

M.A. SEMESTER III POLITICAL SCIENCE COURSE NO. : POL-303

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Semester : III

Course No. POL-303

POLITICS IN SOUTH ASIA

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M.A. Political Science under Non-CBCS
Semester-III
Session December 2023, 2024 & 2025
Course Code : POL-303
Title-Politics in South Asia

Credits: 6 (Six)

Max. Marks: 100

Internal Assessment: 20

Time: 3 Hours

Semester Exam: 80

Objectives of Course: Major objective of this course is to examine the domestic politics of South Asian States by placing it in the perspective of comparative politics. This course provides the conceptual and constitutional perspectives about the politics of these states. It aims to educate the students about variety of political regimes ranging from democratic to authoritarian and praetorian emerged in the South Asian states in the Post-Colonial era. It further compares the variants of these regimes experiences by the South Asian states with each other. To understand the changing nature of South Asian States and their organic relationship with their social universe is the key objective. The course familiarizes the learners about the diversity of political structures and structural differentiation have taken place over times apart from introducing them to the dynamic political processes that are constantly shaping the working of political structures.

Learning Outcomes: The course inculcates the orientation of comparative politics in the students to understand the politics of South Asian States in comprehensive manners. The tools of comparative politics equip them to develop deeper insights in the politics of these states by comparing and contrasting their constitutional perspectives, political structures, political processes, political elites and political ideologies. The knowledge imparting by this course enables the learners to grasp the role of civil society movements that brought transformation in the nature of states and political regimes in South Asia. It will enable them to understand that how the civil society upsurge led to the democratization of politics in the region.

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Unit-1: Approaches, Structures, Processes and State

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- 1.4 Structures and Processes of Politics

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- 2.4 Political Elites in South Asia: Pakistan, Bangladesh and Sri Lanka

Unit-III: Security and Governance

- 3.1 State Security and Human Security debate
- 3.2 Globalization and Politics of South Asian States
- 3.3 Separatism and Terrorism in South Asia
- 3.4 Governance in South Asia: Issues and Challenges

Unit-IV: Human Development, Human Rights and Civil Society

- 4.1 Human Development Scenario and Emerging Trends
- 4.2 Human Rights: Trends and Challenges
- 4.3 Women participation in the Politics of South Asian States
- 4.4 Civil Society and politics: Role and Emerging Trends

Note for Paper Setter

- The Question Paper shall be divided into two sections. The first section will carry eight short questions of which students will be required to attempt five questions. The upper words limit for the answer of each question will be 200 words. Each question carrying 4 marks.
- The second section will comprise eight questions of which students will have to attempt four questions on the basis of ‘**WITHIN UNIT**’ choice. The upper words limit for the answer of each question will be 850 to 1000 words. Each question will carry 15 marks.

Suggested Readings

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M.A. Political Science, Semester III, Course No. 303, Politics in South Asia

Unit – I: Approaches, Structures, Processes and State

1.1 APPROACHES: POST COLONIAL AND POLITICAL ECONOMY

- Baljit Singh

STRUCTURE

1.1.0 Objectives

1.1.1 Introduction

1.1.2 Historical Approach

1.1.3 Structural-Functional Approach

1.1.4 Political Economy Approach

1.1.5 Let us Sum Up

1.1.6 Exercise

1.1.0 OBJECTIVES

After going through this lesson, you should be able to:

- understand the historical background to present day South Asian politics;
- know how various structures and process derived from these structures influencing politics of South Asian States;
- the importance of political economy approach to understand South Asian politics, particularly with reference to elites, social classes and patronage networks;

1.1.1 INTRODUCTION

Domestic politics of South Asian States has witnessed various trends ranging from the construction of Post-Colonial States to reinventing governance, economy and democracy apart from making transition from absolute to constitutional monarchy in the Himalayan Kingdom of Nepal and Bhutan. The former has abolished the Monarchy in 2008 whereas the latter has retained it in the modified form that is constitutional monarchy. Pakistan has been shuttling from democracy to praetorian rule, whereas, Bangladesh has succeeded to overcome the phenomenon of praetorian rule but it has been struggling to sustain functional democracy since 1990. However, all the South Asian states are having democracy at present but the texture and tenor of democracy varies from one state to another state of this region. The confrontational politics, political violence, criminalization of politics, crisis of governability, separatism, and sectarianism have become dominant trends in the politics of South Asian States. The politics of identities has replaced the politics of ideas and the public space has become more angular, volatile and polarized between the religious majority and minorities across the South Asian Societies. Further their political scenario has been projecting the paradoxical because on the one hand they are marching on the road of democracy and on the other hand their reliance on the coercive apparatus has increased manifolds as the army and paramilitary forces are managing the internal conflict in South Asia ranging from India to Maldives. In order to understand why this has been happening in the domestic politics of South Asian states, it is pertinent to look at the politics of these states from different angles. There are different methods to understand these political trends in the politics of South Asian states like Legal & Institutional, Comparative, System, Historical, Structural-Functional and Political Economy. In this lesson, an attempt has been made to apply Historical, Structural-Functional and Political economy approaches to understand the politics of South Asian States. These approaches are vital tools to develop an understanding on the domestic politics of South Asian States –as they are providing the three different perspectives to look at politics of these states.

1.1.2 HISTORICAL APPROACH

The origin of political institutions and discourses in South Asian states can be traced back to the history of this region. In order to understand the contemporary political phenomenon in the politics of South Asian States, it is required to revisit their history because the present cannot be understood without referring back to the history. Whatever has been happening in their politics, it always has a historical context as the political developments are taking place in continuity instead of vacuum. Further history provides clue about the present. Therefore, in order to understand the politics of South Asian States in the Post-Colonial period, it is pertinent to take into account their colonial past. For instance the modern state that the South Asian societies are having at present, its foundations was laid down during the colonial period. Hence the nature, working and functioning of Post-colonial state in India can be better understood by locating it in the historical context. The roots of Parliamentary democracy in South Asian Societies can be traced back to the colonial history. In order to understand the working of democracy in India, it is essential to know how and why the colonial rulers initiated the process of Parliamentary Democracy in India and Sri Lanka. The element of election and the representative bodies were introduced during the colonial period. Electoral system introduced during the colonial past has become the bed-rock of representative democracy in South Asian societies.

Now the South Asian States are having the written constitutions to establish rule of law in particular and constitutionalism in general. The process of development of their constitution was set in motion during the colonial period. For instance the 2/3 part of Indian Constitution was borrowed from the Government of India Act-1935. In addition to it, this act worked as an Interim Constitution for Pakistan till it formulated and enacted its first constitution in 1956. This act was passed by the British Parliament for governance in undivided India in 1935. Sri Lanka's political system has been shaped by its history as a British colonial possession dating back to 1801. The British attempted to develop a representative government on the Island through an 1833 Constitution that created a legislative council. Although the British formulated many constitutions like in 1910, 1920 and 1924 to appease the people but they could not provide governance by the natives. The constitution of 1931 gave more authority to native elected representatives over the internal matters. On February 4,

1948, the Island declared its independence from Britain but remained initially a part of British Commonwealth and subsequently Modern Commonwealth till May 16, 1972 when it was officially proclaimed an Independent Republic. Under the British rule, the Tamils from northern areas gained influence through their disproportionate access to education.

1.1.3 STRUCTURAL-FUNCTIONAL APPROACH

In South Asian States, the politics revolve around various structures and functions performed by them. For instance the state and government in them are having overarching structures, therefore the understanding of their nature and functions performed by them help us to understand their politics. While taking into account the nature of Post-Colonial state: in Pakistan as an Islamic Republic; in Bangladesh as an Islamic Republic of Bangladesh; in Sri Lanka as a Buddhist State in 1978; and Maldives as an Islamic Republic of Maldives. Similarly just having a look at the State as a Absolute Monarchy in Nepal and Bhutan for pretty long time; state as democratic structure in India and Sri Lanka; Praetorian state structure in Pakistan and Bangladesh, one can develop a great deal of understanding on the politics of these South Asian states. Besides State, the government again as an overarching structure helps in tremendous way to understand their politics. For example the parliamentary form of government in India; in Bangladesh, Bhutan, Nepal and Pakistan at present enables us to have better understanding about their politics. The structures of parliamentary form of government like legislatures and executives, their functions and their relationship with each other in these states are helping us to understand their politics. However, the structural-functional approach is an effective tool to understand politics of South Asian states not strictly in sense that the exponent of this approach advocated but also by going beyond that because they are taking into account the formal state structures, whereas the informal structures have always played vital role shaping the dynamics and dimensions of their politics.

In addition to it, it is not possible to understand the politics of South Asian States without taking into account the informal structures like political parties and party system. Understanding, Indian politics is impossible without referring to the role of the Indian National Congress as a political party and the Congress System

(One Party Dominant System) as party system till 1988. Thereafter, the understanding of Indian politics requires understanding about the two coalition dispensations like National Democratic Alliance (NDA) and the United Progressive Alliance (UPA) since 1997. Besides this the role of various other political parties is worth-mentioning here particularly the role of regional parties like DMK, AIADMK, TDP, TMC, AGP, NC, PDP, SAD and Shiv Sena and national political parties like CPI, CPI (M), BSP and BJP. Apart from this, various other structures like the Caste System, Patriarchy and Feudal System have also been determining the dynamics and dimensions of politics in India at the national, state and local levels-as they are deeply embedded in its social, economic and political reality at all the levels.

The Structural-Functional approach understands the politics of Nepal and Bhutan by studying the different structures and their respective functions. To know the working of Ranacracy and Monarchy as dynastic structures, Panchayat System as an authoritarian structure and Parliamentary democracy as democratic structure is essential to understand the politics of Nepal. Functioning of Absolute Monarchy and Panchayat System between the years of 1960-1990 helps us to understand the Nepalese context that led to the rise of the movement for democracy spearheaded by Nepali Congress and other political parties which demolished the Panchayat System and transformed the nature of monarchy from absolute to constitutional. The structure and working of political parties like the Nepali Congress, the Communist Parties (ML) and various other regional outfits is equally useful to develop grasp over the politics of Nepal. Imbalance between the democratic structures and dynastic structure resulted into the revival of Absolute Monarchy as a powerful structure in the politics of Nepal that did not allow the democratic structure to grow in the arena of Nepalese politics. Failure of the democratic structures and Constitutional Monarchical structures to change the power equation in Nepalese society since 1990 resulted into the Maoist Movement in 1996 and Jana Andolan-II in 2006 that brought a major shift in the political structures in Nepal from: Monarchy to Republic; Unitary to a Federal State and from Hindu Kingdom to Secular State.

Again the structural functional approach has proved as an effective tool to understand politics of Pakistan by taking into account the working of structures like Praetorian, democratic and authoritarian. Pakistan had experienced the working

of praetorian structures for the three long spells from: 1958 to 1971; 1977 to 1988 and October 1999 to February 2008 directly. Besides this, the praetorian structures also shaped the working of democratic structures almost for a decade from 1988 to 1999 and from 2008 onwards. The bad working and fragility of parliamentary democratic structures always created space for the praetorian structure to venture into the politics of Pakistan. Further the functioning of the office of the President and the Prime Minister enabled us understand the politics of Pakistan because these two structures have always been remained vital for the politics of Pakistan. The structural imbalance created by the 8th Constitutional Amendment (1985) between the structures of Presidency and the Prime Minister proved detrimental to functioning of political system in Pakistan by derailing the parliamentary democracy three times in 1990s. The nature and functioning of feudal and patriarchal structures in Pakistan helps in a great deal to understand its politics. Further, the knowledge about the structures and functions of political parties like Pakistan People's Party and Pakistan Muslim League and various other political parties enrich our understanding about its politics. Feudal structure of political parties further determines trends in the politics of Pakistan indirectly. Apart from this, the feudal structures in the North Western Province of Pakistan are shaping its politics directly. Democratic structures are fragile in Pakistan because the praetorian and feudal structures are more-strong and well entrenched in social, economic and political context of Pakistan.

Structural-functional approach is also a useful method to understand the politics of Bangladesh by taking into consideration its democratic, unitary and praetorian state structures besides the role played by the informal structures like the party system, patriarchy and feudalism. For instance there was a shift in the state structures from the Parliamentary form to the Presidential form that was set in motion during the period of Majib-ur-Rehman. After the military coup in August 1975, the state structures became Presidential in the full-fledged manners. Structural-functional method helps to understand politics of Bangladesh by taking into account the functioning of the parliamentary and presidential form of government. Further, the functioning of praetorian state structures from 1975 to 1990 had always remained vital to understand of Bangladesh. Functioning of bi-party system helps to understand the trend of confrontational politics in the politics of Bangladesh since 1990. Feudal

style of functioning of political parties in Bangladesh, Pakistan and India has not only eroded the democratic structures but also reduced the democracy to the family-as they have sustained the rule of few families in their respective states. Undemocratic functioning of the praetorian state structure for one and half decade had also proved detrimental to democracy in Bangladesh and Pakistan. Functioning of the formal and informal political structures across the South Asian region has always been influenced by the mind-set of the people operating those structures. It appears that the modern democratic structures have failed to change the mind-set of the political elite who are operating these structures rather their mind-set changed the nature of democratic structures in the South Asian societies. The classic case in point is the functioning of the various structures like the Prime Minister, the President, the Chief Minister at macro and multiple structures at the micro level besides the working of political parties throughout the South Asia which are suffering from what the Robert Michael called the Iron Law of Oligarchy. Although, the political parties have been claiming to be democratic structures in theory but their functioning has been indicating that they are not democratic rather feudal structures in all the South Asian states.

1.1.4 POLITICAL ECONOMY APPROACH

The political economy of South Asian societies has been characterized by the patronage politics. This provides a theoretical perspective for analysing the interaction between politics and economy of South Asian societies. The organization of politics along patron-client factions is a structural feature of patronage politics in the South Asian societies. This approach provides us another important to have a holistic understanding about the politics of South Asian states. Political economy's main thrust is how economy shapes political decisions or how polity shapes economic decisions. Marx argued that economics determines politics but the broader understanding of political economy argues that both economy and polity are determining each other it depends upon the time and space. Sometimes economic consideration may shape political decisions other times political considerations determine economic policies and decisions.

The twin ideologies of the Raj were both reflected in, and helped shape the colonial political economy of South Asia. While undoubtedly commercial incentives

led to the strategic involvement of the East India Company in the South Asia, the transition from Company to Crown rule led to an increased role of the state in the political economy of South Asia. The colonial state may be seen as the agent responsible for the fulfilment of what marks referred to as the 'imperial mission in Asia' laying down the foundations of capitalisms. The state had two potentially contradictory objectives: extracting through taxation, maximum land revenue from Indian agriculture and increasing, through massive capital investment, industrial and agricultural productivity. According to Marx, the first objective was destructive necessitating the underdevelopment of Indian agriculture. The right to permanent settlement was introduced by Cornwallis in Bengal in 1793, established a regressive system of taxation, the Zamindari system which revolutionized rural South Asian society in the region. Zamindars were landlords who were taxed a fixed amount directly by the company, irrespective of the quality of harvests who in turn would tax peasant in order to pay the company. Thus the old pattern of Indian agrarian society was replaced by a new system, with a class of landed magnates made subordinate to the colonial regime, in the process becoming its principal allies. It was this alliance' between the colonial state and the Zamindars that made sustained colonial rule and the exploitation of 'village' India possible. According to Hamza Alavi, under the regime of the East India Company land revenue was collected with 'a rapacity and ruthlessness that was unknown under preceding Indian regimes. The second objective was 'regenerating', entailing laying 'the material foundations of western society in Asia by bringing South Asia into an emerging world economy, characterized by a single division of labour through improved communications particularly railways and canals. British industry, however, benefitted disproportionately from this capital investment, giving rise to the view amongst Indian nationalists and some Marxists that India was underdeveloped by Britain. Early nationalists such as Dadabhai Naoroji and R. C. Dutt complained that the development of Indian capitalism was being retarded by the unwarranted drain of India's wealth to Britain through the Council Bill system.

The reordering of the political economy of the colonial India was as important as restructuring the institutions of the state. From the early decades of the nineteenth century the free traders' lobby in the Britain had been gradually prising open the Indian market for their manufactured goods, especially cotton textiles. But it was only

from the early 1850s that India was systematically cast into the role of exporter of agricultural raw materials, such as cotton, jute, tea, coffee, wheat and oil seeds. The colonial system required the annual transfer of funds from the colony to the metropolis to meet an array of home charges. These were funnelled through India's rising export surplus. Home charges included the cost of the Secretary of State's India office in London, costs of wars at home and abroad, purchase of military stores, pensions for British military and civilian officials and a guaranteed 6 per cent annual interest on railways. Although, it was described as the drain of wealth by Indian nationalists like Dadabhai Naoroji and Rameash Chunder Dutt but the British denied that and argued that the unilateral transfer of funds from India to Britain constituted anything more than returns on capital and payment for services rendered. Main argument of nationalists was that the wealth drained away represented a potential investable surplus which would have contributed to economic development if it had remained within the country. Further metropolitan imperatives invariably took precedence over the financial and political needs of the colonial state. Indian railways often cited as a great modernizing achievement of colonialism, were planned and constructed to serve the strategic and economic needs of metropolis. British monopoly over the upper echelons of the institutions of the state and over the reordering of the political economy to their advantage did not mean that colonial rule was sought to be sustained without the support of the Indian collaborators. The British search for collaborators did not stop with the princes. Those taluqdars of north India who had remained loyal in 1857 were extended economic protection. Over the years, an agrarian structure evolved which was dominated by the landlords, money lenders, merchants and colonial state. By the 1940s, the landlords controlled over 70 per cent of the land along with the money lenders and the colonial state appropriated more than the half of the total agricultural production. The colonial state's interest in agriculture was primarily confined to collecting land revenue and it spent very little on improving agriculture.

The redistribution of economic resources was one of the major priorities of Post-Colonial States in South Asia. That is why these passed various Land Reforms laws to redistribute the land as an economic resource. It was argued that this will not ensure the distributive justice in South Asian societies but will also make the state a

legitimate structure in these countries. In addition to it, the state as a political agency has been put on the driving seat of the economies of India, Pakistan, Sri Lanka and Bangladesh to ensure all round economic development. It was the state that set the agenda of economic development in South Asia by setting the goals, devising the strategy and mobilizing the resources for economic development. Five year plans, annual plans and perspective plans have always been prepared by the states in India, Pakistan, Bhutan and Sri Lanka to achieve the goals of economic development.

The Post-Colonial State in South Asia has to mediate between the competing and conflicting interests of the metropolitan bourgeoisie, the indigenous and the landowning class. Opposition to the state therefore comes from the non-dominant peripheral ethnic nationalities alienated from political power and deprived of economic gain. The secession of Bangladesh is explained in terms of this regional and ethnic imbalance in the composition of the state. The fundamental difference between class-based politics and ethnicity-based politics is that while class-based politics invokes universal demands for justice and fair play for all people affected by economic exploitation, ethnicity-based politics is very often dependent on activation and manipulation of the prejudices and suspicious.

To carefully assess South Asia's poor human development record in view of region's recent record of economic growth, there is need to look beyond region's economic growth policies to analyse political economy of two largest South Asian States India and Pakistan. There are reasons that are not fully understood why all the accumulated knowledge based on Mahbub-ul-Haq's work did not get translated into public policy in South Asia. The May 2013 elections of Pakistan and May 2014 elections of India have demonstrated the South Asia paradox characterizing the politico-economic landscape of this region having three distinct features. First was the rise of large middle class which has happened as a consequence of the combination of the number of circumstances. Demography was one of the several reasons for increase in the number of people who can be classified as belonging to this largest segment of population. The growth in the size of middle class has resulted into from a significant increase in the rate of economic growth. This was the more in case of India than Pakistan. Also contributing factor was the massive inflow of finance in the poor household from South Asian workers in the Middle East. Remittance resulted

into graduation of hundreds of millions of people from poverty to lower middle class status. The second reason was the perception on the part of lower middle class that the State was not working for their betterment. The Indian ‘distributive state’ coupled with red tape and corruption created a big gap between the aspirations and their realization. This was also true for Pakistan although Islamabad did not commit a larger proportion of national income or public expenditure on subsidies meant for poor and lower middle class as did India. This class became increasingly frustrated with its situation. What it did not gain in economic terms—a significant share in national income—it was able to acquire in political arena. However, it was only during the elections, the disgruntled could get their voice heard. Third technology and its spread have given tools this class that were not available to groups such as these in times before and in other places. The members of this class were able to share their growing frustration with the work of state with their cohorts. Individual experience became collective and shared beliefs. These are some of the factors behind political change in Pakistan in 2013 and in India in 2014. It was during Nehru-Gandhi’s India and Bhutto’s Pakistan, the state power was used in the attempt to satisfy the aspirations of those people who were left behind. These attempts clearly failed. This is the main reason for the collapse of left-leaning political parties in India and Pakistan.

Nehru mobilized domestic savings and turned them over to government institutions for increasing the presence of State in the economy. He also used the government’s power to control the private sector. The latter led to the establishment of ‘licence raj’ Bhutto followed the Maoist approach to use expropriation to expand the state’s role. Both believed that an economically powerful state was needed to deliver to poor and underprivileged their unmet basic needs. The sharp increase in the share of state in the national economy of Pakistan produced the same result as in India. The region has to increase economic growth. More than that in need to focus on the character of growth process including its equity and sustainability. New mechanism must be created to help the weak and vulnerable to benefit from the opportunities of new economy. The India State by guaranteeing property rights in its constitution acquired the character of bourgeois state. According to A. R. Desai, a state that does not guarantee the right to work forfeits its claim to be a representative of property less classes. In that sense the Post-Colonial Indian State became the representative of the

propertied classes in India primarily the capitalist class. The class character of Indian state has become more pronounced in the neo-liberal era.

In Sri Lanka, at the time of independence, the government intervention in the area of economy had already reached a stage where it could best be summed up, in contrast to the economic government of the West, as governmental economy, referring to the all pervasive role of the government in organizing and reproducing the area of economics, indeed, to the point of constructing the model of development for the state. The development thrust of State in Sri Lanka found its best and boldest expression in the Island's adoption of socialism. According to K. M. De Silva, since plantation enterprise, nascent industry and the island's trade were dominated by foreign capitalists, and the minorities were seen to be disproportionately influential within the indigenous capitalist class. Buddhist pressure groups viewed 'socialism' as a means of redressing the balance in favour of the majority group. Every extension of state control over trade and industry was justified on the ground that it helped to curtail the influence of foreigners and minorities in the economy of Sri Lanka.

It was found that Sinhala-Buddhist nationalism has been invented as a key mobilization tool by the dominant economic classes of the nineteenth century who struggled to secure their economic dominance from the colonial intervention. By using Sinhala-Buddhist nationalist ideology these economic forces not only fulfilled their narrow class based interests and obtained legitimacy to their ideological, cultural and moral leadership, but they also successfully incorporated the subaltern masses into colonial national policies and built cross-class alliances, favourable for establishing their legitimacy in the post-colonial period. However, Sri Lanka has been known for patronage politics since colonial period but it has its roots in the pre-colonial times. During the various phases of colonialism and post-colonial period as well, the patronage relationship continued to exist. Though over the period of times, these relations have transformed, heightened and graduated as important mechanisms on deciding who gets what and how. In the background of uneven capitalist development in Sri Lanka, there was reason to suggest that Sri Lanka remain largely rural and traditional society in which everyday social relations and who gets what, how and why was negotiated through a web of patronage relations surrounding the rural agro-based economic structure. This was not specific to Sri Lanka that was also available

in the other Post-Colonial states in India and Sri Lanka. Hence, the state patronage offered to the peasantry appeared as a promising practical political strategy for the elites in Pakistan, India, Bangladesh, Nepal and Bhutan as well because even after independence, agriculture remained the main source of livelihood of many people in these states. New economic opportunities brought about by the political space opened by colonialism invited these upper caste and upper class elite to join colonial national policies. To secure political power, they put their trust on the traditionally cultivated networks primarily based on kinship, caste and land-based village-centric social relations of production.

Bangladesh is known for patronage politics and competitive clientelist factionalism. The problem of institutionalizing democracy in Bangladesh can be understood if one goes beyond the nationalism as a driving force state formation and instead focuses on the organizational strengthen of clientelist factions that have driven its politics both negatively and positively. However, the organization of clientelist politics in Bangladesh has many similarities and differences with India. The diversity of India's factions based on different coalitions of castes, ethnicities and religious identities has enabled patron-client politics to operate in more stable manners in comparison to Bangladesh and Pakistan. In India no group was strong as well as big enough to dominate others, whereas in small South Asian states with homogenous populations or smaller number of ethnic groups have been suffering from polarization in patron-client politics that obstruct the operation of democratic politics in the clientelist polities. The creation of Bangladesh was beneficial for the rapid expansion of the Bengali-Muslim middle class and for the emergence of its own capitalist class, a better understanding of the constraints facing state-building in Bangladesh required to respond to ongoing political and economic challenges.

1.1.5 LET US SUM UP

To sum-up, it can be articulated that in order to have a broader understanding about the politics of the South Asian states in the Post-colonial period, there is need to approach that from the different angles ranging from: historical to legal & institutional; system to structural-functional and from dependency to political economy. All these perspectives provide the meaningful insights to grasp the political of south Asian states

in its entirety. However, historical approach has proved quite useful to understand the contemporary politics of South Asian societies while connecting their past because whatever has been happening their domestic politics have roots in the history. Historical approach provides the reference point to understand the contemporary discourses in the politics of India, Pakistan, Sri Lanka, Bangladesh and Maldives. More than that comparative political history of these states has further proved quite helpful to understand recent trends in their politics by putting them in the comparative historical perspectives. Notwithstanding the utility of historical approach, it does not equip fully to understand the South Asian polities. To further enrich understanding on the politics of South Asian States, one needs to go beyond the historical approach and to apply the structural functional approach-as the South Asian states have been having variety of structures ranging from traditional to modern which have been shaping the dynamics and dimensions of their politics. While studying the different structures and functions performed by these structures, one can further develop his/her perspective on the politics of South Asian states. In the Post-Colonial period, some of the South Asian states have established the modern political structures but still the traditional social, economic and political structures also continued. The uneasy relations between the traditional and modern political structures have always been an important subject of enquiry in the South Asian polities. Although, the structural functional approach has proved quite handy to understand political phenomena in the politics of South Asian States but in order to have better one needs to connect politics with economics in the South Asian societies-as there is close relationship between the both. Therefore, the political economy approach has proved as a worthwhile tool to understand the politics of South Asian states while analyzing economic implications of state policies and political fallout of economic policies of the South Asian states-as polity and economy are the two-sides of the same coin. This approach also provides the class perspective of the politics of South Asian states apart from making us aware that how the South Asian states are allocating the values while making the economic and social policies. In nutshell, it can stated that none of the above discussed approach enables us to understand the politics of South Asian states in the broader perspective, rather, one can understand the politics of south Asian states in broader manners while applying the historical, structural-functional and political economy approaches.

