, the repair of roads and infrastructure, economicand social rehabilitation).

▶It is an overall concept that includes conflict transformation, restorative justice,trauma-healing, reconciliation, development and leadership—underlainby spirituality and religion. Peace-building is therefore included in conceptslike:

▷ Re-integration of former combatants into civilian society

▷ Security sector reform

▷Strengthening the rule of law

▷ Re-building of social institutions,strengthening participation of peoplein findingsolutions for economicand social needs

▷Improving the enforcement of human right

▷ Promoting conflict resolution andreconciliation techniques

Principles for peacebuilding
The central task of peacebuilding is to create positive peace, a social environment inwhich new disputes do not escalate into violence and war. Sustainable peace is characterizedby self-sustainability, the absence of physical and structural violence andthe elimination of discrimination. Moving towards this sort of environment goesbeyond problem solving or conflict management. Peacebuilding initiatives try to fixthe core problems that underlie the conflict and change the patterns of interactionof the involved parties. They aim to move a given population from a condition ofextreme vulnerability and dependency to one of self-sufficiency and well-being. Toachieve this, the main principles listed below should be taken into account.

Comprehensive
Comprehensive means having the ability to see the overall picture in order to effectchange within it. Lasting peace can be achieved by addressing the multiple sourcesof conflict at various levels of society. This means identifying the needs of thoseinvolved, developing a vision of what should be worked towards, creating actionsthat might lead to achieving this goal, and constructing a plan that functions as aguide. To do this, one has to step back from the immediate day-to-day events andsituate the actions within a broader vision and purpose.

Interdependent
No one person, activity or level of society is able to design and deliver 'peace' on itsown. Peacebuilding involves a variety of actors and roles, interconnected people,systems and activities. All things are linked and mutually affect one another. Peopleare at the heart of peacebuilding, therefore peacebuilding is very closely connectedto the nature and quality of relationships. It builds and supports the interdependentrelationships necessary to affect and sustain the desired changes.

P e a c e b u i l d i n g
Sustainable
Peacebuilding is a long term prospect. Conflicts often span generations and flare upperiodically into violent actions. To achieve sustainable peace, one therefore needsto pay attention to where the activities and energies are leading. This means not justthinking about and working on immediate and effective responses to issues andcrises, but creating ongoing capacities within the context to transform recurringcycles of conflict and crisis. This means identifying and strengthening resources inthe context of the conflict.

Strategic

Being strategic implies putting specific scheduled actions in place, responding pro -actively to emerging social situations and meeting immediate and specific concernsand needs. At the same time a larger andlonger term change process must be reinforced. The design ofpeacebuildingactions should therefore be related toimmediate needs and desired ideas forfuture changes (including the what, whereand how of activities).

Infrastructure
Infrastructure is required to provide the necessary logistical mechanisms, socialspace and institutions that support the peacebuilding processes and effect the envisagedchanges. Peacebuilding infrastructure can be compared to the foundations andpillars that hold up a house: while people and their relations are the foundations, thepillars symbolize the social spaces. Both need to transform from violence to increasedrespect and interdependence, increased involvement and the acceptance of individualresponsibility for building peace.

Peacebuilding dimensions
Peacebuilding measures involve all levels of society, target all aspects of the statestructure and require a wide variety of agents for their implementation. While externalagents can facilitate and support peacebuilding, it must be driven by internalforces; it cannot be imposed from outside. Peacebuilding aims at creating an environmentconducive to self-sustaining and durable peace, and to prevent conflictfrom re-emerging. Therefore parties must replace the spiral of violence and destructionwith a spiral of peace and development. The creation of such an environmenthas the following three central dimensions. Each of these dimensions relies on differentstrategies and techniques.

The structural dimension
The structural dimension of peacebuilding focuses on the social, economic, politicaland cultural conditions that foster violent conflicts. These root causes are typicallycomplex and can include unfair land distribution, environmental degradationor unequal political representation. If these social, economic, political and culturalfoundations that should serve to satisfy the needs of the population are notaddressed, there can be no lasting peace. Therefore the parties must analyze thestructural causes of the conflict and initiate social structural change.

