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## **Impact of awareness about history on trust and confidence in giving the donation – A case study of All India Pingalwara Charitable Society, Amritsar**

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**Abstract:** Awareness about mission of Non-profit Organisation concerned, attitude of its personnel towards accomplishment of its mission and its contribution to the society play an important role in building the trust and confidence among donors in giving their donation to such organisation. This study investigates the impact of awareness about the unique history of All India Pingalwara Charitable Society (AIPCS) on the trust and confidence of its donors in giving the donation. It has been found that the donors, who are aware of AIPCS history, have more trust and confidence in giving the donation than the unaware donors. This study also examines relationship among awareness, trust and various demographic variables by applying the hierarchical log linear analysis. Finally, this study throws light on the categories of demographic variables on which more impact of awareness has been observed.

**Keywords:** Awareness, extent of awareness, trust & confidence and donation.

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### **I. Introduction**

Every organisation has its own cause of establishment, especially non-profit organizations (NPOs) which are most active in social services (Hansman, 1987; Heitzmann, 2000). The mission statement of NPOs tells the cause of its establishment. The core of every non-profit organisation is its mission (Angelica, 2001; Glasrud, 2001). The history of NPO throws light on an attitude of its personnel towards the accomplishment of its mission and contribution to the society. If public are aware of NPO's contribution to the society, same may enthusiastic to donate money and render services for such NPOs. The philanthropic organisations strongly depend on the public's trust. The theories from very different disciplines such as economics, legal theory and political science imply that trust is of crucial importance for charitable giving. In the economic and legal theory, the existence of nonprofits next to public agencies and for-profit corporations is assumed to be based on the greater trustworthiness of NPOs due to the distribution constraint. The NPOs are not allowed to distribute profit to private parties (Hansmann, 1980, 1987, 1996). Therefore NPOs tends to justify their existence in emotional and moralistic terms.

The public's trust is dependent on various factors like mission of an organisation, attitude of organisation's personnel toward accomplishment of mission, contribution of organisation to the society and transparency in spending etc. In this research paper, the impact of history awareness on the trust and confidence of donors in giving the donation has been studied by taking the case study of All India Pingalwara Charitable Society (AIPCS), Amritsar. The impact of extent of history awareness has also been studied in this paper.

### **II. The Brief Introduction of All India Pingalwara Charitable Society Amritsar (AIPCS)**

All India Pingalwara Charitable Society (AIPCS) is one of the largest multitasking non-profit organizations in India. It was founded by the Bhagat Puran Singh in the August, 1947 with a few discarded patients. At present, the AIPCS is taking care of approximately 1600 inmates by the end of March 2012. These inmates include a high percentage of the mentally retarded patients aging from the two years to eighty years. Besides these patients, a number of patients suffering from the TB, AIDS, blindness and deafness are included in them. The AIPCS is providing a free education and residence to the destitute, orphan and poor children. It also runs a number of schools for the normal, mentally retarded and deaf-and-dumb children in which no fee is being charged by it. Besides this, it is spreading awareness about the environment protection, zero budget natural farming and social evils by conducting a free seminars and distributing free literature in the various villages of India. It has its own printing press, which provides a wide range of literature free of cost for the guidance and reconstruction of man and society. It has been awarded with a heap of honours by the Indian Government for the above said contribution to the society. At present, the AIPCS has a number of branches

working nationally and internationally for well-being of the society at large. It has a largest donors' base in the State of Punjab. The AIPCS accepts donation through cash by hand, cheque by hand or post, sponsoring someone, collection boxes fixed outside the holy Sikh shrines and public places, door to door collection, direct debit and in kind. The AIPCS communicates its performance to the public through leading newspapers and its own published literature from time to time.

### **III. The Brief History of AIPCS**

AIPCS founded by Bhagat Puran Singh, has a unique history of its establishment. From the human perspective, the foundation stone of AIPCS was laid down by Bhagat Puran Singh in 1934, when on the birthday of Guru Nanak Dev Ji a crippled child was left outside Gurudwara Dehra Sahib Lahore (Now in Pakistan) by his parents. The Bhagat Puran Singh carried this child on his shoulders for 14 years with a roof of tin on his head and rearing him under the trees and saving him from thorns and stones. The journey was arduous and painful. But single handed, toiling day and night, in scorching heat and biting cold, in rains and thunderstorms, undeterred by adversaries, undaunted by criticism, he continued to pick up these wretched, helpless and dying but valuable creatures of God from wherever they could be found.

### **The Brief Biography of Bhagat Puran Singh**

Bhagat Puran Singh ji born at village Rajewal, District, Ludhiana in June 04, 1904 set out in life for the service of the suffering humanity-the Greatest Religion. 'The curvilinear movement of life took him from his place of birth in a well-to-do Hindu family of Ludhiana, through hard times and with little formal education, to Gurudwara Dehra Sahib in Lahore. His mother had prepared him for the daunting tasks ahead. A crippled and mentally retarded child, spotted by him near the Gurudwara, confirmed him in his mission. As Jesus founded his church on Peter, his rock, Bhagat Puran Singh laid the foundation of his AIPCS on the ennobling presence of this beloved child named Piara Singh. Lahore's Dyal Singh Library helped him in self-education. The inhuman condition thrown up by the country's partition led him to the ideas of organised and institutionalised patient-care' (Narayanan, 2004). He founded AIPCS in August, 1947 with a few discarded patients. Now AIPCS is a very big home of human service. The Bhagatji's contributions in spreading awareness about the global dangers of environmental pollution and increasing soil erosion etc. are commendable. His dedication was awarded with series of honours by many quarters. Prestigious among these was the Padamshri Award in 1979 which he surrendered in the wake of the army attack on the Shri Harimandir Sahib in 1984. He left for his heavenly abode on August 5, 1992 after giving the charge of AIPCS to Dr. Inderjit Kaur. She has also devoted her life for the well being of helpless people on the lines of Bhagat Puran Singh. Her dedication has also been awarded by series of honours nationally as well as internationally.

### **IV. Review of Literature**

The review of relevant studies related to the research topic has been carried out and is given as follows: Bekkers (2003) examined the relationship between trust and charitable giving in his study. The researcher has found that charitable organizations can increase the public's trust by signaling their trustworthiness. The author has given the example of the Netherlands which shows how a system of accreditation can be an instrument for signaling trustworthiness to the public. The donors who are aware of the accreditation system have more trust in charities than those who are not aware of and they give more money to charitable causes. The author said charitable organizations have only limited control over the public's trust because it is also rooted in a general social trust in institutions and fellow citizens. The Author has also found that general social trust increases the amount which people give to charitable causes, even more so when people know about the accreditation system. Sargeant and Lee (2004) explored the relationship among trust, relationship commitment and donating behaviour. The technique of structural equation modelling is used to determine whether trust directly affects giving behaviour or whether its effects are mediated by commitment. The authors found that commitment plays a mediating role. The relationship commitment is maximized by the extent to which trust is present. Finally the authors conclude that communicating antecedents of trust to the donors and delivering a high standard of service from the fundraising department would be likely to increase levels of trust that would, in turn, build commitment and stimulate higher levels of charity giving.

Reinhardt (2009) explored the donor-recipient relationship in nonprofit funding and the effects of signaling on nonprofit resources. Multivariate analysis of data collected shows that donors channel their money to organizations exhibiting higher levels of reliability, accessibility, credibility, reputation and fundraising specialization. The author has found that nonprofits emit these signals through obtaining certification, employing staff members that speak various languages, acquiring the endorsement of international donors, and undergoing third-party audits and donors are giving their money to the most skillful signalers. Larger geographic ranges of service, more fulltime staff and religious affiliation also increase an organization's yearly intake. The author uses a signaling game in his study to sharpen understanding of nonprofit fundraising and

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derive the conditions under which signals will be credible. Interview and survey evidence gathered in Brazil indicate that signals of accessibility, reliability, and credibility attract the highest payoffs.

Sloan (2009) discussed the current landscape of accountability systems and accountability ratings and describes a model for estimating the effect of ratings systems on donor behaviour within the theoretical context of information asymmetry. Hypotheses are tested with nonprofit ratings for New York charities from the Better Business Bureau's Wise Giving Alliance to estimate the effect of accountability ratings on the amount of contributions an organization receives. Results indicate that the Wise Giving Alliance "pass" ratings have a statistically significant effect on the contributions received; however, "did not pass" ratings are insignificant.

Handy et al., (2010) explored consumers' abilities to identify nonprofits and their levels of trust in nonprofits as compared to for-profits and government organizations as well as their proclivity to patronize nonprofits as direct and indirect consumers. From a sample of 1,169 university students they found out that the students are more likely to trust as well as volunteer and donate to nonprofits' than other types of organizations. In purchasing health care and education, they are also more likely to patronize nonprofits. However, most cannot spontaneously identify the status of well known nonprofits, and in this regard they did not differ from the front line staff working for those organizations.

### **Research Gap**

The issue of the donors' trust has received a broad attention of the researchers. Brody, 2002; Gronbjerg, 1993; Salamon, 1999, 2002, 2003; and Weisbrod, 1977 recognized the need for and promoted the use of accountability systems. Some authors namely; Benett & DiLorenzo, 1994; Bies, 2001; Edwards & Hulme, 1996; Kanter & Summers, 1987 and Murray, 2001 focused specifically on the effectiveness of non-profit accountability systems. Sloan, 2009 discussed the systems of accountability and examined the effect of accountability ratings on donor behaviour. Bekkers, 2003 studied the relationship between the donors' trust and charitable giving. He also observed the effect of awareness about the accreditation system on the donors' trust. Sargeant and Lee, 2004 explored the relationship among the trust, relationship commitment and the donating behaviour. Reinhardt 2009 explored the donor-recipient relationship in the non-profit funding and the effects of signaling on its resources. Handy et al., 2010 explored the consumers' abilities to identify the non-profits and their levels of trust in the non-profits as compared to the for-profits and the government organizations as well as their proclivity to patronize the non-profits as direct and indirect consumers. However, no study has been found on the topic of impact of history awareness on the trust and confidence of donors in giving the donation from the available reviewed literature. The present study has been conducted for the same topic with the following objectives.

### **V. Objectives**

The following pinpoint objectives have been set out for the present study.

1. To examine the impact of donors' awareness about AIPCS history on their trust and confidence in giving the donation.
2. To study the impact of extent of donors' awareness about AIPCS history on their trust and confidence.
3. To find out the categories of demographic variables who have more impact of awareness.

### **Hypothesis**

The following two hypotheses have been constructed.

*Hypothesis 1:* The donors' awareness about NPO's history significantly affects the trust and confidence in giving the donation to the same NPO.

*Hypothesis 2:* The extent of awareness about NPO's history significantly affects the trust and confidence in giving the donation to the same NPO

### **Data Collection**

To obtain the data for this study, a survey instrument was prepared, pretested and administered to a sample of 1000 donors of AIPCS. The donors were selected by the systematic random sampling from the list of donors provided by AIPCS. The present study is limited to the donors of the State of Punjab because AIPCS has the maximum number of branches in the State of Punjab. The questionnaire was sent to 1000 donors along with the prepaid return envelope. It was a paper-pencil survey. 348 questionnaires were filled up by the respondents. 44 questionnaires were found to be incomplete and excluded from the analysis. The remaining 304 questionnaires were used for the analysis. Moreover, to test the knowledge of history awareness about the AIPCS, telephone calls were made to all the 304 respondents selected for the analysis. The data were collected during the year 2009 and 2010. The Table 1 shows the demographic profile of 304 respondents.

**Table 1 Demographic profile**

Variable	Category	Frequency	Percentage
Gender	Male	199	65.5
	Female	105	34.5
	<b>Total</b>	<b>304</b>	<b>100.0</b>
Income	Less than Rs. 15,000	165	54.3
	Rs. 15,000 or more	139	45.7
	<b>Total</b>	<b>304</b>	<b>100.0</b>
Education	Undergraduate	90	29.6
	Graduate	88	28.9
	Postgraduate	126	41.4
	<b>Total</b>	<b>304</b>	<b>100.0</b>
Age	Less than 30 years	103	33.9
	31 - 50 years	104	34.2
	51 years and above	97	31.9
	<b>Total</b>	<b>304</b>	<b>100.0</b>
Occupation	Businessperson and Professional	53	17.4
	Government and Private Employees	147	48.4
	Students and others	104	34.2
	<b>Total</b>	<b>304</b>	<b>100.0</b>

Source: Survey of AIPCS donors 2010, N = 304

## VI. Research Methodology

The Chi Square test has been applied for studying the impact of history awareness on the trust and confidence in giving the donation. For examining the relationship among history awareness/extent of history awareness, trust and demographic variables, Hierarchical Log Linear analysis has been used. The Odds ratios have been used to find out the effect size. The IBM SPSS statistics 20 (Evaluation version) software was used for applying the techniques. The tables have been used to demonstrate the results.

### Impact of History Awareness on the Trust And Confidence of Donors: An Evaluation

To know the impact of history awareness on the trust and confidence of donors, the two multiple choice questions were asked from them. The first one was on history awareness about AIPCS and the second on trust and confidence in giving the donation to same. The cross tabulation as presented in Table 2 reveals the impact of awareness about the AIPCS history on the trust and confidence of donors in giving the donation to AIPCS. Out of the total 304 respondents, the 282 respondents (92.80% of total respondents) have been found to be aware of the AIPCS history and remaining 22 respondents (7.2% of total respondents) are having no awareness about the history. Out of 282 respondents, the 227 respondents (80.50% of total respondents who are aware of the history) have high trust and confidence in giving the donation to AIPCS.

**Table 2: Association between awareness and trust**

CROSS TABULATION			Trust and confidence in giving the donation to AIPCS		Total	Odds Ratio
			High Degree	Low Degree		
Awareness about the history of AIPCS	Aware	Count	<b>227</b>	<b>55</b>	<b>282</b>	4.13
		% within Rows	80.5	19.5	100.0	
		% within Columns	95.0	84.6	92.8	
		% of Total	74.7	18.1	92.8	
	Not Aware	Count	<b>12</b>	<b>10</b>	<b>22</b>	1.20
		% within Rows	54.5	45.5	100.0	
		% within Columns	5.0	15.4	7.2	
		% of Total	3.9	3.3	7.2	
<b>Total</b>		Count	<b>239</b>	<b>65</b>	<b>304</b>	3.44
		% within Rows	78.6	21.4	100.0	

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	% within Columns	100.0	100.0	100.0	
	% of Total	78.6	21.4	100.0	
Chi-square test values	8.176 <sup>a</sup> (0.004)*	6.705 <sup>b</sup> (0.010)*	6.915 <sup>c</sup> (0.009)*	(0.012) <sup>d</sup> **	
Symmetric measures	0.162 <sup>e</sup> (0.004)*	0.164 <sup>f</sup> (0.004)*			

Source: Survey of AIPCS donors 2010, N = 304

Note: Figures in parentheses show p values

- a. Pearson chi-square
- b. Continuity correction (Computed only for a 2x2 table)
- c. Likelihood ratio
- d. Fisher’s exact test (Computed only for a 2x2 table)
- e. Contingency coefficient
- f. Phi value ( for a 2x2 table)
- \* Significant at 1%
- \*\* Significant at 5%

With respect to the donors not having awareness, only 12 donors (54.50% of total unaware donors) have high trust and confidence. After meeting all the assumptions of Chi-Square test, it has been found that there exists significant association between awareness about the AIPCS history and trust & confidence in giving the donation to AIPCS. The Pearson chi-square value of 8.176 has been found to be statistically highly significant at 1 percent level. All the other chi-square tests namely continuity correction, likelihood ratio and Fisher’s exact test have confirmed the results of main chi-square test, indicating that awareness about history of AIPCS has a significant effect on trust and confidence in giving donation to AIPCS. The odds ratio indicates that the donors having awareness are 3.44 times more likely to have high trust and confidence in giving the donation than the donors not having awareness. The symmetric measures namely contingency coefficient and phi-value show low degree of correlation between the two variables.

In order to examine the impact of demographic variables on the above said variables namely awareness about the AIPCS history and trust and confidence of donors in giving the donation to AIPCS, the technique of Log linear analysis has been applied. The Table 3 depicts the results of Hierarchical Log Linear analysis of awareness, trust and demographic variables. It starts with the test of K-way and higher order effects. The column two represents the same. It has been found that the demographic variable gender, income and age have shown the significant 2-way and higher order effects. It implies that removing of 3-way and higher order interaction will not have significant detrimental effect on the model. This is due to insignificant interaction of the demographic variables (gender and age) with the trust variable and demographic variable income with the awareness variable. On the other hand, education and occupation have shown the significant 1-way and higher order effects. It implies that removing of 2-way and higher order interaction will not show significant detrimental effect on the model. This is due to insignificant interaction of the demographic variables (education and occupation) with the trust and awareness variables. The variable awareness has found to be the most significant effect in all the five models. It indicates that history awareness plays a significant role in building the trust and confidence among donors.

**Table 3: Hierarchical log linear analysis of awareness, trust and demographic variables**

Demographic variable	K-way & higher order effects	Most important effect in the model	Final model	Odds		Likelihood ratio
				Equation	Ratio	
Gender	2-way and higher order effects*	Awareness	Gender × awareness*	$\frac{\text{Odds}_{\text{aware of history if donor is a male}}}{\text{Odds}_{\text{aware of history if donor is a female}}}$	7.50	3.74
			Awareness × trust*	$\frac{\text{Odds}_{\text{high degree of trust and confidence if donor is aware of history}}}{\text{Odds}_{\text{high degree of trust and confidence if donor is not aware of history}}}$	3.44	
Income	2-way and higher order effects*	Awareness	Income × trust*	$\frac{\text{Odds}_{\text{high degree of trust and confidence if income is Rs.5000 or more}}}{\text{Odds}_{\text{high degree of trust and confidence if income is less than Rs. 15000}}}$	2.44	1.983
			Awareness × trust*	$\frac{\text{Odds}_{\text{high degree of trust and confidence if donor is aware of history}}}{\text{Odds}_{\text{high degree of trust and confidence if donor is not aware of history}}}$	3.44	
Education	1-way and higher order effects*	Awareness	Awareness × trust*	$\frac{\text{Odds}_{\text{high degree of trust and confidence if donor is aware of history}}}{\text{Odds}_{\text{high degree of trust and confidence if donor is not aware of history}}}$	3.44	2.901
			Education*	-	-	
Age	2-way and higher order effects*	Awareness	Age × awareness*	$\frac{\text{Odds}_{\text{aware of history if donor's age falls between 31-50 years}}}{\text{Odds}_{\text{aware of history if donor's age is less than 30 years}}}$	2.36	4.245
			Awareness × trust*	$\frac{\text{Odds}_{\text{high degree of trust and confidence if donor is aware of history}}}{\text{Odds}_{\text{high degree of trust and confidence if donor is not aware of history}}}$	3.44	
Occupation	1-way and higher order effects**	Awareness	Occupation*	-	-	3.523
			Awareness × trust*	$\frac{\text{Odds}_{\text{high degree of trust and confidence if donor is aware of history}}}{\text{Odds}_{\text{high degree of trust and confidence if donor is not aware of history}}}$	3.44	

Source: Survey of AIPCS donors 2010, N = 304

\* Significant at 1%

\*\* Significant at 5%

\*\*\* Significant at 10%

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The Odds ratio of Awareness × trust interaction has confirmed this finding. With the help of Odds ratios, the following four conclusions may be drawn from the Table 3:

1. The donors having awareness are 3.44 times more likely to have high trust and confidence in giving the donation than the donors not having awareness.
2. The male donors are 7.50 times more likely to be aware than the female donors.
3. The donors having income level of Rs. 15000 or more are 2.44 times more likely to have high trust and confidence in giving the donation to AIPCS than the donors whose income is less than Rs. 15000.
4. The donors, whose age is between 31-50 years, are 2.36 times more likely to be aware of history than the donors having the age of less than 30 years.