1.1.6 EXERCISE

1. How historical approach is useful to understand politics in South Asia?
2. How the structures and processes in South Asian states are influencing their politics? Explain using Structural-Functional approach.
3. The political-economy approach is essential to understand the class, patronage and elite dimension of political developments in South Asian states. Elaborate.

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1.2 IMPACT OF COLONIALISM ON THE POLITICS OF SOUTH ASIAN STATES

- Baljit Singh

Structure

1.2.0 Objectives

1.2.1 Introduction

1.2.2 Anti-colonialism

1.2.3 Nation-State: A Colonial Legacy

1.2.4 Communalism: A Product of Policy of Divide & Rule

1.2.5 Secularism in South Asia: A Contested Terrain

1.2.6 Nationalism: A Product of Colonialism

1.2.7 Administrative Machinery

1.2.8 Impact of Economy

1.2.9 Modern Education in South Asia

1.2.10 Parliamentary Democracy: A Constitutional Legacy

1.2.11 Codified Modern Legal System in South Asia

1.2.12 Constitutionalism as a Colonial Legacy

1.2.13 Let us Sum Up

1.2.14 Exercise

1.2.0 OBJECTIVES

After going through this lesson, you will be able to understand:

- The ideological and political influence of anti-colonial movements in the evolution post-colonial state;
- How the nation-state in South Asia is a product of British influence;
- How the divide and rule policy of British colonialism resulted in the emergence of communalism in post-independence South Asian states ;
- The colonial influence on notions of secularism and nationalism that prevailed in South Asian states ;
- The influence of British colonialism on economy, education and administrative structures of post-colonial states;
- The impact of Colonialism on Constitutionalism in South Asian politics with special reference to parliamentary democracy and codified modern legal system.

1.2.1 INTRODUCTION

Indian sub-continent later named as South Asia remained under the colonial rule for quite long-time that influenced the political, economic and social aspects of the people of South Asian societies. The end of colonialism in the South Asia region does not discontinue the colonial influences rather they continued to shape the political, economic and social discourse in the South Asian states. The Post-Colonial South Asian States have been continuing with the various colonial legacies in their politics, economics and society. The colonial legacies have been manifested in this region in the various forms like the modern state, nationalism, democracy, modern education, modern means of transportation and communication, constitutionalism, the nature of political system, the steel frame of the state, codification of legal code. Policy of divide and rule, communalism and the use of religion that are colonial in origin have shaping the lives of the South Asian people day in and day out. The colonial legacies of unitary state system and the parliamentary form of government & representative democracies have been determining the political discourse in the South Asian societies. The anti-colonial struggles in India and Sri Lanka were also

the outcome of colonialism. In other words, the colonialism had been a phenomenon in the politics of South Asian states. Most critical impact of colonialism had been the anti-colonialism. However, the colonial rule transformed South Asian society tremendously by way of introducing rule of law, modern bureaucracy, modern means of transportation & communication, modern education system and the opening of local markets to international trade but it also created British Colonial Empire in Indian sub-continent that brought integrated the different areas of the subcontinent with each other. Further, revolutionary ideas originated from the west also inspired the anti-colonial struggles in India and Sri Lanka.

1.2.2 ANTI-COLONIALISM

Colonialism in the Indian subcontinent resulted into anti-colonial struggle spearheaded by the Indian National Congress and All India Muslim League in India and the United Nationalist Party in Sri Lanka. These anti-colonial struggle did not only result into the end of formal colonial rule but also led to the articulation of nationalism that became the ideology of the Post-Colonial States in India, Pakistan and Sri Lanka. Anti-colonial movements resisted the colonial rule in India and Sri Lanka and thereby laid down the foundations of self rule in the South Asian Societies. It had also raised the level of political consciousness of the people that resulted into the political mobilization of the people and increased the awareness of people regarding their rights and duties. The oldest anti-colonial nationalist organization in the world Congress under the leadership of Nehru reinforced India's liberal democratic institutional framework by accommodating not only the dominant classes but a variety of caste, religious, linguistic and regional identities both through the party in the state structures. In contrast, lacking in these ingredients, India's sub-continental neighbours, Pakistan and Sri Lanka proved far less successful, both in sustaining stable constitutional government and preventing civil war. While India experienced localized civil wars, these outbreaks were insulated and ultimately, defused. However, as the formal democracy of the British Dominion of Ceylon, as it was until 1972, was progressively displaced by more bash and intolerant 'social' democracy of the Republic of Sri Lanka, the Island state witnessed a descent into decades of civil war between Sinhala Buddhist majority and minority Tamils. The

history of political protests has been instrumental during the anti-colonial struggles of the subcontinent and later in strengthening the democratic politics in South Asia. However, even long after the end of colonialism and restoration of democracy, hartals and strikes are still integral part of political culture in South Asia. In addition to Bangladesh, India, Nepal, Sri Lanka and Pakistan face increasing number of hartals on yearly basis. Interestingly, after the restoration of democracy in Bangladesh in 1990, the average number of strikes, protests and hartals has increased considerably in comparison to previous praetorian regimes.

1.2.3 NATION-STATE: A COLONIAL LEGACY

Modern State has been a colonial legacy in South Asia. The foundations of modern states in India, Pakistan and Sri Lanka were laid down during the colonial period. Since 1940s, Sri Lanka began to show signs of emerging Modern State. The evolving political party system was one important development related to that. In Sri Lanka, the Donoughmore Constitution (1931-1947) paved the way for the formal establishment of political parties. Despite the initial attempt made by local bourgeoisie in the legislative council to limit granting universal suffrage to the lower-class masses in 1931, the Donoughmore Commission granted universal suffrage to all in Sri Lanka. This resulted into the emergence of national politics-as extending universal franchise to the rural electorate that happened to be the main power base of Ceylon National Congress (CNC), whose leadership was British loyalist, undermined the labour movement and class politics. Further, it brought the bourgeoisie in the CNC closer to the rural masses and made them dependent on their votes to win elections. In continuation to that trend, six significant political parties took part in national politics in 1946, within limited space offered to them by the British colonial rule.

Territorial consolidation of Indian State was set in motion during the colonial period in the form of British India. The colonial conquest one after another princely state resulted into the territorial consolidation of India. Modern means of transportation and communication had further contributed to construction of political nation and territoriality of modern state. Modern State was conceived as a Nation-State in the South Asian region and the South Asian countries tried hard to construct Nation-State

in their respective societies through the process of Nation-building and State-building. Modern State had been a centralised institution and South Asian countries attempted to reinforce the authority of centralised state structure by constructing the political nation out of the multi-cultural, multi-lingual and multi-religious social universe. In addition to modern state, the processes associated with it like nation-building and state-building have also been the colonial legacies in the South Asian states. Through these processes, they attempted to build the authority of modern state in the Post-Colonial South Asian societies. The former colonies in South Asia attempted to become Nation-States despite from being ill-suited to the post-colonial societies.

The colonial state in India, Sri Lanka and Pakistan did not develop organically out of the internal logic of their respective societies but were imposed upon them by colonial masters. The main loci of authority of state in the pre-colonial age were the jati and varna orders characterized by an asymmetrical dispersal of political, economic and religious functions. In traditional Indian society power had been dispersed to many different layers of legitimate authority from the mythical ‘village’ community, through to regional kingdoms and empires, colonial rule sought to invest in state all forms of legitimate political authority. The transition from Company to Crown rule had, in the territories the British controlled, served to delegitimize traditional structures of political authority and, after the 1877 Royal Titles Act, had made Indians subjects of a British Empress. With the de-legitimization of traditional political authority came the closure of existing channels of communication and grievance between the rulers and ruled. Thus, the colonial state underwent a process of construction by colonizers on Indian soil using a tool-kit which borrowed heavily from developments in modern European history. The colonial state was unimpeded by the demands and rules of a newly enfranchised electorate and was therefore more powerful and repressive than the nation-state in the mother country. Khilnani argued that the foreign rulers brought with them to India a concept of the State that drastically changed ideas about power in India.

However, Sri Lanka was under western influence since 1505 but it was the British who unified Sri Lanka as a political entity after the fall of the Kandyan Kingdom in the 19th Century. The Kandyan Kingdom, however, fell to the British,

the third and final colonial power to rule the Island, in March 1815. The British consequently became the only colonial power to control the entire island. Prior to the unification by the British, Sri Lankan political system was fractured and decentralized, with different centres of power being yielded by either the native populations or the colonizing powers.

Colonialism left indelible scars on Pakistan these have affected the country's ability to progress towards becoming a successful nation. The decision of partition of Indian sub-continent and creation of Pakistan was the hasty decision following the realization that war ravaged Britain could no longer afford to continue to reign over the subcontinent. Apparently thinking of itself Britain hurriedly drew the boundary lines, reportedly by a man who had little knowledge of Indian conditions with the use of out of date maps and census material.

1.2.4 COMMUNALISM: A PRODUCT OF POLICY OF DIVIDE & RULE

In India, the British rulers certainly learned from the practices of their Mughal, Hindu and Sikh predecessors in categorizing their Indian subjects, the novelty in their systematic method, modern 'scientific' techniques, and the scale on which they sought to enumerate and classify castes, tribes and religions. The effect was to make consciousness of such group identities far more pervasive and politically potent. The creation of separate representation and electorates in the representatives and elected bodies that were introduced from the 1900s onwards also served to institutionalize these identities, making them less fluid than they had been. However, such categorization may have initially had its primary purpose making intelligible, and encompassing, an alien public sphere but latter it proved useful tool in deploying divide and rule tactics against emergent anti-colonialism.

The Colonial State's policy of neutrality based on indifference towards religion was a product of convenience, not conviction. British perception of Indian society as an aggregation of religious communities gave impetus to representations of identity in idioms emphasizing differences, not commonalities between those who among other things happened to be Muslim, Hindu, Sikh, Jain, Christian and Parsi. The term communalism did not command the centre stage of the public discourse on communitarian identities until after the formal grant in 1909 of separate electorates

to Muslims at all levels of representation. With the restricted introduction of the electoral principle in the late 19th century, members of the educated and propertied elite belonging to all religious dominations had an interest in promoting politicization of communitarian identities. Taking the advantage of a rapidly growing press and publication market, those claiming to represent Hindu or Muslim interests projected their specifically class and regional concerns in terms of religious communitarianism. The discourse of elite was more divided than united. As local communities lost their intimacy and immediacy, the term Hindu and Muslim were emptied of all religious and philosophical significance and became markers of distinct, homogenous and potentially conflicting political identities at all India level through the formation of the Muslim League and the Hindu Mahasabha. The colonial state introduced separate electorates and employment opportunities for ethno-religious communities. The Montagu-Chelmsford Reforms introduced separate electorates for Muslims in 1919 paving the way for the communalization of South Asian politics. In 1932, Communal Award introduced separate electorates for 'Depressed Castes'. This was a concerted attempt by the imperial authorities to fracture the nationalist movement on ethno-religious and caste lines. This policy of divide and rule did not only sharpen the religious differences between Hindu and Muslims but also resulted into the articulation of the alternative form of nationalism in India, known as Muslim Nationalism that ultimately culminated into the partition of India and the birth of Pakistan as a Muslim nation in 1947. With that the Hindu-Muslim divide and hatred did not come to an end rather it was institutionalised in the form of communalism that continued to define not only the discourse of Indian politics at home after partition but also shaped the India-Pakistan relations in the communal mould in the Post-Colonial period.

In Sri Lanka, the things have become even more difficult in the light of the fact that the presence of alien powers since the 15th century; first Portuguese, followed by the Dutch and the British and the organization of colonialism proper under the British have restricted the autonomous and healthy development of civil society in Sri Lanka. In fact the latter is often found promoting government's version of things, one which is well documented in the now confirmed reconstruction of history by the intelligentsia of both Buddhist-Sinhala and Hindu-Tamil communities. In this context, whatever role civil society now has in the making of the Sri Lanka nation

remains not only passive in relation to the role of the government but also fragmented on communal lines. Such a situation, apart from breeding animosity and mutual hatred between rival communities, tends to limit the role of civil society in the task of communal conflict resolution. After the conquest of Sri Lanka in 1815, when the British signed the Kandyan Convention, they wisely agreed to support and protect Buddhism, as had previous local rulers. They continued this policy until the late 1840s, when British evangelicals pressured the colonial government to reverse policy. The new colonizers thereby not only failed to live up to their treaty obligations, but supported foreign proselytizers' efforts to make the island a bastion of Christianity. These proselytizers vilified Buddhism and Hinduism and were especially critical of Buddhist monks. Such actions combined with the British practice of divide and rule, whereby they disproportionately provided government employment to minority Tamils and favoured Christians over those of other regions, soon caused the majority Buddhists to mobilize. Sinhalese Buddhist nationalism was consequently a reactive phenomenon. The burgeoning Sinhalese Buddhist nationalism and disagreements over representation had led to tensions between Sinhalese and Tamils, their leaders maintained a united front when clamouring for independence from the British and Sri Lanka became a free state in 1948. None then could have anticipated the virulence and intolerance Sinhalese Buddhist nationalism would embrace.

1.2.5 SECULARISM IN SOUTH ASIA: A CONTESTED TERRAIN

The ideological basis for a secularist tradition includes colonialism, especially under the British; the western educated elites' belief in the virtues of secularism, exposure to universal franchise, and attempts, together with the British, to ensure the country evolved into a liberal democracy; and the tolerance espoused by the Buddhist religion. Yet if these antecedents buttressed secularism, they also influenced the Buddhist nationalist trek towards communalism. For instance colonialism may have exposed the elites and many others to liberal ideas and ideals, but the colonial influence also deliberately marginalized Buddhism. Sri Lanka's constitution gives Buddhism the foremost place on the island, without making it the state religion. According to Article 9 of the Constitution, "the Republic of Sri Lanka shall give to Buddhism the foremost place and accordingly it shall be the duty of the state to protect and foster Buddha

Sasana, while assuring to all religions the rights granted by Articles 10 and 14 (1) (e)". Article 10 provides for "freedom of thought, conscience, and religion, including the freedom to have or to adopt a religion or belief of his choice", and Article 14 (1) (e) gives the individual right "to manifest his religion or belief in worship, observance, practice and teaching", alone or as part of a group, "in public or in private".

1.2.6 NATIONALISM: A PRODUCT OF COLONIALISM

The British conquest of India brought an unprecedented degree of political unification of the country. The former rulers of India were either eliminated or reduced to subservice. Areas containing in total about three-quarters of the country's population were brought under the direct British Administration. In the remaining part of the country, the princely states remained but their rulers enjoyed little more than the degree of autonomy in the internal administration of their territory. British power was supreme throughout the country. The British rule that followed such a long period of turmoil provided security, enforced a rule of law and heralded a long period of peace and stability. The various factors promoted the feeling of homogeneity among the various groups throughout India and helped to create national consciousness, law was one of them. The development of modern means of transportation and communication like railway, roads, postal and telegraph system promoted communication and intercourse amongst the people of the different parts of the country, therefore, be said to mark an important stage in the evolution and development of national consciousness.

Indian nationalism was articulated and directed against the continuation of foreign rule in India, whereas, Pakistan's nationalism was articulated on the basis of two nation theory in which it was argued that India had two nations comprising of Hindus and Muslims. On the basis of this argument All India Muslim League articulated Muslim Nationalism for a separate nation for Muslims on the basis of religion. The partition of Indian sub-continent, by removing two-thirds of Muslim population, might have made the issue of state and national identity in India less problematic. It is because the Post-Colonial State in India transcended to some extent the, the colonial logic of divide and rule that while reorganizing its political units on the basis of language, ethnicity and region, it has been better at digesting ethnic and religious plurality.

The genesis of nationalism in Sri Lanka can be traced back to the second half of the nineteenth century with the emergence of a Sinhala ‘consciousness’ that is becoming aware that Sinhalese are a distinct group of people. This notion of collective ethnic identity was transformed during the late British colonial period into Sinhala-Buddhist nationalism; in its early form, the term ‘religious nationalism’ was widely used to describe certain politically significant events that took place in Sri Lanka prior to country’s independence. This phase of history is also commonly described as a period of anti-western nationalism of ‘first generation nationalism’. After independence, a more rigid form of ethnic identity formation became an important element of nationalism. However, Sinhala-Buddhist nationalism as a means of hegemony building among the Sinhalese proved successful in bringing together but this process also generated adverse effects in building an egalitarian society and democratic state in the post-colonial period. While using the Sinhala-Buddhist nationalist strategy of political mobilization, Sinhalese political elites has been able to develop a common understanding of the state among the lower class masses as a Sinhala-Buddhist state. By practicing this notion of state the masses drew ideological satisfaction, whereas the elites draw political and economic benefits. Consequently, Tamil nationalism was evolved in the form of resistant movement and it acted as a counter punch to hegemony building strategies of the Sinhalese political elites and hegemony building in the Sinhalese community. It was articulated in a conventional by emphasising and analysing its defensive and reactive nature and focussing on the victimhood of Tamils.

1.2.7 ADMINISTRATIVE MACHINERY

The biggest change colonialism has made in Indian subcontinent was to replace the warlord aristocracy with an efficient bureaucracy and army. Colonialism had shaped the administrative machinery of the state in South Asia at the initial stage-as the idea & institution of civil services were introduced the colonial masters in this region. The steel frame of British Raj was recruited on the basis of racial considerations. The upper echelons of bureaucracy were exclusively British in composition. These senior British officials were recruited into Indian civil services through competitive examinations used to hold in London. Indian nationalist demanded that simultaneously civil service

exams to be held in India and England. Despite the passage of a resolution supporting simultaneous examinations by the House of Commons in 1893, this administrative reform was not implemented until after the end of World War-1. Indians were recruited at the lower levels of administration, but even here many educated Indians faced racial discrimination.

Pakistan's Civil Services inherited from the Indian Civil Service that has been referred to as the steel frame of state structure that enabled the British to rule their large and unmanageable Indian empire. Pakistan did not only inherit the civil services structure and nomenclature but also the Post-colonial civil services continued the old pride and prestige. The mind-set, competence and exclusiveness of the colonial civil services are still continuing in contemporary Pakistan. The strong bond between the feudal lords and civil servants has been major reason that bureaucracy has continued with the colonial mind-set. The domination of the Punjab province in bureaucracy has been another reason for that.

1.2.8 IMPACT OF ECONOMY

In the economic sphere, the colonial masters pursued the policies that were certainly more beneficial for them which further led to the stagnation of the subcontinent's economy. As the British control over the princely state grew, the powers of the originally ruling families were curtailed. The old ruling families were thus reduced to beggary. Land holdings became smaller and fragmented. The burden of agricultural tax grew and ownership of the land often passed to moneylenders. Millions of labourers became landless. The root cause of this was Warren Hasting's policy of auctioning the right of revenue collection to the highest bidders.

The impact of colonialism on the economies of South Asian states was also tremendous. The British policies affected most of India's agriculture and her agrarian classes and her trade and industries. The British brought about a most important transformation in India's agricultural economy but this was not with a view of improving Indian agriculture to increase production and ensure the welfare and prosperity of the Indians involved in agriculture, but to obtain for themselves in the form of land revenue all surplus available in agriculture and to force Indian agriculture to play its assigned role in a colonial economy. Old relationships and institutions were destroyed and new ones

were born. But these new features did not represent a change towards modernization or in the right direction. The colonial masters introduced two major land revenue and tenurial systems. One was the Zamindari system and other was the Ryotwari system. Under the former, old tax farmers, revenue collectors, and Zamindars were turned into private landlords possessing some, but not all, of the right of private property in land. The substantive part of rent they derived from the tenants was to be turned over to the government. At the same time, they were made complete masters of the village communities, the peasant cultivators were transformed into tenants-at-will. Under the latter, the Ryotwari system the government collected the revenues direct the individual cultivators, who were recognised in law as the owners of the land they cultivated. But their right to ownership too was limited by the temporary nature of the land revenue settlements and by the high rate of revenue demanded, which often they could not pay. Irrespective to the name of system, it was the peasant cultivators who suffered and they were forced to pay very high rents and for all practical purposes functioned as tenets-at-will and actually the government came to occupy the position of landlord.

Major impact of the British policies with regard to Indian agricultural economy was the emergence of moneylender as an influential economic and political force in the country. The growing commercialization of Indian agriculture based on commodity production for the world market did create some brief periods of boom, for example, in the cotton tracts during the years of American civil-war. In many areas, a class of rich peasants developed as a result of commercialization and tenancy legislation, but most of them too preferred to by land and become landlords or to turn to moneylenders. As a result capitalist farming was slow to develop except in few pockets. Notwithstanding these short term gains, the peasants were exposed to vagaries of the world market as never before. New ways were being devised to extract resources from the agrarian economy, the colonial state was coming under increasing pressure from the metropolis to institute fiscal policies designed to maintain India as the most important outlet for British manufactured goods.

The colonial rule also created conditions for the setting-up of modern capital and technology intensive industries in India. It created a wider all India market by

building a country-wide support system. This had destroyed the long-standing relationship between rural industries and agriculture-as the rural production pattern including the handicraft industries had been destroyed or seriously disrupted, the relationship between rural industries and agriculture snapped.

The origin of state's welfare policy and welfare politics can be traced back to the Donoughmore reforms in 1931. The depression of 1930s was an important event that hit the plantation system hard that almost led to complete collapse. The scarcity of essential goods and widespread unemployment are also sighted as important scenarios underlying motivations of the welfare policy during the colonial period. After independence the welfare policy pursued by the British followed the local political elites. Though, the state welfare policy did not target a particular group/community –as it focussed on occupational groups such as peasantry or social groups such as poor and underprivileged but in practice it ended up serving the Sinhalese peasantry the most. Until the late 1970s, the initial ideas of the welfare programmes were greatly influenced by the British social policy. Radical economic and social reforms that were implemented after 1971 youth insurrection i. e. the land reform laws of 1972, nationalization of plantations since mid 1970s, state's accelerated control commanded over the trade and industry and establishing a socialist state are all geared to seek new allies to strengthen the political camps lead by various factions in political parties.

1.2.9 MODERN EDUCATION IN SOUTH ASIA

Thomas Macaulay introduced the Western education in the Indian sub-continent. His aim was to create a nation of clerks, half westernized and half native who could economically man the offices of the British Raj. Muslim refused to get western education. It took Sir Syed Ahmed Khan to convince them otherwise, Hindus had progressed far ahead. All this contributed to a distortion of the Indian class structure. By getting western education, the Hindu middle class emerged much sooner than the Muslim. There were also two kind of Muslim middle classes when they belatedly emerged: those who studied English and those who did not. The result was that education could not spread to the masses due to linguistic and cultural gulf resulted thereof.

The British evolved a general system of education in India based on English as the common language of higher education. It produced the Indian intelligentsia. English based education had two extremely negative consequences; first it created a wide gap between the educated and masses; however this gap was bridged to some extent by the national movement which drew its leaders as well as its cadres from the intelligentsia. Second, the emphasis on English prevented the fuller development of Indian languages as also the spread of education to the masses. Notwithstanding these negative impacts, modern education also spread awareness amongst the masses regarding the right to self-determination, liberty, equality and fraternity apart from connecting people in India across the linguistic divide by introducing the modern language in the English medium. This common education system produced India-wide intelligentsia which shared a common outlook on society and polity, and thought in national terms.

The history of the introduction of English language in Sri Lanka dates back to the earlier decades of the 19th century, and it is closely tied to the presence of the British colonial administration and missionary educators. From the start of British rule in Sri Lanka, the colonial administrators stressed the value of English and Christianity. The colonial administration realized the functional value of English in the creation of class of English-educated officials who would serve as an essential link between the British rulers and the masses. It was the policy of the colonial administration to make natives learn English, rather than to make public servants learn Sinhala. The English language became crucial to the development and maintenance of British colonial power in Sri Lanka. In the early period of British rule in Sri Lanka, educational activity was left largely to the initiative of the missionaries. Until 1831, the government provided very little education in English, but as a result of the Colerbrooke report the government's attention was shifted to English schools. Colerbrooke recommended that government vernacular schools be abolished, and that attention should be given to the teaching in English. The establishment of English as the language of administration and the medium of instruction signalled the triumph of the 'Anglicist' policy. Linguistic imperialism was another consequence of colonial policy and colonial ideologies were reflected in language education policies.

1.2.10 PARLIAMENTARY DEMOCRACY: A COLONIAL LEGACY

Neither democracy nor the parliamentary democracy has been indigenous to the South Asian situation rather they are planted tree in this region. British colonizers not only introduced the idea of democracy to the people of Indian sub-continent but also made successful attempts to lay down the foundations of parliamentary democracy in the South Asian societies. Most of the South Asian states have retained the parliamentary form of government along with the unitary state structures after their independence. However, some of the one South Asian state like Sri Lanka opted for the mixture of parliamentary and presidential form of government in its constitution of 1978, whereas, Maldives, opted for the presidential system after its independence in 1965. Pakistan and Bangladesh also did some tinkering with the parliamentary form of government during the praetorian rule. Nepal had also been experimenting with the Parliamentary form of government from 1951 to 1960 and from 1990 onwards. Bhutan has also introduced the Parliamentary form of government since 2008. However, their experiences with the Parliamentary form of government are different from each other. On that basis some are still continuing with that whereas, the others have made alteration/modification in that like Sri Lanka.