The relational dimension
The relational dimension centers on reconciliation, forgiveness, trust building andfuture vision. Its focus lies in reducing the negative effects of conflicts (violence,war) through repairing and transforming damaged relationships.One of the essential requirements for this transformation is effective communication.Through dialogue on all levels, parties can

increase their awareness of theirown role in the conflict, develop a more accurate perception of their own and theother group's identity and may eventually understand each other better. If supportivecommunication systems are in place, relations between the parties can improve,trust can be built and any peace agreements reached will more likely be sustainable.

A crucial component of such bridge-building dialogue is future imaging, wherebyparties create a vision of the commonly shared future they are trying to build. Oftenthe parties have more in common in terms of their visions of the future than they doabout their shared and violent past. If they know where they would like to go, it willbe easier to get there. In addition to looking towards the future, parties must dealwith their painful past. Reconciliation means recognizing both a common future,and the past wrongdoing. Therefore, what has happened should be dealt with andpossibly forgiven if the parties are to renew their relationship and build an interdependentfuture.

The personal dimension
The personal dimension focuses on desired changes at the individual level. If individualsare not able to undergo a healing process, there may be social, political, andeconomic repercussions. The social fabric that has been destroyed by conflicts mustbe repaired and trauma must be dealt with.Building peace must pay attention to the psychological and emotional layers ofthe conflict. After an experience of violence, an individual is likely to feel vulnerable,helpless and out of control in an unpredictable context. If the psychological aspectsof experienced violence and its consequence are ignored, victims are at risk forbecoming perpetrators of future violence. Victim empowerment can help to breakthis cycle. Peacebuilding initiatives should therefore provide or support appropriateprograms for different levels and areas of the society (e.g.: one-to-one counseling,rebuilding community structures, performing rituals or ceremonies, constructingmemorials to commemorate pain and suffering, building mental health infrastructureand establishing professional training).

Conflict
Conflict is both the force that cantear relationships apart and the force thatbinds them together.

Conflict1 is part of reality, as old as mankind and a general phenomenon that existsat all levels of human relationships and every level of society. Conflict is thereforesomething natural, common to all relationships and cultures. Conflicts will alwaysexist; they are an inherent part of social life—both in times of peace and times of war.The existence of conflict is often classified as problematic or even a threat topeace. This perception is based on the idea that there can be only one winner at theexpense of a loser; this also implies the

thought that only one side has the access tothe 'truth' and possesses the 'right'. Additionally, conflict is often driven by a sense ofhurt and grievance, as something that disrupts peace and harmony, as somethingthat might destroy relationships or create hostilities; it even seems that conflict promotesviolence. Surely, conflict bears a risk of escalation and it can certainly teardown and destroy.

The consistent danger of escalation is the part of conflicts wherethe real problem lies. Even more so as most people place emphasis on power play tofind a solution, which makes a conflict increasingly difficult to control. If the thresholdto violence is crossed and the conflict escalates further to a level where it spinsout of control, it results in destruction and suffering. Having reached this state ofconflict, it is difficult or impossible to continue relations for any length of time.From this point of view, conflict is at best uncomfortable, at worst highly destructive. Conflicts therefore tend to be perceived as a negative phenomenon and logicallyone tries to avoid, stay away from, neglect or forget about them.But conflict is not just an evil or negative thing as many have long painted it;conflict has a dual capacity. Conflict handled constructively is an opportunity foradjustment and constructive change, as it might help people realize their interests,values or aspirations, and reaffirm their identity. Conflicts in this light can revealareas for growth and work, aiding progress and maturity; they are an opportunityfor intimacy with other people, a way of understanding each other and a tool forbuilding relationships. These significant positive outcomes can bring about socialchange and empower previously disempowered groups. Conflict can therefore bethe driving force for positive individual and societal change or transformation. At itsbest, conflict can offer stability and thereby lead to sustainable peace and cooperation,and serve as a unifying force.It is often mentioned that a relationship without conflict stagnates and a societywithout conflict would not evolve. Conflict should therefore be viewed as a creativeand healthy process in society that can bring new opportunities and positivechanges.