In order to find out which categories of demographic variables have been more influenced by history awareness, the interaction of awareness and trust variables has been calculated independently with respect to each category of demographic variable. The Table 4 shows the Awareness and Trust interaction of all categories of demographic variables.

**Table 4: Interaction of awareness and trust variables (demographic variable wise)**

Demographic variable	Category	Significance of interaction <sup>1</sup>	Odds ratio <sup>2</sup>	Categories having more impact of awareness on trust & confidence
Gender	Male	Yes*	15.4	√
	Female	Yes***	2.65	
Income	Less than Rs. 15000	Yes**	2.92	
	Rs. 15000 or more	No	3.41	√
Education	Undergraduate	No	1.26	
	Graduate	Yes**	4.71	√
	Postgraduate	Yes**	4.04	
Age	Up to 30 years	No	2.27	
	31-50 years	Yes*	8.62	√
	51 years or above	NA <sup>3</sup>	NA <sup>3</sup>	
Occupation	Businessperson and Professional	NA <sup>3</sup>	NA <sup>3</sup>	
	Government and Private Employees	Yes**	4.71	√
	Students and others	No	1.84	

Source: Survey of AIPCS donors 2010, N = 304

1. Awareness × trust interaction

$$2. \text{Odds Ratio} = \frac{\text{Odds high trust and confidence if donor is aware of history}}{\text{Odds high trust and confidence if donor is not aware of history}}$$

\* Significant at 1 %

\*\* Significant at 5 %

\*\*\* Significant at 10 %

3. Chi-square test cannot be applied due to violation of assumptions.

It has been found that out of thirteen categories, seven categories have shown significant interaction between awareness and trust. Only four categories namely the donors, whose, income is Rs. 15000 or more, age is of not more than 30 years, education is less than graduation and who are students, have shown insignificant interaction. With respect to remaining two categories viz. donors having age of 51 years or above and donors having occupation of business and profession, chi-square test has not been applied due to violation of assumptions. Further the following inferences may be drawn from the Table 4.

1. The impact of awareness has been found more in male donors than the female donors. The male donors, who are aware of history, are 15.40 times more likely to have high degree of trust and confidence in giving the donation than who are unaware of history. However, the aware female donors are 2.65 times more likely to have high degree of trust and confidence in giving donation than the unaware.
2. With respect to demographic variable income, the donors having income level of Rs. 15000 or more have been found with the greater impact of awareness than the donors having income level of less than Rs. 15000.
3. It has been found out that the donors having education not more than graduation have revealed the higher impact of awareness on their trust and confidence than the undergraduate and post graduate donors.
4. The impact of awareness has been observed more in case of donors having age group of 31 – 50 years than the other age groups.

5. The donors, who are government or private employees, have shown the bigger impact of awareness on their trust and confidence than the other categories of occupation viz. business/profession and student.

**VII. Impact of the Extent of History Awareness on the Trust and Confidence of Donors: An Analysis**

As it has been earlier stated in the data collection part, to minimize the socially desirable responding, an attempt has been made to test the knowledge of selected donors about the history of AIPCS. The less percentage of unaware donors (i.e. merely 7.2 percent) insisted to test the same. The two variables has been used to show the results viz. completely aware and somewhat aware. The ‘complete history awareness’ means the donor had a full knowledge of AIPCS history stated in the introductory section of the paper. The term ‘somewhat awareness’ means the donor only knew that, “Bhagat Puran Singh was the founder of AIPCS and he started AIPCS with a crippled child Piara Singh.” The Table 5 depicts the impact of the extent of history awareness on the trust and confidence of donors. It has been found out that 158 respondents (56 percent of total aware respondents) were completely aware of history. However, the 124 respondents (44 percent of total aware respondents) were found to be somewhat aware about AIPCS history. Out of 158 completely aware respondents, 133 respondents (84.20 percent of completely aware) have high degree of trust and confidence in giving the donation to AIPCS. With respect to 124 somewhat aware respondents, 94 respondents (75.80 percent of somewhat aware) have high degree of trust and confidence. After meeting all the assumptions of Chi-Square test, it has been found that there exists significant association between extent of history awareness and trust & confidence in giving the donation to AIPCS. The Pearson chi-square value of 3.101 has been found to be statistically significant at 10 percent level. All the other chi-square tests have confirmed the results of main chi-square test except the continuity correction. It indicates that extent of history awareness has a significant effect on trust and confidence in giving the donation to AIPCS. The odds ratio indicates that the donors, who have complete awareness about history, are 1.70 times more likely to have high trust and confidence in giving the donation than the donors who are somewhat aware. The symmetric measures namely contingency coefficient and phi-value show low degree of correlation between the two variables.

**Table 5: Association between Extent of History Awareness and Trust**

CROSS TABULATION			Trust and Confidence in Giving Donation to Pingalwara		Total	Effect Size
			High Degree	Low Degree		
Extent of awareness about History of Pingalwara	Completely Aware	Count	133	25	158	5.32
		% within Rows	84.20%	15.80%	100.00%	
		% within Columns	58.60%	45.50%	56.00%	
		% of Total	47.20%	8.90%	56.00%	
Somewhat Aware	Somewhat Aware	Count	94	30	124	3.13
		% within Rows	75.80%	24.20%	100.00%	
		% within Columns	41.40%	54.50%	44.00%	
		% of Total	33.30%	10.60%	44.00%	
Total	Total	Count	227	55	282	1.70
		% within Rows	80.50%	19.50%	100.00%	
		% within Columns	100.00%	100.00%	100.00%	
		% of Total	80.50%	19.50%	100.00%	
Chi-Square Test Values		3.101 <sup>a</sup> (0.078)***	2.591 <sup>b</sup> (0.108)	3.080 <sup>c</sup> (0.079)***	(0.096) <sup>d</sup> ***	
Symmetric Measures		0.104 <sup>e</sup> (0.078)***	0.105 <sup>f</sup> (0.078)***			

Source: Survey of AIPCS donors 2010, N = 304

Note: Figures in parentheses show p values

- a. Pearson Chi-Square
- b. Continuity Correction (Computed only for a 2x2 table)
- c. Likelihood Ratio
- d. Fisher’s Exact Test (Computed only for a 2x2 table)

- e. Contingency Coefficient
- f. Phi Value ( for a 2x2 table)
- \*\* Significant at 5%
- \*\*\* Significant at 10%

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In order to find the interaction of demographic variables with the other two variables viz. extent of history awareness and trust & confidence in giving the donation, the technique of Hierarchical Log Linear Analysis has been used. The Table 6 demonstrates the result of analysis. It is apparent from the same table that all the demographic variables have shown the significant 2-way and higher order effects except the gender. It implies that removing of 3-way and higher order effects will not show significant detrimental effect to the models. The variable trust and confidence in giving the donation has been found out the most important effect in all the five models. All the five models contain the significant extent of history awareness and trust interaction. It indicates that the extent of history awareness has shown the impact on the degree of trust and confidence of the donors. The following inferences have drawn from the Odds ratios.

1. The donors having complete history awareness are 1.70 times more likely to have high degree of trust and confidence in giving the donation to AIPCS than the somewhat aware donors.
2. The donors, who are earning Rs. 15000 or more, are 2.34 times more likely to have high degree of trust and confidence than the donors who are getting less than Rs. 15000.
3. The post graduate donors are 2.38 times more likely to have complete history awareness than the graduate donors and 1.79 times more than the under graduate donors. However, the graduate donors are 1.33 times more likely to have complete history awareness than the under graduate donors. It indicates that education plays a significant role in creating the level of awareness and level of awareness plays a vital role in building trust and confidence among donors.
4. The donors, who are studying, are 2.03 times more likely to have complete history awareness than the government and private employees and 1.71 times more than the businessperson and professionals. Moreover business person and professionals are 1.83 times more likely to have complete history awareness than the government and private employees.

**Table 6: Hierarchical log linear analysis of extent of awareness, trust and demographic variable**

Demographic variable	K-way & higher order effects	Most important effect in the model	Final model	Odds		Likelihood ratio
				Equation	Ratio	
Gender	1-way and higher order effects*	Trust	Extent of awareness × trust***	$\frac{\text{Odds}_{\text{high degree of trust and confidence if donor is completely aware}}}{\text{Odds}_{\text{high degree of trust and confidence if donor is somewhat aware}}}$	1.70	4.029
			Gender*	-	-	
Income	2-way and higher order effects*	Trust	Income × trust*	$\frac{\text{Odds}_{\text{high degree of trust and confidence if income is Rs.15000 or more}}}{\text{Odds}_{\text{high degree of trust and confidence if income is less than Rs. 15000}}}$	2.34	2.775
			Extent of awareness × trust***	$\frac{\text{Odds}_{\text{high degree of trust and confidence if donor is completely aware}}}{\text{Odds}_{\text{high degree of trust and confidence if donor is somewhat aware}}}$	1.70	
Education	2-way and higher order effects**	Trust	Education × extent of awareness*	$\frac{\text{Odds}_{\text{completely aware if donor is a postgraduate}}}{\text{Odds}_{\text{completely aware if donor is an undergraduate}}}$	2.38	1.141
				$\frac{\text{Odds}_{\text{completely aware if donor is a postgraduate}}}{\text{Odds}_{\text{completely aware if donor is a graduate}}}$	1.79	
				$\frac{\text{Odds}_{\text{completely aware if donor is a graduate}}}{\text{Odds}_{\text{completely aware if donor is an undergraduate}}}$	1.33	
				$\frac{\text{Odds}_{\text{high degree of trust and confidence if donor is completely aware}}}{\text{Odds}_{\text{high degree of trust and confidence if donor is somewhat aware}}}$	1.70	
			Extent of awareness × trust***	$\frac{\text{Odds}_{\text{high degree of trust and confidence if donor is completely aware}}}{\text{Odds}_{\text{high degree of trust and confidence if donor is somewhat aware}}}$	1.70	
Age	2-way and higher order effects***	Trust	Extent of awareness × trust***	$\frac{\text{Odds}_{\text{high degree of trust and confidence if donor is completely aware}}}{\text{Odds}_{\text{high degree of trust and confidence if donor is somewhat aware}}}$	1.70	11.162
				$\frac{\text{Odds}_{\text{high degree of trust and confidence if donor is completely aware}}}{\text{Odds}_{\text{high degree of trust and confidence if donor is somewhat aware}}}$	1.70	
Occupation	2-way and higher order effects**	Trust	Occupation × extent of awareness**	$\frac{\text{Odds}_{\text{completely aware if donor is a businessman/professional}}}{\text{Odds}_{\text{completely aware if donor is a salaried employee}}}$	1.83	4.758
				$\frac{\text{Odds}_{\text{completely aware if donor is a student}}}{\text{Odds}_{\text{completely aware if donor is a businessman/professional}}}$	1.71	
				$\frac{\text{Odds}_{\text{completely aware if donor is a student}}}{\text{Odds}_{\text{completely aware if donor is a salaried employee}}}$	2.03	
				$\frac{\text{Odds}_{\text{high degree of trust and confidence if donor is completely aware}}}{\text{Odds}_{\text{high degree of trust and confidence if donor is somewhat aware}}}$	1.70	
			Extent of awareness × trust***	$\frac{\text{Odds}_{\text{high degree of trust and confidence if donor is completely aware}}}{\text{Odds}_{\text{high degree of trust and confidence if donor is somewhat aware}}}$	1.70	

Source: Survey of AIPCS donors 2010, N = 304

\* Significant at 1%    \*\* Significant at 5%    \*\*\* Significant at 10%

In order to find out which categories of demographic variables have been more influenced by the extent of history awareness, the interaction of extent of awareness and trust variables has been calculated independently with respect to each category of demographic variable. The Table 7 shows the Extent of Awareness × Trust interaction of all categories of demographic variables. It is apparent from the same table that out of thirteen categories, only four categories (viz. female, income of less than Rs. 15000, age of 51 years or above and students) have shown significant interaction between extent of awareness and trust. The remaining nine categories have shown insignificant interaction.

**Table 7: Interaction of Extent of awareness and trust variable (demographic variable wise)**

Demographic variable	Category	Significance of interaction <sup>1</sup>	Odds ratio <sup>2</sup>	Categories having more impact of awareness on trust & confidence
Gender	Male	No	1.33	
	Female	Yes**	3.06	√
Income	Less than Rs. 15000	Yes***	1.97	√
	Rs. 15000 or more	No	1.64	
Education	Undergraduate	No	1.88	
	Graduate	No	1.13	
	Postgraduate	No	2.13	√
Age	Up to 30 years	No	1.50	
	31-50 years	No	0.86	
	51 years or above	Yes*	3.60	√
Occupation	Businessperson and Professional	No	0.92	
	Government and Private Employees	No	1.48	
	Students and others	Yes**	3.28	√

Source: Survey of AIPCS donors 2010, N = 304

1. Awareness × trust interaction

\* Significant at 1 %

2. Odds Ratio =  $\frac{\text{Odds high trust and confidence if donor is completely aware of history}}{\text{Odds high trust and confidence if donor is somewhat aware of history}}$

\*\* Significant at 5 %

\*\*\* Significant at 10 %

3. Chi-square test cannot be applied due to violation of assumptions.

The following inferences have been drawn from the Table 7.

1. The impact of extent of history awareness has been found more in the female donors than male donors.
2. The donors having income level of less than Rs. 15000 have been found with the greater impact of extent of history awareness than the donors having income level of Rs. 15000 or more.
3. It has been found out that the impact of the extent of history awareness on the trust and confidence among donors increases with the increase in the level of education.
4. The impact of extent of awareness has been observed more in case of donors having the age group of 51 years or more than the other age groups.
5. The donors, who are studying, have shown the greater impact of extent of history awareness.

### VIII. Conclusion

This study reveals the impact of donors' awareness about NPO's history on the trust and confidence in giving the donation to the same. From the above discussion, it can be concluded that awareness about history of All India AIPCS Charitable Society plays an important role in building the trust and confidence among its donors. It has been found that the completely aware donors have high degree of trust and confidence than the somewhat aware donors. Both the hypotheses support the findings of study. This study reveals that the impact of awareness has been found more in male donors than the female donors. However, the impact of extent of awareness is found to be more in female donors than the male. With respect to demographic variable income, the impact of awareness has been found more in the donors having income of Rs. 15000 or more. On the contrary, the impact of extent of awareness is found to be more in the donors having income of less than Rs. 15000. This study further divulges that the level of awareness increases with increase in the level of education and awareness plays a significant role in building trust and confidence among donors. Moreover, the impact of awareness has been observed more in case of donors having the age group of 31 – 50 years than the other age groups. However, the impact of extent of awareness has been seen more in the donors having the age group of 51 years or more. Lastly, this study discloses that the government and private employees have been more influenced by the history awareness.

### **Recommendations to AIPCS**

On the basis of the above findings and conclusions drawn from the analysis, the following recommendation can be made to the AIPCS.

1. AIPCS should create awareness about history, services provided and its contribution to the society through print and electronic media.
2. AIPCS should create history awareness among women of the society because a woman can aware her whole family. In this study, the impact of awareness is found to be much less in the women than men but the impact of extent of awareness is more in women.
3. AIPCS should make the efforts to create history awareness among less educated people by conducting public seminars.
4. AIPCS should also create awareness among young generation because the impact of extent of awareness has been found more in student category.

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## **Globalization and Role of WTO in Promoting Free International Trade**

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**Abstract:** *Since the nineties of the last century and with the end of the cold war, globalisation is the new catchphrase that has come to dictate the world. If we see to the march of development of from early 1700's till date, globalization has almost become the part of international trade. The result is the emergence of the specialization in international trade in term of exchange of the goods, services and resources.*

*Now with the passing of time, globalization has become a deeply rooted phenomenon, and the result is, a product that has been manufactured in the outmost part of the globe could easily find its way into the market at the other corner of the globe. This is globalization in true sense. As this trend become more and more well-established, intellectuals provided it with a theoretical backing for the harmonization of such trend, and the name of that backing was WTO. WTO is one of the most powerful international bodies. In total 134 nation states have acknowledged its vast power. This made WTO to play the role of global government. Its main aim is to promote commercial interests, and any obstacles in the path of development and expansion of global business should be treated secondary.*

*The paper aims to examine the role of WTO in promotion of international trade in today's global environment and the cost that we have to pay for the same...*

**Key words:** *Globalization and Law, WTO, GATT, Free International Trade, International Trade*

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### **I. Introduction**

Since the nineties of the last century and with the end of the cold war, globalisation is the new catchphrase that has come to dictate the world. If we see to the march of development of from early 1700's till date, globalization has almost become the part of international trade. The result is the emergence of the specialization in international trade in term of exchange of the goods, services and resources.

With the passing of time, globalization has become a deeply rooted phenomenon. The result is, a product that has been manufactured in the outmost part of the globe could easily find its way into the market at the other corner of the globe. As this trend become more and more well-established, intellectuals provided it with a theoretical backing for the harmonization of such trend, and that backing was World Trade Organisation (WTO). WTO is one of the most powerful international bodies.<sup>1</sup> Its main aim is to promote commercial interests, and any obstacles in the path of development and expansion of global business should be treated secondary.<sup>2</sup>

### **II. Globalization and Its Meaning**

The term Globalization, now-a-days is known to all and has become an expression of common usage. Different people use this term with different colors representing 'a brave new world with no barriers'.<sup>3</sup> It is a process of interaction and integration among the people, companies and governments of different nations, a process driven by international trade and

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<sup>1</sup> The World Trade Organization (WTO) available at <http://www.ifg.org/wto.html>, last visited on 1/9/12

<sup>2</sup> Thus, the term globalization refers to the increasing interdependence of the countries, organizations and people which is an outcome of increasing combination of trade, finance, people and ideas on a global level and that too in one market place. International trade and cross border investment flows are the main elements of this integration. There are many institutions at the global level that promote globalization and their main task is to regulate and monitor international exchange to ensure that there is cooperation in various areas like finance, cross border investment flow etc. One of them is WTO.