1.2.11 CODIFIED MODERN LEGAL SYSTEM IN SOUTH ASIA

Many contradictions noticed in the colonial state in South Asia because on the one hand it was basically authoritarian and autocratic but at the same time it also featured certain liberal elements like the rule of law and a relatively independent judiciary. Administration was normally carried out in obedience to laws interpreted by the courts. This acted as a partial check on the autocratic and arbitrary administration and to certain extent protected the rights and liberties of a citizen against the arbitrary actions of the bureaucracy. Besides this, colonialism codified the legal system in the Indian sub-continent by passing the various laws ranging from procedural to substantive laws. The laws related to the establishment of courts to deal with the criminal and civil matters, the British Parliament passed the Criminal Procedure Code and Civil Procedure Code respectively apart from passing the India Penal Code, India Evidence Act and India Police Act. These acts codified and institutionalized the modern legal system in India that has been still prevailing not only in India but also

in Pakistan and Bangladesh with little bit modifications. The colonial legal system was based on the concept of equality of all before the law irrespective of a person's caste, religion, class or status. Colonial rulers also extended a certain amount of civil liberties in the form of the freedom of the press, speech and association in normal times, but curtailed them drastically in the periods of mass struggle.

1.2.12 CONSTITUTIONALISM AS A COLONIAL LEGACY

In order to legitimize their rule in India and Sri Lanka, British colonizers established rule of law suited to their interests. A central paradox of their rule was that its survival depended on failing to fulfil the universal promise of their liberal state ideology. For instance, the rule of law in British India was necessarily despotic in nature because the rulers could not be held to account by those they governed but only by their imperial masters in London.

1.2.13 LET US SUM UP

While summing-up discussion on the impact of colonialism on the politics of South Asian states in the Post-Colonial period, it can be stated that the colonialism has shaped the politics of South Asian states in substantive form. South Asian states are not only continuing with the colonial structures and processes but also with the colonial mind-set in the Post-colonial period. Meaning thereby that Post-Colonialism does not mean departure from colonialism in the South Asian region rather retaining the many laws enacted by the British colonizers in letter and spirit. The constitution-making process in India and Sri Lanka was set in motion in this region during the colonial period and concluded in the Post-Colonial period. The constitutions of South Asian states have heavily drawn from the various act passed by the British Parliament when these states were directly governed by the British colonizers. Colonial legacies like parliamentary democracy, unitary state structures, rule of law, codification of the legal system, modern education, modern means of transportation & communication, nationalism and idea nation-state are few to mention that have been shaping the political, economic and social lives of people in the South Asian societies. Further, the consolidation of territorial nationalism and articulation of ideological nationalism as an ideology of Post-Colonial State in South Asia also happened during the colonial

period. Colonialism also introduced the modernized state structures like bureaucracy and army that shaped the strategy of state-craft in the Post-colonial period. Political parties that are colonial in origin were also shaped by the anti-colonial struggles in India and Sri Lanka. Apart from this the colonialism did shape the political economy of the Post-Colonial states in the South Asian region.

1.2.14 EXERCISE

1. The evolution of nation-state in South Asia is borrowed from West due to colonialism. Explain.
2. The communalism in South Asian states is resulted from the divided and rule policy of British colonialism. Elaborate.
3. How secularism in South Asia is a contested terrain?
4. How British colonialism influenced the economic, educational and administrative policies of post-colonial states of South Asia?
5. Write a note on impact of colonial legacy on constitutionalism of South Asian states with special reference to legal system and parliamentary democracy.
6. Critically review the colonial impact on politics of South Asian states.

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M.A. Political Science, Semester III, Course No. 303, Politics in South Asia
UNIT – I: APPROACHES, STRUCTURES, PROCESSES AND STATE

1.3 CONSTITUTIONS AND CONSTITUTIONALISM IN SOUTH ASIA: THEORY AND PRACTICE

- Baljit Singh

Structure

1.3.0 Objectives

1.3.1 Introduction

1.3.2 Constitution of India

1.3.3 Constitution of Pakistan

1.3.4 Constitution of Nepal

1.3.5 Constitution of Bhutan

1.3.6 Constitution of Maldives

1.3.7 Constitution of Bangladesh

1.3.8 Constitution of Sri Lanka

1.3.9 Constitutionalism in South Asia: Theory and Practice

1.3.10 Let us Sum Up

1.3.11 Exercise

1.3.0 OBJECTIVES

After going through this lesson, you will be able to understand:

- The process of constitutional development in South Asian States;
- The role of political, regional, ethnic, caste groups and various other interest groups such as feudal, military in the development of constitutions in the South Asian states;
- The basic features of constitutions in the states of South Asia; and
- The theory and practice of Constitutionalism in South Asian states.

1.3.1 INTRODUCTION

In the Post-Colonial period, the South Asian States India, Pakistan and Sri Lanka started their political journey while drafting their respective constitutions. However, the process of drafting their constitutions was set in motion much before their independence. In other words, the origin of the process of constitutional making can be traced back to the colonial period. Not only these three states but another South Asian state Nepal that did not experience colonialism also had first written constitution early 1950s. The basic philosophy behind having written constitutions by these South Asian states was to establish the rule of law and the limited and democratic government. The constitution adapted by Nepal in the 1950s replaced the rule of ruler with the rule of law apart from abolishing the autocratic dynastic rule of Ranas and establishing democracy. India, Pakistan, Sri Lanka and Nepal followed by Maldives and Bangladesh in opting for the written constitutions. Bhutan is last South Asian state which opted for written constitution much late to establish constitutional monarchy and democracy in the Himalayan Kingdom. Now except Nepal, every South Asian state is having written constitution that provides the skeleton of political system to govern the society. Nepal has also been debating its constitution since 2008 however its constituent assembly elected twice has yet to reach at consensus on the Constitution. The Constitution that was approved in 2015 was contested by many communities, especially those who are bordering with India.

1.3.2 CONSTITUTION OF INDIA

India drafted adapted and enacted constitution to govern its society after independence that came into force on January 26, 1950 however the process of constitutional development was set in motion during the colonial period with enactment of the Regulating Act of 1773 by the British Parliament. Whereas other acts passed by the British Parliament from 177 to 1935 with regard political administrative reforms in colonial India did not become milestones in the constitutional development of India but also in the constitutional development of Pakistan and Bangladesh. Thereafter, the Cabinet Mission Plan in 1945 embodied the provisions for the formation of Constituent Assembly. Under the tremendous pressures from the nationalists, the congress and the Indian people that British government ultimately conceded to send a Cabinet Mission to India to chalk out the final procedures of transferring the power to the Indians. While drafting the constitution for independent India, the Constituent Assembly borrowed substantially from the Government of India Act Of 1935 passed by the British Parliament, however this act was the culmination of various acts passed by the British Parliament for the governance of India since the Regulating Act of 1773. The philosophy of Indian Constitution was spelled out in the Objectives Resolution that was moved by the Jawaharlal Nehru, which elucidated the Indian Union as an independent, sovereign, democratic republic comprising autonomous units with residuary powers where the ideals of social, political and economic democracy would be guaranteed to all sections of people and adequate safeguards would be provided for minorities and backward areas. Indian Constitution did not only establish Indian state as secular, democratic, republic but also provided the structure of political system at the national and provincial level.

The nature of Indian political system has also spelled-out in the constitution by distributing the powers between the Union of India and States in its 7th Schedule. The two-tier political structure of India was further differentiated by the 73rd and 74th Constitutional Amendments in 1993 by inserting third tier at the local level. The written constitution in India was required to serve the larger purpose that was to provide the distribution of legislative, administrative and economic powers between the Indian Union and the States; to describe the powers and jurisdiction of each organ of government at three levels apart from harmonizing the various

structures of governments like legislature, executive and judiciary at each levels. Indian constitution has not only established the supremacy of legislature vis-a-vis executive and independence of judiciary but also established the legal sovereignty of the constitution and political sovereignty of the people at large. Indian Constitution has also elucidated details of the steel frame of state at national and state levels in the form of civil services. It has also reconciled the individual freedom with the greater social good by the way of establishing balance between the fundamental rights and the directive principles of state policy. The constitution had also established India as a republic where the head of state is indirectly elected by the people. It also provided parliamentary democracy at national and state levels and the head of the government at the state level is appointed by the union government.

The ninth general elections conducted in 1989 had led to the demise of one-party dominant system in India and established the multi-centrism or multi-party system in India. Consequent upon that the frequency of general elections increased in India as five-times election were conducted for the House of People in India from 1989 to 1999 and eight coalition governments were formed at the national level. This had created the situation of political uncertainty in India because the frequency of elections and formation of coalition governments undermined the governance because the coalition government always remained busy in their survival and major coalition partner had made so many compromises to their minor coalition partners in both the National Democratic Alliance (NDA) and United Progressive Alliance (UPA) dispensations. It was found that the multi-party system that emerged in the ninth general elections and further consolidated in the subsequent general elections was not suitable for the parliamentary form of government which was provided by the constitution of India. To find-out the appropriate solution of political uncertainty and governmental instability, the NDA government led by the Prime Minister Atal Bihari Yajpayee appointed a National Commission to Review the Working of the Constitution (NCRWC) under the chairmanship of Justice M. N. Venkatachaliah in February 2000 that submitted its report on March 31st, 2002. However, the mandate of the NCRWC was to examine in the light of the experience of last fifty years that how best the constitution can respond changing requirements effective and efficient governance vis-a-vis the social, economic and political challenges confronting contemporary

India within the framework of Parliamentary Democracy and to suggest changes, if any, that are required in the provisions of constitution with compromising the basic structure or features. The NCRWC lived up to its mandate and suggested suitable changes in the various provisions constitution dealing with fundamental rights, electoral processes, political parties, executive, legislature, judiciary, decentralization and devolution of powers without interfering in the basic structure and features of the constitution that includes the parliamentary form of government, quasi-federal system, independence of judiciary and supremacy of legislature etc.

1.3.3 CONSTITUTION OF PAKISTAN

After its emergence as an independent nation in 1947, an interim constitution was introduced in Pakistan which was the modified version of the Government of India Act-1935 and the job of framing the new constitution of Pakistan was assigned to the Constituent Assembly that came into existence in August 1947. The process of constitutional making in Pakistan was set in motion with the passing of Objectives Resolution that was passed in March 1949 by the Constituent Assembly. The Objectives Resolution not only provided the philosophy of Post-Colonial State in Pakistan but also spelled out the basic principles and foundations of constitution. Besides identifying the basic principles of constitution, the Objectives Resolution also identified the goals of state which Pakistan wanted to pursue after its birth. After passing the Objectives Resolution the Constituent Assembly of Pakistan constituted the Basic Principle Committee (BPC) and various sub-committees to assist the BPC in the process of drafting the constitution. The BPC recommended that the Objectives Resolution would be included in the constitution of Pakistan as the directive principles of state policy as guideline for policy making. The BPC submitted its first, second and third report to the Constituent Assembly of Pakistan in 1950, 1952 and 1953 respectively. The Constituent Assembly of Pakistan finally finished job of drafting, adapting and enacting that came into force on March 23, 1956. This constitution consisted of 234 Articles which were divided into 13 parts and 6 schedules.

Under the Constitution of 1956, Pakistan was declared as Islamic Republic of Pakistan along with the parliamentary form of government and unicameral legislature. It also recognized the concept of one unit and seats were equally divided

between the two wings of Pakistan. Independence of judiciary was also provided in this constitution besides accepting Urdu and Bengali as state languages and English was to remain official language for first 25 years. The constitution provided for the federal system keeping in view the parity between East and West Pakistan. However, this constitution did not provide the bicameral legislature which is one of the requirements of federal system but provided equal representation to both the wings of Pakistan in its unicameral legislature named as National Assembly. The provincial autonomy was curtailed in this constitution to a large extent. On October 7, 1958, the President of Pakistan, Iskander Mirza abrogated the Constitution and declared Marshall law in collusion with then Commander-in-Chief Ayub Khan. The struggle on power between the two Mirza and Khan later led to the arrest of Iskander Mirza and exiled to Britain where he died.

In 1962, Pakistan adopted the second constitution which consisted of 250 Article. It was divided into 12 parts and three schedules. It provided the Presidential form of government with absolute powers to the President. The President was the head of state as well as head of the government. This constitution provided unicameral legislature known as National Assembly consisted of 156 members including six women. The eighth amendment later increased this number to 218. The principle of parity was retained and seats were equally distributed between two wings of the country. Further the structure of basic democracy was introduced and the system of indirect election was introduced for the President. The legislature's sole purpose was to approve and legitimize government decisions. It abolished the office of the Prime Minister and gave executive authority to the President of Pakistan. However, Ayub Khan was re-elected to the office of President in 1965 but he was forced to resign in 1969. General Yahya Khan replaced him by suspending the constitution and imposing martial law. Further East Pakistan declared its independence in 1971 and became a new state as Bangladesh.

In March 1973, Pakistan had its third constitution that was drafted, adapted and enacted under the leadership of Z. A. Bhutto. This constitution established the federal state in Pakistan by dividing the power between the national and provincial government. It was also based on the principle of separation of powers. The President was made the Head of the State and the Prime Minister was designated as the Head

of the Government. Under this constitution, the Parliamentary form of government was revived. The President is elected by the Electoral College made up of the elected representatives from national and provincial legislatures. The President was given the power by the Eighth Amendment to dissolve the national and provincial legislatures and to dismiss the elected governments at the federal and provincial levels. This constitution created the bi-cameral legislature consisting of the Senate (as Upper House) and National Assembly (as Lower House). The Senate consists of 100 members who are elected by the provincial assemblies, tribes and capital. The 272 members of National Assembly are directly elected by the electorates for the period of five years. The 60 seats are reserved for the women, 10 are reserved for non-Muslim minorities such as Hindus, Christians and Sikh. Pakistan's judiciary consists of Supreme Court, High Court for each province and other lower courts Parliament creates from time to time. The Supreme Court is highest judicial body with original and appellate jurisdiction over the civil, criminal and constitutional cases.

Even after enforcing the Constitution of 1973, the Pakistan has been continuously facing the political challenges. The constitution provided provincial autonomy in reaction to the loss of its East Wing in 1971 which seceded because of Bengali minority was felt marginalized. In addition to federal questions, the questions remained about the role of army in the politics of Pakistan remained unsolved. Although this constitution contained the provisions regarding treason not only to abrogate but to attempt, conspire and plan to subvert the constitution, was an effort to prevent future military takeovers but it did not stop military from venturing into politics-as the Army General, Zia-ul-Haq staged military coup in July 1977. Zia-ul-Haq proclaimed martial law and suspended constitution of 1973 and established a Provincial Constitutional Order (PCO). The PCO gave the military not only to rule but to amend the constitution to remain in power. However, the constitution of 1973 was revived in 1985 but before its revival the focus of power shifted from the office of Prime Minister to the office of President by the virtue of Eighth Amendment. This amendment further weakened the provincial autonomy apart from the legislature and judiciary. It was frequently used by the various Presidents to dismiss the elected government of Benazir Bhutto twice and Nawaz Shariff once in the early 1990s on the basis of corruption charges. Nawaz Shariff returned to power in 1997 but was

deposed of by the military coup led by General Pervez Musharraf in October 1999.

The military coups highlighted another problem under the constitution of 1973 that is the weakness of judiciary because instead of acting as a guardian of the constitution, the judiciary had always given way to Praetorian rulers on the constitutional matters either in the name of the principle of necessity or survival. When General Musharraf assumed power through military coup, the Supreme Court of Pakistan validated his declaration of emergency and creation of another PCO as a state necessity. Rather, it expanded General Musharraf's authority by giving him the power to amend constitution. The PCO passed a series of laws curbing the freedom of the press, established military courts with power to try government critics. Musharraf got elected for the second term in 2007, he again suspended the constitution, declared emergency and established a PCO. When Supreme Court refused to sign of such decisions of President Musharraf and the PCO, he attempted to impeach the Chief Justice of Supreme Court on corruption charges. This resulted into a protest movement against President Musharraf led by the lawyers. In May 2007, this protest became a mass movement, consequent upon, Musharraf's popular support was diminished and he was forced to resign amid impeachment proceedings begun by the new coalition government in 2008. In 2010, the imbalance created between the office of the President and the Prime Minister was corrected through the constitutional amendment.

The landmark ruling of the Parliament on renaming of North West Frontier Province (NWFP) to Khyber Pakhtunkhwa, creating Gilgit Balistan as a self governing political entity, the passing of 18th Amendment to the constitution and the award of the 7th National Finance Commission (NFC) have settled several long-standing issues concerning provincial autonomy, judicial appointment and the independence of Pakistan's Election Commission. According to the South Asian Human Development Report (SAHDR)-2012, the media including print and electronic and social network have developed into a strong institution over the last one decade. It has not only increased the access to information for everyone but has developed an effective accountability institution overlooking all the state institutions including executive, legislature and judiciary. Overall in the recent years, the parliament has made landmark achievements such as 18th, 19th and 20th Amendments to the Constitution. All these amendments along with the 7th award of NFC have strengthened democracy by

improving provincial autonomy, strengthening the process of judicial appointments, enhancing the independence of the Election Commission of Pakistan and defining the appointment of neutral interim government.

1.3.4 CONSTITUTION OF NEPAL

The history of reconstruction of state and constitutional development in Nepal can be traced back to the late 1940s. The deconstruction of Nepal's feudal state has been undergoing since 1950, when the Ranacracy was replaced for a more representative political order. The process of constructing a new and democratic Nepalese state was started along with the process of constitutional development. Nepal has had six constitutions in the past: first in 1948, second in 1951, third in 1958, fourth in 1962, fifth in 1990 and six in 2007, none of which was made by the elected representatives of the people. The first constitution in the form of Government of Nepal Act 1948 was promulgated by the then Prime Minister Padma Samshere. It was the first formal and written constitution by the exercise of authority conferred on the Rana Prime Ministers by the Shah King by a deed called a *Panja Patra* (an instrument delegating state authority to the Rana oligarchy to rule Nepal). This constitution could not survive for long because it did not reflect will and expectations of the people of Nepal. Moreover, the Ranas were not happy with this constitution because they did not want to share power with the people. It was replaced by the Interim Government of Nepal Act promulgated in 1951 by the King Tribhuwan after the overthrow of the Rana Dynasty in Nepal that facilitated a smooth transition to multiparty democracy in Nepal. This Constitution was having limited objective of creating a popularly elected Constituent Assembly to draft a new democratic constitution and to hold elections for a new parliament under the new constitution. Later this objective was changed and the elections of the parliament were held instead of constituent assembly. The third constitution of the Kingdom of Nepal was promulgated by the King Mahendra in 1959. There was no role for the elected representatives in the constitution-making process. In the first general elections held under this constitution the Nepali Congress won a two-third majority and B. P. Koirala became the first elected Prime Minister of Nepal. Neither this constitution nor the elected government could survive for long as the King Mahendra dissolved the elected government and parliament on December 16,

1962. The monarch imposed emergency under Article 55 of the Constitution, political parties were banned and their leaders were arrested. Most of the provisions of this constitution were suspended. To run the affairs of government, the King promulgated the Special Arrangement Act of Nepal 1960. He also formed a constitution drafting committee under the leadership of Rishikesh Shaha and a New Constitution was promulgated on December 16, 1962 bringing in the feudal political structure in the form of Panchayat system that remained in force for thirty years (1960-1990).

It was the Jan Andolan-1 during the 1980s that revived the processes of democratization, reconstruction of state and constitutional development in Nepal. The Jana Andolan-1 in the late 1980s forced King Birendra to give into the demands of the people to reinstate democracy and the constitution of the Kingdom of Nepal 1990 was promulgated. It established the multi-party parliamentary democracy and the constitutional monarchy which survived for fifteen years from 1990-2005. This constitution was again drafted with minimal participation of the people and was unable to fulfil the aspirations of the majority of people in general marginal in particular. The institutional arrangement for parliamentary democracy put in place by the Constitution of 1990 failed to construct a viable democratic polity vis.-a-vis. the Monarchy and political elite driven more by their narrow vested interests. The failure of this constitution and the parliamentary democracy established in 1990 to address the genuine aspirations of the people erupted first in the form of a violent Maoist insurgency and then in the reinforced form of popular political uprising. Its objectives were to abolish monarchy and put a new constitution through the democratically elected constituent assembly. This civil war lasted for ten years (1996-2006) which provided an opportunity to King Gyanendra to dismiss the elected government and revive absolute monarchy once again. This act of King united the previously opposed democratic forces consist of the mainstream political parties and the Communist Party of Nepal (Maoist) in a political uprising against the absolute monarchy in the form of *Jana Andolan-II*. that toppled the King in April 2006.

The Interim Constitution of Nepal was drafted by a group of legal experts representing the various political parties that took part in *Jana Andolan-II* against the rule of King Gyanendra. It was promulgated with the objective of facilitating the drafting a new constitution through elected constituent assembly. In April 2008, for

the first time in the history of Nepal, a constituent assembly was elected to write a new constitution of Nepal. The first task of 601 member constituent assembly of Nepal was to design the constitution-making process. In promulgating the first six constitutions, the top-down approach was adopted whereas, the elected constituent assembly of 2008 was to adapt the bottom-up approach to constitution-making. Further under this constituent assembly, the constitution-making process was required to be a highly participatory and deliberative process apart from focusing on inclusion and taking decisions by consensus.

On May 27, 2012, the first Constituent Assembly's tenure came to an end. However, it could not complete the task of constitution making but it completed the major foundation work, much of the work on drafting, deliberating and pending voting on the consolidating draft. The list of the pending work includes; first resolving political differences between the political parties on the constitutional matters by building consensus and approving the reports prepared by eight committees along with suggestions and directions. Second, the preparation of first consolidated draft of the constitution by the constitutional committee by integrating the draft reports prepared by all the Constituent Assembly Committees on the suggestions and the directives of Constituent Assembly. Third task is discussion and adaptation of first draft of the constitution by the full house of the Constituent Assembly for public deliberation. Fourth is the release of the first draft of constitution through press for public feedback. Fifth is the revision of the first draft by the Constitutional Committee on the basis of public feedback. Sixth is the presentation of the second draft of the constitution to the full house of the Constituent Assembly for general discussion and acceptance in principle for clause-wise discussion. Seventh is the presentation of the second draft of the constitution to the full house of the Constituent Assembly for clause-wise discussion and voting. Eighth is the preparation of final draft constitution based on clause-wise discussion and approval of amendments. Ninth is the signing of final draft of the constitution by the Constituent Assembly members and chairperson. Tenth is the promulgation of the constitution on the appointed day by the President of Nepal.

The Second Constituent Assembly elected in Nepal in 2013 has many lessons to be learnt from the experience of the First Constituent Assembly elected in 2008 but

failed to complete the task of constitution making. First priority of the senior leaders in the first Constituent Assembly was never the making of the new constitution rather their focus was on the formation of government and power politics. Instability and frequent changes in the leadership of government had a toll on the constitutional making process. This has to change in the second Constituent Assembly if it wants to finish the job in time. It is important to ensure that stable government is maintained and there is continuity of leadership of government in the new Constituent Assembly.

Second, the senior political leaders did not come forward to take the leadership of the thematic committees and did not monitor the outcomes of the work of the committees. The senior political leaders actually failed to realise that, in a bottom-up process, the shape of the constitution takes place not during the drafting phase, but during the earlier phase of preparing the thematic committee reports. The major disputes on ethnic federalism and the form of government could have been resolved at the committee level if there was timely intervention by the leaders of the major political parties.

Thirdly, the process of constitution making ultimately delayed because there was a lack of coordination and consensus on major constitutional issues among party leaders at the inter-party as well as intra-party levels. Parties lacked democratic deliberation on major constitutional issues and differences emerged at the time of voting in the committees. The opinions of the leaders did not necessarily match the opinions of the members in Constituent Assembly. This led to a split in some parties, including the Communist Party of Nepal (Unified Marxist Leninist).

Fourth, the Constituent Assembly did not provide any space for constitutional experts to play a role in the constitution-making process. The input of independent experts could have helped to resolve many disputes having technical dimensions. The leadership of the Constituent Assembly failed to realise that bureaucrats have their own limitations and can never replace independent constitutional experts. Experts could have played a mediatory role and would have had the capacity to convince and negotiate with the political parties that is not possible with bureaucrats. Notwithstanding their political biases, the constitutional experts would certainly be free from party whips and the bureaucratic culture of ‘non-resistance’ and ‘neutrality’ in relation to issues of merit.

Fifthly, the constitution-making process in Nepal gave too much importance to social inclusion and consensus politics. Ideally it is positive and constructive approach but practically it was impossible to accommodate the varied demands of the different communities in Nepal. The parties needed to agree to vote on the many contentious issues and accept the results of such votes without protest and grumbling.

The first Constituent Assembly struggled for more than four years to write a federal constitution, but it failed in this mission due to deep divisions in the nation and among the political parties on ethnic federalism. Now that the second Constituent Assembly has been elected, the people of Nepal look forward to writing and giving themselves their own constitution. The people expect the Constituent Assembly members and party leaders to work out an acceptable procedure for federal restructuring so that the constitution writing can be smooth and result oriented. This procedure cannot be an obstruction, unless the parties use the procedure

Finally, the second Constituent Assembly of Nepal on September 17, 2015 at late night overwhelmingly approved a new constitution after serving years of painstaking efforts and deliberations, splitting the country into seven federal provinces. The chairman of Constituent Assembly, Subash Nemwang announced the charter was passed by a 507-25 vote in the 601 seat assembly after the voting. The law makers raised their hands with celebration after the announcement was made. It will become Nepal's new constitution once the law-makers sign and the Constituent Assembly Chairperson authenticates it. The constitution was pushed through the assembly despite protests by the ethnic minority groups. When put to split voting after the endorsement of individual articles and schedules, the entire revised bill garnered support from 507 out of 532 lawmakers who were present in the Parliament. The law-makers from the Nepali Congress, CPN-UML and UCPN-Maoist supported the draft constitution. The voting was boycotted by the small opposition parties. The 25 law-makers belonging to pro-Hindu and pro-monarchist Rashtriya Prajatantra Party Nepal cast their vote against the Bill. Most of the Madhes-based parties whose combined strength is 60 members, boycotted the voting process.