To sum up, conflict indicates that something in a relationship cannot continueas it was. Conflicts reveal issues that concern those involved in them, and it wouldtherefore be senseless trying to prevent conflicts. Depending on how the issues aredealt with, the conflict will develop into something destructive or constructive. Thefollowing extract summarizes what has been written so far from a scientific perspective:"Conflict in a narrow 'objective' sense is understood in peace and conflictresearch as meaning (…) an incompatibly different position about a particularissue or over a particular thing, that is, the object of the conflict. This can be areal object—like an apple being fought over by two children who both want tohave it for themselves. But it can also be an abstract issue such as the legislationsurrounding the subject of abortion. Looking at it like this, conflict is part andparcel of social life and something that is completely 'natural.' Actually, it isneither

positive nor negative. Social conflicts become manifest (obvious)because of the conflict behaviour of at least one of the parties involved in theconflict. And it is from the conflict behaviour of all parties involved that theway in which the conflict is resolved is determined, whereby a distinction hasto be made between peaceful and violent means."

Levels of conflicts

As stated before, conflicts exist in all social arenas and in all societies. They occur atvarious levels such as psychological or internal, family and community, national andinternational. The methods and instruments that are appropriate to deal with themdepend on the level, kind and stage of the conflict. One therefore needs to be awareof these aspects. The most common categories for conflict levels are as follows:

Intra-personal conflicts

These are conflicts within a person. They might be internal dilemmas or psychologicalconflicts within an individual or the decision-making conflicts of one person.Although intrapersonal conflicts may influence social conflicts, they are not thesubject of conflict transformation work, but of psychological work.

Inter-personal conflicts

These are conflicts between individuals or small groups of people. Interpersonalconflicts are the largest learning field in conflict transformation as they occur frequentlyinside families, among friends, between young and old, ethnic groups, smallvillages or communities…. Conflicts on this level are of most concern for this bookas they can be dealt with by everyone who acquires and masters conflict transformationskills.

Intra-group conflicts

These are conflicts within small groups (team, organization, family) or larger groups(religious community, within elites in a country). In this kind of conflicts groupdynamics add to the normal dynamics of inter-personal conflicts. To deal with thiskind of conflicts, one has to have the capacity to manage groups besides masteringconflict transformation skills as inter group dynamics can affect the way conflictsdevelop enormously.

Inter-group conflicts

These are conflicts between groups, such as organizations, ethnic or identity groups.In general, the conflicts on this level are bigger in size (people and parties activelyinvolved) than inter-personal conflicts. One has to have knowledge about groupdynamics and the capacity to manage groups besides mastering conflict transformationskills, as the dynamics and relations in groups are mostly part of the conflictitself and affect the progress of the

conflicts. Often there is a need for more than onefacilitator, negotiator or mediator to deal with the conflict.

Inter-national, inter-state conflicts
These are conflicts occurring on national or interstate level. Dealing with this kindof conflict requires professional mediators with a wide range of expertise and diplomaticcapacity. We therefore do not deal with these conflicts in this book, but sometimes use examples from this level to explain a theoretical issue.

Sources of conflict
Conflicts do not occur out of nothing. They emanate from the pursuit of incompatibleinterests and goals. Additionally, conflicts tend to have various causes, whoseimportance may shift in the course of the conflict history. What one can see andhear is the verbal or physical fight of the opponents about issues like land distribution,injustice or allocation of resources, fight for positions … the visible conflict.
But what has generated the issues, what triggers the arguments is mostly not obvious.These are the individual sources, the root causes, the invisible reasons that giverise to conflicts.Causes of conflict can be visualized and explained with the model of a volcano,where only about $\frac{1}{8}$th of the body appears above the earth. After years of silence avolcano can suddenly erupt—spilling fire, smoke and hot lava with great force. Itoften seems that conflicts break out suddenly and even actors actively involved maynot be conscious about their own root-causes that give rise to the conflict. It is necessaryto identify the root causes—the underlying reasons leading to the explosion to transform a conflict and to find a mutual and sustainable agreement.