<sup>3</sup> Myneni S R, World trade Organization (Asia Law House, New Delhi, 2010)3

investment and aided by information technology. This process has effects on the environment, culture, political system, on economic development, and on human physical well being in societies around the world.<sup>4</sup>

Globalization is also deeply controversial. Proponents of globalization argue that it allows poor countries and their citizens to develop economically and raise their standards of living, while opponents of globalization claim that the creation of an unfettered international free market has benefited multinational corporations in the Western world at the expense of local enterprises, local cultures, and common people.<sup>5</sup>

### **III. Role and Functions of WTO in Free International Trade**

The protectionism which emerged in international trade after the Second World War gave way to gradual liberalization, comprising both unilateral liberalization and rules-based multilateral liberalization.<sup>6</sup> Globalization is the result of free or less restricted trading in goods, services, technology, and capital among various countries. However there are various confronting issues that restrict the growth of international trade, they are trade barriers, financial assistance, piracy and more specifically violation of intellectual property rights. This happens because of different trading rules, absence of reciprocity, etc. It is here where WTO provides a global platform to the signatory countries to meet and discuss their issues and to come down with generally accepted solutions for smoother transition to greater free trade regimes.<sup>7</sup> Thus WTO actively contributes for the development of bilateral agreements on free trade in goods, services and technology.

WTO is the only international organization dealing with the global rules of trade between nations. The World Trade Organisation came into existence with effect from 1-1-1995.<sup>8</sup> The WTO replaced General Agreement on Tariffs and Trade (GATT). Its main function is:

1. To look after the administration of agreements signed at the Uruguay Round.
2. To keep checks on the implementation of tariff cuts and reduction of non-tariff measures.
3. To examine foreign trade policies of the member nations, and to see that such policies are in tune with WTO's guidelines.
4. To lay down methods for arriving at a harmonious solution in case of trade conflicts.
5. To provide necessary consultancy to the member nations on the development in the World economy.
6. To provide a global platform where member nations continuously negotiate the exchange of trade concessions.

The resultant outcome is the assurance to the consumers and producers who know that they can enjoy greater choice of products and services. At the heart of the system are the

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<sup>4</sup> What is Globalization? available at <http://www.globalization101.org/what-is-globalization/> (accessed on September 12, 2012)

<sup>5</sup> Ibid

<sup>6</sup> Globalization: Opportunities and Challenges, available at <http://www.unescap.org/pdd/publications/regcoop/ch1.pdf> (accessed on September 10, 2012)

<sup>7</sup> What is connection between WTO and Globalization, available at <http://answers.yahoo.com/question/index?qid=20071231230312AAyIiVU>, (accessed September 2, 2012)

<sup>8</sup> In 1947, 23 countries including India signed the General Agreement on Tariffs and Trade (GATT). GATT was created to reduce the tariff barriers. GATT has been replaced by WTO in 1995. WTO is wider in scope. It is concerned with not only reducing or eliminating tariff barriers but also non-tariff barriers such as quotas. In April 2004, the membership of WTO was 147 countries including India.

WTO's agreements<sup>9</sup>, which are ground rules for international commerce and are signed by the trading nations.<sup>10</sup> Following are the main principles of the WTO: <sup>11</sup>

Non discrimination: It implies both foreign and national companies are treated the same. Thus all nations should be treated equally in terms of trade. Reciprocity: Nations should try to provide similar concessions for each other.

Transparency: Negotiations must be fair and open with rules equal for all.

Special and differential treatment: It provides that developing countries may require 'positive discrimination' because of historic unequal trade

#### **IV. Veracity is astringent and not much convincing**

Disputes in WTO are about broken promises.<sup>12</sup> Principally and on paper the above broad objectives sounds good. But when it boils down to reality, the fact becomes the nightmare for the developing nations. The stated aim of the WTO is to promote free trade and promote economic growth. However, the actions and methods of the WTO evoked strong antipathies. Among other things, the WTO is accused of widening the social gap between rich and poor it claims to be fixing. It is argued that the WTO has become a way to force politics into trade causing long-term problems.

WTO has received severe criticism from various third world countries. Some of such criticisms are:

1. The apparent compromises that the WTO has made to its various agreements. One of the examples is the system of tariff brokering (commission) that takes place through WTO itself who aims to reduce barriers to trade. The WTO rules allow a nation to protect certain industries if the removal of tariffs would have undesirable side effects, which include the loss of vital domestic industries. Food production is one of the most common, but steel production, auto production and many others can be added at the discretion of the nation.<sup>13</sup>
2. A tariff is a general tax levied upon all purchasers of a particular product and it can have negative side effects. The proceeds from such tax will go in government treasury. This raises revenue, but the negative aspect of such high price of foreign goods would also compel the domestic makers to raise their prices. As a result, a tariff may also work as a wealth transfer tax that uses public money to support a domestic industry that is producing an uncompetitive product.<sup>14</sup>
3. Another critic is about problems of implementation of the Uruguay Round. The fact is the Northern countries have not lived up to the spirit of their commitments in implementing their obligations agreed to in the various Agreements..<sup>15</sup>

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<sup>9</sup> Such agreements are, Agreement on agriculture, Agreement on Anti-Dumping, Agreement on Customs Valuation, and Agreement on Trader in Services, Agreement on Trader related aspects of Intellectual Property Rights etc.

<sup>10</sup> Essentially, they are contracts, guaranteeing member countries important trade rights. They also bind governments to keep their trade policies within agreed limits to everybody's benefit. The agreements are negotiated and signed by governments. But their purpose is to help producers of goods and services, exporters, and importers conduct their business. The goal is to improve the welfare of the peoples of the member countries.

<sup>11</sup> Shah Anup, WTO and Free Trade, available at, <http://www.globalissues.org/print/article/42>, (accessed September 6, 2012)

<sup>12</sup> Understanding the WTO, available at [http://www.wto.org/english/thewto\\_e/whatis\\_e/tif\\_e/disp1\\_e.htm](http://www.wto.org/english/thewto_e/whatis_e/tif_e/disp1_e.htm), (accessed on September 10, 2012)

<sup>13</sup> The Dark Side of WTO, available at <http://www.investopedia.com/articles/economics/dark-side-of-the-wto.asp#axzz26B8ku5Ze>, (accessed on September 6, 2012)

<sup>14</sup> Ibid

<sup>15</sup> Criticism of the World Trade Organization [http://en.wikipedia.org/wiki/Criticism\\_of\\_the\\_World\\_Trade\\_Organization](http://en.wikipedia.org/wiki/Criticism_of_the_World_Trade_Organization), (accessed on September 1, 2012)

4. Yet another issue pertains to environment, which is constantly ignored. It is argued that in the absence of proper environmental regulation and resource management, increased trade might cause so much adverse damage that the gains from trade would be less than the environmental costs.
5. Introduction of TRIPs into the WTO framework is also disputed under the fear that such non-trade agendas might overwhelm the organization's function.
6. Critics of the WTO challenge that the WTO has not maintained the essential element of transparency. It is never clear which nations are in on the decision-making processes. In such circumstances the politicians can negotiate for regulations that would not be accepted in a democratic process in their own nations. This is often referred to as Policy Laundering.
7. Free market proponents attack the WTO on the grounds that it's an unnecessary entity. Rather than making complicated politicized agreements between nations on what they can and can't protect, free market thinking suggests that trade should be left to companies to work out on a deal-by-deal basis. They believe if the WTO were really designed to encourage trade, it would force member nations to drop all protective measures and allow true free trade, rather than facilitating tariff negotiations.

#### **V. Conclusion**

If globalization lead for and ensures 'free and fair' trade among countries, it is well and good, but the emphasis so far has been on 'free' rather than 'fair' trade. It is in this context that the rich and industrially advanced countries have a role to play. While requiring developing countries to dismantle barriers and join the mainstream of international trade, they have been raising significant tariff and non-tariff barriers on trade from developing countries. Thus, it is important that if the rich countries want a trading system that is truly fair, they should on their own lift the trade barriers and subsidies that prevent the products of developing countries from reaching their markets.

It must be appreciated that there are some grey sides of WTO. Many underdeveloped countries have disparaged the functioning of WTO as an unnecessary and expensive propaganda for international trade. Its functioning has been condemned on the ground that the WTO is a means for developed nations to engage in trade wars and to have forced entry in underdeveloped countries. Whether the WTO is in any way economically beneficial to the underdeveloped counties has always been a contentious issue, the fact remains that it is one organization at the global level that has provided free or less restricted trading in goods, services, technology, and capital among various countries. There are two facts that shall remain: First, Governments, with or without citizen support will likely continue to support the WTO, and Secondly, to attain globalization time is required.

## **Needs Analysis of Second Language Learners with particular regard to their Writing Skills**

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**Abstract:** *The current research study sets out to analyze the course material of the second language learners to check whether it is sufficient to cater their language needs with particular regard to writing skills. One of the major issues in development of writing skills is about learner-centeredness which raises the question: "Is it the role of students to serve academic institutions or is it the role of institutions to serve students?" The answer to this question is obviously the latter which can be implemented in all academic institutions by understanding learners' needs and getting data from them before designing the teaching materials. It is necessary to know what the learners' objectives are, what they are expecting from the course, and the characteristics of their learning habits.*

**Key Words:** *Second Language Acquisition, Middle-school language learners, Needs Analysis, Writing Skills, Role of course material in SLA*

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### **I. Introduction**

Good writing does not just happen. The best writers spend a great deal of time thinking, planning, rewriting and editing. (Elizabeth West)

As compared to other **fundamental skills** such as listening, speaking and reading, writing is the most difficult one because it requires writers to have a certain amount of second language background knowledge about the expression, organization, appropriate language use or specific vocabulary with which they want to communicate to their readers.

**Academic writing** requires conscious effort and much practice in composing, developing, and analyzing ideas. Students' writing in a second language is also faced with **social challenges** related to second language acquisition such as:

1. negative attitudes toward the target language
2. continued lack of progress
3. cultural gap between L1 and L2, and,
4. lack of motivation for learners.

To highlight **socio-cultural effects on writing**, Omaggio (1993) states that the ability to write well is not a naturally acquired skill; it is usually learned or culturally transmitted as a set of practices in formal instructional settings or other environments. Thus, writing skills must be practiced and learned through experience. However, language proficiency and competence depends on the ability to write in the second language in a fundamental way. Therefore, L2 writing instructors should take into account both strategy development and language skill development while working with students.

### **Hypothesis/ Research Question**

The basic question of research looks at: (a) the differences between what students think they need to learn and what their syllabus designers think the students should learn, (b) if what the teachers actually teach meets what students think they should learn, and (c) the kinds of writing problems students have and whether the teachers are aware of them or not.

### **Objectives**

The objectives of the research project are to:

1. Gauge the writing needs of language learners enrolled in grade 7.
2. Analyze these needs with reference to the textbook being used in their classroom.
3. Explore the importance of knowing the learners' choices, to match their needs with teaching strategies.
4. Provide suggestions for improvement of the curricula in practice.

### **Significance of the Study**

1. "Needs Analysis" does give valuable information for teachers and linguists to understand the learners' needs and attitude towards the target language.

2. The intended use of research tools such as questionnaire and analysis of the textbook is meant to elicit the learners' linguistic needs, objectives, their available resources, and some of the instructional factors affecting their language learning, which is aimed to be achieved in the study.
3. The result of the analysis will be helpful in understanding the characteristics of the learners and will also be useful for policy makers, curriculum planners, material designers, language teachers, teacher trainers and those who are interested in the field.

### **Justification of the Study**

Teaching writing skills to non-native students is a very challenging task for teachers because developing this skill takes a long time to see the improvement. In addition, teaching separate writing approaches in the writing class does not fit in a second language context since the weaknesses of each writing approach tend to impede students' writing development. Therefore, writing teachers need to incorporate the insights of the different approaches and apply an integrated/eclectic approach into the writing class for teaching second language learners. The strengths of one approach can complement the other. Moreover, a combination of approaches will make space for the integration of language skills automatically. It will also apply communicative techniques in the classroom and will help the teachers to develop learners' writing competence by providing appropriate input of knowledge and skills in the writing procedure.

### **Definition of "Needs Analysis"**

There is a long history of analyzing students' language needs. All the modern studies show that needs analysis plays an important role in second language or foreign language teaching. A general **definition** of a Needs Analysis according to Brown (2001:272) is "the systematic collection and analysis of all relevant information that is necessary to satisfy the language learning needs of the students within the contexts of the particular institution(s)."

### **Assumption**

The age group, intelligence quotient, cognitive ability and level of understanding of the subjects are assumed to be equal in this research.

### **Limitation**

The researcher cannot analyze the course materials of all the language learners around the country in order to conduct their Needs Analysis.

### **Delimitation**

The research will, therefore, be delimited to the students of one of the middle-class schools in Lahore.

## **II. Literature Review**

This review of the relevant literature is organized into two main parts. The first part will provide a **critical evaluation of current writing approaches**, pointing out not only their benefits but also the drawbacks. Moreover, it will focus on the importance of using these approaches in an integrated manner to improve learners' writing competence in English language. The second part of literature review will be dealing with the importance of a **Needs Analysis** with regards to the students' second or foreign language skills. Besides the significance, it will also state the purpose, validity, reliability, limitations and methods of measuring the needs of the learners.

### **Effective Writing:**

Abisamra (2001) states that a well-written piece can be described as incorporating elements of writing in such a way that a reader can experience the writer's intended meaning, understand his premise, and accept or reject his point of view.

#### **Effective Writing:**

- is focused on the topic and does not contain any irrelevant information;
- The document is properly formatted. It enables the reader to successfully follow the piece of writing from the beginning till the end. Transitional devices can aid the document;
- Follows the conventions of standard written English (i.e., punctuation, capitalization, and spelling). Keen eye is used while referring to the details or sub plots. Impressive or mature writing style needs to be promoted. Monotonous sentences need to be discouraged.

### **Critical Analysis Of Current Writing Approaches:**

#### **1- Product Approach:**

Product-based writing approaches have been called by several names: the controlled- to-free approach, the text-based approach, and the guided composition (Raimes, 1983). Basically, writing in product-based approaches has served to reinforce L2 writing in terms of grammatical and syntactical forms. There is a variety of writing activities in this approach which can raise students' awareness in second language writing from the lower level of language proficiency to advance such as the use of model paragraphs, sentence-combining, and rhetorical pattern exercises.

Writing in the product approach is viewed as a simple linear model of the writing process which proceeds systematically from prewriting to composing and to correcting (Tribble, 1990). However, Raimes (1983) found that product-based writing can in no way be described as linear or as neat as is generally believed:

Contrary to what many textbooks advise, writers do not follow a neat sequence of planning, organizing, writing and then revising. For while a writer's product - the finished essay, story or novel - is presented in lines, the process that produces it, is not linear at all. Instead, it is recursive. (Raimes, 1983: 229)

It is true that product based writing helps instructors raise learners' L2 writing awareness, especially in grammatical structures, but, there are also **disadvantages** highlighted in this form of approach. Writing with this format or view gives little attention to audience or the reader. As great emphasis is placed on the style of writing and the importance of grammar or impressive vocabulary, this style of documentation can be termed as orthodox. Learners tend to lack motivation as the format is too strict or restricts their imaginations and places more importance on writing tasks or language structures

## 2- Process Approach:

Process-based writing is viewed as the way writers actually work on their writing tasks from the beginning stage to the end of the written product. This approach is also viewed as an activity in which teachers promote the usage of imagination and encourages the readers to peel off the boundaries they have set on their ideas. Bounce is given to the exploration of new thoughts. It is less of a grammar exercise and more of a way to aid ones mental creativity. The five-step writing process model is used.

### a) **Prewriting:**

Teachers will provide a writing task which will enable the learners to exercise their brain cells. Through mind jogging effective or appropriate words can be listed. Discussions can brighten the ideas of the learners and improvement of thoughts can take place. This will lead to the piece to be accurately written.

### b) **First draft composition:**

Learners will use whatever they could muster from the group discussions. This includes efficient vocabulary and ideas gathered by the learners.

### c) **Feedback:**

In this writing stage, learners will receive comments from real audiences which can be a writing teacher or their peers and move on to new ideas in another draft.

### d) **Second draft writing:**

Based on the comments of teachers and peers, learners will modify their previous draft by revising, adding, and rearranging ideas.

### e) **Proofreading:**

In the final stage, student writers will not only discover new ideas and language forms to express their ideas in writing but also will realize the importance of vocabulary and effective communication with one's peers in drafting an impressive piece of writing.

Through the writing process, professional writers or even students hardly follow the fixed sequence of writing stages linearly because they have to move back and forth among different writing steps in order to come up with better ideas. This idea is supported by Scott (1996).

Writing processes may be viewed as the writer's tool kit. In using the tools, the writer is not constrained to use them in a fixed order or in stages. And using any tool may create the need to use another. Generating ideas may require evaluation, as may writing sentences. And evaluation may force the writer to think up new ideas. (Scott, 1996:155)

The process approach in conclusion is diverse and unpredictable (Tribble, 1990) while writers try to redefine their ideas and approximate the meaning of what they want to express in their work. Process-based approaches have numerous advantages so it is a well known tool for instructors. The improvement in the writing process is a step by step method. Through the aid of instructors the learners generate proper feedback and

### Needs Analysis of Second Language Learners with particular regard to their Writing Skills

through individual attention the learners get the chance to experience an exclusive and effective way towards the betterment of their writing style.

In spite of being widely used in ESL /EFL context, the major **drawback** of process-based writing is that the learners have to spend quite a long time to complete one particular piece of writing in the classroom which is not practicable in reality. Hence, the effective usage of time isn't emphasized upon.

#### 3- Genre Approach:

The genre approach combines an understanding of genre and genre teaching together in the writing class. It can also be called "English for Academic Purposes approach" (Silva, 1990:17).

Writing in the genre-based approach is regarded as a sub body of the product-oriented approach since learners have an opportunity to study a wide variety of writing patterns, for instance, the business letter, the academic report, and the research paper. Like other writing approaches, the genre-based approach is increasingly used in the L2 writing classroom due to having certain strengths. The focus of writing in this approach aims to integrate the knowledge of a particular genre and its communicative purpose.

Learning to write is part of becoming socialized to academic community finding out what is expected and trying to approximate it...The reader is a seasoned member of the hosting academic community who has well-developed schemata for academic discourse and clear and stable views of what is appropriate. The text is a more or less conventional response to a particular task type that falls into a recognizable genre. (Silva, 1990: 16)

Thus, learning specific genre can be considered as a way to help learners come up with appropriate actual writing in their real life outside the classroom. It also increases learners' awareness of such writing conventions as organization, arrangement, form, and genre. Through the composing process genre-based writing reflects a particular purpose of a social situation and allows students to acquire writing skills consciously by imitation and analysis of each writing genre.

The **limitation** of the genre-based approach is that learners may not have diverse knowledge or have an effective word bank. Hence, hindrances shall arise in effectively communicating the idea to the readers. Another weakness is that the genre approach undervalues the writing skills which learners need to produce a written product and ignores the writing abilities learners have in other areas.