1.3.5 CONSTITUTION OF BHUTAN

On July 18, 2008, Bhutan became Sovereign Kingdom while enforcing its constitution

and sovereignty belongs to the people. It has provided that the form of government shall be Democratic Constitutional Monarchy. The -constitution is the Supreme Law of the State. The Supreme Court shall be the guardian of constitution and its final interpreter. There shall be the separation of the executive, legislative and judicial powers and no encroachment in each other's powers is permissible to executive, legislature and judiciary except to the extent permissible in this constitution. His Majesty *Druk Gyaplo* (The King) is the Head of State and the symbol of unity of the Kingdom. The *Chhoe-sid-nyi* (Dual system of religion i. e. temporal and politics i. e. secular) of Bhutan shall be unified in the person of *Druk Gyaplo*, who is a Buddhist shall be the upholder of *Chhoe-sid* that is religion and politics (temporal and secular). This constitution also stated that all laws in force in Bhutan before its commencement shall continue until altered, repealed or amended by the parliament. But the provisions of any law, whether made before and after the commencement of the constitution, which are inconsistent with this constitution shall be declared null and void.

The Article 2 of Bhutan's constitution deals with the institution of Constitutional Monarchy. It provided that after attaining the age of 65, the *Druk Gyaplo* shall step down and hand over the Throne to the Crown Prince or Crown Princesses provided the Royal Heir has come of the age i. e. 21 years as prescribed in the constitution. If the Royal Heir has not come of age then the Council of Regency shall collectively exercise the Royal Prerogatives and the powers vested in the *Druk Gyaplo* under the Constitution shall be comprised of the senior member of Royal family nominated by the Privy Council; the Prime Minister of Bhutan; the Chief Justice of Supreme Court; the Speaker; the Chairperson of National Council and the Leader of the Opposition. The members of the Council of Regency shall take an Oath of Allegiance before Parliament to faithfully discharge their duties. When the successor of the Throne attains the age of 21 or when the *Druk Gyaplo* resumes the exercise of Royal Prerogatives under Section 7 (a) and Section 7 (b) of this Article, notice shall be given by the Proclamation. When the *Druk Gyaplo* regains the ability to exercise Royal prerogatives under Section 7 (c) of this Article, notice shall be given to that effect by the resolution of Parliament.

The *Druk Gyaplo* shall abdicate the throne for wilful violation of this Constitution or being permanently subject to mental disability, on a motion passed

by the joint setting of parliament in accordance with the procedure as laid down in sections 21, 22, 23, 24 and 25 of this Article. The motion for abdication shall be tabled in the joint setting of the both houses of Parliament if not less than two-third number of the total members of Parliament submits such a motion based on any of the grounds in section 20 of this Article. The *Druk Gyaplo* may respond to the motion in writing or by addressing the joint-setting of the Parliament in person or through a representative. The Chief Justice of Bhutan presides over the joint setting of Parliament mentioned in section 21 of this Article. If at such a joint setting of the Parliament, not less than three-fourth of the total number of members of Parliament passes the motion of abdication, then such a resolution shall be placed before the people in a referendum that be approved or rejected. On such a resolution being approved by a simple majority of the total votes cast and counted from all the *Dzongkhags* (Districts) in the Kingdom, the *Druk Gyaplo* (the King) shall abdicate in favour of the heir apparent. Buddhism is the spiritual heritage of Bhutan which promotes the principle of value of peace, non-violence, compassion and tolerance. The *Druk Gyaplo* is the protector of the all the religions in Bhutan.

According to Article 10, there shall a Parliament for Bhutan wherein all the legislative powers under this Constitution are vested which shall consist of the Druk Gyaplo, the National Council and National Assembly. It is obligatory on the part of Parliament to ensure that the government safeguards the interest of the nation, fulfils the aspirations through the public review of policies and issues, bills and other legislations, and the scrutiny of State functions. The formation of government is done under the Article 17 of Bhutan's Constitution. The Druk Gyaplo shall confer Dakyen to the leader or the nominee of the party, which wins the majority of seats in the National Assembly as the Prime Minister. No person shall hold the office of Prime Minister for more than two terms.

Whenever the National Assembly is dissolved, the Monarch shall appoint the Interim Government to function for the period which shall not exceed ninety days, to enable the Election Commission to hold free and fair elections. It shall consist of a Chief Advisor and other Advisors appointed by the Druk Gyaplo within fifteen days after the dissolution of National Assembly. The Chief Justice of Bhutan shall be the Chief Advisor. The Interim Government shall carry out the routine functions

of the government but shall not be entitled to take any policy decisions or enter into any agreement with foreign government and organizations. The government shall be formed within ninety days from the date of the dissolution of the National Assembly. The interim government shall cease to exist from the date on which new Prime Minister enters office and when the New National Assembly is constituted.

Under Article 20, the executive power shall be vested in the *Lhengye Zhungtshogn* (Council of Ministers or Cabinet) which shall consist of Council of Minister headed by the Prime Minister. The Council of Ministers shall aid and advice the *Druk Gyaplo* in the exercise of his functions including international affairs. The Prime Minister shall keep the *Druk Gyaplo* informed from time to time about the affairs of State including international affairs, and shall submit such information and files as called by the *Druk Gyaplo*. The Constitution of Bhutan has provided an independent judiciary in its Article 21. The judicial powers in Bhutan shall be vested in Royal Courts of Justice comprising the Supreme Court, the High Court and the District Courts and such other courts and tribunals as may be established from time to time by the King on the recommendations of National Judicial Commission.

Although, the Constitution of Bhutan has established the constitutional monarchy but it has also provided the arrangement for the decentralization of powers. Article 22 provided that powers shall be decentralized and devalued to elected local governments to facilitate direct participation of the people in the development and management of their own social, economic and environmental well being. Bhutan shall have local government in each of the twenty districts comprising of District Council, County Committee and Municipal Committee. A candidate to or member of Local Government shall not belong to any party. Local self government shall be supported by the administrative machinery staffed by the civil servants.

The Article 15 of the Constitution provides that political parties shall ensure that national interest prevail over all other interests and, for this purpose, shall provide choices based on values and aspirations of the people for responsible and good governance. Political parties shall promoted national unity and progressive economic development and strive to ensure the well being of the nation. The Constitution of Bhutan provides that Parliament shall, by law, establish a Public Election Fund into which shall be paid every year such amounts as Election Commission may consider

appropriate to fund registered political parties and their candidates during the elections to National Assembly and candidates to National Council. The payment of out of the Public Election Fund shall be made by the Election Commission in a non-discriminatory manner to registered political parties and candidates in accordance with laws made by the Parliament. Article 18 provides that the opposition party shall play a constructive role to ensure that the government and the ruling party function in accordance with the major provisions of this constitution provide good governance and strive to promote the national interest and fulfil the aspirations of the people. The opposition party shall endeavour to promote and engage in constructive and responsible debate in Parliament while providing healthy and dignified opposition to the government. The Opposition shall not allow party interests to prevail over the national interest. Its aim is to make government responsible, accountable and transparent. The opposition party/parities shall have the right to oppose the government and articulate alternative policy positions and to question the government's conduct of public business.

The Election Commission is provided under Article 24 of the Constitution to conduct free and fair elections. Under Article 25 provides that there shall be a Royal Audit Authority (RAA) to audit the report on economy, efficiency, and effectiveness in the use of public resources. The RAA shall be an independent authority headed by the Auditor General who shall be appointed by the Druk Gyaplo from a list of eminent persons recommended jointly by the Prime Minister, the Chief Justice, the Speaker, the Chairperson of National Council and the leader of the opposition. The RAA shall function in accordance with the Audit Act. Further the Article 26 provides that there shall be Royal Civil Services commission which shall promote and ensure independent and apolitical civil service to discharge its public duties in an efficient, transparent and accountable manners. The Anti Corruption Commission has provided under Article 27 of Indian Constitution. The ACC shall be headed by a Chair-person and consists of two members. It is an independent authority that shall take steps to prevent and combat corruption in the Kingdom.

1.3.6 CONSTITUTION OF MALDIVES

The constitution of the Republic of Maldives came into force in 2008. In this constitution Maldives is declared as Sovereign, Independent, Democratic, Republic

based on the principle of Islam. Maldives is a unitary State to be known as the Republic of Maldives. The all the powers of the State in Maldives are derived from and remain with the people. The legislative powers are vested with the People's Majlis and executive powers are vested in the office of the President of Maldives. The judicial powers are vested in the Courts of the Maldives. The Constitution of Maldives also establishes rule of law while stating that the powers of the State shall be exercised in accordance with this Constitution. The religion of the state of the Maldives is Islam and Islam will be one of the bases of all the laws of Maldives. No law contrary to any tenet of Islam shall be enacted in the Maldives. In chapter-II that begins with Article 16 and ends with Article 69, the Constitution of Maldives guarantees fundamental rights and freedoms to all the citizens in a manner that is not contrary to the any tenet of Islam. The rights and freedoms contained of citizens are subjected -only to such reasonable limits enacted by the People's Majlis, to any extent if justified in democratic and free society. It is obligatory on the part of State in Maldives to follow the provisions of this Constitution and to protect and promote the rights and freedoms provided in this lesson.

The chapter-III deals with People's Majlis and Article 70 provides that all legislative authority of Maldives shall be vested in People's Majlis. The Maljis shall not pass any law contrary to any tenet of Islam. There shall be at least three sessions of People's Majlis every year. Under Article 92, it is provided that all bills passed by the Majlis shall become laws if assented to by the President and shall be published in the Gazette on the same day. Further treaties signed by the executive in the name of State shall be approved by the People's Majlis and shall come into force only in accordance with the decision of People's Majlis-as provided under Article 93 of Maldives' Constitution. Under Article 95, it is provided that the People's Majlis may by resolution refer to the Supreme Court for hearing and consideration important questions of law concerning any matter, including the interpretation of the constitution and constitutional validity of any statute. The Supreme Court shall answer the questions so referred and shall provide answers to People's Majlis, giving reasons for its answers.

The Chapter-IV deals with executive authority of State in Maldives that is vested in the office of President. The President shall be the Head of State, the Head Government and the Commander-in-Chief of the Armed Forces under Article 106.

The President shall uphold, defend and respect the constitution and shall promote the unity of the State. The President shall exercise executive authority as provided for in the constitution and law. The President shall hold office for a term of five years and no person elected as President pursuant to this constitution shall serve for more than two terms in office whether consecutive or otherwise. The President shall be elected directly by the people by universal and secret suffrage. Under Article 112, there shall be Vice-President to assist the President in discharge of his duties and responsibilities. Every candidate for President shall publically declare the name of the Vice-President who will serve with him.

The Chapter-V of Maldives' Constitution has provided the Cabinet of Ministers under Article 129. It further states that there shall be Cabinet of Ministers appointed by the President with responsibility for the duties and functions assigned by the President, the Constitution and the law. The Cabinet shall consist of Vice-President, the Ministers given responsibility for the different ministries and the Attorney General. Except for the Vice-President, the President must receive the approval of People's Majlis for all appointment to Cabinet. The members of the Cabinet shall comply with all the provisions of the constitutions and the law, and shall faithfully discharge the responsibilities assigned to them by the President.

The Chapter-VI of Maldives' Constitution states that the judicial power is vested in the Supreme Court, the High Court and such trial courts as established by law. Article 141 provides that the Supreme Court shall be the highest authority for the administration of justice in the Maldives. The Chief Justice shall be the highest authority on the Supreme Court. The Supreme Court and the High Court shall have jurisdiction to enquire into and rule on the constitutional validity of any statute or part thereof enacted by the People's Majlis. The Chapter-VII deals with Independent Commissions and Offices and the Judicial Service Commission. The Judicial Service Commission (JSC) is an independent and impartial institution. It shall perform its duties and responsibilities in accordance with the constitution and the laws enacted by the People's Majlis. The jurisdiction of the JSC shall extend to all the members of the judiciary and such other persons as designated by the People's Majlis. Article 167 provides that there shall be Election Commission of the Maldives. It is an independent and impartial body. There shall be Civil Service Commission (CSC) of the Maldives

under Article 179 of its constitution. The CSC shall strive to achieve and maintain an effective and efficient civil service with high standards of professional ethics. Article 189 provides that there shall be a Human Right Commission of the Maldives. It is an independent and impartial institution to promote and respect human rights impartially without favour and prejudice. The constitution of Maldives states that there shall be Anti-Corruption Commission (ACC) under Article 199. The ACC is an independent and impartial institution. It shall perform its duties and responsibilities in accordance with constitution and any laws enacted by the People's Majlis. The Chapter-VIII provides that the administrative divisions of Maldives shall be administered decentralized. The Maldivian security services, consisting of the military service and the police service is established to enable all persons in the Maldives to live in peace, security and freedom in Chapter-IX under Article 236.

1.3.7 CONSTITUTION OF BANGLADESH

The constitution of Bangladesh was proclaimed on November 4, 1972. Bangladesh is a unitary, independent, sovereign republic to be as People's Republic of Bangladesh. The religion of state is Islam but the other religion may be practised in peace and harmony in the republic. All powers in the republic belong to the people, and their exercise on behalf of the people shall be effected only under and by the authority of this constitution. The part-II of constitution deals with the fundamental principles of state policy. The principles set out in this part shall be fundamental to the governance of Bangladesh, shall be applied by the state in the making of laws. The Republic shall be a democracy in which fundamental human rights and freedoms shall be guaranteed. The Part-III of Constitution provides a long list of fundamental rights. All existing laws inconsistent with the provisions of this part shall be void on the commencement of this constitution. Articles ranging from 26 to 47-A are providing various rights to the citizens of Bangladesh.

Under Part-IV of Bangladesh's Constitution, it is provided that there shall be executive. Article 48 states that there shall be a President of Bangladesh who shall be elected by the Parliament in accordance with law. The President shall be the Head of the State and shall exercise the powers and perform the duties conferred on him by the Constitution and any other law. Except few functions mentioned in Article 56, the

President of Bangladesh shall act in accordance with the advice of Prime Minister. However, the President constitutes the nominal executive, whereas, the Prime-Minister in his/her Council of Minister comprises the real executive. Article 55 states that there shall be Cabinet for Bangladesh having Prime Minister as its head and comprising all such ministers as the Prime Minister from time to time may designate. The executive powers of the Republic shall, in accordance with this constitution, be exercised the Prime Minister and his Cabinet that shall be collectively responsible to the Parliament. All the executive functions of the Republic shall be performed in the name of President.

Part-V of the Constitution deals with the legislative powers of the Republic that are vested with the legislature of Bangladesh named as parliament. The Parliament is known as the House of the Nation. The House of the Nation shall consist of 300 members to be elected in accordance with law from the single territorial constituencies by direct elections. There shall be a Supreme Court of Bangladesh comprising the Appellate Division and the High Court Division. The Supreme Court shall consist of the Chief Justice and other judges appointed by the President on the advice of the Prime Minister from time to time. The Chief Justice and Judges appointed to Appellate division shall sit in that division only and the other judges shall sit in the High Court Division. Subject to the provisions of this constitution, the Chief Justice and other judges shall be independent in the exercise of their judicial functions. The permanent seat of the Supreme Court shall be in the capital of Bangladesh but the sessions of High Court Division may be held at such other place and places as the Chief Justice may decide with the approval of President. The High Court Division shall have such original, appellate and other jurisdictions, powers and functions may be conferred by the Constitution or any other law. The Appellate Division shall have jurisdiction to hear and determine appeals from judgements, decrees, orders and sentences of High Court Division. The Supreme Court of Bangladesh has advisory and rule making jurisdictions. The Supreme Court shall be a court of record and shall have the powers of such a court including the power subject to law to make an order for the investigation of or punishment for any contempt of itself.

Article 58 (b) provides that there shall be a non-party care taker government to conduct the free and fair elections. It shall come into existence with the dissolution

of Parliament and the day the Chief Advisor of Care Taker government enters into his office till the new elected government shall be in place. The Non-Party Care Taker Government shall consist of Chief Advisor as its head and not more than 10 advisors appointed by the President. The President shall appoint the Chief Advisor out of person who among the retired Chief Justices of Bangladesh retired last and who is qualified to be appointed as Advisor. If the retired Chief Justice is not available or is not willing to hold the office of Chief Advisor, the President shall appoint the Chief Advisor out of the retired judges of the Appellate Division retired last who is qualified to be appointed as Chief Advisor. The Care Taker Government shall carry out the routine work of the government and shall give to the Election Commission all possible aid and assistance that may be required for holding general elections of Parliament, peacefully, fairly and impartially. The Local Government shall be constituted in every administrative unit of the Republic shall be entrusted to the bodies composed of the persons elected in accordance with law. Article 59 shall confer powers on the local bodies including the power to impose taxes for local purposes to prepare their budget and maintain funds.

1.3.8 CONSTITUTION OF SRI LANKA

The constitution introduced at the time of its independence in 1948 was modelled according to the Westminster model to which the political elite of Sri Lanka were familiar with. The Soulbury Constitution of 1946 that became the constitution of 1948 of Sri Lanka after its independence was drafted after restricted consultation between the departing colonial administrators and the moderate conservative elite represented by D. S. Senanayake and his Board of Ministers in the 1940s. The draft proposals for constitutional reform in 1944 were virtually drawn up by an all Sinhalese seven member Board of Ministers -which had been formed in 1936 to ensure unanimity on constitutional issues. The whole process of constitutional negotiations was dominated by one man D. S. Senanayake, Chair of the Board, who did not invite the participation in the formulation of the proposals of any other body, not even the elected State Council whose leading representative he was. Such a restricted process of constitution-making was possible because there was no broad based oppositional nationalist movement in Sri Lanka in comparison to India. The process of constitution-making did not invite

participation by significant groups in the society nor a frank discussion of the issues important to different communities of Sri Lanka. However, the reluctant and restricted consensus was belatedly achieved vis-a-vis Tamil community of Sri Lanka with the induction of G. G. Ponnambalam into the cabinet in 1948, was rapidly undermined in the subsequent period. The limited safeguards incorporated in the constitution to protect the position of ethnic minorities through Section 29 (2) were eroded rapidly by the first actions of independent regime that passed the Citizenship and Election Acts of 1948-1949. These acts effectively disfranchised the Hill-Country Tamils who formed 12 per cent of the Island's population and who were beginning to support the left parties posing the most potent challenge to the newly formed rightist UNP.

The framing of the constitution of 1972 provided another opportunity when a broad based consensus might have been reached by the major political groupings in the society and the increasing alienation within Tamil minorities arrested. But this did not happen. The United Front (UF) coalition dominated by the pro-Sinhalese SLEF and supported by the two left parties like the Lanka Sama Samaja Pakshaya (LSSP) and the Communist Party (CP) introduced a populist socialist constitution. This constitution was passed with no guarantees for property rights despite the opposition of other major party, the rightist UNP. While framing the constitution of 1972, the UF did not concede the demands of the Tamil representatives related to a fair status for the Tamil Language and regional autonomy for minority dominated areas in the north-east. On the contrary, the UF incorporated those changes in the constitution that had been legislated in the post-independence period to favour the Sinhalese majority to a constitutional status. Buddhism became the foremost religion and the Sinhala was declared the official language, while the use of Tamil language was to be provided for by the subordinate legislation later. In addition to it the judiciary was made subordinate to the will of majority as expressed in the National Assembly in this constitution.

Notwithstanding the volatile political situation, the process of making the constitution of 1978 was even more partisan and restricted than had been the framing of the 1972 Constitution. The UNP won the National Assembly Election of 1977 with four-fifth majority, therefore, it single-handedly proceeded to entrench a political structure which centralised powers in the hands of a new Presidential executive. The Tamils represented by the moderate Tamil United Liberation Front

(TULF) were also deeply dissatisfied with the new constitution-as it did not take note of their grievances. The Constitution of 1978 not only continued with the unitary state structure but centralized it further in the new executive presidency. Antagonised by the process and outcome of this constitution-making for separate reasons, the SLFP and the TULF boycotted the vote in legislature for the passage of the Constitution of 1978 into law.

The Constitution of Sri Lanka revolves around the President invested with broad executive powers. It has 172 Articles, recognizes Buddhism as the state religion, and guarantees a broad range of fundamental rights. As per this constitution, the prime objective of the state is to establish a democratic socialist state, ensure the distribution of wealth, oversee economic development and raise educational and cultural standards. It provides the separation of powers and power is divided between the legislature, executive and judiciary and the most powerful out of three is executive. The President is the head of the state, government and the armed forces. The legislature of Sri Lanka is unicameral and known as parliament having strength of 226 members elected for the period of 6 years directly by the people. The judiciary of Sri Lanka is comprised of a Supreme Court, a Court of Appeals, a High Court and other courts created by law. Main task of these courts is to protect and enforce rights of the people.

The two radical changes introduced by the Second Republican Constitution (1978) were the introduction of a semi-presidential executive in the place of the Westminster-style parliamentary executive and a system of proportional representation to replace the simple plurality electoral system. However, it was branded as a mixture of parliamentary and presidential form of government but the balance of powers between the office of Prime Minister and the office of President was tilted in favour of the latter. The President has been wielding enormous powers within the total constitutional structure rather than the Prime Minister. Under President Jayewardene, various extra-constitutional practices added to the powers of the already over-mighty Presidential executive. It was argued that rationale for the introduction of the executive Presidency were two; first the need for stability and second the empowerment of minorities. However, these rationales were flawed as was clearly demonstrated by subsequent developments. According to Linz, the presidential system encourages a personalised

style of politics that favours charismatic politicians or populists and such politics is often at odds with the basic norms of constitutionalism. He also discusses the defence of presidentialism in terms of stability and rigidity. The corruption, nepotism and the abuse of power that Sri Lanka has experienced in recent years has created enormous problems with respect to good governance and generated widespread cynicism about politics in the minds of the people. The cumulative effect of all these factors created a negative kind of stability, authoritarianism and a national security state rather than a constitutional state. In Sri Lanka, the presidentialism has fostered a kind of crude populism that is very dangerous from a liberal democratic perspective.

Further, many partisan changes were introduced through the various constitutional amendments in the post 1978 period except the Thirteenth Constitutional Amendment introduced as a consequence of Indo-Sri Lankan Accord of July 1987, that introduced a new structure of provincial councils. However, the councils institutionalized a certain measure of devolution on the Island but fell short of the degree of regional autonomy desired by the Tamils. The Sixteenth Amendment made Tamil and English also official languages but provisions for implementations were left till later.

1.3.9 CONSTITUTIONALISM IN SOUTH ASIA: THEORY AND PRACTICE

Origin of constitutionalism in South Asia can be traced back to colonialism- as the process of constitutional development in India, Pakistan and Sri Lanka was set in motion during the colonial period. This process was further developed, consolidated and culminated into a logical outcome when these states started their political journey while writing their constitutions immediately after their liberation from colonialism. India, Sri Lanka and Pakistan attempted to base and develop the authority of Post-Colonial State on the basis the principle of -law that is known as the constitution. Their constitutions have emerged as the law of the land that further spelled out the various political and administrative structures apart from establishing relations of these structures with each other. The balance of power among these political and administrative structures has further consolidated the spirit of constitutionalism.

The principles of separation of powers and checks and balances enshrined in the Constitutions of India, Pakistan, Sri Lanka, Bangladesh, Bhutan and Maldives have spelled out the basic philosophy behind constitutionalism. The supremacy of the constitution, separation of powers and independence of judiciary in South Asian states have become the milestones of constitutionalism. The constitutions of South Asian States have achieved the other objectives of constitutionalism like limited states and accountable and responsible governments in theory. Apart from the written constitutions, the legislative bodies of South Asian states have passed several statutory laws and constitutional amendments to further define the un-defined aspects of statecraft to make constitutions relevant to the changing time and space. The -judicial verdicts delivered by the judiciary in these have interpreted and re-interpreted the constitutions and laws passed by the legislative bodies.

Regarding the practice of constitutionalism in South Asia, there are two schools of thought. First school of thought believes that the South Asian states have progressed on this count because they have succeeded to consolidate the process of rule of law in the post-colonial period which was initiated during the colonial period. Having a written constitution to govern their respective societies indicate the urge of the political elite of India, Pakistan and Sri Lanka to establish rule of law, equality, liberty and ensure distributive justice. Besides this, the Nepal that had dynastic rule in the form of Ranacracy also moved from rule of ruler towards rule of law in the early 1950s, however Kathmandu could not sustain it for more than one decade. But in the early 1990s, Nepal again succeeded to replace rule of Monarch with the rule of law. Another Himalayan Kingdom, Bhutan had already moved from Absolute Monarchy to Constitutional Monarchy in 2008 and thereby from the rule of ruler to rule of law. Even Maldives had also shifted its political discourse from Republican Authoritarianism to Democratic Republicanism in the recent past. Judicial activism has been witnessed in some of the South Asian states wherein the judiciary attempted to enforce the rule of law. Pakistan and Bangladesh succeeded to revive the rule of law after few years the subversion of their constitutions by the praetorian rules.