The psychosocial level determines the size and manner in which the actors inthe conflict act on the tangible level. In other words, the tangible level is what onecan observe, what is immediately accessible—the actions, behaviour, facts and formulatedtopics. The issues on the psychosocial level, for instance fears, insecurities,wishes, feelings, taboos and so on cannot be seen immediately. They often remainunspoken and hidden. But they are always present on an extensive basis and need tobe revealed for a long lasting solution.The longer a conflict exists and the more it escalates, the psychosocial levelgains in importance and sometimes even predominates. Therefore, recognizing andunderstanding the dynamics of the psychosocial level represents an important steptowards understanding a conflict comprehensively. Being conscious of both levels,recognizing their reciprocal influence and developing the ability to consider themseparately is important for any type of conflict transformation (e.g. negotiation,mediation).

Conditions and issues influencing conflict

The following list consists of a variety of issues influencing conflicts, and how theseissues are understood in this book10. It is not an exhaustive list, but should make thereader aware of the diverse layers a conflict has. The terms are given not according totheir importance in conflicts but in alphabetical order:

Attitude

Attitude means the way an individual is dealing with oneself and others, based onwhat and how one thinks about human dignity, appreciation of others, empathy, justiceand fairness.

Human dignity: how one thinks about his own worth as an individual and that ofothers. This includes the individual's history and particularly the backgroundof others.*Appreciation of others:* how one values and tolerates the various aspects of others,their cultures, beliefs, concepts and values. It also includes if and how a personis open to learn from other cultures.

Empathy: how one is willing and able to imagine the feelings and viewpoints of otherswith the aim of understanding.

Justice & fairness: how one values genuinely fair principles and democratic processes ondifferent levels of society and is ready to involve oneself for a just world.

Culture

Culture is something we are born into, it is not something we have at birth. We learnthe particular practices, actions, values, norms and standards that are accepted inthe society we live in from our parents, family, elders, teachers, religious leader andthe media. Culture is not static; it changes over the course of time through internaland external influences. Culture must be recognized in conflicts because it shapeshow we think about and perceive the things happening around us, how we act andhow we relate to others.There are various definitions of culture. The following five statements supportthe idea of culture as something we learn and acquire unconsciously, just due to thefact that we grow up and live in a society with its particular culture.At the same time, the definitions explain that culture is continuously changingdue to various internal and external influences.

Ethics and values

Ethics is the analysis of concepts such as right, wrong, obligation, responsibility,ought, should, duty. Ethics examines morality; it reveals what 'right and wrong','good and bad' actually mean when applied to human decisions, actions and behaviour.Ethics investigates what one can do compared to what one ought to do. Ethicsanalyses the arguments and reasoning behind the process (acting, behaving, thinkingetc).Ethics is a system of moral principles, by which human actions may be judgedgood or bad, right or wrong. Ethical judgments make a distinction between whatis and what ought to be, between what one can do and what one should do. Coreethical values affirm human dignity and allow humans to

serve a common good.They define our rights and responsibilities in a democratic society and meet thestandard test 'would you want to be treated this way?'Values are principles, ideals or things we are for or against. We express our valuesin the way we think and act. We attribute so much worth to values that they givepurpose to our lives. Values play an important role in our decision making, they justifyour positions and direct and guide our actions. Values are the foundations ofcultural norms, laws, ethics or principles. The parties in a conflict may understandany compromise about their most cherished values as a threat to their basic humanneeds and their sense of identity. This is why value (and moral) conflicts tend to belong lasting. Some ethical values:

Respect: self-respect, personal integrity, for the dignity of others, for the community,for the rule of law, for legitimate authority, for private and public property

Honesty: trustworthiness, dependability, ethical behaviour, maintaining confidentialityand impartiality towards relationship between people/groups