#### The Importance Of Using An Integrated/Eclectic Approach In The Writing Classrooms:

The strengths and weaknesses of each writing approach described in the previous section show that the three approaches go hand in hand. Genre, product, and process should be used as a combination to develop a model to teach and improve students' L2 writing. To integrate each approach in the writing class, teachers may follow the following steps. Teachers should start teaching writing with one approach and then adapt it by combining the strengths of other approaches in the writing classroom. Teaching the writing approaches separately very often results in unbalanced L2 writing performance. Therefore, using the integrated approach in the classroom has the main purpose of enabling learners to transfer the skills they have gained from each approach naturally from one mode to another and thus to produce their writing tasks efficiently. As Silva (1990) says:

In social interaction a knowledgeable participant can create, by means of speech, supportive conditions in which the novice can participate in, and extend, current skills and knowledge to higher levels of competence. (Silva 1990:31)

#### Needs Analysis Of Language Learners:

Richards (1990:2) identified three **purposes** of needs analysis:

1. Providing a mechanism for obtaining a wider range of input into the content, design, and implementation of a language program through involving such people as learners, teachers, administrators, and employers in the planning process.
2. Identifying general or specific language needs that can be addressed in developing goals, objectives, and content for a language program.
3. providing data that can serve as the basis for reviewing and evaluating an existing program.

It is the third purpose which is of concern here, reviewing and evaluating an existing program. Existing programs have established goals designed to meet the needs of their students. These goals are relatively permanent and determine the aims of the course. Needs analysis, however, can identify objectives, which are intended as sources to achieve the goals. In other words, as Brown (2001:36) states, "needs are not absolute, that is, once they are identified, they continually need to be examined for validity to ensure that they remain real needs for the students involved." Many good teachers conduct their own informal needs analysis in their classrooms, but it is a sign of a good language program that routinely conducts needs analysis on a program-wide level.

Various sources of information can be accessed to carry forward a needs analysis, the first one being the students themselves. Learners, however, are not always an effective or reliable source of information in a

needs analysis, but they indeed constitute one of many possible sources; others according to Long (1980:15) are, “experienced teachers and graduates of the program concerned, employers, subject-area specialists, and written sources.” Long (1980) also believes that in many cases learners, even experienced workers/learners, are not fully aware of their language needs, thus the learners’ self-perceptions of their needs are not that reliable.

The most common **method** of conducting a needs analysis is through a questionnaire survey, it allows the researchers to gather much data in the most efficient way possible. But as with the learners’ limited self-awareness of their language needs, questionnaires also have some weaknesses. The researchers cannot be certain whether the data truly reflects what the respondents actually undergo. The problem lies in understanding whether the responses are what it is that they actually do, what they think they do or what they think the researchers want to hear.

In an effort to overcome these weaknesses, Long (1980) emphasizes triangulation, comparing different sets and sources of data. This can include triangulation of sources, e.g. students, teachers, employers; triangulation of methods, e.g., questionnaires, interviews, observations; or triangulation of investigators, e.g., self-observer, peer-observer, outside observer.

Irrespective of its shortcomings, needs analysis is a powerful tool to understand students’ needs and to help the implementation of educational policies in the most effective way possible. In recent years, language teaching is more learner-oriented. Therefore, every subject or idea generated goes back to the learner himself. How his learning experience or his learning objectives pan out is based upon his resources and his capability to learn or ability of grasping new ideas. “[E]verything starts from him and everything goes back to him. It is not merely in relation to him, but with him, and depending on his resources that his learning objectives will be defined, that the methods of judging when and how they have been attained will be selected, and that a curriculum of learning will be made available to him.” (Richterich and Chancerel 1980:4-5) In conclusion, the needs of the learners have to be taken under consideration. The current patterns or formats need to be customized according to the requirements of the learner. It has to be an experience which enhances the learner’s capability of writing an impressive piece while effectively pampering the mental objectives revolving around it .

### **III. Research Methodology**

#### **Research Design**

The current research is designed to study writing needs of the learners. Relevant research tools would be used to understand their linguistic requirements, objectives, resources available and some of the psychological factors which may affect their learning.

#### **Population and Sample**

A total of 15 students, enrolled in grade 7 at Pak Grammar School Canal Bank Lahore, Pakistan, will be selected for the study.

#### **Procedure/ Method**

Descriptive research involves collecting data in order to test hypotheses or answer questions concerning the current status of the subject of the study. Descriptive data are typically collected through a questionnaire, interview or observation. Thus, the current research will adopt a **descriptive method** undergoing the procedure of: 1) selecting sample of population, 2) collecting information through questionnaires and 3) synthesizing findings based on the collected data in order to gauge the **current status** of learners’ writing needs.

#### **Data Collection:**

##### **Sampling Technique**

The sampling technique that the researcher will adopt is that of a **cluster random sampling**. The cluster is already available that is a set of middle-class students of one of the high schools situated in Lahore. Among this cluster a random sample of 15 students (7<sup>th</sup> graders) will be selected.

#### **Research Tools/ Instruments**

This research will be conducted around two major tools of research to explore students’ needs in academic writing: 1) Questionnaire and 2) The Textbook.

##### 1- THE QUESTIONNAIRE: (attached in appendix)

The questionnaire is the main source of data collection concerning students’ writing needs, their reaction towards the content of the textbook and the teaching methods used. It would consist of sixteen questions (four pages) in total. The questions will mainly be closed-ended with options of yes or no. The questionnaire would also include open-ended questions. Closed-ended questions and open-ended questions will both be used due to the practicality and limitations that each type of question has. While open-ended questions will allow the researcher to receive “unexpected answers” (Brown, 2001:36), closed-ended questions provide

more uniformity so that the researcher will be able to get more clear information on what can be found to be in common among a broader range of students.

The questions will be divided into two parts. The part I would be designed about “general information” regarding writing activities and teaching techniques applied in their classroom. Moreover, it will seek to draw general perception of the students about the purpose and significance of academic writing. The Part II is going to be based on the learners’ “personal choices” of the writing components. (A sample questionnaire is attached in the appendix)

## 2- THE TEXTBOOK:

The second source of data collection would be the textbook to investigate whether the material used in the book meets the students’ needs in academic writing or not. The director of the school is the person who selects textbooks for every grade. The textbook being used in Pak Grammar School for class seven is the Book 7 of Oxford series entitled, “Oxford Modern English”, written by Nicholas Horsburgh. It was published in 2000 in New York, Oxford University Press and printed in Karachi, Ibn-e-Hassan Printing Press Pakistan. The principal of the school under investigation stated that Oxford Series of Modern English is being used as a regular syllabus in more than 35% schools of Lahore.

## IV. Results and Findings

### QUESTIONNAIRE DATA ANALYSIS:

#### Part I:

15 students were given the questionnaire and the response rate was 100%. Beginning with Part I, in answer to the first question which was about the students’ fondness of writing activities 11 out of fifteen said ‘very much’ and 4 of them marked ‘yes’. It shows the high rate of students’ interest in writing tasks. In the second question all the 15 students agreed that the purpose of these activities is ‘both’ preparation for exams and practice for real life communication. It expresses a 100% response of students’ satisfaction in terms of writing practice done in their classroom.

In the third question, which was related to the effect of other language skills on writing, 8 students believed that ‘reading’ has the strongest effect on writing, 5 thought ‘listening’ and 2 agreed ‘speaking’ (See figure 1). In the space given for the reason of their choice, they tried to justify their answer. The ones who said it’s reading they mostly believed that reading provides us with new information and also helps us in viewing the right expression of ideas. That’s why, the more we read, the better we can write. Then, the students who said that the strongest effect is of ‘listening’, they wrote that without listening to the instructor carefully and without comprehending what he’s trying to convey the learners cannot express the subject matter effectively in writing. Thirdly, the supporters of ‘speaking’ held that fluency in speech automatically develops our writing skills and makes us confident enough to feel comfortable with writing tasks (and vice-versa).

The above analyzed data of question 3 shows that the students *need* an integration of skills in language classrooms. They are conscious of the fact that all the four macro skills are inter-connected and cannot be taught in isolation from each other.

The fourth question was meant to gauge the learners’ linguistic sensibility, particularly, in terms of writing components. They were asked to identify the techniques that are required for effective academic writing. 100% participants marked all the four elements given in the options (grammar, expression, organization and vocabulary). It advocates that the writing teachers must focus on all these areas which the students themselves feel are crucial to their writing competence.

In answer to the fifth question which was about the teaching style that is followed in their classroom, all the students marked the same option i.e. ‘teacher-student interaction’ while doing written work specifically. This is a good indication which shows that the teacher is concerned enough to extract time for conferencing with every student individually in the class.

However, the students’ response to question 6, which was based on the ‘feedback’ that they receive from teacher, sounds dissatisfactory. Six students said that they get a written feedback, four get oral and five do not receive any kind of comments from teacher (See figure 2). This diversity in the learners’ answers indicates an imbalanced treatment of the teacher in class. Moreover, it also reveals the instructor’s incapability of error management in the students’ work.

In question 7, asking about the improvement of other language skills through writing, for option i (speaking) 10 students said YES and 5 marked NO, for option ii (listening) 9 answered in YES and 6 in NO and for the third option (reading) all the 15 students said YES. So the average rate of 75% students saying YES demonstrates the significance of writing for the development of other language skills (See figure 3).

Question 8 was an open-ended one in which the students named writing activities usually done in their classroom. The students came up with many tasks that were all derived from different approaches. The responses included controlled to free all kinds of writing activities. In the next question which was the last

question of part I, all the learners agreed these activities generate interaction in class, thus can fairly be called communicative in nature.

**Part II:**

Part II of the questionnaire was meant to draw an overall measurement of the learners’ ‘personal choices’ which make the ‘needs analysis’ easier for the researcher. The first question in this section was designed to determine the students’ weak areas in writing. In the first option all the fifteen students believed that they are weak in ‘vocabulary’. For the ‘grammar rules’ 12 of them said YES and 3 answered in no. And for the ‘expression and organization of ideas’ only one marked NO and the rest of fourteen students thought that they need to learn it more for a better writing ability (See figure 4).

The second question contained a list of different types of writing, in which the students had to tell for each type whether they like it or not. For instance, about ‘creative writing’ 14 students said YES and 1 said NO. For ‘letter/ application’ there were 10 YES(es) and 5 NOs. As far as ‘comprehension/ question answer exercises’ were concerned 6 students liked them and 9 disliked. Twelve students were fond of ‘summarizing a text’ and three were not. All the students liked to do ‘research-based writing’ and only four supported ‘translation exercises’ (See figure 5). It reveals that the learners mostly enjoy doing free and less-controlled writing which involves a process of revising, editing and re-drafting.

In answer to question 3 only two students chose to work ‘individually’, 9 wanted to work in pairs and 4 liked ‘groups’ (See figure 6). It shows that the majority of students enjoy working with other classmates because it gives them opportunity to communicate and discuss things with each other. The next question was about the learners’ choice of receiving ‘feedback’ from teacher and all of them desired to get it ‘always’ on their written work.

The last three open-ended questions presented in-depth answers by the students. In their choice of the ‘tests’ most of them expressed ways of being tested beyond the text, such as essay writing, story-making and research projects etc. In the next question based on the problems they have in writing, most of the students had issues related to grammar, form and structure and vocabulary. In the last question asking ‘suggestions for improvement’, the students came up with very interesting and intelligent ideas, some of them are quoted below:

- 1- “The teacher should give us an unseen topic in the end of every class to write about it. It will help us in using our knowledge about things and write it on a paper any time without preparation.” (Sana Saleem)
- 2- “Teachers should show us visuals and then should ask us to write anything about it that we want to write and also in such writings the teachers should not point out mistakes. It will help us in writing openly whatever we want to write.” (Alisha Aftab)
- 3- “The teachers should show us some good writings so that we can see what is the right way of writing and how should we organize ideas.” (Mehreen Mubashir)
- 4- “Me and my friend are weak in grammar we want that our teacher should revise the tenses everyday in class for 10 minutes. It will help us.” (Saima Nawaz)
- 5- “I have a problem in reading from the book in front of other class members. I feel if the teacher will ask me to read something in class which I have written myself it would be easier for me to do that.” (Madiha Fraz)

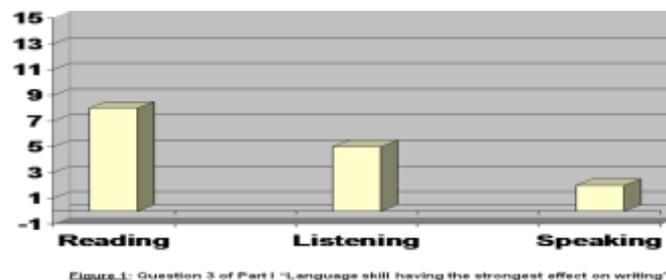


Figure 1: Question 3 of Part I “Language skill having the strongest effect on writing”

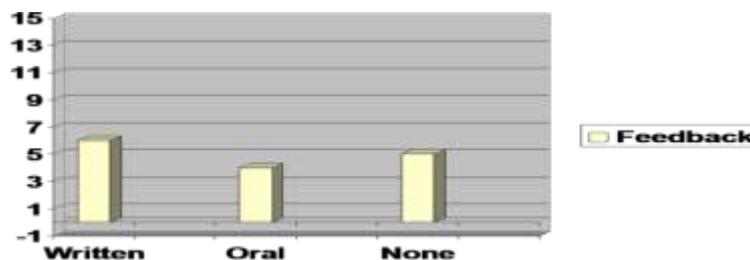


Figure 2: Question 6 of Part I “Students receiving feedback from teacher on written work”

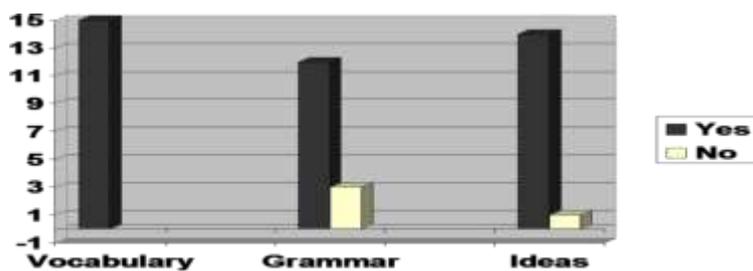
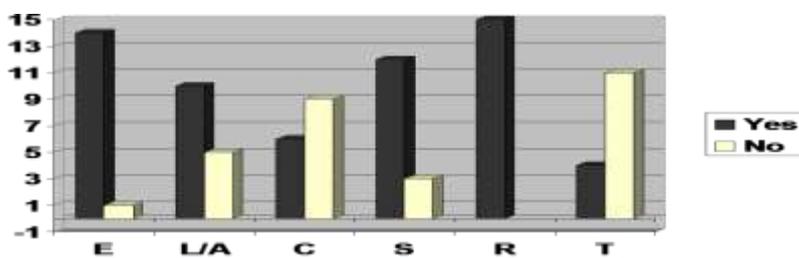


Figure.1: Question 1 of Part II "Techniques/skills that students need to learn more for effective writing"



(E= Basic, L/A= Letter/Application, C= Comprehension, S= Summary, R= Research-based writing, T= Translation)

Figure.2: Question 2 of Part II "Types of writing that the students like"

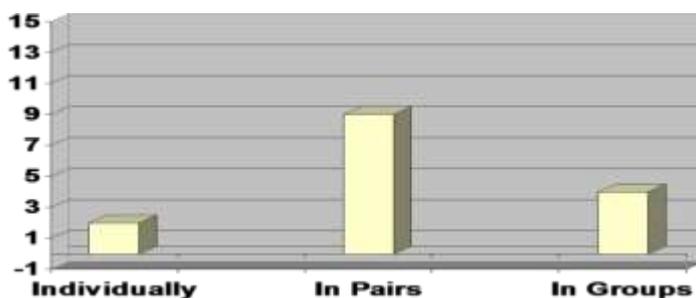


Figure.3: Question 3 of Part II "The style of carrying out activities that students like"

## V. Discussion

### EVALUATION OF THE TEXTBOOK REGARDING LEARNERS' WRITING NEEDS:

The textbook of the seventh graders, "Oxford Modern English" was employed as an instrument for research to investigate whether the material used meets the students' language needs in the class or not.

#### 1- Design:

The book consists of eleven poems, twelve short stories and one play. It follows a *systematic design* that every exercise in the end of the text is divided into three major parts: 1) Comprehension, 2) Vocabulary and 3) Grammar.

#### 2- Approach:

Two kinds of writing *approaches* become prominent while examining the exercises in the book. Some questions are centered on the *product-focused writing* and some of them emphasize *process-based work*. For instance, comprehension exercises typically follow product approach in which the students have to 'familiarize' the text first, then begin to answer the listed questions in which the starting questions are purely 'controlled' and text-based, while the following questions require 'guided' answers and the last question is mostly asking for 'free writing' such as expressing the student's own personal view of a phrase or image given in the text. The process approach is visible in questions like "write a short composition about what you think of hunting as a sport...give reasons for your views" (Textbook, pg. 4). This kind of a work makes the student revise and edit his/her work before writing the final draft.

However, some of the questions in the book present a combination of product and process approaches. For example, 'writing a poem on autumn' (Textbook, pg. 25) is a product-oriented activity which seeks to produce a particular outcome (poem on "autumn"), while it involves a process of adding and eliminating elements for redrafting the student's work simultaneously.

#### 3- Activities:

Moving back to the findings of questionnaire, in question 2 of the second part it was explored that the students are mostly fond of writing *activities* that are less-controlled in nature. Looking at the textbook one

observes that the exercises contain a variety of all types of tasks. For example, students are asked in most of the vocabulary developing activities to use the given words or phrases in sentences of their own. Similarly, they are sometimes given a list of words to look them up in the dictionary (Textbook, pg. 4). These kinds of tasks are typically *controlled* in nature. Whereas, in the same exercises some questions are based on *guided* activities such as identifying adverbs in sentences and stating what verbs they qualify or completing the statement by using an adverb beyond the text (pg. 5). Apart from these, every exercise includes a practice for *free-writing* also. For example, students are asked to write a paragraph on the main idea of the text, compose a poem on their own or write a note on what they feel is the actual concern of the writer in the text etc.

However, these activities cannot as such be called *communicative*, for they are all designed for individual practice. Students are not given a room for interacting with each other while doing the writing tasks. This aspect hinders the capability of the textbook in meeting the learners' need for communication. But according to the data collected through questionnaire, the students believed that the writing work done in their class does generate interaction among themselves while working in pairs and groups. It reveals that the teachers who do not depend upon syllabus designers can possibly make space for discussion in class and transform non-communicative activities into communicative ones.

Nevertheless, the tasks given in the textbook are *authentic* in nature; for they are structured around real life situations such as using a dictionary to look up words, replacing grammatical patterns in sentences with reference to the context and most particularly creative writing on daily life items or actions. The standard of activities parallels the comprehension *level* of seventh graders. There are some tasks which help the teacher in eliciting the learners' *prior knowledge (schema)*, such as writing a short poem on one of the given topics after noting down all the information that the students already have about it (Textbook, pg. 7). Moreover, the activities in the book do not exhibit any kind of *cultural gaps* for the students as the topics are either based on natural objects or human beings in general.