Second school of thought argues that the South Asian states are deficient on the count of constitutionalism. There are various factors that have substantiated this viewpoint. First, the frequent change of constitutions in Pakistan, Nepal, Maldives,

Bangladesh and Sri Lanka speaks volume about the constitutionalism. The constitutions of these states could not tame the authoritarian power of political elite rather the latter subverted constitutions for their convenience. Second, the Nepal under Absolute Monarchy from 1960 to 1990 and Bhutan till 2008 were again the classic examples of rule of rulers rather than the rule of law. The sustenance of absolute monarchy in these states has undermined the latter and spirit of constitutionalism in these states. Third, the long three spells of praetorian rule in Pakistan from 1958 to 1969, 1977 to 1988 and 1999 to 2008 not only suspended its constitution while imposing martial law but had also proved a major setback to the process of constitutionalism in Pakistan. Bangladesh is another South Asian state where praetorian rule undermined the constitutionalism for fifteen years while replacing the rule of law with the rule of ruler. The advent of praetorian rule in Bangladesh in August 1975 did not only change the form of government from Parliament to Presidential but also centralised powers in the hand of General Zia-ur-Rehman that was a major setback to the letter and spirit of constitutionalism which believes in the decentralization and democratization of powers. Fourth, the charismatic leadership in South Asian states has always preferred to personalise power instead of institutionalizing it irrespective to the categorization whether a state had been having democratic, praetorian and monarchical systems. For instance, Indira Gandhi and Rajiv Gandhi in India, Ayub Khan, Z. A. Bhutto, Zia-ul-Haq, Musharraf, Benazir Bhutto and Nawaz Shariff in Pakistan, Sheikh Hussina and Khaleda Zia in Bangladesh and Monarchs in Nepal and Bhutan apart from their democratically elected political leadership. However, constitutionalism believes in the institutionalization of powers rather than personalization of power. Fifth as and when the South Asian leaders were concerned about the rule of law, they were particular about the letter rather than the spirit whereas constitutionalism believes in both. The rules are tilted and manipulated to benefit those who are in the position of power or at the helm of affairs. Many a times political practices in South Asian states indicating that it is not the rule which is taming power rather it is the power that is taming rule of law. Sixth, the continuation of entrenched traditional class, caste and patriarchy in South Asian states have institutionalised inequalities that have again proved major obstacles in the way of constitutionalism in this region. Seventh, it has been found that the constitution making process in some South Asian states

had remained top down approach. Nepal was a classic case in point till the framing of its recent constitution which came into force on September 20, 2015. Pakistan was without constitution from 1958 to till the second constitution adapted in 1962. Further, the constitution of 1962 was imposed from the top –as it was drafted by the one person and proclaimed by the General Ayub Khan then President of Pakistan. This constitution was the product of top-down approach rather than the bottom-up approach. Further the constitution of 1956 was subverted to suit the Praetorian elite at the helm of the affairs and the new constitution (1962) was framed through an undemocratic process to perpetuate authoritarian tendencies in the politics of Pakistan while introducing the undemocratic structures like Presidential form of government and basic democracy.

The constitutional development in Sri Lanka has been marked by the crisis of constitutionalism since 1948. The framers of its two constitutions demonstrated utter disregard for basic principles of constitutionalism and it is therefore not surprising that since 1972 the country's democratic traditions and respect for liberal democratic principles have been steadily undermined. Sri Lanka's failure to create a constitutional dispensation that is inclusive and acceptable to all its ethnic and religious groups is another consequence of failure to uphold basic principles of constitutionalism. The process of constitution-making in 1978 was more partisan and restricted as compared to the process of constitution-making in 1972. The successive political elites in Sri Lanka had failed to use the process of constitution-making as a major political resource in introducing and institutionalizing a political process and structure of state that had a broad based acceptance amongst them and their support bases. Rather the short-sightedness and partisan orientation of political elites continuously ignored the opposing views and interests and thereby landed the state in Sri Lanka in a perennial crisis of legitimacy and had made the democracy in Sri Lanka majoritarian one.

Constitutionalism requires that a constitution imposes restraints on the wielders of political power; acts as a counter-majoritarian check to prevent the tyranny of the majority and to protect individual freedom and dignity; empowers people through the protection of their rights and ensuring that governments are accountable and responsive to them; establishes independent institutions to ensure that the reach of government is circumscribed so that with respect to decisions where partisan

political considerations are inappropriate, independent and the principled decisions can be made in the public interests. The first Republican Constitution of 1972 and the second Republican Constitution of 1978 were fundamentally flawed when assessed from the perspective of constitutionalism. In these constitutions, the concentration of power in a single institution introduced structures and systems that facilitated executive convenience, entrenched majoritarianism, undermined institutions that had remained reasonably independent under the Soulbury Constitution and failed to protect basic liberal democratic values and principles. They were partisan documents introduced by governments with two-third majorities in the parliament without any serious effort to forge consensus across the political or ethnic spectrum. The second Republican Constitution of 1978, continued the tradition of concentration of power that was concentrated in the Presidency rather than the omni-competent National State Assembly. It was worse to repose power in a single individual than a collective assembly is persuasive. The provisions that undermined the supremacy of the constitution were reproduced. However, the new constitution's provisions on electoral systems, the independence and powers of the judiciary, the public service and bill of rights were better than the previous constitutions. It was also recognized that sovereignty is vested in the people rather than in the legislature, and the principle of separation of powers were recognized more explicitly. The requirement that certain constitutional amendments required the approval of the people at a referendum imposed some limitations on the powers of the legislature and affirmed the sovereignty rather than Parliament. The crisis of constitutionalism in Sri Lanka since 1948 including the failure of the courts to utilise the limited minority safeguards provided in the Soulbury Constitution, the retrogressive features of the First Republican Constitution, the continuation of this tradition in the Second Republican Constitution. Presidents Kumaratunga and Rajapaksa were elected on the promise to abolish the executive Presidency but once they started to enjoy the overwhelming powers of the position, conveniently forgot their commitments. The experience of the past 36 years clearly establishes a link between the executive presidency and the rise of authoritarianism in the country.

1.3.10 LET US SUM UP

To sum-up the discussion, it can be argued that the two South Asian states have made a positive move from the rule of ruler to rule of law. Nepal and Bhutan are the

classic cases in point. At present all the South Asian have the written constitutions. Nepal has also been able to complete the long drawn process of constitution making in September 2015. This is considered as a great achievement in the constitutional history of Himalayan kingdom because first time the Nepal has framed a constitution by following a bottom-up approach. India and Sri Lanka have also been able to ensure rule of law since their independence at least in letter if not in spirit. The former however continued with its first constitution despite an attempt to subvert during emergency but the latter has been experimenting with its third constitution since 1978. Bangladesh had tried to establish rule of law but suffered set back due to praetorian rule for 15 years from 1975 to 1990. Pakistan has also been experimenting with its third constitution since 1973 to ensure rule of law but three long spells of army rule had also proved major setbacks to this process. Maldives had also experienced rule of ruler in the guise of republican authoritarianism. Recently Maldives has also made a shift from authoritarian republican to democratic republic that qualifies it for constitutionalism. Having written constitution by all the South Asian states is considered one of the requirements of constitutionalism but constitutionalism certainly requires more than that. The authoritarian and praetorian trends in the politics of Nepal & Bhutan and Pakistan and Bangladesh during last sixty-eight years have undermined the very basis of constitutionalism in the South Asian region. Besides this the domination few families in the politics of India, Pakistan, Bangladesh and Sri Lanka does not speak about constitutionalism in South Asian states. Even democracy in India and Sri Lanka had also sustained authoritarianism in latent form. Due to that it can be argued that the South Asian States have written constitution but they have yet to evolve constitutionalism and it will happen when adhere to their constitutions in their politics in letter and spirit instead of bending, subverting and twisting them as they had done in the past. Further, they have yet to use the process of constitution-making for making the public domain inclusive by evolving power-sharing formula in their strategy of state-craft to ensure internal peace in the South Asian States.

1.3.11 EXERCISE

1. Crit-ically discuss the crisis in constitutionalism of Pakistan.
2. The ethnic fragmentation of Nepal is the main reason for lack of consensus in adopting constitution for a long time. Do you agree with this?

3. Discuss various landmarks in the constitutional journey of Nepal and Butan that moved from the rule of a ruler to the rule of law.
4. It is often argued that ‘South Asian States have written constitution but they have yet to evolve constitutionalism’. To what extend do you support or oppose the argument. Give various reasons in support of your argument.

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M.A. Political Science, Semester III, Course No. 303, Politics in South Asia

UNIT – I: APPROACHES, STRUCTURES, PROCESSES AND STATE

1.4 STRUCTURES AND PROCESSES OF POLITICS IN SOUTH ASIA

- Baljit Singh

Structure

1.4.0 Objectives

1.4.1 Introduction

1.4.2 Features of Political Structures

1.4.2.1 Traditional & Modern

1.4.2.2 Civilian and Praetorian Political Structures

1.4.2.3 Democratic & Authoritarian

1.4.2.4 Secular and Religious Orientation

1.4.2.5 More and Least Differentiated

1.4.2.6 Institutionalized and Personalized

1.4.2.7 Republican and Monarchical

1.4.3 POLITICAL PROCESSES IN SOUTH ASIA

1.4.3.1 Political Socialization

1.4.3.2 Political Culture: Parochial at the Centre, Participatory at Periphery

1.4.3.3 Political Participation: More Pass, Less Active

1.4.3.4 Political Communication: Communication Lag & Political Violence

1.4.4 Let us Sum Up

1.4.5 Exercise

1.4.0 Objectives

After going through this lesson, you will be able to understand:

- The structures and processes that prevailed in South Asian states;
- The main features of political structures in South Asian states, specifically with regard to Traditional and Modern, Civilian and Praetorian, Democratic and Authoritarian, Secular and Religious, More and Less differentiated, Institutional and Personalized and Republican and monarchical;
- Political processes in South Asian states, especially of political socialization, political culture, political participation and political communication.

1.4.1 INTRODUCTION

Politics of South Asian states has been shaped by the various structures and processes. Hence in order to understand their politics, it is essential to have a look at the political structures and processes. An overview of the political scenario of South Asian states indicates that they have huge variety in their political structures. There are some political structures like modern state, democracy, political parties which have presence across the national boundaries but there are some political structures that are specific to a country for instance Basic Democracy in Pakistan, Panchayat System and Constitutional Council in Nepal and now Monarchy in Bhutan. However, there are some political structures which had presence in more than one country but not in all the countries like Praetorian political structures in Pakistan and Bangladesh. In the post colonial period, the political structures in South Asia have not only witnessed the abrupt changes but also the structural imbalance as well. Apart from the formal political structures, informal political structures for instance political parties have very strong bearing on the politics of South Asian societies. In addition to them the social and economic structures like religion, caste system, feudalism and patriarchy are determining the course of formal political structures as the later are more stable and well grounded in the South Asian context in comparison to the former.

Besides political structures, the various political processes are determining the political discourse in South Asia. These processes are political socialization, political culture, political participation and political communication. The political socialization of the people of South Asian States has been varying from country to country and within a country from region to region but it has been playing a decisive role in their politics. Likewise political culture of people again varies from place to place within South Asian societies but it has been playing a determining role to shape their politics. Political participation depends upon level of political awareness of the people that varies from rural to urban areas and from class to class. Parochial considerations like caste, religion, region and primordial loyalties like group and community loyalties are determining the course of political socialization, political participation and political culture. The means of political participation are multiple ranging from democratic like press, making representation, peaceful protests, strikes and bands to non-democratic like political violence including insurgency and terrorism.

Neither the political structures nor the political processes are static in South Asian societies because the process of socio-economic and political churning has been happening on continuous bases and in turn are leading to change in political structures for instance the freedom struggles in South Asian societies brought change from colonial to post-colonial structures in South Asia and the Movement for the Restoration of Democracy (MRD), the Alliance for the Restoration of Democracy (ARD) and Civil Society Movement like by ousted Chief Justice of Supreme Court of Pakistan has brought change in the political structures in Pakistan from praetorian to democratic structures in 1988, 2002 and 2008 respectively. Meaning thereby that the political structures and processes in South Asia are not end product rather they keep on changing depending upon the time and space.

1.4.2 FEATURES OF POLITICAL STRUCTURES

After having a comprehensive survey of political scenario in South Asian states, the certain features are noticed with regards to their political structures. They have traditional & modern; civilian & praetorian; democratic & authoritarian; secular & theocratic; more differentiated & less differentiated; institutionalized & personalized, and monarchical and republican in nature. In order to have better understanding about these structures it will be fruitful to discuss them by citing the relevant examples.

1.4.2.1 TRADITIONAL & MODERN

An overview of the South Asian states indicates that they have traditional as well as modern political structures. In the category of traditional political structures, Ranacracy and Monarchy in Nepal and Monarchy in Bhutan are included. They are traditional political structures because their authority and existence is not based on any rational rather it is based on the blood relations. Authority in Monarchy is based on the Kinship. Nepal had Ranacracy which was a dynastic rule up to 1951 when the Monarchy another political structure was at the periphery of Nepalese politics, the centre was occupied by the former. From 1951 to 1960, Nepal had democracy as a modern political structure along with constitutional monarchy as a traditional political structure. King Mahendra in Nepal again revived absolute Monarchy in 1960 that was in palace along with Panchayat System invented by the King Mahendra in 1960s. Both these structures were in place in Nepal for 30 years that is till 1990. In 1991 again the character of Monarchy changed from absolute to constitutional along with the revival of Democratic structures. The democratic and republican structures in India, Sri Lanka, Bangladesh and Maldives are democratic in nature. The democracy in general and parliamentary democracy in India, Pakistan, Nepal, Bhutan, Bangladesh and republican system in Maldives are democratic political structures.

1.4.2.2 Civilian and Praetorian Political Structures

Political structures in South Asia states are civilian and praetorian in their orientation. Now in almost all the South Asian states the political structures have civilian orientation. Meaning thereby that they are led by the democratically elected political elites in India, Pakistan, Sri Lanka, Bangladesh, Nepal, Bhutan and Maldives, whereas in the past the political structures in Pakistan and Bangladesh were have the praetorian appearance and orientation. Pakistan under the army rule for three long spells experienced the praetorian political structures like from 1958-1971; 1977-1988; 1999-2008 and even when the elected government led by political elites are in place, the praetorian structures are playing determining role its politics. Another South Asian State, Bangladesh experimented with praetorian structures from 1975 to 1990. Bangladesh succeeded to revive and relatively stabilize political structures since 1990. Bangladesh has moved forward from praetorian to democratization of political structures its attempt has been remained successful.

1.4.2.3 DEMOCRATIC AND AUTHORITARIAN

An analysis of political structures indicates that they are either democratic or authoritarian as far as their nature is concerned. The parliamentary form of government in India, Pakistan, Bangladesh, Nepal and Bhutan, and mixture of parliamentary and presidential form of government are democratic political structures. Whereas, the presidential form of government in Maldives is a classic example of authoritarianism. Besides this, the dynastic rule of Ranas and absolute Monarchy in Nepal and Bhutan were authoritarian political structures. The praetorian structures in Pakistan and Bangladesh were also authoritarian in nature. Apart from this, the structure of basic democracy in Pakistan and Panchayat system in Nepal were democratic in appearance but authoritarian in substance. Besides these formal political structures the informal political structures like political parties in every South Asian states which were established to promote democracy have become authoritarian in nature due to the lack of within party democracy and emergency of Iron Law of Oligarchy within political parties. An analysis of the working of the democratic structures indicates that they have acquired authoritarian tendencies as they were headed by the political elite with feudal mindset.

1.4.2.4 SECULAR AND RELIGIOUS ORIENTATION

The state as a political structure in South Asia has secular as well as theocratic complexion. For instance India and Sri Lanka emerged as secular state, whereas Pakistan established the Islamic Republic of Pakistan in its first constitution in 1956. Subsequently, the state structure in Sri Lanka moved from secular to Buddhist State in the constitution that it adapted in 1978. Another South Asian state Bangladesh started with secular democratic political structures and end-up establishing the Islamic state. Nepal also remained a Hindu Kingdom for quite long time. Besides the formal political structures many informal political structures like political parties established on the basis of religion almost in every South Asian state across the board for instance Janata Vimukti Perumuna in case of Sri Lanka, Muslim League in case of Pakistan apart from the Jammata-i-Islami, Bangladesh Nationalist Party and Jammata-i-Islami in Bangladesh and Bharatya Janata Party in case of India. In addition to it they many regional political parties established on the basis of religion in the South Asian states irrespective to their secular credentials.

1.4.2.5 MORE AND LEAST DIFFERENTIATED

In South Asia, there are states which are having more differentiated political structures like India, Pakistan, Sri Lanka and Bangladesh, whereas, there are countries that are having least differentiated political structures they include Nepal and Bhutan under monarchy and Maldives under republican system of governance. The structural differentiation is the indicator of political development. The states that are having democracy as a system of governance, the political structures are more differentiated for instance India and Sri Lanka which have sustained democracy since their independence. Since last couple of years, Nepal has moved from Monarchy to Republic and Democracy and also trying to establish federal system that has been leading to structural differentiation. Those South Asian states that are having federal system like India and Pakistan their political structures are more differentiated as compared to the states having unitary system like Sri Lanka, Bhutan, Maldives and Bangladesh. But at present, all the South Asian states have differentiated political structure with the difference to degree and kind as well.

1.4.2.6 INSTITUTIONALIZED AND PERSONALIZED

Some South Asian states are having institutionalized political structures whereas the others are having personalized political structures. For instance the South Asian states having modern political structures like democracy, their political structures are institutionalised in comparison to the states that were having monarchy. Monarchy is a personalized political structures but that does not mean that those South Asian states which are having democracy, they do not have personalised political structures. The tendency of the personalization of power is so strong in South Asia that political structures are dwarfed vis-a-vis the people who are heading those structures. For instance the personalization of power happened in India during the periods of Indira Gandhi and Rajiv Gandhi when political structures like Parliament and Council of Ministers were reduced to the rubber stamp. Further the personalization of power happened within the Congress Party. It has not only happening in India but also in Pakistan because army rule in itself was the manifestation of personalization of power. During Rajapaksha's tenure in Sri Lanka the political power was personalized and political structures were down-seized. Political parties in all the South Asian Sates are personalized instead of institutionalized political structures.

1.4.2.7 REPUBLICAN AND MONARCHICAL

Political structures in some South Asian states are republican in their appearance as well as orientation, whereas in other states they were/are monarchical in orientation. For instance political structures in India, Sri Lanka has become republican immediately after independence, however, political structures in Pakistan remained monarchical till 1956. Political structures were monarchical in Nepal till 2008, however the nature of monarchy kept on changing from absolute to constitutional and vice-versa depending upon the time and space. There was constitutional monarchy in Nepal from 1951-1960 that was replaced by absolute monarchy from 1960 to 1990 which was again followed by the long spell of constitutional monarchy from 1991 to 2005. In case of Bhutan, political structures are still monarchical although the nature of monarchy has changed from absolute to constitutional.

1.4.3 POLITICAL PROCESSES IN SOUTH ASIA

The political structures are playing vital role in shaping the politics of South Asian states—as they constitute hardware of their polities. But the understanding of their structures alone provides the partial picture of their political reality. The software of South Asian polities has been shaped and reflected in the various political processes including political socialization, political participation, political culture and political communication. These political processes are shaping and reflecting the mindset and attitude of the people towards political system. The critical issue to be probed here is that how these political processes are being shaped in the South Asian societies as they are traditional societies moving towards modernization.

1.4.3.1 POLITICAL SOCIALIZATION

South Asian societies are in multi-dimensional process of transition that has social, economic and political dimensions. Political socialization has been playing determining role in politics of South Asia states which is being shaped at the various levels. The people of South Asia are politically socialized at family, community, societal levels. Family has been socializing the individual at the initial level, therefore the level of the political socialization of family is one of the critical determinant in shaping his/her political behaviour. Family's political socialization depends on its education level,

political awareness and political affiliation. Besides this communities both religious and cultural are also politically socializing their respective members for instance the various religious and ethnic groups are political mobilizing the people on the basis of religion and ethnic affiliation. Political parties in South Asia states are also socializing people and there are many political parties which are either organised on the basis of religion, region, caste and ethnic basis. For instance Janatha Vimukti Perumuna (JVP), Jammāt –i-Islami and Islami Jamhoori Ittehad in Pakistan, Jammāt-I-Islami and BNP in Bangladesh, BJP, Shiv Sens, VHP, Akali Dal and Jammāt-I-Islami in India. Besides this there are caste based and religion based political parties that are shaping the political orientation of the people in South Asian region. The role of media is also worth-mentioning in the political socialization of the people. Media includes both electronic and print media. Media is feeding people with information about the working of political system and happenings in the South Asian societies and thereby determining their attitudes towards the political system. Media has also been shaping public opinion about the working of political system and doing so influencing the political behaviour of the people.

1.4.3.2 POLITICAL CULTURE: PAROCHIAL AT THE CENTRE PARTICIPATORY AT THE PERIPHERY

Theoretically speaking, political socialization is the process through which political culture is changed and maintained. Political culture indicates the attitude and belief of the people of South Asia towards their respective political system. In other words it stands for the assessment of the people regarding the functioning of their respective political systems. The assessment of the people about their political system depends upon the level of the consciousness, rational orientation and political socialization. An overview of South Asian political scenario indicates that the majority of people's assessment about the functioning of their respective political system is least based on their performance and is more coloured by the caste, class, religion, region, gender and ethnic considerations of the people. These parochial considerations are not only shaping their assessment about the system but also their political preferences and voting behaviour in the electoral system of South Asian States. The caste, region, language, religion and ethnicity are shaping the political choices of people in India,

Pakistan, Sri Lanka, Nepal, Bhutan, Bangladesh and Maldives. The South Asian societies have not been able to secularize their political culture and the predominant political culture in South Asia has parochial orientation. Consequently, the parochial political culture is at the centre of the politics of South Asian states and participatory political culture at the margins. Besides parochial orientation, the political culture in South Asia states is also having feudal orientations.

1.4.3.3 POLITICAL PARTICIPATION: MORE PASSIVE LESS ACTIVE

Most of the South Asian states in the post-colonial period opted for the parliamentary democracy based on the representative system wherein people indirectly participate in the political system and the electoral system matter a lot. At present, all the South Asian states are having democracy as a system of governance wherein the political participation is having vital significance. There are various methods of political participation and electoral system is one of them. People's participation in the politics of South Asian states has increased over the period of time but by and large their political participation is passive. In majority of cases, their political participation remained confined to elections only. Even in elections, half of the electorates do not cast their vote either due to political apathy or other personal reasons. South Asia has been suffering from the phenomenon of political apathy of middle class. Most of the people who are participating in the electoral process are from the lower sections of the society. Many-a-time they are swayed by the monetary and material benefits accrued to them while casting their votes.

Apart from electoral system other ways to participate in the political process are by joining a political party, pressure group and interest group and further by taking part in strikes and demonstration. Political participation has also been happening in South Asian societies by constructing identities and thereby pursuing the politics of identities and recognition. While writing articles and write-ups about the working of the political systems of South Asian states people are participating in the political process. Such kind of political participation is available to the limited number of people who are either are intellectual and well versed in the art of writing. Participation of the people in the politics of South Asian states has also been taking place by their participation in

the various movements like Freedom Struggles, Women's Movements, Human Rights Movements, Movements for the Protection of Environment, Anti-Dam Movements and Anti-Globalization Movements. Although participation in the freedom struggles by the people of India and Sri Lanka had brought a major change in the politics of these states from Colonial to Post-Colonial State but the political participation in the post-colonial has not been able to transform the formal democracies into substantive democracies in these states. Political participation of the people in the various cases is not shaped by the rational considerations like performance of the system. Rather it is mostly driven by the parochial considerations like religion, caste, creed, ethnicity and region. In the post-colonial South Asian states that were having monarchy like Nepal and Bhutan and praetorian rule like Pakistan and Bangladesh, the right to political participation was denied to the people till they established the formal democracy.

1.4.3.4 POLITICAL COMMUNICATION: COMMUNICATION LAG & POLITICAL VIOLENCE THE DOMINANT TRENDS

The political systems in South Asia states are the part of their respective social systems therefore there has always been need of communication between the people and the masses. Political system in every South Asia state is supposed to serve the society and people and large. It is for the betterment of the society hence proper political communication between the State and masses is the utmost necessity. Participation in election is one formal way to communicate with political system. Formulating public opinion on the issues of public importance is another channel of political communication. While participating in various movements, strikes, protests and demonstrations people communicate with their respective political systems in India, Pakistan, Bangladesh, Sri Lanka, Nepal and Maldives.

South Asian region has many examples wherein the states system that had failed to communicate with the people, could not survive for long. The Ranacracy as a dynastic system was not receptive to the communication from the masses of Nepal-as people were asking for the establishment of democratic and representative political order, resulted into its collapse in 1950s. It was replaced by democracy and the representative political order in 1951, however the democratic order was again interrupted by the revival of absolute monarchy. The failure of absolute monarchy

to communicate with the masses during 1960-1990 had again led to major political change from absolute monarchy to democracy. The absence of communication between praetorian rule and masses had resulted into Movement for Restoration of Democracy in 1983, the Alliance for Restoration of Democracy in 2002 and Civil Society Movement in 2007 that brought political change in Pakistan for three times in 1985, 2002 and 2008 respectively. The absence of communication between the masses and Praetorian rule brought a major political change in Bangladesh in 1990 when the Awami League and Bangladesh Nationalist Party (BNP) collectively fought against the army rule and for the revival of democracy. The political communication between the absolute monarchy and masses has led to its democratization of political process in Bhutan. Due to that the process of democratization has remained peaceful in Bhutan. The failure of State in Sri Lanka to respond to the political aspirations of Tamils not only led to the articulation of Tamil Ethno-nationalism and subsequently demand for Eelam but also resulted into political violence. The communication lag between the State and Tamils resulted into the articulation of horizontal as well as vertical separatism in Sri Lanka.

When the democratic methods of political communication failed the masses in South Asia irrespective to national borders opted for the agitation, protest and political violence. The Post- Colonial South Asian states have the tendency of inertia and resistant to change that is why they are not receptive to political communication because political communication always has the potential to bring change in the policies and practices of state. However, the establishment of proper communication between the state and people has always enhanced the legitimacy graph of the former- as the democratic state has been driving its authority from the masses.