Responsibility: accountability, open mindedness, constructive criticism, carry outlawful instructions, obligations to public welfare

Concern: care, compassion, loyalty, tolerance, consideration, cooperation, sharingdecision-making

Justice: fairness, equal rights, negotiation, law and systems of governance

Dedication: active and informed participation, interdependence, civic mindedness

Types of conflict

Various scientists and researchers classify conflicts according to different criteria.Many of the types presented below are based on the aspects described previously.Even though all conflicts have more reasons (which might even shift over the conflicthistory) it is important to identify and analyze the central ones to create appropriateintervention strategies.

Data or information conflict involves lack of information or misinformation, as wellas differing views on which data are relevant, how they are interpreted andassessed.

Identity based conflict arise when one's identity is in danger. Identity goes beyondreligion or ethnic factors; people are part of clubs, societies, professions, politicalparties or cults with which they identify themselves either for prestige, historicalor cultural reasons. When people feel that their identity with a group isthreatened, there is the tendency to resort to protest, violence or other socialaction to correct the perceived threat.

Interest conflict, which involves actual or perceived competition over interests, suchas resources, the way a dispute, is to be resolved or perceived, issues of trust andfairness.

Inter-group conflict arises when individuals act or re-act negatively towards othermembers outside their group, club, sex, religion or ethnicity based on existingincompatibilities, behaviour or values. Stereotypes or prejudices may be asource of inter-group conflict.

Needs-based conflict, is concerned with the frustration of basic human needs. Basichuman needs are seen as fundamental requirements for human existence anddevelopment. These

include food, security, identity, freedom, justice and participation.When these needs are not being fulfilled over time, it triggers conflict.

Power conflict, which arises when an individual or a group attempts to increaseundue influence and control over other individuals or groups targeting theirway of life, thinking or attitude within or between societies. In other words,power conflicts are about struggle for dominance either in the family, workplace,church, mosque, club, village, government departments or other institutions.Power conflicts are often associated with the use of negative powerincluding threats, deception or manipulation.Relation conflict results from strong emotions, stereotypes, miscommunication andrepetitive, negative behaviour in relationships. It is this type of conflict whichoften provides fuel for disputes and can promote destructive conflict evenwhen the conditions for resolving the other sources of conflict can be met.

Religious conflicts are triggered when there is an attempt to defame or criticize somebody'sreligion a wrong, funny or useless. Religion is a matter of the heart— veryemotional. Accepting other religions, complying with the various ways of practicingdifferent faiths and tolerating even the contrasting spirituality of otherscan enhance peaceful co-existence in any community.Resource based/economic conflict is triggered by competition over scarce resourcessuch as land, water, oil and diamonds or intangible resources such as powerand knowledge. If resources are in limited or short supply and the competingparties are of the opinion that what one gains, the other loses, both groups pursuestrategies and behaviour to obtain a fair share of the available resources. Atthe same time, this might be perceived by the other side as unfair. This circumstancecan generate feelings of being under threat, suspicion and eventually afeeling of hostility.

Structural conflict is caused by unequal or unfair distribution of power and resources.Time constraints, destructive patterns of interaction and unfavorable geographicalor environmental factors contribute to structural conflict.

Value conflicts arise over ideological differences in what individuals, groups, partiesor organizations believe in as paramount or sacred to their existence. Valuescannot be compromised, but they might change over time due to various influences.Value conflicts arise over how goals are achieved, about their nature orpriorities. Actual or perceived differences in value do not necessarily lead toconflict. It is only when values are imposed on individuals or groups and thesepeople are prevented from upholding their previous value systems that conflictarises.Value conflicts and religious conflicts in particular are often intertwined withother types of conflicts. Deep felt feelings and beliefs of people are in such casesabused to blur underlying power or economic interests.