In their response to question 1 of part 2 in the questionnaire, the learners' expressed that they *need* practice in the four major areas of writing: *vocabulary, grammar, expression and organization of ideas*. In their textbook, each reading passage is followed by two sets of exercises. The first section includes comprehension questions, vocabulary extension, sentence building and composition. While the second section places its emphasis on the use of structures, phrases, punctuation and questions dealing with grammar. This design meets the learners' requirement of vocabulary and grammar instruction. For the fulfillment of the rest of two elements that are expressing ideas and organizing content, the students get enough practice in the section of creative writing.

All the activities involve reading and writing skills and most of them *integrate* the two, while listening and speaking are constantly being ignored. There is no task in the book which is intended to develop the learners' listening or speaking skills that the students themselves feel are crucial for the improvement of writing (questionnaire finding).

Despite its very few limitations, "Oxford Modern English" presents a good course for the students. Tasks and topics sound interesting and attractive for the learners. A variety of approaches and types of writing suit the practicality of the subject, for it's not possible for a class to follow one single approach for effective language learning.

## **VI. Recommendations**

It seemed that students are basically receiving what they would like to receive from the class. However, there was a gap between students and instructor in some of the needs in academic writing. One example was about the amount of feedback from the instructor. Some students said that they receive enough oral or written feedback from the teacher, while others do not, and stated that they would like to receive it on their written work "always". These findings suggest that the teachers need to be aware of what the students need or want from their teaching style to meet the needs of the class in a better way.

Moreover, it was discovered in the students' suggestions that they have a desire for exposure to reading model pieces of writing. Thus it is recommended that the learners should be shown good expressions in writing, so that they can read it and grasp the knowledge of techniques that improve one's written performance. The two major flaws in the textbook: 1) non-communicative nature of activities and 2) lack of practice for speech and listening competence can both be resolved through an effective mode of instruction. The application of a communicative approach in teaching will make the learners work together and will also give them an opportunity to listen and speak while carrying out tasks in class.

Credibility of learners as a source for needs analysis greatly increases if they are aware of their own needs. However, as stated before, many of the students are still in the early stage of their academic life, and might not be aware of their own needs. So, it is also important that teachers should make their learners conscious of what they need to learn. This could be achieved by regularly conducting a Needs Analysis in language classrooms on a small scale every month.

## **VII. Conclusion**

Teaching writing skills to non-native students is a very challenging task for teachers because developing this skill takes a long time to see the improvement. In addition, teaching separate writing approaches in the writing class does not fit in a second language context since the weaknesses of each writing approach tend to impede students' writing development. Therefore, writing teachers need to incorporate the insights of the different approaches and apply an integrated/eclectic approach into the writing class for teaching second language learners. The strengths of one approach can complement the other. Moreover, a combination of approaches will make space for the integration of language skills automatically. It will also apply communicative techniques in the classroom and will help the teachers to develop learners' writing competence by providing appropriate input of knowledge and skills in the writing procedure.

It is fairly apparent now through the current research that 'needs analysis' does give valuable information for teachers and linguists to understand the learners' needs and attitude towards the target language. As mentioned earlier that the questionnaire and analysis of the textbook was meant to elicit the learners' linguistic needs, objectives, their available resources, and some of the instructional factors affecting their language learning, which was all successfully achieved in the study. The result of the analysis will be helpful in understanding the characteristics of the learners and will also be useful for policy makers, curriculum planners, material designers, language teachers, teacher trainers and those who are interested in the field.

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## Phrasal Integrity in Magahi Complex Predicates

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**Abstract:** *Complex Predicates (CPs) refer to a sequence of elements such as verb and verb (compound verb) or noun/adjective and verb (conjunct verb) combinations. Complex predicates have become the defining feature of South Asian languages. It forms a phrasal unit and shows the properties of string adjacency. Magahi (a member of the Indo-Aryan language family) appears to follow no such fixed adjacency requirements. There is a considerable variation in the intervening elements within the CPs in Indo Aryan languages in general and Magahi in particular. This paper explores the adjacency gap found in Magahi complex predicates. The elements that disrupt the adjacency of the components of CPs are particles, adverbials, interrogative, negation, and post positions. Our goal is to come up with an analysis of this break of adjacency.*

**Keywords-** *Complex Predicate, Phrasal Integrity, Adjacency, Magahi.*

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### I. Introduction

Syntactically, the two verbs of complex predicate construction form a single unit with respect to movement, co-ordination, and negation. The two verbs in the standard complex predicate construction do not function as heads of independent clauses; rather form a verb complex of a single clause. In this construction, the main verb acts as a complement of light verb construction. The scrambling possibilities demonstrate that the light verb and the main verb can move together as a unit. On the surface, the constituent verbs enjoy a considerable amount of freedom of movement; other syntactic element like adverb can intervene between the constituents; adverb and negation scope over the whole construction and cannot modify one of the components. The analysis of complex predicates often create problem for researchers because of their property of being discontinuously placed in a text for giving some structure information like topic, focus, etc . The three tests (movement, coordination, and modification) <sup>[1]</sup> suggest a strong degree of cohesion between the light verb and the main verb. The question whether they should be treated as a single lexical unit and stored in the lexicon or a phrasal unit as such or they should be generated by some syntactic operations has been debated for years in the literature <sup>[1], [2], [4]</sup>.

Complex predicate has become an areal feature of South Asian languages <sup>[1], [2], [3]</sup>. Among South Asian languages, there are languages like Gojri <sup>[4]</sup> and Bengali <sup>[5]</sup> which do not allow any intervening elements in Complex Predicates. On the other hand, there are languages like Marathi <sup>[6]</sup>, and Hindi-Urdu <sup>[1]</sup> allow intervening elements within Complex Predicates. This paper shows the property of phrasal integrity in Magahi Complex Predicate with the help of intervening and non-intervening elements. This paper consists of four major sections. The first section is of Introduction. The second section is of intervening elements in Magahi complex predicate. The third section is of non-intervening elements. The last section is of conclusion.

### II. Intervening Elements In Magahi Complex Predicate

Complex predicate is a phrasal unit. Although there are some elements which intervenes the sequence of two elements, but it doesn't loses its feature. The intervening element modifies the entire event; and not any one of the elements of the construction. The intervening elements in Magahi complex predicate are limited in number. These are particles, adverbials, interrogatives, and negation words.

#### 2.1 Particles

A particle is a word that doesn't belong to one of the main classes of words. It is invariable in form and typically has some pragmatic meaning. There are some particles that intervenes the sequence of complex predicate construction in Magahi. These are negative particle, relative particle, *to/ta* particle, and intensifier particle. These particles do not appear at the end of the clause, when the particle appears after the light verb in complex predicate construction, is rendered ungrammatical.

##### 2.1.1 Negative Particle

In Magahi, the negative particle *na* can intervene between sequence of both compound verb and conjunct verb construction. The use of such particle is evident in (1) and (2). The particle intervenes in between to show a kind of emphasis on the work/action.

1. *unkhaa jaae laa kah na dahuu* him go for say part. give ‘Please say him to go.’. *unkhar madad kar na dahu* his help do part. give ‘Please, help him.’

In example (1) the negative particle *na* functioning as emphatic marker intervenes between main verb *kah* ‘say’ and *dahu* ‘give’. In the conjunct verb construction as in (2), the negative particle *na* having the same function comes after the noun and verb sequence, that is conjunct verb. Hence we can say that in Magahi the emphatic particle *na* can only intervene the adjacency of compound verb construction and not the conjunct verb construction.

### 2.1.2 Relative Particle

In Magahi the relative particle *je* ‘who/that’ intervenes the adjacency of both compound verb and conjunct verb sequence, as in (3), (4) and (5). The particle *je* breaks the adjacency of the sequence of complex predicate. Its intervene adds the semantic sense of doing the event which should not be done.

3. *raam puujaa kar saka halaii baakii uu khaa je lelaii*  
 Ram worship do can be.pt but he eat part. take.pt  
 ‘Ram can do the rituals but he has eaten.’

4. *raam khus je halaii se unkhar sab batabe maan lelaii*  
 Ram happy that be.pt by his all talks agree take  
 ‘Ram agreed on his all matter as he was happy.’

5. *raam unkhaa kucho naa kah saka hain kaheki baRii pahile* okar madad je karle halthii  
 Ram him little not say can be.pr.H because long back his.NH help that do be.pt  
 ‘Ram can’t say him anything, as since long back, he has helped him.’

In example (3), the relative particle *je* intervenes in the sequence of main verb *khaa* ‘eat’ and light verb *lelaii* ‘took’. In example (4), the relative particle *je* intervenes in the sequence of adjective *khus* ‘happy’ and light verb *halaii* ‘be.pt’. In example (5), the relative particle *je* intervenes in the sequence of noun *madad* ‘help’ and light verb *karle* ‘do’. All the above mentioned examples show that relative particle *je* can intervene in between the sequence of complex predicate construction.

### 2.1.3 Discursive particle

The particle *to* and *ta* are discursive particles. They act in a sentence as intensive or vaguely contrastive or emphatic devices. They can intervene the adjacency of both compound verb and conjunct verb sequence. Such particles are evident in examples (6), (7) and (8).

6. *raam katnaa pyaar ta kara haii aapan parivaar se*  
 Ram lots of love part. do be.pr his family by  
 ‘Ram loves his family a lot.’

7. *raam unkhaa dekhthe khus ta ho gelaii*  
 Ram him seeing happy part. become go.pt  
 ‘Ram became happy on seeing him.’

8. *unkhaa jaa ke kam se kam dekh ta lahuu*  
 him go cp atleast see part. take.H  
 ‘Go and at least have a look of him.’

In example (6), the particle *ta* intervenes in the sequence of noun *pyaar* ‘love’ and light verb *kara* ‘do’ forming conjunct verb construction. In example (7), the particle *ta* intervenes in the sequence of adjective *khus* ‘happy’ and light verb *ho* ‘become/ happen’ forming conjunct verb construction. In example (8), the particle *ta* intervenes in the sequence of main verb *dekh* ‘see’ and light verb *lahuu* ‘take’ resulting to compound verb construction. All these above mentioned examples show that the particle *ta/to* can intervene in complex predicate sequence without changing the meaning.

### 2.1.4 Intensifier Particles

In Magahi, *bhii* ‘also’ is an intensifier particle. The intensifier particle *bhii* can intervene in between sequence of compound verb, as in (9). In case of conjunct verb construction, the particle mainly follows the noun and verb sequence, as in (10). In some cases the particle *bhii* intervenes for adding effort on some action as in (11). In case of adjective and light verb sequence, the intensifier particle can intervene in between, as in (12).

9. *baRii let ho gelaii, ab ohijaa cal bhii jaahu*  
 very late be go.pt now there walk part. go.hon  
 'It's very late, now you go there.'
10. *unkhar madad kar bhii dahu*  
 his help do part give  
 'Help him.'
11. *paDhe me okar madad bhi karhu*  
 study in his help part. do  
 'Do help him in his studies.'
12. *unkhaa ohija dekh ke hamraa achaa bhii laglak aau kharaab bhii*  
 him. H there see CP me good part. feel/attach and bad part  
 'I felt both good and bad by seeing him there.'

In example (9), the intensifier particle *bhii* intervenes between main verb *cal* 'walk' and light verb *jaahu* 'go'. In example (10), the particle *bhii* comes after noun *madad* 'help' and light verb *karhu* 'do' sequence in conjunct verb construction. In example (11), the particle *bhii* comes after the noun *madad* 'help' showing that this should be done along with other activities. In example (12), the particle *bhii* appears in between the sequence of adjective *achaa* 'good' and light verb *laglak* 'feel/attach' in conjunct verb construction. In the entire above complex predicate constructions *bhii* particle is used to intensify the action.

## 2.2 Adverbials

Adverbials cannot appear between the main verb and the light verb, since it cannot modify only the light verb<sup>[1]</sup>. Syntactically adverbials cannot intrude between the two verbs. This shows the restrictions on the modification of the complex predicate construction.

The case is somewhat same in Magahi. In Magahi, the adverbials can intervene in conjunct verb constructions during our discourse but it forms ungrammatical sentences when gets intervened in compound verb constructions. This can be well explained with the examples in (13), (14), and (15).

13. *yaad baRii din par karlii hamanii ke!*  
 remember very day on do us of  
 'You remembered us after a long time!'
14. *tora etanaa khus baRii din baad dekhliba*  
 you this much happy very day after saw  
 'I saw you this much happy after a long time.'
15. *\*apne dikhaaii baRii din par deli*  
 you.H see very day on give  
 'I saw you after a long time.'

In example (13), the adverbial phrase *baRii din par* 'after a long time' intervene in between conjunct verb construction *yaad karlii* in which *yaad* 'memory' is noun and *karlii* 'did' is light verb. In example (14), the adverbial phrase *baRii din baad* 'after a long time' intervene in between conjunct verb construction *khus dekhliba* in which *khus* 'happy' is adjective and *dekhliba* 'saw' is light verb. In example (15), the intervening adverbial phrase *baRii din par* 'after a long time' in between compound verb sequence *dikhaaii deli* generates ungrammatical sentence.

## 2.3 Interrogative

The interrogative words such as *ke* 'who', *kahaN* 'where', *kaise* 'how', *kaahe* 'why' can intervene in between the sequence of both compound verb and conjunct verb. This can be seen in examples (16), (17) and (18). Such intervening interrogatives, question the entire event or action and not the single element of the construction.

16. *tora kah ke delauu ii sab?*  
 you said who give this all  
 'Who said all these to you?'

17. *tor madad ke karlaau?*

your help who do  
'Who helped you?'

18. *tuu etnaa patraa kaise gela?*

you this much thin how go  
'How do you become this much thin?'

In example (16), the interrogative word *ke* 'who' intervenes between compound verb sequence *kah* 'say' and *delauu* 'give'. In example (17), the interrogative word *ke* 'who' intervenes between conjunct verb sequence in which *madad* 'help' is noun and *karlaau* 'do' is light verb. In example (18), the interrogative word *kaise* 'how' intervenes between conjunct verb sequence in which *patraa* 'thin' is adjective and *gela* 'go' is light verb.

#### 2.4 Negation

The negative marker *naa* intervenes in conjunct verb construction as in (19) and (20). Such negative markers do not intervene the compound verb sequence. The light verb drops while negating the compound verb construction and main verb carries all the inflections of the light verb. This can be explained with the examples in (21).

19. *giitaa aapan laikaban par dheyaan naa deba haii*

Gita her children on attention not give be.pr  
'Gita does not pay attention on her children.'

20. *unkhaa dekh ke uu khus naa holaii*

him see cp he happy not became  
'He did not become happy on seeing him.'

21. a. *\*ham khaa naa lelii*

I eat not taken  
'I have eaten.'

b. *ham naa khailii.*

I not eaten  
'I haven't eaten.'

In example (19), the negative marker *naa* 'not' intervenes in between conjunct verb construction in which *dheyaan* 'attention' and *deba* 'give'. In example (20), the negative marker *naa* 'not' intervenes in between conjunct verb construction in which *khus* 'happy' and *holaii* 'became/ happened'. In example (21a), we see that the negative marker can't intervene the compound verb sequence *khaa* 'eat' and *lelii* 'take'. It rather comes before the main verb which incorporates the feature of the light verb as well. As in example (21b), *khailii* 'eaten' incorporates the light verb *lelii* 'taken' in main verb only.

#### 2.5 Post-Position

In complex predicate construction with *caah* 'want' as a light verb, the post-position *ke* 'of' intervenes the adjacency of the two elements, i.e. main verb and light verb. This is evident in example (22a). This type of constructions occurs only with those which give the sense of suggestion. The intervening of *ke* does not occur in all complex predicate construction with light verb *caah* 'want'. It is not necessary that the infinitive construction with light verb *caah* must have post-position *ke* as intervening element. This is evident in example (22b).

22. a. *okraa roj dudh piye ke cahiaii*

he.NH daily milk drink of want.NH  
'You should take/drink milk daily.'

b. *\*riinaa ghare jael ke caahiit haii*

Rina home go of want.inf be.pr.NH  
'Rina wants to go home.'

In example (61a) of Magahi, the post- position marker *ke* 'of' occurs in between main verb *piye* 'drink' and light verb *cahiaii* 'want', giving the complex predicate construction *piye ke cahiaii* 'should drink'. The

sentence in (61b) is ungrammatical with post-position *ke* intervene in infinitival complex predicate construction *jaael caahiit* ‘wants to go’.

### III. Non-Intervening Elements In Magahi Complex Predicate

In some cases, the complex predicate sequence follows a strict adjacency pattern. If the elements intervenes the sequence, then generates ungrammatical sentences. This section discusses those elements such as quantifiers, auxiliaries and conjoining elements which cannot intervene in Magahi complex predicate constructions.

#### 3.1 Quantifiers

Quantifiers are words that express some quantity. In Magahi, the quantifiers such as *kucho* ‘something’, *koi* ‘anybody’, etc. cannot intervene the sequence of complex predicate construction. Its intervening can generate ungrammatical sentences as in (23).

23. a. *kucho khaa le*  
 something eat take  
 ‘You eat something.’

b. *\*khaa kucho le*  
 eat something take  
 ‘You eat something.’

The quantifier *kucho* ‘something’ in example (23a) precedes the complex predicate construction. In example (23b), the sentence becomes ungrammatical when it intervenes in between the sequence of complex predicate. Quantifiers cannot intervene in complex predicate constructions.

#### 3.2 Auxiliary

Auxiliary in a sentence always comes at the final position. In complex predicate construction it always comes after the light verb. It cannot intervene the sequence of complex predicate. This is evident from examples in (24).

24. a. *raam khaanaa khaa lele haii*  
 Ram food eat take be.pr  
 ‘Ram has taken the food.’

b. *\*raam khaanaa khaa haii lele*  
 Ram food eat be.pr take  
 ‘Ram has taken the food.’

In example (24a), the sentence is grammatical because auxiliary *haii* ‘is’ is coming at the final position. The sentence in (24b) is ungrammatical because the auxiliary *haii* ‘is’ is intervening the complex predicate sequence *khaa lele* ‘has eaten’.

#### 3.3 Conjoining element

The conjoining element such as *aau* or *aur* ‘and’ cannot intervene the sequence of complex predicate construction, as in (25). It generates ungrammatical sentence. The construction becomes ungrammatical as well if it conjoins the two actions carrying same light verb as in (26a). The two main verbs carrying same light verb shows two different actions. The use of same light verbs for two events cannot restrict their occurrence individually in a sentence. Two separate events occurring in complex predicate construction occurs separately. This is evident in example (26b).

25. *\*raam khaa aur lelaii*  
 Ram eat and take

26. a. *\*raam khaa aur paDh lelaii*  
 Ram eat and read take  
 ‘Ram has eaten and read.’

b. *raam khaa lelaii aur paDh lelaii*  
 Ram eat take and read take  
 ‘Ram has eaten and read.’

The example in (25) is ungrammatical because the conjoining element *aur* is conjoining the elements of a single event of 'eating'. The complex predicate *khaa lelaai* 'has eaten' is showing one action. The example in (26a) is ungrammatical because the conjoining element *aur* 'and' is intervening in between two complex predicate construction *khaa lelaai* 'eaten' and *paDh lelaai* 'read'. The sentence in (26b) is grammatical as the conjoining element *aur* joins the two separate complex predicate constructions *khaa lelaai* 'has eaten' and *paDh lelaai* 'has read'.