Absence of political communication between the state and masses has been a phenomenon in Nepal. It had always resulted into abrupt political changes. Instead of dialogue, the deadlock between the state and the masses has been the reality. The dialogue between the state and people enable both to communicate with each other whereas the deadlock led to various andolans in the politics of Nepal like *Jana Andolan-I* in 1988-89 and *Jana Andolan-II* from April 6-24, 2006 brought major political changes in Nepal from absolute monarchy to constitutional monarchy and multi-party democracy in 1990 and from monarchy to republic, Hindu Kingdom to a

secular state and from unitary to federal State in 2008 respectively. The establishment of proper political communication between the Maoist forces and Seven Party Alliance (SPA) resulted into *Jana Andolan-II* in April 2006 that led to major shift in the nature of political/state in Nepal. However, the political communication between Maoist Forces and SPA has resolved many riddles regarding the political transition but at the same time the communication gap between them on certain issues delayed the process of completion constitution making in Nepal. The first Constituent Assembly had already exhausted its term and various extensions in its tenure and the election for the second Constituent Assembly was held in 2013 that is still debating the constitution.

The Post-Colonial State in India has been remained relatively bit opened to political communication with its social universe. For instance the establishment of communication channel between Indian state and its people from South had led to the accommodation of the genuine political aspirations of the latter in the form of reorganization of states on language bases. However, the process of reorganization of political units of Indian Union has been continuing unabated since 1950s in response to articulation of political aspiration having some rationale on the basis of language, ethnicity and region. So far Indian State has already experienced the four waves of reorganization of states: first in 1950s; second in 1970s, third in 2000 and fourth in 2013. Apart from the creation of autonomous units in the form of states, the autonomous councils within various states have also created to redress the political aspiration of the people of diverse regions. Besides these juridical measures, the non-juridical measure like the recognition of various languages and placing them in the 8th Schedule of constitution have also been the outcome of political communication of Indian State with its social universe. This is one side of the political spectrum the other side of the spectrum has been providing the reverse side with regard to political communication between state and masses in India. Lack of proper communication between Indian State and its religious minority in Punjab had resulted into horizontal separatism (demand for autonomy) that latter transformed into vertical separatism (demand for Khalistan). The erosion of autonomy given to Jammu & Kashmir under Article 370 of Indian Constitution led to communication lag between Indian state and Muslims as religious minority having regional concentration in the Jammu and

Kashmir. This communication lag was culminated in the form of political violence and vertical separatism in Kashmir Valley since 1989. Political violence in the North-East India has been another outcome of the absence political communication between the India State and the people of this region. The Maoist violence that has already wide-spread in ten states of Indian Union demonstrates the absence of communication between Indian state and its poor people who have been using violence as a technique to communicate the former. An overview of the Indian political scenario provides the account of political communication and communication lag. The former has provided legitimacy to the state whereas the latter has questioned the legitimacy of state in India.

Media has become an important instrument of political communication in those South Asian States which have been having democracy in the Post-Colonial period. India and Sri Lanka are the classic cases in point. The print and electronic media have played crucial role in communicating the expectation of the people from their respective state and also helped the state to make people aware regarding the various policies and schemes launched by the state for their well-being. It has helped the state to communicate with people and also to receive the feedback about the working of the state from the society in India and Sri Lanka. Despite that electronic media in India and Sri Lanka was controlled by the State till the advent of the era of liberalization, privatization and globalization. Print media also suffered from the various types of restrictions and regulations during the normal times in India and Sri Lanka particularly conflict prone areas of these states. Freedom of press became the main casualty in India during the emergency period. It is not that only these two democratic states found deficient on account of the freedom of media, rather the role of media also came under the scanner many-a-times. Media has also indulged in yellow journalism and suffered from the lack of professional ethics while reporting matter to the masses either through the electronic or print medium. Impartiality and objectivity of media have been compromised quite often while reporting the matters of public concerns in South Asian states, whereas these two qualities of media are essential for establishing genuine political communication between the State and masses. Absolute Monarchy in Nepal and Bhutan, and Republican authoritarianism in Maldives did not allow the freedom of media. Praetorian rule in Pakistan and Bangladesh suppressed the media

to the maximum possible extent with one exception that President Musharraf allowed the freedom of press in the later part of his military rule in Pakistan. Freedom of media was sacrificed in these authoritarian and praetorian states.

1.4.4 LET US SUM UP

To conclude the discussion, it can be articulated that one cannot understand the domestic politics of South Asian states without taking into account the political structures and processes-as the former constitute the hardware and the latter software of their politics. Domestic politics of each South Asian state revolves around the variety of structures both traditional and modern. Apart from the formal political structures, the informal political structures like political parties and social & economic structures like caste system, patriarchy and feudalism shape political discourses in the South Asian states. While analyzing the formal political structures in the South Asian states, it has been observed that some states have been suffering from the structural imbalances. For instance the structural imbalance has always witnessed between the civil-political and praetorian structures in Pakistan-as the latter have become more stable as compared to the former. The power struggle between them has been another dimension of structural imbalance between them. Besides this the structural imbalance was also created between the offices of the Prime Minister and the President by the Eighth Amendment to the Constitution of Pakistan. Bangladesh had also experienced the imbalance between the civil-political and praetorian structures in the politics of Bangladesh from 1975-1990. However, Bangladesh succeeded to correct imbalance of powers between them but still the fragility of formal political structures are bothering the people of Bangladesh. The credibility of electoral verdict has always been doubted due to lack of trust in the impartiality and independence of Election Commission. Nepal had also experienced imbalance between the parliamentary democracy as a modern structure and the monarchy as a traditional political structure. The revival of absolute monarchy in 1960 destabilized the structures of parliamentary democracy and dominated the politics of Nepal from 1960-1990. Uneasy relations between the constitutional monarchy and the structures of parliamentary democracy from 1991 to 2005 had not only resulted into the rise of Maoist insurgency but also the Royal coup on February 1, 2005. Nepal had a long and intense debate on the nature political structures from April 2008 to

September 2015 and finalized its constitution that has not only provided the blue print of political structures but spelled out their relationship with each other. Bhutan and Maldives have also transformed their political structures from within, the former by introducing the parliamentary democracy as new political structure besides changing the character of monarchy from absolute to constitutional and the latter by bringing transformation from authoritarian republicanism to democratic republicanism.

Political processes including democracy, political culture, political socialization, participation and communication have continuously been shaped by the socio-economic and political churning happening in the South Asian societies. Democracy as political process has been facing rough weather-as it got derailed in Pakistan many a times and Bangladesh once, and in Nepal twice. In the mid 1970s, a serious attempt was also made to derail democratic process in India and the democracy has also been facing rough weather and bumpy road in Sri Lanka. Another political process that adversely affected the democracy has the political participation experienced by the South Asian states. Apart from the passive political participation, political apathy has negatively affected the democratic process in all the South Asian States. Absence of secularized political culture has not only damaged the democratic process but also the working of the democratic structures including the political parties in the South Asian region. Parochial political culture has occupied the centre stage and the secularized political culture is at periphery of the politics of South Asian States, however the smooth functioning of the democratic structures requires the liberal mind-set instead of feudal mind-set. Although the political communication between the political system and the masses has improved the function of the former over the period of time but lack of receptiveness on the part of political system in Nepal, Pakistan, Bangladesh, Sri Lanka had not only changed and transformed the political structures but has also into political violence of various sorts.

1.4.5 EXERCISE

1. What is the basic difference between traditional forms of political structures with modern? Explain with examples.
2. How to understand the meaning of Praetorian political structure?

3. Analyse the democratic and authoritarian aspects of political systems in South Asian states.
4. Write a note on more and least differentiated political structures.
5. Distinguish between institutionalised and personalised forms of structures in the political structures of South Asian states.
6. Analyse critically the structural features of South Asian states.
7. Write a note on how political socialization influenced the political processes in South Asian states.
8. Do you agree with the opinion that political culture is parochial at the centre and participatory at the periphery?
9. Critically analyse the political participation in South Asian politics.
10. South Asian region has many examples wherein the states system that had failed to communicate with the people, could not survive for long. Elaborate.
11. Write an essay on political processes in South Asian states.

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M.A. Political Science, Semester III, Course No. 303, Politics in South Asia

Unit – II: Nation-building, State and Political Elites

2.1 NATION-BUILDING IN SOUTH ASIA : RELIGION, ETHNICITY AND LANGUAGE

- Gurvel Singh Malhi

Structure

2.1.0 Objectives

2.1.1 Introduction

2.1.2 Religion and Nationalism in South Asia

2.1.3 Ethnicity in South Asia

2.1.4 Language and Identity Formation in South Asia

2.1.5 Issues of Nation-building in South Asia

2.1.5.1 Religion, Ethnicity, Language and Nation-building in South Asia

2.1.6 Let us Sum Up

2.1.7 Exercise

2.1.0 OBJECTIVES

After going through this lesson, you will be able to understand:

- The importance of religion and nationalism in South Asia, their convergence and divergence;
- How the language has become instrument in identity-formation in the politics of South Asian states;
- Issues of nation-building in South Asian states with specific reference to religion, ethnicity and language.

2.1.1 INTRODUCTION

The end of World War II marked the beginning of the wave of decolonization in Asia and Africa. This was followed by a quest of the post-colonial elite in the newly independent countries to organize their political life around the European model of nation-state system. Thus began the journey of building strong and cohesive nation-states out of the remains of colonialism. This was attempted through various approaches and strategies in these countries. Their objective was to build viable centralized structures of authority to keep the state united and integrated in territorial terms and to forge a uniform national identity for establishing as a nation. But this twin project of nation and state building in post colonial states of Asia and Africa was fraught with insurmountable challenges.

2.1.2 RELIGION AND NATIONALISM IN SOUTH ASIA

Apart from its spiritual value, religion is also invoked for ‘non-religious’ purposes. For instance, during various movements religion is used as a legitimizing or an ideological tool. Religion has encouraged mass participation and legitimized movements for social change by providing sacred symbols, historical traditions, disciplined hierarchy and an alternative political ideology. It also provides doctrinal and organizational support as well as backing of the ‘Diaspora’. In the situation of conflict group leaders refer to the violent traditions, myths, rituals and symbols as well as the world-view provided by their respective religion to mobilize and legitimize their cause.

In South Asia, during Pakistan movement pirs and sajda nashins played an instrumental role in mobilizing the masses of West Punjab and Sindh behind the cause of Pakistan. Not only this, diaspora who share religious identity with a particular community in conflict in their respective ‘homeland’ are a constant source of moral and material support to their co-religionists back home. For example, Sikh ethno-nationalism in India has received much of its material and moral support from the Sikh diaspora.

As far as the role of religion in forming or sustaining a nation is concerned, scholars have expressed different and diverse views. Thus, scholars like W.C. Smith, A. D. Smith and Ernest Barker have observed that religion is an important feature of a nation. But when official version of religion is invoked to define national identity,

those who do not subscribe to it are regarded instantly as ‘outsiders’. This is indeed a hazard of religious nationalism. Also, to consider religion, as the basis of nation formation is to endorse religious nationalism, which would eventually degenerate into religious fundamentalism. Besides, religion in itself does not provide a sound and strong bond for group formation and sustenance. It is argued that ethnicity and language are much more powerful bonds in comparison to the religion.

2.1.3 ETHNICITY IN SOUTH ASIA

The word ‘ethnic’ (adjective of ethnicity) has come into widespread usage in its modern sense only in the post-World War II period. The word “ethnic” has been derived from the Greek word “ethnos” and has been used differently by different scholars. Most of the scholars define ethnicity as a group conscious of their distinct primordial culture. To belong to an ethnic group is to possess a common descent, cultural heritage, religion, language and a distinctive history and destiny and to feel a sense of collective uniqueness and solidarity. A major distinction between ethnic communities and a nation is that the former does not have the territorial dimension. A nation, “by definition, requires a ‘homeland’, whereas an ethnic community can maintain its sense of belonging or its distinctive cultural characteristics without such a territorial base”. There are many factors that contribute to one’s ethnic identity, which include the socio-cultural practices, traditions, language and religion. Some scholars have emphasized that separate language is the most important factor in forging ethnic identity. Many a time, an ethnic group is mistaken with race, but an ethnic group is much like race, without biology. Racism is a practice based on biological differences, though ideology and socio-cultural factors also contribute to this phenomenon. But the concept of ethnicity is more explicitly cultural in character.

The phenomenon of ethnicity is an intrinsic component of the socio-political realities of multi-ethnic states in South Asia as well as in other parts of the world. Today, ethnicization of politics and politicization of ethnic communities have become very common. This has sharpened ethnic consciousness among various communities and caused mutual intolerance and ethnic conflicts. Ethnic conflict, in the recent years, has become the most common form of collective violence in the world. It means violent conflict among groups who differ from one another on the basis of their

religion, culture, physical features or language. There are certain conflicts which are non-violent today, but which may turn into open conflicts and violence in future.

2.1.4 LANGUAGE AND IDENTITY-FORMATION IN SOUTH ASIA

Language is a strong determinant of one's identity, at both national and ethnic levels. As mentioned above language is an important component of ethnic identity of a group. So much so that language of minority groups in any state is seen as a source of divisiveness in a nation made up of diverse ethnic groups. Therefore to ensure greater homogeneity, the ruling elite tends to uphold a national identity and promote the use of a national language.

Most developing countries in South Asia were constantly confronted with the problems of ethnic and cultural diversity. The presence of competing ethnic and cultural groups in these countries generally meant that the establishment of new nationhood requires fostering of a new national identity and language plays an important role in nation-building and identity formation in these multi-ethnic societies. Many studies of nationalism and the emergence of nations have shown that a broadly shared language is the most significant and critical component in the successful building of a nation. As the newly independent countries in South Asia are multi-lingual, in order to uphold and promote a national language, ruling elite adopted the strategy of linguistic assimilation and linguistic pluralism. Whereas linguistic assimilation results in the negation of linguistic diversities, pluralism acknowledges the existence of different language groups and their right to maintain and cultivate their languages on an equitable basis. In a nation made up of diverse ethnic groups, there are a variety of affinities that compete with the nation for the loyalty of the individuals. These may include tribe, locality, religion, conscience, economic interest, etc. Therefore this raises the main challenge for multi-religious, multi-cultural and multi-linguistic nations.

2.5.5 ISSUES OF NATION-BUILDING IN SOUTH ASIA

The idea of forming a culturally homogeneous nation and building modernized westernized state structures was alien to the traditional set up of the Asian and African societies. These societies had an experience of modernity only during the foreign

rule. The colonies of Asia and Africa were culturally, linguistically and religiously heterogeneous. The colonial rulers employed different strategies to rule them. Depending upon their interests they favoured one over another ethno-linguistic or religious group, adopted the policy of divide and rule, patronized groups for their loyalty, etc. During foreign rule the economic development in the colonies was also uneven and the administrative structure was highly centralized and authoritarian in nature. Yet, the overarching national movements in these colonies sought to unite diverse and discreet sections of society. But these movements had certain inherent weaknesses. They failed to provide a concrete framework of future social and political set-up. Hence diverse people who were united in confronting a common enemy (i.e. colonial rulers) had their own expectations and aspirations from the post-independent political system. The national movements in the colonies primarily aimed at forming an independent state.

Once the colonies achieved independence the ruling elite set on the task of territorial consolidation and setting up of a centralized political authority to establish themselves as a viable state. Another goal that they attempted to achieve was to create and uphold a national identity to inculcate a sense of oneness and belongingness among the diverse communities of the newly independent countries. In order to accomplish this task the post-colonial ruling elite started patronizing and promoting a dominant religion, language and/or adopting the cultural symbols of the dominant community. This aroused resentment among the left out groups and they resisted such attempts of nation-building. As a result ruling elite resorted to military means as they perceived any such resistance as threat to the existence of newly independent nation-state. This further worsened the situation. In this way attempt of building nation-state in the post-colonial societies of Africa and Asia was full of problems and this remained as an unfinished task.

South Asian societies are no exceptions to the above discussed scenario. Countries here are characterized by appalling diversities in terms of religion, ethnicity and language. English rulers introduced the concept of a nation with a right to self-determination. But as the society in South Asia was communalized along religious, linguistic and ethnic lines, the sub-continent was divided into India and Pakistan. Later on Bangladesh also seceded from Pakistan. In the post-independence period

also different groups asserted their ethnicity and nationhood and their rights to self-determination as their respective states attempted to achieve a set goal of national integration.

The processes of nation-building in all of the countries of the region have faced tough challenges from the sub-national movements of one or the other ethnic groups asserting their identities and rights. In the half a century since independence, the stability of the post-colonial states in South Asia has been threatened by recurrent and violent conflicts between the central authority and a variety of ethnic minorities. The Mohajir uprising in Pakistan, Tamil separatism in Sri Lanka, tribal insurgency in Bangladesh's Chittagong Hill tracts, irredentism in Indian Kashmir and Sikh separatism in India are few examples of contemporary movements in the Indian subcontinent. This demonstrates that a genuine spirit of unity, which is a necessary condition of nationalism, does not exist in the newly independent states of South Asia. Hence it can be said that the process of nation-building has not been much successful and the phenomenon of ethno-nationalism in these states has hindered nation-building.

2.1.5.1 RELIGION, ETHNICITY, LANGUAGE AND NATION-BUILDING IN SOUTH ASIA

Both religion and ethnicity have been significant in the construction and reconstruction of group identities in the region. In the process both were sometimes competing, confronting and/or complimenting each other. From the early part of the twentieth century till 1947, religion became an important basis of defining nation and nationality in South Asia. Thus Pakistan was demanded on the basis of 'two-nation theory'. It was argued that Muslims and Hindus are two different nations entitled for different states where they could live independently according to their different cultures and religions. Subsequently, Punjab and Bengal were partitioned on the basis of religion and two independent nations India and Pakistan emerged on the map. In post-1947 era, however, the religion as the sole basis of identity was off and on questioned by ethnicity and language. In Pakistan state upheld religious nationalism which was based on Islam. Urdu, which was mother tongue of influential migrants from British India and was spoken by a minority, was promoted as national language.

All the ethnic and linguistic diversities in the country of Pakistan were negated and were termed as anti-Islam. This approach of Pakistani rulers was challenged by the Bangla speaking east Pakistanis, who constituted the most numerous ethno-linguistic community of Pakistan. Soon the attempts of imposition of Urdu, was opposed by other ethno-linguistic groups like Sindhis, Balochis and Pushtoons. A nation which was religiously homogeneous to a large extent could not stand the linguistic movement of the Bengalis and it was partitioned in 1971 when East Pakistan seceded and a new country, Bangladesh came into existence. Though after 1971, Pakistan, in a more resolute manner adopted Islam as the official religion but it has continuously faced challenges from the other ethno-linguistic groups in the country. Mohajirs and Seraikis were the new groups to join the already existing ethnic groups. Ethnic groups in Pakistan had based their identities on language and territory. Each group had their own language and they resided in their respective 'homelands' for centuries. They had their own culture and history. Idea of Pakistan as a state for Muslims of Indian subcontinent was comparatively new and alien to the local people of Pakistan. After the initial years of independence the migrants referred to as Mohajirs were replaced by Punjabis and Pushtoons as ruling elite. They carried forward the idea of Pakistan and insisted on a single, homogeneous, religious identity. In this way Mohajirs lost to the 'sons of the soil', both at the central and at the provincial level in Sindh, where they had settled in urban areas. Refusing to get assimilated in the local culture, they reorganized themselves as a separate ethnic group of Mohajirs, in the ethnic universe of Pakistan.

In contrast to Pakistan India adopted secularism as the foundation of nationalism and nation-building in the post-independence period. All the great religions of the world, viz., Hinduism, Islam, Christianity, etc., are found here. The Hindus, i.e., the followers of Hinduism, account for over 80 per cent of India's total population. The Muslims, the followers of Islam, form the second largest religious community in India, accounting for over 11 per cent of the total population. Next to Islam, it is Christianity, comprising about two and a half per cent of India's population. Sikhism takes the next position with a little less than 2 per cent of India's population. The Jains form about half a per cent of India's population and Buddhists constitute less than three quarters of one per cent of India's population. The Parsees also form a very small element in the religious plurality of India.

Soon after independence linguistic movements came to the surface. There are 15 major literary languages, besides numerous other languages and dialects. Indian elite sought to manage these linguistic aspirations by setting up a State Reorganization Commission (1956), which recommended reorganization of states on linguistic basis. Despite this India is fraught of various ethnic movements. Actually in the process of nation-building and nation-formation, symbols from the majority religious community i.e. the Hindus were adopted. Moreover, the political organization of the state was such that there was no effective mechanism for the minorities to secure their particular interests. There was no institutional way out to make their voice heard at the national level. As such linguistic, ethnic as well as religious minorities resisted to the efforts of nation-formation that was perceived to subsume their identities. Ethnic movements in the Northeast, Sikh ethno-nationalism, separatist movement in Kashmir, etc. can be cited as instances for this. Recently, there has been the emergence of majoritarian Hindu nationalism also. This further indicates the growing weakness and shortcomings of political nationalism in India.

As far as Bangladesh is concerned, it came into existence in 1971 as a result of long drawn linguistic movement of East Pakistanis. During the agitation against the domination and the internal colonialism perpetuated by West Pakistan, Muslims and Hindus of East Pakistan provided a united opposition to the former. In the process ethnic-Bengali identity was emphasized over religious-Muslim or Hindu identity. However, after the country won its independence, it got caught up in a dilemma. It had to develop a political identity, which would be different and distinct from both 'Muslim' Pakistan and India with particular reference to the Hindu-Bengalis of West Bengal. This led the leaders to vacillate between Bengali and Islamic nationalism in the post-independence period. A visible tilt in favour of Islamic nationalism was witnessed in the post-1975 period when Zia-ur Rahman constructed an ideology of "Bangladeshi Nationalism" with "Muslim-Bengali identity" at its core, thereby strengthening Islamic elements in the polity of the country; a legacy that was carried forward by the successive rulers. In this way Bangladesh reverted back to the religious nationalism of pre-1947 era. Interestingly, even Bangladesh is facing challenges from Chakma movement in the country.

Not only in India, Pakistan and Bangladesh but the political discourse is increasingly permeated with religious idiom in Sri Lanka also. The official nationalism in Sri Lanka resonates the ethnic-religious nationalism of the Sinhala-Buddhist majority in the country that has little space for Tamils as well as other minority groups. Though the major socio-political divide in the country is between ethnic Sinhalese and Tamils, but most Sinhalese are Buddhist and most Tamils are Hindu. Consequently, the ethnic and religious identities are closely intertwined. Sri Lanka, like India, has been a multi-religious, multi-racial and multi-lingual country. The four major ethnic groups are Sinhalese, Sri Lankan Tamils, Indian Tamils and Sri Lankan Moors or Muslims. A fifth group, the Veddhas, numbering several thousands are descendants or the original inhabitants of the island. Their original culture has disappeared due to their contact with the Sinhalese and Tamils.

The ethnic structure in Sri Lanka had dominantly been influenced by the processes of colonization and conquests from the West and conversions from India in the north. The island nation of Sri Lanka had been dominated by the Europeans for centuries, beginning with the Portuguese, French, Dutch and thereafter the British. During the foreign domination, the Tamils were not discriminated against or treated as a minority groups of people. Once the British left the island in 1948, the numerical superiority of the Sinhalese began dominating the racial scene in Sri Lanka. Cases of widespread discrimination and periodical violence against Tamils were reported. This led to Tamilian “survival” programme with a demand for a separate state in 1976. The current strife in Sri Lanka is a violent ethnic separatist conflict which mainly involves the Sri Lankan Tamils and the Sinhalese. The Tamils seek political autonomy for the eastern and northern provinces as a Tamil homeland. This is vehemently opposed by the numerically and politically dominant Sinhalese population of the country.

Bhutan is no exception to the challenges coming from ethnic movements. In case of Bhutan it is the majority community Dhrupka, which is leading an exclusive ethno-nationalism to “turn Bhutan into a mono-ethnic polity”. In Nepal also population is ethnically sensitive and conscious. Though there has been no major instances of ethnic movement challenging the state nationalism, but there are certain ethnically conscious groups including Newars, Tamangs, Magars, Gurung, sherpa, limbu, Rai and Tharu who prefer to call themselves as ‘nations’. They have a history of

independent statehood, which they can attain again, if they get the right for secession. The least populated state of Maldives had the maximum ethnic homogeneity

2.1.6 LET US SUM UP

As a general observation in South Asia, it can be stated that in one context single religion has proved to be too fragile and superficial to hold the more deep-rooted ethnic bonds whereas in other case religion proved to be more formidable when members of same ethnic groups professed different religions. Thus when it comes to identify oneself or a group vis-à-vis a particular religious group religious identity becomes salient, but when all the members belong to the same religious group then other sources of identity like ethnicity is invoked to compete or co-operate with other ethnic groups. However, when ethnic and religious boundaries coincide, both the elements get mutual strength from each other and form a strong foundation of group identities.

The growing number and intensity of ethno-nationalist assertions and conflicts in the states of South Asia indicate that political structures of the states are neither representative nor accommodative. The problem also persists because the socio-cultural and geographical boundaries do not coincide with each other. The new multi-ethnic states thus face the challenge coming from the conflict between loyalty to one's ethnic community and loyalty to the wider national community.

South Asian states have adopted assimilative strategies for building a homogeneous nation without adopting a mechanism of equitable distribution of socio-economic and political resources. Thus imbalanced political, economic and state development has added to the problem of nation-building. According to Modernisation theory ethnicity is a problem arising out of the development process when it is uneven and unsustainable. The economic and social opportunities and privileges are distributed by the system in a way that a group or class of people start feeling as being excluded. This sense of exclusion may push them to carve out a new identity and assert it. The group assertions were regarded as security problems and military solutions were applied to them instead of any political solutions.

2.1.7 EXERCISE

1. Why the building of nation-state in the post-colonial societies of Africa and Asia was full of problems and South Asia was no exception to this. Explain.
2. Elucidate the role played by religion and ethnicity in the nation building in the South Asian Continent.
3. How language has become a rallying point in the separation of East Pakistan against supra-religious identity?