Conflict Resolution Models

We begin our survey by looking at general framework models thatrelate the different components of conflict resolution to each other(complementarity) and to the nature and phases of the conflicts beingaddressed (contingency). We will then give a brief synopsis of some ofthe classical ideas that have shaped conflict resolution thinking andpractice and are still foundations of the field. At the end we will addsome more recent models that are also proving influential.We must at the outset note the current debate within the fieldbetween 'conflict resolvers' and 'conflict transformers' – althoughwe will then set it aside. In this book we see conflict transformationas the deepest level of the conflict resolution tradition, rather thanas a separate venture as some would prefer (Vayrynen, ed., 1991;Rupesinghe, ed., 1995; Jabri, 1996; Francis, 2002; Lederach, 2003).

Inour view it does not matter in the end what label is used as theumbrella term (candidates have included 'conflict regulation' and'conflict management' as well as conflict resolution and conflicttransformation), so long as the field is coherent enough to containthe substance of what is being advocated in each case. We believe thatthe field retains its coherence that it is best left intact, and thatconflict resolvers and conflict transformers are essentially engaged inthe same enterprise – as shown in titles of books such as Dukes's 1996Resolving Public Conflict: Transforming Community and Governance. Wecontinue to use conflict resolution as the generic term here for threereasons. First, because it was the earliest term used to define the newfield (the 1957 Journal of Conflict Resolution). Second, because it is stillthe most widely used term among analysts and practitioners, as wecan see by noting important titles published year by year between thetime we began writing the first edition of our book (1995) to the present second edition (2005). Third, because it is the term that is

mostfamiliar in the media and among the general public.

We begin by offering a simplified model of Johan Galtung's seminalthinking on the relationship between conflict, violence and peace. Asdescribed in chapter 2, Galtung was one of the founders of the field,and the breadth of his understanding of the structural and culturalroots of violence is a corrective to those who caricature conflictresolution as purely relational, symmetrical or psychological.

Galtung's models of conflict, violence and peace
In the late 1960s Johan Galtung (1969; see also 1996: 72) proposed aninfluential model of conflict that encompasses both symmetric andasymmetric conflicts. He suggested that conflict could be viewed as atriangle, with contradiction (C), attitude (A) and behaviour (B) at itsvertices (see figure 1.1). Here the contradiction refers to the underlyingconflict situation, which includes the actual or perceived 'incompatibilityof goals' between the conflict parties generated by whatMitchell calls a 'miss-match between social values and social structure'(1981: 18). In a symmetric conflict, the contradiction is defined by theparties, their interests and the clash of interests between them. In anasymmetric conflict, it is defined by the parties, their relationship andthe conflict of interests inherent in the relationship. Attitude includesthe parties' perceptions and misperceptions of each other and ofthemselves. These can be positive or negative, but in violent conflictsparties tend to develop demeaning stereotypes of the other, and attitudesare often influenced by emotions such as as fear, anger, bitternessand hatred. Attitude includes emotive (feeling), cognitive (belief)and conative (will) elements. Analysts who emphasize these subjectiveaspects are said to have an expressive view of the sources of conflict.Behaviour is the third component. It can include cooperation or coercion,gestures signifying conciliation or hostility. Violent conflictbehaviour is characterized by threats, coercion and destructiveattacks. Analysts who emphasize objective aspects such as structuralrelationships, competing material interests or behaviours are said tohave an 'instrumental' view of the sources of conflict.4Galtung argues that all three components have to be presenttogether in a full conflict. A conflict structurewithout conflictual attitudesor behaviour is a latent (or structural) one. Galtung sees conflictas a dynamic process in which structure, attitudes and behaviour areconstantly changing and influencing one another.