#### IV. Conclusion

Thus complex predicate forms a phrasal unit and shows the properties of string adjacency. In Magahi, complex predicate shows the adjacency gap at the surface level by the intervening elements, but syntactically and semantically form a single unit. It together forms the verb phrase. Both the intervening elements and non-intervening elements in Magahi complex predicate construction show that complex predicate construction is a phrasally an integrated phenomenon. The intervening elements such as particles, adverbials, negations only qualify or show addition of force to the action. Intervention doesn't affect the occurrence of complex predicate. Complex predicates still remain one syntactic unit representing a single event. Hence at surface level, it may look like two morphological units but at deep level it represents a single action.

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## **Seasonal Migrants and Advocacy:**

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*"I have no other option than to migrate to nearby sugar-cane plantation in urban areas... The agriculture here is rain fed and we are left with-out work for about 8 months. Though we face hardships at the plantation... we need to feed our family and so we migrate. I wish I don't have to migrate..."*

- (Voice of the vulnerable; Taklipada in Dangs District, Gujarat.)

The purpose of this study is to understand and voice out the problem faced by seasonal migrant tribals and their children. According to an estimate, nearly one quarter of Asia's poor live in mountain areas. They are rain-fed farmers, forest dwellers, highlanders and indigenous people (UNDP 1997). Similarly, it is estimated that nearly 60 per cent of the world's population live in marginal lands, a large proportion of which are prone to frequent shocks of droughts. Hence, about half of the two million people living in dry land regions are likely to be poor (UNDP 2001). The above evidence suggests a spatial concentration of poverty world over, and the critical importance of mobility.

### **I. Advocacy**

The voice of these poor vulnerable minorities is mostly not heard, and therefore the need for advocacy rises. An advocacy campaign is a set of actions targeted to create support for a policy or proposal. Non-governmental organizations (NGOs) and human rights defenders around the world are working to advocate for the protection of the underprivileged and the minority groups from being discriminated against any kind of fundamental violation of the right to life, liberty and security of person. This paper looks to advocate the exploitive conditions in which the tribals seasonally migrate, who are exploited sugarcane plantation owners.

Advocacy looks to advocate and makes efforts to change policy to practice at the local, national or international level; and to change the situation for groups of individuals as a whole who share similar problems.

### **Seasonal migration in Gujarat and need for advocacy**

The economy of Gujarat is considered an advanced and dynamic regional economy of the country. It is growing at a consistent rate in the past few decades. As compared to the 80s, economic growth in Gujarat picked up remarkably in the 1990s; the rate increased from 5.7% to 8.1% per annum (against the all India rates of 5.6% to 5.9% per annum). In fact it was the highest rate recorded amongst the major states (A Kohli, 2006). The state has experienced rapid industrial growth in the post-reforms period (SP Kashyap and D Awasthi, 2005, A Kohli, 2006). Good infrastructure, productive labour force and a prolonged record of pro-business government were the initial advantages that triggered the growth spurt of more than two percentage points in the 90s over the 80s decade.

However, a major constraint on growth in Gujarat is the poorly endowed natural resources, which are distributed unevenly and also managed inefficiently. Regional variations in rainfall availability are very high, two years in every five are drought years and rainfall is concentrated only in 3-4 months. Most of the rivers are small and seasonal.

The developed irrigation potential is only around 37% of the cultivated area. Therefore, state is facing severe environmental degradation in several regions. The major problem areas are the desert and semi-desert areas of the north, the saline coastal areas of Kutch and Saurashtra and around the Gulf of Khambat. There is also declining vegetation and soil erosion in the eastern tribal belt from Sabarkantha in the north to Dangs in the south, which is degraded due to deforestation and consequent erosion of soil. This has led to seasonal migration in lean season in search of work for livelihood.

In the southern region of Dangs, there is unavailability of employment through the year leaving the rural poor with no other option than to migrate for employment. This reality also needs to be brought to the fore. There are NGOs lobbying for them, but since not much study has been done on them, it has remained neglected for long and government has done too little.

## II. Research Methodology

### a. Study Design

This is a descriptive study on seasonal migrant tribals. The researcher has attempted to describe the situation of the seasonal migrant tribals and children of Dangs district, Gujarat in detail. It describes the reason for migration, and the exploitation they face as they migrate to sugar cane plantations for harvesting. Further, the social, economic and living condition at the place of migration is also described.

### b. Sample Design

#### Population

The seasonal Migrant tribal comprise the population size for the purpose of the study.

#### Unit of Analysis

The tribals who seasonally migrate in Dangs district, Gujarat comprise the unit of analysis for the study.

#### Sample procedure and Size

Purposive sampling was adopted. The primary consideration for purposive sampling is that, the researcher only goes to those people who are likely to have required information and are willing to share it. The size of the sample is 50 families.

#### Analysis Design

The researcher used descriptive narration to analyse the data. Diagrammatic presentations are also used.

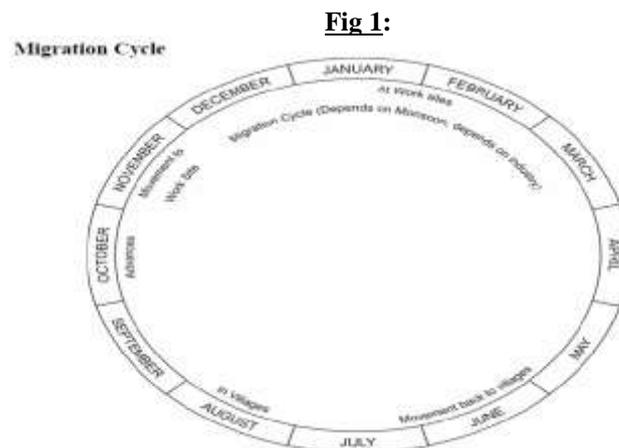
### c. Methods of Data Collection

Primary and secondary data were gathered. The main tool used to collect the primary data was Interview guide. The interview guide enabled the respondents to share the life condition, experiences and was not strictly restricted to the questions. The data collected was qualitative data. The researcher spent time with the migrant for a couple of weeks to understand the problem in detail.

## III. Major Findings

### a. Seasonal Migrants of Dangs

The tribals migrate because they need to earn money to support their livelihood. Among them a few voiced that they migrated for food, family care and to support their children. The seasonal migrants also migrate with their children. Almost everyone voiced that they migrate to sugarcane plantation for sugarcane cultivation. The migration cycle as described by the migrants is seen in Fig 1.



### b. Social Condition

They are placed just besides sugar plantation plain fields or by the river beds in small huts made of tarpoi, bamboo and plastic to protect themselves from rain. The seasonal migrant tribals fight among themselves to occupy a good area of land for stay, in order to have access to river or stream if near-by. The contractors provide them with ration of 25 kgs Javar in every 15 days.

The waste or leftover shoots of sugarcane left in the field are sold by the migrants and their children (migrate along with the parent). By selling these shoots they buy vegetables and thus cook their food. Near-by the working sites in about 1-10 kms the contractors arrange for the accessibility to hospital or provide a clinic.

The living conditions are very bad with no proper drainage and cramped. The land is terrain and uncomfortable to construct tents.

Therefore there is a need for improved living condition and proper health facility for the migrants.

**c. Education:**

Small children who migrate with the parents are left in the tents on their own or play around the fields where their parents work. Sometimes young children drop out of school and migrate along with the parents to take care of the little ones. Young boys and girls over the age of 12 or 13 drop out of school, and migrate with their parents to have fun and to roam around. They take up small jobs like collecting shoots and selling them and do the work same as the parent and other works as the elders. But the majority of the parents leave their children in their village to attend school and they migrate. There are few NGOs who run seasonal schools or ashram for the seasonal migrants' children. But proper steps need to be taken to avail the child care and facilities for the school.

**d. Health**

During migration the common illness faced are diarrhoea, viral infections, stomach-aches, flu and back-aches. The sugarcane contractors provide a private health clinic where the migrants could avail medical facilities. The migrants need to travel 12-20 kms to avail an urban hospital for their illness. Deaths also occur in the sugarcane plantations because of snake-bites and other accidents. The children are the most vulnerable in this situation.

Proper sanitation facilities also need to be set-up. The accessibility to medical facility also needs to be improved.

**e. Work & Pay**

The sleeping time of the labourers is very rare. They sleep only for one or two hours a day during lunch or dinner breaks. Their timings are very tough. They work round the clock for 21- 24 hours a day. They seasonally migrate for 4-8 months. They need to be available whenever a truck comes to pick up the load. In the sugar plantations the labourers have to harvest the sugarcane and load them in the truck. Every day they fill up 2-3 trucks and 15-16 people work in loading the truck. They should harvest the sugarcane and load the trucks and it takes nearly 8-10 hours to fill one truck. One truck can carry 15 tons of sugarcane. They workers work in pairs. And for every tone the contractor are to be paid 170 rupees per pair. But the contractor pays the migrant 70-80 rupees per person for a days work.

The migrants' tribals take loans from the contractors and moneylenders, before they leave from their villages for day-to-day expenses or other needs. The moneylenders and contractors give them loan at 50% interest and subtract the loan in their income; otherwise they are bonded to migrate again to pay-off their loans.

**f. Positives and Negatives in migration**

The living conditions and the work are very bad and degrading. They do heavy physical labour all day long without sleep in a hot weather. They are forced to adjust in these conditions as they have to earn money for their needs. The agriculture in their villages in the hills is rain-fed and is seasonal and they migrate to these fields to work out of compulsion.

The only comfort remaining that the tribal are able to earn money and find employment in the lean season.

#### **IV. Recommendation**

It is necessary for Government or Non-governmental Organisation (NGO) to take a few steps to reach out the vulnerable migrants and their children...

1. Establish the necessary conditions for the effective access of seasonal workers to the full respect of equal treatment regarding work conditions, social rights and access to legal redress.
2. The seasonal migrants and their children should have access to basic services like water supply, shelter and social security.
3. The seasonal migrants and the children need to have access to essential food grain and use ration card at the place of migration.
4. They also need access to child care services such as birth registrations, child care and education for their children.
5. They also need to have access to financial security, savings and proper subsidised loans.
6. Advocating at the state level for policy solutions that will benefit the seasonal migrant and their children.
7. Disseminating information and resources to the seasonal migrant tribals.
8. Stimulating the creation of new health access points and the expansion of medical capacity and services for seasonal migrants.

## V. Conclusion

There are not many NGOs and individuals lobbying and advocating to offer decent working conditions and comprehensive social protection measures which are vital to guarantee a standard of rights which is common to all workers, including seasonal workers. Seasonal migration is not a substitute for economic development. Industrial development continues to be highly concentrated in nature and the new investments too are veering towards the existing industrialised regions. There are thus tremendous spatial imbalances in the levels of development. The hill districts where the tribal population resides comprises 15 % of the population yet 43 % of the rural poor in the state are concentrated in this group. These hill districts do not experience trickle down of growth benefits and very little employment or income growth has been witnessed here.

Government need to generate work, where these migrant tribals are not exploited and provide schemes to improve their agriculture in their respective village, so that they don't migrate. The government and the employers of the seasonal migrants need to view seasonal migrant workers not merely as economic units but as human beings; reinforce complaints mechanisms and strengthen rules on labour inspections to monitor the conditions. They also need to provide childcare and educational facilities for the children who migrate along.

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## **Protection of Traditional Knowledge in India by Patent: Legal Aspect**

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**Abstract:** *Protections of the Traditional Knowledge of the local and indigenous communities seem to be one of the most contentious and complicated issue. The historical development of the protection of intellectual property in the wake of individual private property rights, pushed, the traditional knowledge and the innovative practice based on the it outside the purview of the formal intellectual property protection regime. The need to protect the traditional knowledge captured the attention of the international community only recently but the standard setting was left to the national governments.India an abundant knowledge about the traditional value of various forest products.Natural populations of around 12% of the 6000 species of potentially medicinal plants are currently estimated to be under threat due to degradation and loss of habitats alongside unsustainable ways of harvesting and lack of cultivation.*

*Various suggestions have been advanced in India to extend protection to knowledge, innovations and practices. These include:*

- 1. Documentation of TK;*
- 2. Registration and innovation patent system; and*
- 3. Development of a sui generis system.*

*It is sometimes believed that proper documentation of associated TK could help in checking bio-piracy. Documentation could be a double-edged sword. It is assumed that if the material/ knowledge are documented, it can be made available to patent examiners the world over so that prior art in the case of inventions based on such materials/knowledge are/is readily available to them.*

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### **I. Introduction**

Protections of the Traditional Knowledge of the local and indigenous communities seem to be one of the most contentious and complicated issue. The historical development of the protection of intellectual property in the wake of individual private property rights, pushed, the traditional knowledge and the innovative practice based on the it outside the purview of the formal intellectual property protection regime. The new millennium poses serious challenge to the international legal community to set new international legal standard for tackling the problem of intellectual property protection throw open by the technology developments. Traditional Knowledge was treated as Knowledge in the public demans for free exploitation without showing any respect or concern for the effort taken by the communities to preserve and promote the same.

The new technological developments, particularly in biotechnology, clearly demonstrate the significance and usefulness of traditional knowledge for the development of new product of commercial importance. Traditional knowledge (TK) associated with the biological resources is the knowledge about a country's biodiversity; the applied uses and applications of biological resources and the prevalent practices. TK has direct correlation with the biodiversity of the country. It is an intangible component of the resource itself. TK has the potential of being transformed into commercial opportunity, providing useful leads for development of products and processes. Hence, a share of benefits must accrue to creators and holders of TK .TK valuable in global economy, Important for biotechnology based industries industry and agriculture, Traditional societies depend on it for their food and healthcare needs, Important for conservation and sustainable development of environment and management of biodiversity, Food security of the country is linked to protection of TK .Need to enable tribal communities to harness TK for their economic uplift and growth Fast mobility of tribal societies.

### **II. Meaning Of Traditional Knowledge**

Traditional Knowledge (TK), variously referred to as 'traditional knowledge', 'traditional ecological knowledge', 'local knowledge', 'folk knowledge' is knowledge developed by local and indigenous communities over time in response to the needs of their specific local environment. The World Intellectual Property Organization (WIPO) defines traditional knowledge as "indigenous cultural and intellectual property," indigenous heritage," and customary heritage rights .

The need to protect the traditional knowledge captured the attention of the international community only recently but the standard setting was left to the national governments. The absence of the international

standards, that causes serious negligence for the protection of the traditional knowledge and the benefits of new technology.

### **III. Patents And Traditional Knowledge In India**

A little publicized fact about India is that there are around 100 million forest dwellers in India, most of whom belong to tribal communities. The forests provide them with sustenance, providing both timber and non-timber forest produce. In turn, the forest dwellers have over the centuries gathered knowledge from the natural environment around their community.

This community has in one sense been thankfully insulated from the ways of modern man and has carried on the traditions of their ancestors. As a whole, the forests and its dwellers gives to India an abundant knowledge about the traditional value of various forest products. The way intellectual property rights have been designed in modern commerce, traditional knowledge cannot be protected. For instance, traditional knowledge cannot be patented because such knowledge lacks inventive character, because of the inherent lack of novelty.

Traditional knowledge is also often held collectively by communities, rather than by individual owners. This traditional knowledge is information that is transmitted from generation to generation generally within the community or within families within the community in an oral form without any adequate documentation. This has caused traditional knowledge to be undervalued and marginalized. In fact, one of the fears in these communities is that if the knowledge were to be documented it would have been lost to the community by expropriation.

In India, the Forest Act itself acknowledges this fact and provides a framework for documentation of such knowledge and the nature of evidence required for recognition of the rights of these communities in the intellectual property in respect of such knowledge. The provisions of the Biological Diversity Act and Forest Rights Act of 2006 both provide a shield for tribal traditional knowledge, by, one the one hand, respecting and protecting the knowledge of the local communities related to biodiversity and on the other, declaring that the intellectual property rights, in such knowledge belongs primarily to members of the community collectively.

In broad terms, patents can be defined as exclusive rights granted for an invention - either a product or a process - that offers a new technical solution to a specific problem. A patent implies the grant of a "monopoly" to an inventor who has used his knowledge and skills to produce a product or process which is new, involves an inventive step and is capable of industrial application.

The TRIPS Agreement also has some provisions having limited application to the protection of Traditional Knowledge. The obligation to protect geographical indications can be used to protect traditional knowledge if associated with the indication used for production and sale of goods. It is made clear that a given quality, reputation or other characteristics of the goods essentially attributable to its geographical origin are to be considered in identifying the geographical indications for protection. Thus it may be possible for protection through geographical indication the traditional knowledge associated with goods.

Disclosing traditional knowledge which forms part of an invention and of the state of the art or prior art will promote the progress of science by creating an incentive for the maintenance of traditional knowledge systems. This will happen by traditional knowledge being widely and universally accepted within "western" or "modern" innovation protection systems and becoming a reference point within the regular operations of the international patent system.

### **IV. Traditional Knowledge In Danger**

The national knowledge commission India recommended to protect traditional knowledge and said - **Establish goals for conservation of natural resources:** Natural populations of around 12% of the 6000 species of potentially medicinal plants are currently estimated to be under threat due to degradation and loss of habitats alongside unsustainable ways of harvesting and lack of cultivation. The problem of growing scarcity also leads to the danger of more counterfeit material being marketed. It is therefore necessary to support conservation and sustainable harvesting efforts in the forestry sector and cultivation in the agricultural sector. Direct support for conservation and cultivation as well as indirect methods through incentive policies should be pursued for nurturing these plant resources. The wild gene pool of India's medicinal plants should be secured, via establishment of a nation wide network of 300 'Forest Gene Banks' across the 10 bio-geographic regions of the country.

**A. Support non-Government and corporate initiatives for promotion of THS:** The non-government and private sector have played an important role in building the public image of traditional health sciences. Non-governmental research and education institutions, NGOs and corporate with a global vision must be strategically supported in the interest of enhancing national and international awareness of India's rich health system heritage.

**B. Promote international cooperation:** International cooperation in exploration of traditional health systems

must be given a big boost through substantial initiatives like strategic research collaborations with reputed research centres and establishing wellness centers in countries that offer promising market opportunities.

EXIM bank of India must be supported to work with industry to open world markets for these products and services.

**C. Support primary healthcare in rural areas:** With 70% of Indian population relying on traditional medicine for primary health care in the absence of adequate state primary health care, it becomes necessary to establish evidence-based guidelines for this informal-sector usage. A nation-wide network of Home Herbal Garden and Community Herbal Gardens (CHG) can be created to support the primary health care needs of rural communities for those plants and medications established as efficacious by evidence-based research.

**D. Create a major re-branding exercise of Indian traditional medicine:** Better branding of Indian traditional medicines proven to be effective in well-designed clinical trials can increase safe and effective healthcare options. Such proven medications should be integrated with the national healthcare system. Such evidencebased, well-validated and uniquely Indian holistic healthcare system combinations must be marketed extensively globally.