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M.A. Political Science, Semester III, Course No. 303, Politics in South Asia

Unit – II: NATION-BUILDING, STATE AND POLITICAL ELITES

2.2 DEMOCRACY, PRAETORIANISM AND AUTHORITARIANISM IN SOUTH ASIA

- Gurvel Singh Malhi

STRUCTURE

2.2.0 Objectives

2.2.1 Introduction

2.2.2 Democracy and South Asia

2.2.3 Praetorianism in South Asia

2.2.4 Authoritarianism in South Asia

2.2.5 Let us Sum up

2.2.6 Exercise

2.2.0 OBJECTIVES

After going through this lesson, you will be able to understand:

- The functioning of democracy in the politics of South Asian states, in terms of theory and practice;
- The concept of praetorianism and its prevalence in some of the South Asian states, particularly in Pakistan;
- Authoritarianism in the politics of South Asia.

2.2.1 INTRODUCTION

South Asia is one of the complex regions in the world. It constitutes plurality of different communities and races with each having its identity attached to distinct history, language and pursuit of social practices. The people in the region are thus, socially, economically, culturally and politically diverse. Nevertheless, linguistic and religious differences are more pervasive and appealing that often provided the ground to conflicts. Equally severe are economic inequalities that characterize the region. Growing poverty, intolerance, illiteracy, unemployment, gap between urban rich and rural poor reinforces this fact. Coupled with it, the large population, absence of basic amenities, gender disparities, weak governance structures and feeble democratic institutions, increasing militarization and sectarianism are few among other unique features of the region. Worst part is the absence of farsighted ruling elites in the region. Instead of bridging the gap between govern and the governed they followed asymmetrical and exclusive policies in order to secure their petty interests. They preferred authoritative and praetorian approach over the democratic to build a cohesive nation-state. Hence, the state that emerged with great zeal to act as ‘protector and provider’ became hegemonic in nature. This may be evident in case of both India and Pakistan. Here, ruling elites insisted to define unity solely in terms of the centralized institutionalized structures and subsequently, quested to erect formidable administrative structures with no formal separation between the bureaucracy and the political executive, though it was the hallmark of Westminster model of parliamentary democracy, both countries embraced in principle to follow. The ultimate outcome of this approach was the release of frustration and tensions in the society. This resulted into widespread violence that alienated people from the state. Thus, the pressing task before the ruling elites of this region is altering their colonial style of governing.

2.2.2 DEMOCRACY AND SOUTH ASIA

Democracy has been defined as the government of the people by the people and for the people. This definition makes one thing clear that people remain an integral part of this process both as an objective and participants. In other words, democracy invariably intends to benefit the people by providing each individual an opportunity to grow. For this, active participation of the people in the system, including accommodate

state apparatus is necessary. It is here most of the South Asian countries lag behind. There is no steady educational ethos: literacy, fair election, universal free education and ongoing educational opportunities for adults, including jobs retaining to adapt to changing economic circumstances. Neither is the availability of stable institutions in these countries that are cornerstone of any successful democracy. Shockingly, the governments in the region are over busy to ensure the national security by acquiring critical military equipment. This swallows large chunks of their budget allocations, leaving little for development and eradicating poverty. Nothing concrete was done regarding the security of citizens by actualizing their creative potential. Even the plight of women in the region, who constitutes substantial part of their population, is vulnerable, leaving little space for women to be reckoning force in the political arena. In fact, women's participation in political processes is very important for strengthening democracy and for their struggle against marginalization, trivialization and oppression. Moreover, it is the women who can inspire confidence and offer stimulus for social change. But the male chauvinism throughout the region prevented the women's entry into the political arena. Otherwise, emergence of women as a group has the potential to alter existing parochial political practices, the nature and content of debates both inside and outside the legislature.

As discussed earlier, success of democracy largely depends upon people's participation in the political process. Experiences in the region however present very gloomy picture. Neither the people are getting opportunities for making their voice heard and make the political system responsible towards them. Nor the prevalent state of affairs in each country allows them to do so. Even in the country like India, where constitution legally ensures social, economic and political equality in all spheres of the life but as far as implementation of these provisions are concerned India still has long way to go. Power dynamics inflate different forms of violence, either during the electoral process or while securing political party positions. The power of money, position and arms is considered key to providing a person with the required status in society. Coupled with it, the rampant scale of corruption has weakened the democratic process in the region. This is evident in the region if one goes through how the rights of the people are being denied. Even a small assignment cannot be accomplished without greasing the palm of officialdom. This menace of corruption

is prevalent from lower to higher echelon of state machinery. In short, corruption has fully institutionalized in the society. The onslaughts of globalization and economic liberalization have further changed the social landscapes adversely. Whatever small benefits these processes extend remain confined only to already privileged class, thus contributing in the increase of economic inequalities in the region. The poor law and order situations is unable stop these wrong doings. Consequently, the people in the region have been deprived of civil liberties, security and socio-economic rights that ultimately impede the democratic process to flourish. .

Scholars like Karl Deutsch argued in 1950s that ongoing process of modernization will lower craze for parochial identities among the people. But in the wake of ethnic uprisings since the late 1960's and early 1970's throughout the world, scholars like Anthony D. Smith, Walker Connor found this approach wanting. South Asia was no exception. Almost all the countries in this region have witnessed assertions based on such parochial identities. In order to build cohesive nation-state out of the colonial remains, governments in these countries centralized the entire state apparatus identified with particular identity, forgetting the plural character of these societies. This thwarted the rooting of democratic ideals in the region. Take the example of Pakistan, where the ruling elites adopted authoritarian approach since its inception. This was partially due to lack of electoral base of new elites in the areas what constituted to be Pakistan and partially due to displeasure shown by various ethnic groups in joining new country. In fact, Muslim-majority provinces which were constituted as Pakistan never supported the idea and the movement for Pakistan. Particularly Baloch and Pashtuns were wary of the idea of Pakistan. The Muslims who Pioneered and supported the Pakistan Movement, were migrants who were affluent, influential and more educated. But they were in minority as compared to the local sons of the soil. Thus many a times, migrant led executive sought to bypass the legislature and also attempted to shape country's politics on the non-representative norms, as they were aware of the fact that due to their lesser numbers, elections would lead to their exit from the power. Clearly, instead of revamping administrative paraphernalia in order to guarantee the supremacy of the political institutions over non-elective bureaucracy, the ruling elite in Pakistan and even in India allied themselves with the colonial pariah that bureaucracy was.

On the other hand, unfamiliarity of the politicians with the working of political and administrative institutions of the state and lack of genuine commitment for balanced socio-economic development on their part reinforced their tendency of depending upon the bureaucrats. Further, the major theme of political mobilization that was adopted by the politicians in these countries related to caste, ethnicity, religion, language or cultural factors. In addition, strong feudal and traditional values, including patriarchal cultural practices obstructed capacity building and improvement, including taking up of opportunities for women, dalits, tribal, ethnic and minority communities in south Asia. This has prevented marginalized sections of the society from participating in political decision making processes. Cumulative effect of these political developments and inclinations was that no real change in the relationship between elected and non-elected institutions was brought about and the citizen's rights were reduced to the "formal periodical exercise of voting rights" with no ethics of representative accountability towards them that is regarded crucial for any substantive and vibrant democracy to develop that in turn is essential for the evolution and growth of civic bonds and nation.

Success of democracy also depends upon the effectiveness of political structures and institutions. The region however lacked badly in this regard. Take the case of political parties, which are inevitable for the working of any democratic setup. In most of the South Asian countries, two or three party system is evolving. The mainstream parties have been in decline in terms of ethos, functioning and programmes. However, the number and role of regional political parties is increasing. This is evident from their influence not only prevailing upon the policy formation at the national level, but also influencing foreign policy decisions.

Religious parochialism in politics has largely increased in Bangladesh, India, Pakistan and Sri Lanka. Recent controversies in India where BJP is being accused in one way or the other for giving undue weightage to Hindutva politics is worth mentioning here. Nevertheless, the level of religious fundamentalism in Pakistan and Bangladesh has intensively intruded into political system, posing a bigger challenge before the governments of entire region. Equally an unhealthy trend in the party system is the lack of internal democracy in the parties, including the practice of giving undue weightage to personality cult. In fact, dynastic politics has acquired unprecedented

importance in the party system in most of South Asian countries. Worst part of these parties comes into light at a time of elections, when candidates have been chosen solely on the bases which are hitherto prohibited by their respective constitutions. Often candidate's caste, social status, religion, including their muscle and money power has been explored. What may be concluded is that democracy has become an occasional ritual for electorates, where common man's hey in political process is almost negligible in the region, reflecting the existence of authoritarian tendencies. The root cause of such developments may be found in the unjust environment existing in each of country. Particularly socio-economic constraints and over powerful groups in these countries throw common man out of the competition. It is here, the countries of this region need to learn from the recent concluded Canadian General Elections (October 2015) followed by the cabinet formation under the leadership of Prime Minister, Justin Trudeau. It is due to their matured and strong democratic credentials that many Indians and especially Punjabis with modest back ground got elected and elevated to ranks of minister. The composition of Canadian cabinet itself reflects this. It has four Sikhs, an openly gay person, a Muslim woman, native Canadians, as well as those who are physically disabled. It also boasts of specialists in critical departments. The minister of health is doctor; the minister of transport is astronaut; the minister of defence is a Sikh veteran; the minister of agriculture is farmer; the minister of justice was a crown prosecutor; a scientist is now minister of science and list goes on.

What is more, South Asian countries have poor records of maintaining dignity associated with the working of political structures and processes. This in turn is a big obstacle before evolving of democratic culture in the region. Say for instance, Parliament in India is a custodian of people's rights that not only makes government responsible towards the people but also provides a platform to develop the dialogue inside the house. But on the ground, ruling and opposition alliances try to impose their narrow agenda over the other. Take the example of BJP led government that instead of engaging opposition opted for non-deliberative legislative alternatives. Thus aware of their lack of majority in in the Rajya Sabha, they chose issuing of ordinances instead of reaching out to the opposition. The role of Congress led alliance in the house is equally discouraging. They did not leave any stone unturned

to corner the government, hence this approach seemed to be more fault finding than corrective exercise. Equally discouraging is the relationship between the executive and legislature vis-a-vis judiciary that often impede democratic process. Many a times, these institutions blame each other for transgressing their jurisdiction. In some countries, judicial system has become puppet in the hands of governments. Above all, judicial system is very expensive and marked by unnecessary delay in the disposal of justice. Even the media that is considered to be the fourth pillar of democracy is under several constraints in the region. Otherwise, it has decisive role to play in strengthening democracy by forming public opinion and making the governments accountable. Such is the state of affairs that has come in between the evolution democratic processes in the countries of the region. Notwithstanding these observations, in the recent past a slow but steady development towards setting up of a democratic polity and consolidation of political processes and institutions in the various countries of the region have taken place. In Pakistan and Bangladesh over the period of time power relations have tilted towards civilian government. Nepal has given to itself a secular and republican constitution.

2.2.3 PRAETORIANISM IN SOUTH ASIA

In his work *Changing Patterns of Military Politics* (1962), Samuel Huntington used the phrase “praetorian state” to describe a military that maintains the rule of an oligarchy. Few years later he published an essay in *World Politics* titled “Political Development and Political Decay,” in which Huntington referred to a praetorian society as characterized by political instability that oscillates between absolute monarchy and wild democracy. Though the use of the phrase praetorian state had declined in the post-cold war period, but with the new wave of popular unrest and insurgency in the Middle East and South Asia, and a renewed curiosity over civil-military relations in these regions, this concept has once again become prominent. It is now employed to explain the lingering or emerging impediments to democratization in the countries of these regions.

Civilian control over militaries is widely considered to be a characteristic feature of ‘good’ civil-military relations as well as military professionalism. But in the countries where political and civil societies are weak, the militaries’ role has

not remained limited to defence and fighting wars. Being modern and developed, militaries in these countries get engaged in affairs of the state also. Civil-military balance is shifting towards the latter across South Asian countries. The armed forces as developed a sense of superiority or arrogance because of their control over weapons and professional and technological expertise. This makes it difficult for the political leadership to handle it. According to Huntington South Asia as a whole has experienced an increase in militarization. This trend is problematic as civilian institutions seem weaker in comparison to the militaries' growing power. What might help keep the militaries in check are stronger and mature civilian institutions and their ability to contest for their share in power. In India, there are multiple players which balance the military's power to some extent. Yet in Sri Lanka, Pakistan, Bangladesh, and especially in Afghanistan, the power of the defence forces is often greater than that of civilian institutions. The insurgencies in South Asian states, which are caused by inappropriate power-sharing mechanisms and political policies are met with disproportionate force by civilian governments with the help of militaries. This does not face much opposition from the civilian population and institutions. The civil population seldom protest against the increasing influence of the military very strongly.

Even in India, where military has remained separate from and outside the structures of politics in India, the military has not remained apolitical and influences national security decisions and tries to improve its image and increase its role where possible. India, like other developing countries, suffers from poor governance leading many people to desire better and stronger governance. Under such circumstances, the 'disciplined' and 'strong' armed forces are highly regarded by the people. This image is enhanced and the military's various engagements and roles are justified through consistent propaganda. The social and psychological legitimization of the military's power further adds to its strength. Furthermore, the lure of bribes and payments from arms procurement brings generals close to the political leadership or defence bureaucracy. The inclusion of retired military officers in civilian think-tanks, as well as their prominence in national debates on security in the media and academia, further ensures more influence. When army generals recommended against the withdrawal of troops from Siachin, the then-Prime Minister Manmohan Singh had to listen,

signifying a shift in civil-military balance since Nehru. The first prime minister was still able to put the army in its place and ignore its advice to pursue his own policy perspectives particularly on China. Indian military has an important role and increased influence in matters of internal security. The Armed Forces Special Powers Act (AFSPA), passed in 1958 in response to insurgency movements in the Northeast, gives the military excessive powers which it can directly use against militants as well as civilians in parts of the country with insurgencies, such as the Northeast or Kashmir. The political leadership at the centre has thereby legitimized the denial of basic rights and freedoms by the armed forces.

Another dimension of civil-military relationship is with regards to the ethno-cultural composition of the military. In India, certain Hindu communities dominate the military dispensation. Hence, for the politically marginalized ethnic communities the military's subservience to civilian control is irrelevant as for them the military and civilian policymakers have joined forces to suppress them in the name of national security and unity. Therefore, if neither the military nor the central government serve the interests of the people and collaborate to marginalise certain groups, mere structural civilian control over the military is not enough. In Sri Lanka also, the military's subservience to civilian rule simply means that the Sinhala political and military elite work closely together and are therefore able to use their joint power against the rest of the population. This civil-military partnership is mutually beneficial. The elite alliance has also been used by the government to suppress political opposition. For example, nowadays, politically influential Buddhist priests are using their power against the Muslim minority in the southwest of Sri Lanka. Today, the Defence Ministry has become the 'Ministry of Defence and Urban Development' and as such, is responsible for major infrastructure development projects, mostly with the involvement of Chinese companies. Civil-military partnerships in Bangladesh are also obvious. The country's military is also a prominent economic actor: it is engaged in businesses from confectionary manufacturing and running an international hotel chain to shipyard and machine tool factories. The army has also repeatedly interfered in political activities in Bangladesh.

Over the years Pakistan has come to be considered as a classic example of a praetorian state, in which the Army perceives itself as the sole guardian of the

country's national sovereignty and physical, political and moral integrity as well as the chief initiator of the national agenda and the major arbiter of conflict between social and political forces. The Pakistani military indeed has an enormous clout in political decision-making. The military generals maintain a veto in vital foreign policy, Internal Security as well as National Defence matters. The defence budget is also under the complete control of the Military Organisation in Pakistan. There are, however, certain indications of some increases in civilian control. It seems that Pakistan has moved towards a higher degree of civilian control after alternating periods of direct and indirect military rule. But at the same time it seems unlikely that the armed forces in Pakistan will accept any civil-military scenario in which they have no formal or informal role. Ultimately, though the armed forces may withdraw from formal politics, this does not mean that they will abandon their interest in the political process if their professional and corporate interests are challenged. Similarly in Bangladesh, the armed forces are a major player in Bangladeshi politics, though they have been contended by the civilian governments which have succeeded in leading the country for almost two decades. Today it seems that the lack of institutionalized civilian control over military is increasingly filled by some civil society actors (especially NGOs) and media as well as external actors (especially donors and the UN). Even military is well aware of this situation. As such it is trying to keep an acceptable balance between ensuring its own corporate interests, fulfilling its aid to-civilian-power duties and maintaining its reputation as a trust-worthy agent while attempting to locate its position within the contemporary and future political-institutional framework of Bangladesh.

2.2.4 AUTHORITARIANISM IN SOUTH ASIA

Authoritarianism is a theory and a system of government usually identified with absolute rule, sternly opposite to democracy. Obedience to authority is sought. There is no autonomy to individuals. Especially freedom of expression and thought has been denied. As a form of government, authoritarianism concentrates power in a leader or in small elite not constitutionally accountable to the people. Unlike totalitarian systems, authoritarian governments usually lack a highly developed ideology. Also, the latter tends to tolerate a degree of pluralism in social organization, usually lacks the power to mobilise the nation for collective goals, and exercises power within

limits. Leaders in authoritarian systems often exercise their power arbitrarily and consider themselves above existing law. Modern authoritarian systems usually operate through single, dominant parties, which control government and other key parts of society, including economy, media and education. They usually do not hold free elections, which could replace them with a competing party. It is either difficult or impossible for citizens to create opposition groups or parties.

In case of South Asia, authoritarianism is an integral part of governance; though it varies from country to country. This may be attributed partly due to the colonial legacies that these countries have inherited and partly due to the continuance of these by the ruling elites to achieve their narrow agenda. Hence one finds that the newly independent countries have retained the colonial state's methods of bureaucratic control and centralization. The state in the colonies was absolutist and authoritative. The emphasis of the colonial state was to bring administrative and geographic unity irrespective of any concerns for political or cultural unity. For this centralization was more and more depended upon. In the post-independence period many of such practices were reinforced through the colonial administrative structures that were not only retained but in most of the cases were further expanded by the elite. For instance, the Government of India Act 1935 that was the bedrock of constitutional structure in even post-independent India and Pakistan was devised by the colonial rulers to strengthen the bureaucratic "steel-frame" of the British Raj. The federal structure with conspicuous inclinations towards centre, division of subjects with bias towards union parliament, continuation of the all India services and other such provisions further illustrate the above mentioned tendencies. These practices have been a major reason behind the retarded growth of a genuine representative and responsible political institutions in general and executive in particular in the post-independence period. Clearly, instead of revamping administrative paraphernalia in order to guarantee the supremacy of the political institutions over non-elective bureaucracy, the ruling elite in independent India and Pakistan allied themselves with the colonial pariah that bureaucracy was. Unfamiliarity of the politicians with the working of political and administrative institutions of the state and lack of genuine commitment for balanced socio-economic development on their part reinforced their tendency of depending upon the bureaucrats. As such no real change in the relationship between elected and

non-elected institutions was witnessed in the post-colonial states of South Asia. The citizen's rights were reduced to the "formal periodical exercise of voting rights" with no ethics of representative accountability towards them that is regarded crucial for any substantive and vibrant democracy to develop. In order to establish sovereign power of the state on the diverse socio-political and cultural communities within their respective territories the post-colonial elite of South Asian states depended upon the authoritarian and unrepresentative bureaucracy, which was neither responsible nor accountable towards the people.

2.2.5 LET US SUM UP

Political structures in South Asia states are civilian and praetorian in their orientation. Now in almost all the South Asian states the political structures have civilian orientation. Meaning thereby that they are led by the democratically elected political elites in India, Pakistan, Sri Lanka, Bangladesh, Nepal, Bhutan and Maldives, whereas in the past the political structures in Pakistan and Bangladesh were have the praetorian appearance and orientation. Pakistan under the army rule for three long spells experienced the praetorian political structures. On the other hand, an analysis of political structures indicates that they are either democratic or authoritarian as far as their nature is concerned. The parliamentary form of government in India, Pakistan, Bangladesh, Nepal and Bhutan, and mixture of parliamentary and presidential form of government are democratic political structures. Whereas, the presidential form of government in Maldives is a classic example of authoritarianism. Besides this, the dynastic rule of Ranas and absolute Monarchy in Nepal and Bhutan were authoritarian political structures. The praetorian structures in Pakistan and Bangladesh were also authoritarian in nature.

2.2.6 EXERCISE

1. Write a note on functioning of democracy in South Asian states.
2. How do you understand praetorianism? Explain with reference to South Asia.
3. Critically analyse authoritarianism in the politics of South Asian states.

M.A. Political Science, Semester III, Course No. 303, Politics in South Asia

Unit – II: Nation-building, State and Political Elites

2.3 NATURE OF POST-COLONIAL STATE IN SOUTH ASIA: INDIA, PAKISTAN AND NEPAL

- Gurvel Singh Malhi

Structure

2.3.0 Objectives

2.3.1 Introduction

2.3.2 Nation and State Building: Strategies and Outcomes

2.3.3 Classification of Post-colonial States in South Asia

2.3.4 Nature of Indian State

2.3.5 State in Post-Colonial Pakistan

2.3.6 Nature of Nepalese State

2.3.7 Exercise

2.3.0 OBJECTIVES

After going through this lesson, you will be able to understand:

- Nation and State building strategies in South Asian states and their outcomes;
- Classification of post-colonial states in South Asia;
- Nature of Post-colonial state in India, Pakistan and Nepal.

2.3.1 INTRODUCTION

The post-colonial states in South Asia inherited the legacies of colonial rule. As states they possessed clearly demarcated territories, which were often arbitrarily divided by

the alien powers that ruled them. The politico-administrative boundaries that were defined by the colonial masters did not necessarily coincide with the ethno-cultural boundaries at the ground level. During the colonial period these boundaries were porous enough to allow a freer movement of the members of the cultural groups. As a result such borders were not resisted or resented by these groups at that time. After independence the porous soft political boundaries were freezed as hard 'national' boundaries that were treated as sacrosanct. This gave birth to the phenomenon of irredentism in the fractured ethnic communities, who mobilized its members nostalgically invoking the memories of the lost territory or independence or state of predominance while referring to the suitable periods of history. During colonial rule there was unequal development of the territories and uneven access to modernisation and development. The focus on major urban centres, the modes of transport and communication, employment opportunities, educational exposure, the industrial layout imposed by the colonial masters led to more socio-economic development of some communities, while marginalizing the others. Colonial rulers also adopted the policy of divide and rule that created rift between different communities in the post-colonial period also. They established unitary colonial state with the help of a powerful civil and military bureaucracy. All these factors had bearing on the nature of post-colonial states.

2.3.2 NATION AND STATE BUILDING: STRATEGIES AND OUTCOME

The states in South Asia are characterized by conspicuous absence of almost all the elements of nationhood like common history, common culture, and common language. These countries were merely multiethnic administrative entities created by the western colonialism which transformed into sovereign states in the post-independence period. They inherited a large number of ethnic communities and to create a homogeneous national identity they have heavily depended upon the cultural markers of the dominant communities. Their strategy was to homogenise and assimilate instead of integrating the highly diverse and differentiated populations of their multi-ethnic and multi-religious societies. The ethnic communities that did not accept the hegemony of the dominant community were excluded and their hopes and aspirations were labelled as parochial, chauvinistic and anti-national. The South

Asian states have failed to create a civil society in which several social and cultural categories could participate. It was required that an impersonalized rule of law and a power sharing mechanism capable of accommodating the aspirations of diverse people and regions be established. Also secular public institutions mediating between state and citizens should have been set in place. Instead they got ethicized, as the state structure was dominated by and favoured a particular ethno-cultural religious community. The state's interference in the economy has further created imbalances and caused tensions. Also the state's attempt to redistribute the resources or/and nationalize the natural resources have led to the exploitation and sufferings of the members of the minorities. As a result the groups that felt marginalized reconstructed their collective identities and got mobilized along ethnic lines to resist the state by all means available. This caused a crisis of legitimacy. In this way the post-colonial states have ended up in more and more violence, persecution and resistance but no sense of nationhood. There is trust deficit between the ethicized state and the people in general and minorities in particular.

The post-colonial states in South Asia are structurally centralised and hegemonic in nature. They have retained their unitary colonial state structure. This has re inscribed the colonial-era social relations even in post-independence period and consolidated the power of the 'overdeveloped' civil and military bureaucracy. Also, these states continue to face conditions of scarcity as far as economic resources and opportunities are concerned. It is found that there is in equilibrium in the development of South Asian states in different sectors like social, economic and political. Hence there is inequitable economic and political growth of various regions and social groups on the one hand and imbalanced and stunted development of the institutions of democratic governance on the other. All these factors have hindered the integrative tendencies in the South Asian states. Meanwhile, the lopsided process of state-nation building and the process of nation-formation in post-colonial period have given rise to "minority-syndrome" in the majorities also. Illustration of such a queer behaviour of majorities is evident by the rise of Sinhala-Buddhist nationalism in Srilanka and the Hindutva movement in India.

2.3.3 CLASSIFICATION OF POST-COLONIAL STATES

State formation in post-colonial societies differed greatly from the formation of the Western capitalist state. The unitary colonial state left a strong legacy on the decolonized states of South Asia. These states have retained colonial state structures and adapted them to suit new post-colonial realities. But in world system this has actually maintained and reinforced their subordination vis-à-vis Western states, transnational corporations and multilateral institutions. In this context, depending upon their development trajectories post-colonial states can be classified as proto-capitalist and capitalist states. The former consists of the states where the feudal landholders and bureaucratic elite have established control on the state apparatus. In contrast, capitalist states are those that have been able to partly shake off the colonial legacy and loosen the noose of imperialist domination.

2.3.4 NATURE OF INDIAN STATE

Following independence India officially adopted secularism as its national ideology. But in reality, majoritarian Hindu ideology dominated the so-called national mainstream. Thus, Indian state, its constitution and even the apex court (the Supreme Court-sole interpreter of the country's constitution) though recognizes the socio-cultural diversities in letter but such a tendency is lacking in the spirit or on the implementation part. Such a tendency is reflected in various judgements by the Supreme Court. For instance in the context of Raj Thackeray's Maharashtra Navnirman Sena on the issue of North Indians' settlement in Maharashtra, while totally ignoring the sensitivities of the sons of soil, Supreme Court stressed the unity and integrity of the country and emphasized a single whole national identity, 'Indian identity', over the other sub-identities and loyalties.