As the dynamicdevelops, it becomes a manifest conflict formation as parties' interestsclash or the relationship they are in becomes oppressive. Conflictparties then organize around this structure, to pursue their interests.They develop hostile attitudes and conflictual behaviour. And so theconflict formation starts to grow and intensify. As it does so, it maywiden, drawing in other parties, deepen and spread, generatingsecondary conflicts within the main parties or among outsiderswho get sucked in. This often considerably complicates the task

ofaddressing the original, core conflict. Eventually, however, resolvingthe conflict must involve a set of dynamic changes that involvede-escalation of conflict behaviour, a change in attitudes and transformingthe relationships or clashing interests that are at the core ofthe conflict structure.A related idea due to Galtung (1990) is the distinction between directviolence (children are murdered), structural violence (children diethrough poverty) and cultural violence (whatever blinds us to this orseeks to justify it). We end direct violence by changing conflict behaviour,structural violence by removing structural contradictions andinjustices, and cultural violence by changing attitudes. Theseresponses relate in turn to broader strategies of peacekeeping, peacebuildingand peacemaking. Galtung defined 'negative peace' as thecessation of direct violence and 'positive peace' as the overcoming ofstructural and cultural violence as well.

Conflict escalation and de-escalation

The process of conflict escalation is complex and unpredictable. Newissues and conflict parties can emerge, internal power strugglescan alter tactics and goals, and secondary conflicts and spirals canfurther complicate the situation. The same is true of de-escalation,with unexpected breakthroughs and setbacks changing the dynamics,with advances in one area or at one level being offset by relapses atothers, and with the actions of third parties influencing the outcomein unforeseen ways. Here we offer the simplest model in which escalationphases move along a normal distribution curve from the initialdifferences that are part of all social developments, through the emergenceof an original contradiction that may or may not remain latent,on up through the process of polarization in which antagonistic partiesform and the conflict becomes manifiest, and culminating in theoutbreak of direct violence and war. As we will see inchapter 3, escalation models such as this are popular with those whotry to find objective criteria for measuring statistical changes inconflict levels in different countries from year to year. They are alsoused by those who attempt to match appropriate conflict resolutionstrategies to them (Glasl, 1982; Fisher and Keashly, 1991).

Conflict approaches
Win–lose, lose–lose, win–win outcomes

What happens when the conflict approaches of two parties are consideredtogether? Parties to conflicts are usually inclined to see theirinterests as diametrically opposed. The possible outcomes are seen tobe win–lose (one wins, the other loses) or compromise (they split their difference). But there is a much more common outcome in violentconflicts: both lose. If neither is able to impose an outcome or isprepared to compromise, the conflictants may impose such massivecosts on each other that all of the parties end up worse off than theywould have been had another strategy been adopted. In conflict resolutionanalysis this

is found to be a much more common outcome thanis generally supposed. When this becomes clear to the parties (oftenregrettably late in the day), there is a strong motive based on selfinterestfor moving towards other outcomes, such as compromise orwin–win. The spectrum of such outcomes may well be wider thanconflictants suppose.

Traditionally, the task of conflict resolution has been seen as helpingparties who perceive their situation as zero-sum6 (Self's gain isOther's loss) to repressive it as a non-zero-sum conflict (in which bothmay gain or both may lose), and then to assist parties to move in the positive sum direction. Any point towards the rightis better for Abel, any point towards the top is better for Cain. Inthe Bible, the prize is the Lord's favour. Cain sees the situation as azero-sum conflict: at point 1 (his best outcome) he gets the Lord'sfavour, at 2 (his worst) the Lord favours Abel. All the other possibilitieslie on the line from 1 to 2 in which the Lord divides his favour, more orless equally, between the two brothers. Point 3 represents a possiblecompromise position. But it is the other diagonal, representing thenon-zero-sum outcomes, that is the more interesting from a conflictresolution perspective: the mutual loss that actually occurred, at 0,when Abel was slain and Cain lost the Lord's favour, and the mutualgain that they missed, at 4, if each had been his brother's keeper.

Summary
The sub-unity was based on the idea that, having describedthe evolution of the conflict resolution field examined thestatistical bases for analysis and characterized the nature ofcontemporary conflict, broad distinctions can then bemade between the tasks of preventing violent conflict mitigating or alleviating violent conflict once it has broken out whileat the same time searching for ways of terminating it, ending violent conflict, and ensuring that conflict does notsubsequently regress to violence but is lastingly transformed intopeaceful processes of political and social change, including peacebuilding and reconciliation.

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