In order to achieve these goals as rapidly and efficiently as possible, the Government of India may consider establishing a National Mission on Traditional Health Knowledge (NMTHK), which would take up these tasks in an organized way. It should be a relatively small body in terms of its own infrastructure with powers to enable it to recommend targeted funding in identified areas. It should support initiatives at many different levels, including state and local levels, and coordinate with Ministries of Health, Science & Technology, Forestry, Agriculture, and Commerce as well as with the NGOs and private sector. The Mission leader must be a person with high public credibility, have extensive knowledge and experience in the field with established managerial capabilities and experience of dealing with all the concerned stakeholders.

The above mention facts shows importance of protection of Traditional Knowledge in India and indicate Traditional Knowledge is in Danger , some other reasons are following –

**ENCROACHMENT, BI-PROSPECTING AND BIO-PIRACY:** One of the biggest threats to biodiversity and related traditional knowledge is ever-increasingly bioprospecting activities on behalf of entobotanists, pharmaceutical companies and others who wish to profit from the rich biodiversity and traditional knowledge in indigenous territories.

Current legal systems are inadequate, allowing for the biopiracy of biodiversity and traditional knowledge. “Legislation is required and it is required yesterday,” says Noiwazi Gcaba, a South African patent attorney.

**DEVOLUTION:** As demand for commercialization of biodiversity and traditional knowledge increases at a rapid pace and as the world globalizes, develops and modernizes, indigenous societies are being encroached upon faster than traditional knowledge can be protected. Their cultures and knowledge are being lost. In many parts of the world, the very existence of indigenous societies is under threat

## V. Inadequacy Of Legal System That Address Traditional Knowledge

This point is divided into two major sections:-

### 1. General issues relating to the protection of traditional knowledge.

Devolution, encroachment, the bio prospecting rush, lack of appropriate legal systems and a clash of systems all make traditional knowledge highly vulnerable to Biopiracy. Several traditional plants and related knowledge in Asia, specifically India, have also been allegedly falsely patented by the US patent office, including: Neem, Haldi, pepper, Harar, Mustard, Basmati rice, Ginger, Castor, ‘Jaramla’, ‘Karela’ and ‘Jamun’. The African continent has too been plagued by biopiracy —with the case of West Africa’s sweet genes and one of the most recent cases involving “Hoodia” still unresolved. Some cases have been resolved but clearly demonstrate the problems with the intellectual property system.

Traditional knowledge is generally associated with biological resources and is invariably an intangible component of such a biological resource. Traditional knowledge has the potential of being translated into commercial benefits by providing leads/clues for development of useful practices and processes for the benefit of mankind. The valuable leads/clues provided by *TK save time, money and investment of modern biotech and other industries into any research and product development*. Reasonably, we can say that a share of such benefits should accrue to the creators and/or holders of such Traditional Knowledge. Some countries have specific legislation protecting this kind of knowledge while some other countries feel their existing IPR regime protects such knowledge. As of now, India does not have a specific *sui generis* legislation to protect such TK and folklore but is in the process of developing such legislation.

In the recent past, there have been several cases of bio-piracy of TK from India. First it was the patent on wound-healing properties of *haldi* (turmeric); now patents have been obtained in other countries on hypoglycaemic properties of *karela* (bitter gourd), brinjal, etc. An important criticism in this context relates to foreigners obtaining patents based on Indian biological materials without acknowledging the source of their Knowledge or sharing the benefits.

There is also the view that the TRIPS Agreement is aiding the exploitation of biodiversity by privatizing biodiversity expressed in life forms and knowledge

#### **A. Neem:**

A tree legendary to India has been used as a biopesticide and medicine in India for century's.. Ancient Indian Ayurvedic texts have described the Neem tree and it's medicinal healing properties as far back as 5000BC The European patent office (EPO) revoke in its entirety patent number 436257 which had been granted to the united state of American and the multinational corporation W.R. Grace for a fungicide derived from seed of the Neem tree. Despite Neem's ancient tradition, over 12 US patents were recently taken out Neem-based emulsions and solutions.

#### **B. Turmeric**

In 1993, the US PTO granted the University of Mississippi Medical Center patent rights over a "healing a wound by administering turmeric to a patient afflicted with a wound." But again, Turmeric has been used for centuries in India. Indians grow up with a constant awareness of turmeric the tuber when dried keeps practically forever. The patent was eventually cancelled in 1998 after reexamination proceedings. But revealed to India and to indigenous societies around the world, again, how easy it was to falsely patent centuries-old traditional knowledge.

#### **C. Basmati Rice**

In 1997, the US patent office granted a patent in September 1997 to 'Rice Tec' for a strain of Basmati rice, an aromatic rice grown in India and Pakistan for centuries. This case has not yet been resolved, but the Indian Government is actively pursuing the case, stating that it violates both TRIPS and the CBD. According the *'South Asia Commission on Economic and Social Policy, Rice Tec's patent also violated the CBD in not recognizing the sovereign rights of India and Pakistan over Basmati rice.* In basmati case demonstrates the problem as illustrated in TRIPS that patents are granted to biotechnological processes. Thus, even though basmati rice has been in South Asia for centuries, Rice Tec just altered it slightly through crossing with a Western strain of grain, and successfully claimed it was its own.

#### **D. Maca**

In 2001 after the Viagra craze, two US companies patented extracts of the Andean plant, "Maca" which has traditionally been used to enhance fertility and sexual function. The patents were granted on the basis of "unlocking maca's chemical secrets" through advanced processes. It has become clear, though narrating these few cases that IP laws cannot or are not being effectively applied to prevent the biopiracy of traditional knowledge. Traditional knowledge is being treated as a free input into research and commercial product development. When patents are falsely granted, equitable benefit sharing is not taking place either, while indigenous peoples remain subject to biopiracy and become ever more marginalized in the process.

Recently amended patent law of ours contains provisions for mandatory disclosure of source and geographical origin of the biological material used in the invention while applying for patents in India. Provisions have also been incorporated to include non-disclosure or wrongful disclosure of the same as grounds for opposition and for revocation of the patents, if granted. To protect Traditional knowledge from being patented, provisions have also been incorporated in the law to include anticipation of invention by available local knowledge including oral knowledge, as one of the grounds for opposition as also for revocation of patent. In order to further strengthen these provisions, a new provision has been added to exclude innovations which are basically traditional or aggregation or duplication of known properties of traditionally known component or components from being patented.

### **2. Granting of patents in respect of traditional knowledge:**

Concern that has been expressed in the discussion in the council for TRIPS is about the grant of patents or other IPRs covering traditional knowledge to persons other than the indigenous peoples or community who have originated the knowledge and legitimately control it. Several patents have been cited as ex. including in regard to turmeric, Neem and Athabasca vine The view has been expressed that the granting to patents on traditional knowledge already in the public domain or without the content of indigenous peoples and local communities amount to unauthorized appropriation of the knowledge It has bee said that this occur particularly

in the case where members do not appropriate definition of the criteria for penetrability or appropriate procedure.

Two area it has been said that the patent system is not working well enough in connection with the granting of patent covering traditional knowledge have been referred to "Definition of prior art" used to determine weather a claimed invitation meets the novelty stranded for patentability. The second concern the "adequacy of the information on prior art" available to patent examiners.

### **3. Consent and benefit sharing:**

Traditional knowledge is being used without the authorization of the indigenous peoples or communities who have originated and legitimately control it and without proper sharing of the benefit that occurs from such use. Use of the existing system IPR: -It has been suggest theta starting point should be explore possibility for making more effective use of the exciting IPR system for protecting the traditional knowledge of indigenous peoples and local communities.

## **VI. CONTRACT:**

It has been suggest that the beat way of dressing this concern would be through system based on bilateral contract between holder of traditional knowledge and persons or companies wishing to access and use the knowledge.

**DISCLOSURE REQUIREMENT:** It has been suggest that applicant for patent for indentations that used traditional knowledge associated with genetic resources should be required to disclose the course. Or the origin of the source of the traditional knowledge in their patent applications.

**SUI GENERIES SYSTEM OF PROTECTION:-** It has been suggest that only a system of protection of traditional knowledge which provides proprietary rights can insure that market forces will be operate to generate fairness and equity. The suggestions concerning contracts and disclosure, which have also been made in regarded to genetic material used in invention that are the subjects of patent application, are discuss in more detail in the secretariat's revised summery note on the relationship between the TRIPS agreement and convention on biological diversity.

The Indian legislation for the Protection of Plant Varieties and Farmers' Rights Act 2001 also acknowledge that the conservation, exploration, collection, characterization, evaluation of plant genetic resources for food and agriculture are essential to meet the goals of national food and nutritional security as also for sustainable development of agriculture for the present and future generations. It also acknowledges that the plant genetic resources for food and agriculture are the raw material indispensable for crop genetic improvement. The concept of effective benefit sharing arrangement between the provider and the recipient of the plant genetic resources forms an integral part of our Act. The protection provided to a plant variety bred by a breeder can be cancelled if there is an omission or wrongful disclosure of such information.

## **VII. Strategies To Increase Protection Of Traditional Knowledge :**

**International Efforts:** Indian Traditional Knowledge available to the USPTO – Patent examiners of the United States Patent and Trademark Office (USPTO) are now able to access the Database of Traditional Knowledge thanks to the Indian Government according its permission in November 2009. India's Council of Scientific and Industrial Research, and the Department of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homeopathy was credited with the development of the Traditional Knowledge Digital Library (TKDL), which is a 30 million page searchable database of traditional knowledge translated from numerous languages such as Hindi, Sanskrit, Arabic, Persian, Urdu and Tamil into English, Japanese, French, German and Spanish. The EPO was allowed the use of the TKDL in February 2009.

### MOU between USPTO and India on Bilateral Intellectual Property Rights Cooperation -

The Indian Department of Industrial Policy and Promotion (DIPP) and USPTO announced on the 23rd of November 2009 that they have entered into a MOU on comprehensive bilateral cooperation for IPR protection and enforcement. Under the terms of the MOU, the USPTO and DIPP will cooperate on a range of IPR issues, focusing on capacity building, human resource development, and raising public awareness of the importance of IPR. Secretary of the DIPP, Mr. Ajay Shankar said: "Our vision is to transform our IP system into a world class organization by adopting transparent, automated and user-friendly procedures. The MOU that we are signing today would help strengthen our capacity to achieve this objective."

There are several other international legal platforms and instruments that currently address intellectual property protection as it relates to traditional knowledge. Some of the most prominent include

The UN Draft Declaration on Rights of Indigenous Peoples:

This UN Draft Declaration, in Article 29, specifically states that “Indigenous peoples are entitled to the recognition of the full ownership, control and protection of their cultural and intellectual property. They have the right to special measures to control, develop and protect their sciences, technologies and cultural manifestations, including human and other genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs and visual and performing arts.”

Global Guidelines: A recent positive initiative is the drafting of a set of corporate guidelines for businesses that want to use native plants and traditional knowledge from indigenous communities to make commercial drugs. In April 2002 in The Hague, delegates of the UN Biodiversity Congress from 166 countries negotiated and adopted global guidelines during a two- week long U.N. sponsored CBD conference that was designed to encourage pharmaceutical companies to make responsible agreements with countries whose resources they use

**Regional Initiatives:** The Cancun Declaration & Cusco Declaration on Access to Genetic Resources, Traditional Knowledge and Intellectual Property Rights: In February 2002, Environmental Ministers from 12 countries met in Cancun, Mexico met to discuss issues related to biodiversity in their countries, identifying a need to establish terms governing the granting of patents. At the WSSD in Johannesburg this past August, their group was established as a permanent negotiating body to address these issues.”

It has also been suggested that a requirement on patent applications to disclose in their applications any traditional knowledge used in the invention in question could help in the assessment of novelty and also assist countries with possible claims to examine the application and oppose the patent in time.

The Geographical Indication of Goods (Registration and Protection) Act, 1999 passed by Parliament is another step taken by India. The Act primarily intends to protect the valuable geographical indications of our country. The protection under the Act is available only to the geographical indication registered under the Act and to the authorized users. The Act permits any association of persons or producers or any organization or authority established by law representing the interest of the producers of goods to register a geographical indication. It may be possible to argue that the holders of the traditional knowledge in goods produced and sold using geographical indication can register and protect their traditional knowledge under this law.

**Consequences of efforts:**

Time lines for patent processing has been considerably reduced. It has been made possible to obtain a patent in 8 months as opposed to 6-8 years. Backlog of over 44,000 patent applications have been liquidated in approximately three years.

**Concerns-**

Patent infringements – no injunctive relief granted , Pharmaceutical patents – external pressures , No specialised courts Trials are delayed ,No culture of damages Actual costs.

**VIII. Judicial Pronouncements**

**1. J. Mitra Company Pvt. Ltd. vs. Span Diagnostics– CS (OS) No. 2020/2006 - Judgment dated 22.02.2008.-**

Hepatitis C diagnostic kit ...Judgement delivered by Hon’ble Mr. Justice Sanjay Kishan Kaul of the Delhi High Court: Sufficient documents were filed showing the research conducted by J. Mitra. Whereas, the defendant showed no research or development towards its infringing product. Relevance of PCT Report – not binding while evaluating Obviousness & Inventive step-The Patent is not hit by prior art , No credible challenge to the validity of the patent , Injunction granted ,In Division Bench, for disposal of existing stocks – The Court directed deposit of 30% of proceeds., Trial is continuing.

**2. Bayer vs. Union of India (2009 Patent Linkage**

No Linkage between marketing approval and patent infringement ,Writ dismissed with costs ,Division Bench held that it is a matter of governmental policy ,Pending before Supreme Court

**3. F. Hoffmann-L.A. Roche Ltd. and Anr. vs. Cipla Ltd. (2008) ERLOTINIB HYDROCHLORIDE--**

Justice Ravindra Bhat held that “Credible Challenge” is raised ,Price difference is important to decide balance of convenience ,No injunction – accounts be filed ,Division Bench found concealment by Roche ,Supreme Court expedited trial TRIAL ABOUT TO CONCLUDE--Fastest Patent trial in less than 2.5 years since filing of suit.

**4. Span Diagnostics Vs. J.Mitra 2008(37) PTC 56** - Justice Nandrajog-Whether appeal was maintainable in view against pre-grant opposition

18 month vacuum ,IPAB was yet to be notified ,Appeal held maintainable – transferred to IPAB

**5. J.Mitra Vs. Controller of Patents-** Supreme Court slightly modified – Justice Kapadia’s judgement:- No appeal lies against pre-grant order ,only in view of unusual circumstances appeal to be entertained ,To be heard by High Court

Supreme Court slightly modified – Justice Kapadia’s judgement:- No appeal lies against pre-grant order ,only in view of unusual circumstances appeal to be entertained , To be heard by High Court - Procedural ironing out by Courts ,Justice Murlidhar Held Pre-Grant ,Oppn Rejected – no appeal or writ – go for Post-Grant ,Patent rejected – appeal to IPAB

**6. Snehlata C. Gupte vs. Union of (15th July’2010)-- SERIAL OPPOSITIONS**

Pre-Grant by Party A Decision in opposition on X date – Controller orders for grant Second oppn filed next day ,Grant and sealing yet to take place ,Pre-grant can be filed anytime before grant ,Court held SERIAL OPPOSITIONS IMPERMISSIBLE

#### STATISTICS OF IPR CASES FROM 2007 ONWORDS AS ON 24/04/2010 IN INDIA

Year	Pendency as of 1st January	Institutions	Disposals	Pendency as on 31st December
2007	1311	548	488	1371
2008	1371	409	450	1330
2009	1330	561	499	1392
2010 (Upto 24.04.2010)	1392	154	133	1413 (Upto 24.04.2010)

**TOTAL PENDENCY AS ON 24.04.2010 --- --- 1413**

(Source: Justice Bhat – APAA World IP Day Seminar 2010 )

#### PATENT CASES

Rise in patent litigation – reported cases nos. -2005 – 3 ,2006- 4 , 2007- 9 ,2008- 14 ,2009- 22 ,2010 – 12 (till July 2010)

### IX. Conclusion:

#### Suggestion for Improve Indian Patent act for Traditional Knowledge

In responsible, it has been said that:

— *The criteria for patentability* are properly applied; the granting of erroneous patents would be avoided

— Under the patent law of many member, *prior art* comprises not only earlier disclosures in writing but also what is early publicly know or used any where in the world.

In response it has been said that, even if the national laws applicable do not allow patents on invention based on traditional knowledge, patents in other regimes that allow such patents reduce the economic value of the knowledge of local community and may constrain the development and use of their knowledge in the market-place or may facilitate otherwise of exploitation of their knowledge with out any rewards to them. It has been suggest that the development of database on traditional knowledge would help patent examiners discover relevant prior art so as to improve examination of patent application and prevent the grant of patents for subject matter that should not be patentable.. Database would also help potential licensees in terms of searching for knowledge, innovations and parties’

Various suggestions have been advanced in India to extend protection to knowledge, innovations and practices. These include:

- (i) Documentation of TK;
- (ii) Registration and innovation patent system; and
- (iii) Development of a *sui generis* system.

It is sometimes believed that proper documentation of associated TK could help in checking bio-piracy. Documentation could be a double-edged sword. It is assumed that if the material/ knowledge are documented, it can be made available to patent examiners the world over so that prior art in the case of inventions based on such materials/knowledge are/is readily available to them. It is also hoped that such documentation would facilitate tracing of indigenous communities with whom benefits of commercialization of such materials/knowledge has to be shared.

#### Some specific suggestions:

1. Access to these databases for patent authorities and relevant judicial authorities could be facilitated through the establishment of an international gateway for traditional knowledge, which would electronically link this data based.
2. At least minimum harmonization of the structure and content for these data based should be achieved.
3. Data based should be reachable over the Internet.
4. To the extent that traditional knowledge which already recorded in databases and print media, it is important to insure that patent examiners are made familiar with this resources.
5. Databases should only disclose traditional knowledge already in the public domain or traditional knowledge for which prior informed consent has been obtained.
6. Access to these data based should not involve costly or burdensome procedures.

**In this regard, concerns have been expressed about the following:**

1. In this responsibilities for bearing cost of maintaining these database.
2. While serving as repository of information, database cannot be completely exhaustive as they may not contain knowledge held by local communities in oral form or knowledge that is continuously evolving through informal innovation within a community.
3. While database may help forestall the grant of inappropriate patents, they cannot address the problem of the non-accrual to the holders of traditional knowledge of economic benefits resulting from the use of knowledge.
4. Reference to database by patent examiner would be voluntary and patent examiners in member countries would have no obligation to consider this information in their prior art searches. Obligations, guidelines or recommendations should be established to improve and substantially tighten up search systems in respect of information that is relevant to traditional knowledge so as to evaluate novelty and inventiveness.

Documentation of traditional knowledge is also acknowledged as a means of giving due recognition to the traditional knowledge holders. This particular aspect of documenting formulations in the Ayurvedic system of medicine in India in the shape of traditional knowledge Digital Library (TKDL) is already on and we appreciate the efforts of WIPO to arrange for a presentation in this regard as also on the topic of Health Heritage Data Base for the benefit of the members attending the last Intergovernmental Committee meeting in Geneva in June 2002. The scope of the TKDL work relates to the transcription of 35,000 formulations used in Ayurvedic system of medicines. These details are being converted into Patent Application Format and will include description, method of preparation, claim and the usage of the bibliography.

Documentation of TK is one means of giving recognition to knowledge holders. But mere documentation may not enable sharing of benefits arising out of the use of such knowledge, unless it is backed by some kind of mechanisms for protecting the knowledge. This necessitates the need for extending some kind of protection to TK. Documentation of TK may only serve a defensive purpose, namely that of preventing the patenting of this knowledge in the form in which it exists. Documentation *per se*, however, will not facilitate benefit sharing with the holders of TK.

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## **Factors Determining Job Satisfaction of Early Childhood Teachers**

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**Abstract:** *Job satisfaction of teachers has recently demonstrated a great interest within educational researchers. However, little work has been done to explore this phenomenon in Pakistan. Therefore, the current study attempts to explore factors that determine job satisfaction of teachers teaching in early childhood classes in Karachi, Pakistan. It was hypothesized that after the literature review there will be a significant difference in job satisfaction between teachers relevant to their academic qualification, and salary range. Moreover, it is generally expected that there is a relation between overall job satisfaction with nine factors viz. pay, promotion, supervision, fringe benefits, contingent rewards, operating conditions, coworkers, nature of work and communication. A sample of 133 teachers from early childhood settings was recruited for the study. The Job Satisfaction Survey (JSS; Spector, P., 1994) was administered to measure the factors that predict job satisfaction of the teachers. While, the data for the study was analyzed using two statistical tests: factor analysis of maximum likelihood and varimax rotation was used to explore the factors that determine job satisfaction and t-test deployed to explore the qualification, experience and salary differences. Results of the study suggest that the factors that determine job satisfaction in the study sample are (from highest to lowest) supervision, coworkers, promotion, continuous rewards, nature of work, pay, fringe benefits, communication and operational conditions. Furthermore, the data reveals no significant difference in the job satisfaction with regard to qualification and salary variables of the sample.*

**Keywords:** *teachers job satisfaction, teaching in early years, pay, promotion, supervision, coworkers, and communication*

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### **I. Introduction and Literature Review**

The education system of Pakistan is facing innumerable challenges. Government and private sector aim to advance the quality of teaching and learning and have introduced initiatives that facilitate quality teaching and learning practices in the schools. These efforts aim to work for quality assurance and focus hugely developing teachers' capacity to participate constructively in quality improvement. However, increasingly growing concerns about teachers' lack of motivation, constant turnovers, and lack of sustainable quality staff have been a spotlight for educational researchers in Pakistan to explore this phenomenon.

The relevance of teachers' job satisfaction is vital for a long term growth and development of any educational system around the world. Although considerable research has been devoted to study factors that determine teachers' job satisfaction there is a growing need to explore this phenomenon further to facilitate understanding in diverse contexts.

Job satisfaction, as defined in a range of literatures is a positive and constructive perception or feeling of a person towards their job. It has also been referred to as a state of mind of an individual and how individuals experience their work lives. Job satisfaction can also be determined as a relationship between the work and the individual.

Furthermore, as stated by Adeyinka, Ayeni & Popoola in 2007 "Job satisfaction is often determined by how well outcomes meet or exceed expectations. For instance, if organization participants feel that they are working much harder than others in the department but are receiving fewer rewards they will probably have a negative attitudes towards the work, the boss and their coworkers (p.4)".

In theory, job satisfaction in various research studies has been viewed from the perspectives presented by Maslow and Herzberg in their theories. Herzberg's as cited in Gawal (1997) has "constructed a two-dimensional paradigm of factors affecting people's attitudes about work. He concluded that such factors viz. company policy, supervision, interpersonal relations, working conditions, and salary are hygiene factors rather than motivators. According to the theory, the absence of hygiene factors can create job dissatisfaction, but their presence does not motivate or create satisfaction (p.1)". There are number of determinants of job satisfaction of individuals and they vary from context to context and from person to person.

Job satisfaction can be influenced with the wide range of factors and a few of them relate to pay scale, promotion, professional development, individual commitment to the organization, relationship with coworkers,

supervision and mentoring provision (Akinboye, 2000; Akinboye, 2001; Opkara, 2002 & Spector, 1985). Furthermore, the demography of each individual also has been reported as a predictor of the job satisfaction. Wallace's study has widely focused on the implication of exploring factors that determine teachers' job satisfaction and asserts educational organizations and ministries to give respect to these rising needs. Many investigators have accentuated on teachers' retention and their research studies have shown a significant correlation between teachers' job satisfaction with teachers' turn over.

Teachers in various urban settings were found leaving the teaching profession and moving to other professions within the first five years of their career (Hammond, 2003; Wiebke & Bardin, 2009). Consequently, it is noteworthy to inspect the factors predicting teachers' job satisfaction to retain quality staff in educational organizations.

Several research studies have shown educational qualification impacts job satisfaction to a higher degree. Raydon & Chavelier's (2002) choosing 15000 sample surveyed variables that impact job satisfaction. The results of the study have shown a significant correlation of higher level of academic degrees with job satisfaction. Whereas, Bannerjee and Perrucci (2010) in their study have argued of sex and race having no impact but have highlighted the impact of co-workers relation on the overall job satisfaction.

Amongst the studies that investigate the factors influencing job satisfaction of teachers many have attributed various factors that are directly associated with the overall job satisfaction. Bishey's (1996) study with the sample of 50 teachers has argued that the involvement of the teachers in co-curricular activities in the school have predicted their higher satisfaction. Remuneration has always been considered as the most influencing factor in job satisfaction. Kim and Loadman have in their study investigated determinants of job satisfaction and have found salary statistically significant predictor.

Ferguson, Forst & Hall (2012) in their study recruited 566 teachers from universities and have explored factors determining teachers' anxiety, depression and job satisfaction. The study postulates that workload and students' behaviour as positive predictors of job satisfaction and have reported stress and anxiety also being positively associated with job satisfaction. Likewise, Ali (2007) has conducted a similar study in NWFP of 212 teachers using job satisfaction survey and has explored the level of job satisfaction amongst the teachers. The study results indicated 1) high level of dissatisfaction amongst teachers with regard to promotions, 2) moderate level of dissatisfaction in respect of pay, fringe benefits, and contingent rewards while 3) moderate level of satisfaction with operating conditions, coworkers, nature of work and communication.

Teachers' job satisfaction has direct influence on their work performance. The sources that predict teachers' job satisfaction influence their teaching quality ultimately. This has been viewed consistent in the research studies in the past. Sargent & Hamman in 2005 have reported a research study and have investigated three factors that are associated with teachers' job satisfaction and they are community factors, school environment and teacher characteristics. The results in the study illustrated a bivariate relationship between the variables of school building conditions, economic resources availability and provision of instructional working hours.

Schroffel has studied the factor of supervision closely and its effect on job satisfaction. In the research study, the researcher has examined 84 professionally trained workers and has explored the phenomenon of quality supervision and its implication on the job satisfaction. The results of the study have shown higher job satisfaction amongst the workers who were satisfied with the quality of supervision provided,

Many studies have indicated a direct correlation of the teamwork and overall job satisfaction. It is vital to understand the team dynamics and how it impacts employees at work. Hence, a study carried out by Griffin, Pattarson, & West has given a dimension of teamwork and how the role of supervision impacts overall job satisfaction. The study was administered on a sample of 4,708 employees. The results of the study indicated high correlation between the teamwork and job satisfaction.

Khan (n.d) has conducted an extensive review of the literature on "teachers' job satisfaction and incentives". Gill & Ahmed (2009) have studied 110 university teachers to investigate effects of working conditions, pay benefits, and relationship with the coworkers. The study has shown positive significance relation between the variables. Likewise, Latif, Sohail & Shehzab (2011) have carried out a comparative study on public and private college teachers on the job satisfaction. Their study has discovered public college teachers to be more satisfied than the private sector college teachers.

Similarly, there are several studies conducted in Pakistan to explore the factors relevant to the job satisfaction of the teachers however there is a lack of study that focus on the job satisfaction of the teachers in early years setting. Hence, this research study intends to explore factors that predict job satisfaction of the early childhood teachers. Constant with the view, the subsequent research questions are addressed in this study:

- What are the factors that predict job satisfaction of the teachers in early childhood ?
- Is there a difference between the teachers' job satisfaction with relevance to their qualification and salary?
- Is there any relationship between overall job satisfaction with pay, promotion, supervision, fringe benefits, contingent rewards, operating conditions, coworkers, nature of work, and communication?

## II. Method

### Participants

The non-probability purposive sampling was employed to select the teachers for this study. Teachers from Karachi, Pakistan were chosen to participate in the study. A total of 133 teachers were recruited (see Table 1 for demographics). Academic qualification of the teachers appeared in two categories. Bachelors (69.9%) and masters (30.1%). Respondents ranged in experiences from less than six years (61.7%) to more than six years (38.3%). The salary of the respondents varied from less than twenty thousand rupees (\$220) (71.4%) and more than twenty thousand rupees (28.6%)

### Measures

The research tool for the study was divided into two sections. Section one consisted a detailed demographic information Performa intended to explore gender, age, qualification, years of experience, class of teaching, salary range, and working hours. Section two consisted of Job Satisfaction Survey (JSS; Spector, P., 1994) with an internal reliability of Cronbach's Alpha (.751) consisted of 36 items followed by 6-point response category scale (*Agree very much* = 6, *Agree moderately* = 5, *Agree slightly* = 4, *Disagree slightly* = 3, *Disagree moderately* = 3, *Disagree very much* = 4). The scale comprised of nine sub-scales Pay, Promotion, Supervision, Fringe Benefits, Contingent Rewards (performance based rewards), Operating Procedures (required rules and procedures), Coworkers, Nature of Work, and Communication.

### Procedure

The informed consent form and questionnaire was given to the participants, upon receiving their consent to participate. The participants were asked to complete the questionnaire manually. The forms were then coded for the data entry processes and data was entered and analyzed using Statistical Package for Social Sciences (SPSS) Version 20. Factor loading was used to explore the factors that determine job satisfaction; T-test was used to explore the differences between the samples, and Pearson's correlation to explore the relationship between the variables.

## III. Results

The data analysis focused on exploring factors that determine job satisfaction. Factor analysis was subjected to the data using SPSS. The extraction method of maximum likelihood and varimax rotation was employed for the factor loading. The results of the analysis indicated seven factors with eigenvalues greater than 0.4. Hence, factors which had more than 0.4 considered appropriate for reporting (see Table 2). The first factor, (Factor I), labeled "Fringe Benefits" accounted for 44.5% of the variance ( $M = 13.7$ ,  $SD = 3.4$ ) and had a coefficient of variance of 25%. The second factor, (Factor II), labeled "Pay" accounted for 46.4% of the variance ( $M = 14.11$ ,  $SD = 3.4$ ) and had a coefficient of variance of 24.5%. The third factor, (Factor III), labeled "Nature of Work" accounted for 46.5% of the variance ( $M = 19.8$ ,  $SD = 3.6$ ) and had a coefficient of variance of 18.9%. The fourth factor, (Factor IV), labeled "Continuous Rewards" accounted for 49.3% of the variance ( $M = 14.4$ ,  $SD = 3.9$ ) and had a coefficient of variance of 27.1%. The fifth factor, (Factor V), labeled "Promotion" accounted for 52.7% of the variance ( $M = 14.3$ ,  $SD = 3.4$ ) and had a coefficient of variance of 24%. The sixth factor, (Factor VI), labeled "Coworkers" accounted for 54.3% of the variance ( $M = 18$ ,  $SD = 3.1$ ) and had a coefficient of variance of 17.5%. The seventh factor, (Factor VII), labeled "Supervision" accounted for 63.8% of the variance ( $M = 18.1$ ,  $SD = 3.5$ ) and had a coefficient of variance of 19.7%.

An independent-samples t-test was conducted to compare Job Satisfaction of the teachers having masters' degree and the teachers having bachelors' degree. There was no significant difference found between the teachers who have masters' degree ( $M=138.5$ ,  $SD= 16.3$ ) and teachers with bachelors' degree ( $M=139$ ,  $SD= 17.1$ );  $t = .173$ ,  $p > 0.5$ .

Likewise, an independent-samples t-test was conducted to compare Job Satisfaction of the teachers having more than twenty thousand salary and the teachers having less than twenty thousand salaries. There was no significant difference found between the teachers who had higher salary ( $M= 141$ ,  $SD= 16.2$ ) and teachers having lower salary ( $M=138$ ,  $SD= 17.1$ );  $t = -.925$ ,  $p > 0.5$ .

In addition to it, Pearson Correlation was administered to explore the relationship between overall job satisfaction with pay, promotion, supervision, fringe benefits, contingent rewards, operating conditions, coworkers, nature of work, and communication. Results of the correlation indicate that the overall job satisfaction is associated with pay ( $r = .552$ ,  $p < .001$ ), promotion ( $r = .411$ ,  $p < .001$ ), supervision ( $r = .687$ ,  $p < .001$ ), fringe benefits ( $r = .571$ ,  $p < .001$ ), contingent rewards ( $r = .655$ ,  $p < .001$ ), operating conditions ( $r = .424$ ,  $p < .001$ ), coworkers ( $r = .462$ ,  $p < .001$ ), nature of work ( $r = .601$ ,  $p < .001$ ) and communication ( $r = .557$ ,  $p < .001$ ).

.001). The analysis (Table 4) revealed that there is a statistically significant relation between the overall job satisfaction and all nine facets of job satisfaction.

The data provided few evidences of the difference in scores but no significant difference and hence the null hypothesis is rejected and it can be concluded that there is no difference between more qualified teachers and less qualified teachers: high salaried teachers and low salaried teachers in regard to job satisfaction. Furthermore, there is a statistically significant association between the overall job satisfaction with pay, promotion, supervision, fringe benefits, contingent rewards, operating conditions, coworkers, nature of work, and communication.

#### **IV. Discussion**

The major aim of the study was to explore the factors that predict job satisfaction. The factors that emerged most important for job satisfaction are promotion, coworkers and supervision. Researches in the past have indicated a statistically significant correlation of the promotion with the overall job satisfaction.

Koasteas's study has investigated promotion and its impact on the job satisfaction; the results of the study have indicated higher job satisfaction in the employees who believed in receiving promotion from their employers. Like, the other research studies have indicated significant impact of higher promotion on job satisfaction although the study has argued its sustainability in the longer run (Hammermesh, 2001; Koasteas, 2009; & Stutzer, 2004). In Pakistani context teachers are amongst lowest paid workers and with the mounting inflation and competition it becomes very challenging for the educational institutions to sustain teachers. These influencing factors enable teachers to expect and demand promotion and raise in salary. Therefore, it can be seen in the data that the promotion has appeared third most important factor that influences teachers' job satisfaction.

Another strong factor that predicts overall job satisfaction is coworkers. It is fundamental to have a workplace environment that is conducive and free from subjectivity. Moreover, the expectations of the employees from their coworkers play a key role in developing a workplace that reflects teamwork and harmony amongst the staff. Harmer and Findlay in their study have investigated on the workers as core determinants of the overall job satisfaction and have found positive significance and correlation for the similar factors. Correspondingly, a few more research studies have quoted similar results and have paid emphasis on the workers' cooperation and its influence on job satisfaction. However, they have also indicated its negative influence on biased employment practices. Since, the coworkers while emergent to their relationship develops work covetousness additionally (Ducharme & Martin, 2000; Reece & Brandt, 1999 & Vigoda, 2009).. In Pakistani context, empirical observation indicates a trend of females opting for professions like teaching and especially young females selecting to teach young children. Moreover, in early childhood sections teachers are encouraged to work in pairs and in small groups for a single project.

The data revealed that the strongest predicting factor is supervision on job satisfaction in this study. Interestingly, it was evident in the research analysis that supervision plays a great role in job satisfaction of the teacher whereas, there had been suggestions about salary and pay as the being the leading predicating factors for job satisfaction.

Moreover, the findings of the study have discovered a strong association between overall job satisfaction and its influencing facets. The findings showed a highly significant correlation of all the facets of JSS, Spector, "pay, promotion, Fringe benefits, contingent rewards, operating conditions, coworkers, nature of work and communication". The results of the study conveys insights and reflections for educational organizations to strive rigorously and pay attention to the needs of the teachers. Additionally, this carries intellectual capacity for the human resource department of the educational sectors to promote activities within the schools that facilitate capacity building of the staff in teambuilding, participation, and self-reflection amongst the teachers. Besides, head of the educational institutions can be groomed to cater to the needs of the teachers and provide adequate personal and professional support to the teachers. Lastly, capacity development sessions for administrators to work on the working environment and operating conditions of the schools.

There are a few limitations to this study. Firstly, the sample chosen for this study was limited and targeted on early childhood teachers from Karachi private schools. Hence, generalisation of the findings is limited to a similar context and comparable population. Despite the limitations, the study provided the grounds for the conclusion to be established and it can be concluded that provision of satisfying remuneration, promotions, incentives, relation with coworkers and quality of the supervision predict job satisfaction. Therefore, the findings of the study might be helpful to facilitate human resource management and teachers' appraisal for early childhood private schools.

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**Author’s Note**

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Table 1

Demographic of the Study Participants

Categories	Variables	N	M	S.D	S.E
Qualification	Bachelors	93	139.1	17.2	1.8
	Masters	40	138.5	16.3	2.6
	Below 20k	95	138.0	17.1	1.8
Salary	Above 20k	38	141.0	16.2	2.6

Table 2  
Factor Loading of the Nine Facets of Job Satisfaction

Variables/Facets	Factor
Operating Conditions	.264
Communication	.351
Fringe Benefits	.445
Pay	.464
Nature of Work	.465
Contingent Rewards	.493
Promotion	.527
Coworkers	.543
Supervision	.638

Table 3  
T-Test Analysis of Demographic Variables

Categories	Variables	N	M	S.D.	S.E	df	t	Sig.(two tailed)
Qualification	Bachelors	93	139.1	17.2	1.8	131	.173	.863
	Masters	40	138.5	16.3	2.6			
Salary	Below 20k	95	138.0	17.1	1.8	131	-.925	.357
	Above 20k	38	141.0	16.2	2.6			

Table 4  
Correlation of Overall Satisfaction with Nine Facets of Job Satisfaction

Variables/Facets	M	SD	r	Sig.(two tailed)
Pay	14.1	3.5	.552**	.000
Promotion	14.4	3.5	.411**	.000
Supervision	18.2	3.6	.687**	.000
Fringe Benefits	13.8	3.4	.571**	.000
Contingent Rewards	14.5	3.9	.655**	.000
Operating Conditions	11.6	3.0	.424**	.000
Coworkers	18.1	3.2	.462**	.000
Nature of Work	19.1	3.6	.601**	.000
Communication	15.3	2.9	.557**	.000

\*\* Shows Significance

\* N: 133

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