In the post-independence period, Indian state was described as a 'soft state'. It was characterised by a multiclass social base, a not-too-well-organized ruling party and a bureaucracy that was relatively professional at the apex but not in the periphery. Political power rested mainly in the Congress party. The early Congress party was nationalist and socialist in its ideological leaning. Though it claimed to represent the interests of the 'nation' as a whole, the party was getting disproportionately influenced by the 'proprietary classes'. After independence, the Congress rulers inherited a

relatively well organized colonial bureaucracy, which the new rulers also chose to maintain. The ICS (Indian Civil Service) became the IAS (Indian Administrative Service) and it grew in numbers. But its core characteristics remained the same as an exam based, meritocratic civil service of the generalists. This high quality, professional civil service has since remained vital to India's governance. Though the civil service was instrumental in maintaining political stability, it was not successful in creating a real developmental state. It could not contribute successfully in terms of creating and running factories, promoting exports, or implementing land redistribution.

States in the developing world play an important role in promoting economic growth and in reducing inequalities and poverty. The Indian state was also a non exception. After independence roughly the first four decades witnessed Nehruvian centralized socialist planned development. Nehru's heavy industry-oriented, import-substitution model of growth had mixed results. Nehru's policies successfully laid the foundations of an industrial economy. Many a times the roots of the recent growth upsurge are traced back to these early beginnings. But Indian economy witnessed a sluggish growth rate between 1950 and 1980. The state which controlled the economy was simultaneously pursuing a variety of goals. None of these were followed in an effective manner. Amongst others the adverse effects of Nehruvian policies was neglect of the agriculture and primary education. Problems of agriculture sector were compounded by the failure of Land reforms also. Capital-intensive pattern of industrialisation without any investment in human resource development could not create employment opportunities for the growing number of poor.

Indira Gandhi accentuated populist politics and recreated a new type of Congress hegemony in which power became even more personal. Congress party was further deinstitutionalized; leaders below the apex came to be appointed from the top, often rewarded for little more than loyalty to Indira Gandhi. Even the well established civil service and the armed forces felt the strain of growing politicization. During the reign of Indira Gandhi the economy was politicised in distributive direction in the 1970s, and then in a more pro-business direction in the 1980s. Indira Gandhi introduced a populist element in the Nehruvian model of economic development. Hence banks were nationalized, Maharaja's were stripped of their remaining privileges, anti-monopoly laws were strengthened, new taxes were imposed on the rich, access

to credit was broadened, stricter land reform legislation was passed, and public works programs that may supplement the income of the poor were brought into being. In this way the early 1970s came up with the real possibilities of setting up a social democracy in the country. But Indira Gandhi's authoritarian style of functioning led to appropriation of more and more personal power. This hindered the emergence of a well organized social democratic power bloc that could confront dominant class interests.

In 1980s late Indira Gandhi and her son Rajiv Gandhi moved the Indian state away from its socialist ambitions and transformed it to a growth-promoting state that worked with the corporate sector. The role of the state in controlling market was limited. Also the state actively supported the profitability of the corporate sector. Liberalizing changes included removing a variety of restrictions on the activities of big indigenous business, giving tax breaks and subsidies to the corporate sector, continuing public investments, providing a variety of supply side supports to some industries like computer and soft-ware and limiting labour's capacity to strike. These policy changes led to hike in industrial growth. The 1980s thus marked a break in India from the "Hindu rate of growth". The fiscal and balance of payment "crisis" of the early 1990s provided an occasion to go in for further liberalisation of the economy.

Over time the state in India has shifted from a reluctant pro-capitalist state with a socialist ideology to an enthusiastic pro-capitalist state with a neo-liberal ideology. This shift has significant implications for the possibility of development and redistribution in India. Undoubtedly, post-liberalization development based on neoliberal ideas and policies have led to higher rates of economic growth and at the first instance it seems that this growth acceleration is bound to be poverty reducing. However, the state-capital alliance for growth is leading to widening inequalities along a variety of dimensions: city vs. the countryside; across regions; and along class lines, especially within cities. As such this rapid economic growth is not benefitting many of the poor. Also the balance of class power within India is shifting decisively towards business and other property owning classes. This implies that there would be increase in the inequalities due to development which has potentially serious political consequences.

Moreover, declining public investments have hurt agricultural growth, a sector on which most of India's poor still depend for their livelihood. This has adverse effects on the growth prospects of poorer states, and caused inter-state disparities. The state is more focussed on economic growth and less on redistribution. Also, there is significant variation across Indian states in their redistributive capacities. Notwithstanding this developmental set-up, India has established herself as a vibrant democracy, with the poor and the near-poor constituting a majority. In this scenario the excluded majorities continue to press their own case. Hence democracy and activism of the poor are attempting to modify the dominant pattern of development. In India federalism has deepened in 1990s as a result of 73rd and 74th amendments in the constitution. But it has been observed that India's local governments have generally been quite ineffective at pursuing either redistributive policies or poverty alleviation programmes. Of course, there has been some variation on this count especially in the states that have prioritized the welfare of the poor. On the whole, however, panchayats have not functioned very well because of the collusion of corrupt local politicians and bureaucrats on the one side, and the powerful among the upper castes and classes in the village society on the other.

During 1990s the notion of Hindutva, Hindu-ness that seeks to re-define India as a Hindu country, shadowed the Indian polity. In the Indian nationalist discourse general policy vis-a-vis minorities is either assimilationist, repressive or of appeasement. Indian state has yet to prove its secular credentials. Though the state is also characterised by functional democratic institutions, activism of the people in the margins, constructive and positive role of institutions like election commission and Supreme Court in building constitutional and social democracy, largely free and independent press as well as a restive civil society.

2.3.5 STATE IN POST-COLONIAL PAKISTAN

In Pakistan, politics is highly personalised and patrimonial. During the irregular phases of democracy, political leaders rely more on patron-client networks to secure votes, while citizens often resort to personal networks and informal intermediaries to access goods and services. Much of the political power is held by small elite and its military allies. Political competition is distorted by the pervasive role of the military

in politics. Military influences economic and social spheres of life also. Society is hierarchically organised. People's participation and representation in the ruling circles of the country is almost lacking. Citizens lack the formal means to make their voices heard and to hold politicians accountable. The vacuum between the state and the people is tactfully occupied by various fundamentalist and extremist elements in the society. These actors and their ideologies have been capable of mobilising masses effectively, though not necessarily along a progressive path. No doubt that Pakistani state has been described as a failed state. It is argued that there is a clear-cut dichotomy between physical/political/legal entity known as the state of Pakistan and the idea of the Pakistani nation. Often these two have operated at cross-purposes with each other. According to Stephen Cohen the idea of Pakistan corresponds to the vision of Sir Syed Ahmad Khan, Mohammad Iqbal and Jinnah who upheld the notion of a "liberal, democratic and just state" which would be based on the notion of 'Indo-Muslim civilisation'. Pakistan was viewed as a homeland for Indian Muslims and an ideological and political leader of the Islamic world. But as a state Pakistan could not serve any of these purpose successfully. It has proved to be a failure in the political, economic and civil arenas. Domination of military in the political organization of the state has stunted the growth of democracy. The state has failed to deal with the political crises arising out of ethnic nationalisms in the country and attempted to solve them economically and/or militarily.

Following the independence the Pakistani state failed to frame a national ideology that could represent and accommodate the ethnic and linguistic communities in the state on the one hand and provide a distinct and unique national identity to the people of Pakistan on the other. State nationalism was based on Islam, Urdu, Pakistanè ideology. An odd combination of theocracy and liberalism was chosen as the means to construct the national identity in Pakistan. Another major challenge confronting the state of Pakistan was regarding the role of religion in the political structure of the country. This delayed the making of the constitution and led to socio-political confusion and unrest in the country. This provided a fertile ground for the military to intervene and take over the administration of the country for the first time in 1958. Thereafter, the country faced several military coups and reigns. Military became the guardian of frontiers as well as ideology of the country. It has influenced the working of

democratic governments and has prevailed upon major foreign policy decisions also. The Cold War era and the alignment of Pakistan with the Western bloc has also led to the rise of the influence of the military in the country's power circles. Meanwhile, even the democratic rules have not been free from controversies. Ironically, the periods of non- democratic rule have been found to be more economically successful.

Pakistan has six “centres of power” or pillars of the state, which include the legislature, the executive, the judiciary, the military, the media and the jihadi organisations. Apart from the traditional centres of power, the three other centres of powers have come into existence as a result of mounting ideological pressures. The rise of the media as arbiter and manufacturer of pressure through “public opinion” is dated to the years in power of General Musharraf who allowed a proliferation of TV channels. Through them an attempt was made to dominate the Urdu-medium opinion expressed by right- leaning ideological columns. The rise of the Jihadi organisations was made possible gradually over the years because of the use made of them in the covert and low-intensity wars staged by the Pakistan army in Afghanistan and Kashmir. Pakistan always had “ungoverned spaces” on its territory. These territories were granted autonomy so that the tribals could preserve their traditional way of life. The state governance has almost retreated from these areas. During wars with India and after 2001 these areas were used by the military as bastions of jihadi power. Over the years these areas have emerged as strong non-state actors, often challenging the sovereignty of the state itself. The judiciary too has become subordinated to them in the countryside where seminaries attached to the jihadis could force the lower judiciary to deliver verdicts of their liking. Even the higher judiciary has succumbed to their pressures in many cases.

2.3.6 NATURE OF NEPALESE STATE

Nepali state has been characterised by its discriminatory nature. The state encouraged the politics of exclusion, and only privileged caste and class groups have enjoyed power and access to resources. In April 2006 mass protests known as Jana Andolan II, in which at least three to four million Nepalese (in a nation of 25 million people) participated, marked the beginning of a journey towards a new Nepali democratic state. The new Nepali state has bid farewell to the two-and-a-half century long history

of monarchical rule. It has worked to be free from the insurgency carried out by the Communist Party of Nepal-Maoist (CPN-Maoist) and establish an inclusive democracy. Nepali kings have time and again derailed democracy and usurped absolute power. Democracy in Nepal was first attained in 1951 through an armed revolution against the century old oligarchic Rana regime (the Shah Kings had been propped up as figurehead rulers then). But in December 1960, King Mahendra usurped power and thereby nipped Nepal's first incipient democracy in the bud. King Mahendra supplanted democratic rule with the partyless Panchayat regime, a system that continued until 1990. Multiparty democracy was restored in April 1990 after the people demanded its return through mass protests. This second era of democracy lasted longer. During this period a new constitution was promulgated, parliamentary elections were held in 1991, 1994 and 1999 and local elections were held in 1992 and 1997. But through royal coups in October 2002 and February 2005, King Gyanendra derailed the democracy in the country.

Meanwhile the state was also weakened by the internecine party politics after 1990, the detrimental effects of the CPN (Communist Party of Nepal)-Maoist insurgency, and the overall culture of political decadence. The people responded by taking to the streets in Jana Andolan II, rallying for republicanism and complete abolition of the institution of monarchy. In the days that followed, the king was ousted from power, and the political parties and the CPN-Maoist cobbled together an interim parliament to run the affairs of the state. With an objective of overthrowing the monarchy and replacing the multiparty parliamentary system, the CPN-Maoist had launched an insurgency in February 1996, which had escalated to a countrywide movement within a very short span of time. There had been attempts to settle the CPN-Maoist problem through negotiations in 2001 and in 2003, but these negotiations had failed. So the transformation of the CPN-Maoist from an armed insurgency group into a political party had become an integral part of the anti-monarchy movement of April 2006. In November 2006, SPA (Seven Party Alliance) and CPN-M negotiated and signed a Comprehensive Peace Agreement (CPA). In 2007 an Interim Constitution was promulgated on the basis of which an interim legislature and government was formed. But restructuring Nepal into a truly inclusive democracy, can only be attained once Nepalis of all ethnic backgrounds and both genders are truly represented in the

country's governing bodies. Nepal is home to 101 caste/ethnic groups, 91 linguistic groups and 9 religious groups, but only Hill-Hindu high castes— Brahmins and Chhetris—who constitute only 31 per cent of the total population of the country occupy the a major share of key positions in the country's social, economic and political power structures. Nepal's social diversity is not reflected in its body politic.

The upper-caste hegemony in Nepal is a product of the historical acculturation processes that have been undertaken by the insular Nepali state to subsume all the other caste/ethnic groups into the ruling Pahadiya fold. Ever since the unification of Nepal in 1768, the rulers of Nepal—the Shah Kings (1768- 1845), the Ranas (1846-1950), the Panchas (1960-1990) and the party leaders (1951-1959 and 1990-2002)— have tried to forge Nepal into a homogeneous, monolithic and unitary state by sanctioning and promoting only one language (Nepali), one caste group (Hill Brahmin and Chhetri), and one religion (Hinduism) and ignoring the reality of the diversified and pluralistic characteristics of Nepali society. But the centralization of politics and administration, had increased the disparity among Nepal's social groups. The Hill high castes have long been placed in positions of privilege, and other groups—the Janajati, Madheshi, and Dalit—have been excluded. Since the restoration of democracy in 1990, there has been a distinct rise in ethnicity as a socio-political identity among Nepal's excluded groups. There have been demands like reservation, caste/ethnic based proportional representation in elected bodies and federalism. The Madhesh uprising in January-February 2007 can be cited as an instance of such assertions. This movement led to the fulfilment of the demands for federalism and the redistribution of electoral constituencies on the basis of population size and ethnically based representation in Constituent Assembly. The assembly however failed to draw up a new constitution. As such a new assembly was elected in 2013 which was dominated by the traditional parties.

Presently there is lack of consensus on the issue of secularism as there are demands from different quarters to return to Hinduism instead of secularism or to mention religious freedom instead of secularism in the constitution. Many members of traditionally marginalised groups fear that the constitution will still work against them as it's been rushed through by established parties which - including the Maoists - are dominated by high-caste, mostly male, leaders. Another grievance is that a

smaller percentage of parliament will now be elected by proportional representation - 45%, compared with 58% under the previous post-war interim constitution. The PR system has helped more members of indigenous and low-caste groups, historically repressed and marginalised, get elected. But to conclude Nepalis are simply relieved that the country has at last a new constitution after seven years of wrangling.

2.3.7 EXERCISE

1. “The post-colonial states in South Asia inherited the legacies of colonial rule”. In the light of the given statement discuss various such practices and institutions adopted across the covered South Asian countries.
2. India State has shifted from a reluctant pro-capitalist state with a socialist ideology to an enthusiastic pro-capitalist state with a neo-liberal ideology. Discuss the reasons for this shift and its subsequent implication.
3. Describe the peculiar nature of politics and State development in Pakistan.
4. Discuss various milestones in the State journey of Nepal in the post colonial period.

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2.4 POLITICAL ELITES IN SOUTH-ASIA: PAKISTAN, BANGLADESH AND SRI LANKA

-Shaveta Sharma

Structure:

2.4.0 Objectives

2.4.1 Introduction

2.4.2 Political Elites in Pakistan

2.4.3 Political Elites in Bangladesh

2.4.4 Political Elites in Sri Lanka

2.4.5 Let Us Sum Up

2.4.6 Exercise

2.4.0 Objectives:

After going through this lesson, you will be able to grasp:

- Meaning of Elites
- Various definitions of Elites
- Political Elites in Pakistan
- General Characteristics of Political Elites in Pakistan
- Political Elites in Bangladesh
- General Characteristics of Political Elites in Bangladesh

- Political Elites in Sri Lanka
- General Characteristics of Political Elites in Sri Lanka

2.4.1 Introduction:

Every society or state is ruled by groups of chosen few or elite, no matter what form of government is there in practice. Real power to govern or rule belongs to selected group of elites only. Before discussing the role of political elites in Pakistan, Bangladesh, and Sri Lanka, it is imperative to understand the meaning of “Elite”. The term “Elite” has been taken from the Latin word – “eligere” which means to choose. The dictionary meaning of the term “Elite” is the chosen element in the population.

Suzemne ne Keller defines it as “Elites are those minorities which are set apart from the rest of the society by their pre-eminence in one or more of these various distributions”.

Pareto defines Elites as “Elites means a small number of individuals, who in each sphere of activity have succeeded and arrived at a higher echelon in the professional hierarchy”.

C. Wright Mills defines it as “Elites are those who occupy the command posts.”.

Laswell defines it as “The Political elites comprises the power holders of body politic. The power holders include the leadership and the social formations from which leaders typically come and to which accountability is maintained, during a given period”.

Presthus defines it as ‘Elites are minorities of specialized leaders who enjoy disproportionate amounts of power in community affairs”.

So, elites could be defined as those people or selected few within a society or state who hold the key positions and practically rule over all the people. Rejecting the claims that democracy is the government of the people, A.R. Ball rightly pointed out that “there is agreement that all forms of governments are mere disguise to cover minority control”. In the same context, Duverger advises to replace the notion – “Government of the people, by the people, and for the people” by “Government of the people by an elite sprung from the people.” Plato has been considered as the earliest exponent of Elitist theory when he ranked his guardian class over and above the

producing class and vested in it, all the power and authority to rule unquestioningly. In recent times, Pareto and Mosca, the two famous sociologists have been considered its main exponents. Apart from them, C. Wright Mills, Michels, Gasset, Burnham, Laswell are to name a few, who have been considered as the chief supporters and exponents of Elitist theory. Pareto, in his book, gave the concept of Governing elites, while Mosca discussed about Political Elites/ class. C. W. Mill gave the concept of Power elites and Marx discussed about the Ruling class as elite. Different writers gave the concept of circulation of elites as well. In generalized sense, this could be discussed as: Vertical and Horizontal mobility/ circulation of elites. Vertical mobility refers to a process when the people from the masses rise to the rank of the elites and horizontal mobility means when one set of elites is replaced by another set of elites. The elites are the product of long process of socio-economic and political churning and not an overnight phenomenon or by accident.

2.4.2 Political Elites in Pakistan:

Pakistan came into existence after getting India partitioned in August 1947. The religious basis and “Two-nation theory” has been remained the foundation stones for the creation of Pakistan. Since then, the Islamic State of Pakistan has been oscillating between democracy and military rule. Pakistan has a very complex political landscape, and the political power has come to be concentrated in the hands of a few families or political parties to say. But a distinct feature of political elites in Pakistan is the role and dominance of military elites in the political landscape of Pakistan. It can be said that the political elite in Pakistan combines in itself both – political elites and military elites. Apart from these two categories, there are feudal elites / business elites which also hold a deep sway in the society, but this class of people could not be identified under real political elites.

Pakistan has a history of dynastic politics where a handful of families and their kins hold significant power to influence the political discourses and electoral processes there. But, in particular, the Sharif and Bhutto families are considered as the most powerful and influential sets of political elites. Pakistan People’s Party was found by Zulfikar Ali Bhutto on 30th of November 1967. The reins of the party came into the hands of his daughter – Benazir Bhutto after his death. The promulgation

of the 1973 Constitution paved the way establishing parliamentary democracy in Pakistan. Since the formation of the concerned party to till date, the party's leadership has been dominated by the members and kins of Bhutto family. This party came to power on multiple times like in 1970, 1977, 1988, 1993 and 2008. Benazir Bhutto was assassinated in 2007. At present, Mr. Asif Ali Zardari (Husband of late Ms. Benazir Bhutto) is the President and Mr. Bilawal Bhutto Zardari (Son of Benazir Bhutto and Asif Ali Zardari) is the chairman of PPP.

Second most important political party of Pakistan is the Pakistan Muslim League (Nawaz) (PML – N). It was founded by Nawaz Sharif on 18th of July 1992 and was a split from the original Pakistan Muslim League (Junejo). PML-N was splitted into a new PML (Quaid – Musharraf faction) in 1999, after General Pervaiz Musharraf staged a military coup in Pakistan. PML-N revived itself in 2008 general elections. It returned to power in 2013 and Nawaz Shariff was made its Prime Minister. At present, the party is being governed by Shahbaz Sharif (Nawaz Sharif's younger brother) as both Nawaz Sharif and his daughter Maryam has been sentenced to imprisonment on charges of corruption, which were later suspended.

The third force in the political landscape of Pakistan has emerged in the form of Imran Khan led Pakistan Tehreek-e-Insaf (PTI) party which was founded on 25th of April 1996. Imran Khan served as the Prime Minister of Pakistan from 2018 to 2022. PTI has emerged as Pakistan's largest political Party and challenged the established political orders dominated by Pakistan Muslim League and PPP. These three parties are dominating the electoral processes and political landscape of Pakistan in the current times and the concerned leaderships of the party constitute the political elite strata of Pakistan. The scenario has led to the emergence of 1st, 2nd and 3rd generations of Political elites and the privileges comes along with these dynastic political lineages.

Since, the time Pakistan got independence, she spent several decades under the military rule. Pakistan was established as a theocratic state but under the aegis of democratization of political and social structures. But the process of democratization was reversed on many occasions by frequent eruptions of military coups there. Pakistan remained under the influence of military rule from 1958-1971, 1977-1988

and from 1999-2008.

In 1958, President of Pakistan Iskander Mirza dismissed the Constituent Assembly of Pakistan along with the government of Feroz Khan and appointed General Ayub Khan as the Chief martial law administrator. But, within a fortnight, President Mirza himself was deposed by General Ayub Khan, who led a military coup in Pakistan and appointed himself as the new President of Pakistan. His rule lasted till 1971. Pakistan returned to democratization with the elected government of Prime Minister Zulfikar Ali Bhutto in 1971. But this phase of democracy did not last long and in 1977, it was replaced by yet another military Coup. The then Chief of Army Staff General Zia-ul-Haq along with the support of Admiral Mohammed Sharif led to the coup in Pakistan in July 1977 and dethroned the elected government of Zulfikar Ali Bhutto. General Zia-ul-Haq became the new President of Pakistan and took the reins of the entire administration into his hands. He started promoting the extreme forms of nationalism and unquestioned loyalty and obedience towards the country. His rule lasted till 1988. After the military coup of Zia-ul-Haq which was ended in 1988, Pakistan again tried to return to the democratic structures. After Zia, Ghulam Ishaq Khan became the President with vast and unlimited powers. He was also a close known of the Pakistan military's inner circles. Under the dint of his unchecked powers, he dismissed the elected government of both Benazir Bhutto in 1990 and of Nawaz Sharif in 1993. However, this phase of elective governments remained operational till 1999, but after the Kargil Crisis got over, General Pervez Musharraf led another military coup in Pakistan and became the President of Pakistan in 1999. He continued to rule till 2008 and after that Pakistan again managed to come at par with the democratic structures.

It could be articulated that since independence, Pakistan has been remained under the enormous influence and domination of army and aristocratic strata of its society. These influences led to the frequent dethronement of elected and democratic government and the establishment of military rules there. Since, the establishment of Pakistan, the democratic and military rules have been playing a game of "See-Saw" and kept the political and socio-economic structures in a state of oscillation from democracy to military rule and vice-versa. Even when the Pakistani nation is working under the democratic establishments, the ruling dispensation could not remain fully

successful in keeping itself immune from the paramount influence and interference of the army wing. Pakistan is known well for the omnipresence and omni potency of its Army/ Military on all the issues central to local, regional, national, security, foreign policy calculations so on and so forth. No political party/ Ruling party in Pakistan could afford to annoy or sideline the stakes and decisions of the Pakistani Army. In this sense, the Pakistani Army is considered as an inevitable part of Political elite structure.

2.4.3.1 Characteristics of Political Elites in Pakistan:

So, we can sum up the content in the form of some characteristic features regarding political elites in Pakistan as:

1. Political elites in Pakistan refer to those individuals who are influencing and holding power in the political landscape.
2. The political elites have emerged from these major political parties or aligned themselves with the major political parties – PPP, PML-N and PTI.
3. The political elites have been gaining their powers and privileges through family lines and linkages. The politics of Pakistan is essentially dynastic in character as there are two main parties functioning on family linkages like Nawaz Sharif lineage and Bhutto lineage.
4. Political elites in Pakistan are not only dominating the political scenarios but also the social, civil services, media houses and Business groups.
5. Political elites in Pakistan have been charged with multiple cases of corruptions whichever dynastic/ family party they belong to.
6. The incessant struggle for power between the main parties – PML-N, PPP and PTI at many times, resulted in political instability, horse-trading and confrontations which clearly affected the governance and democratic processes in a negative way. The role of the Army in Pakistan is well known in toppling the political dispensations in Pakistan.
7. The first generation of political elites of Pakistan traced their origin to the successful national struggle for independence. After gaining independence in

1947, these national leaders became prominent political figures.

8. The interference of political elites in manipulation of electoral processes have been remained a regular feature in the politics of Pakistan. On many occasions, questions were raised by the opposition parties regarding the lack of transparency and fairness of the electoral processes and blamed the ruling party in power for manipulations for gaining electoral & political gains.
9. In this context, the role of Pakistani Army in interfering and manipulations in the electoral politics and outcomes, thereafter, is also known.
10. Although, PPP, PML-N and PTI are the main political parties in Pakistan, yet they also form coalitions and alliances to form government and to gain an edge in the political scenario. Apart from that, some young leaders are also emerging in the political scenario of Pakistan which are challenging the established orders and trying to get a hold in the political elite circles of Pakistan.

2.4.3 Political Elites in Bangladesh:

Bangladesh was established as an independent state in 1971. Since then, Bangladesh has been oscillating between democracy and military rule in the first couple of decades. It has gone through various constitutions also. The political leadership of Bangladesh which remained instrumental in leading the nationalist movement and quest for liberation from the dominance and atrocities of the west Pakistan, majorly belonged to the urban middle class with roots in peasantry. Sheikh Mujibur Rahman was the leader of nationalist movement in Bangladesh and is known as the “father of Bangladeshi Nation”. After gaining independence in 1971, Sheikh Mujibur, who was leading the Awami League (AL), formed the first democratic government in independent country. The Awami League party found its base in the middle class with the element of kinship deeply embedded into it. The Bangladeshi politics, since then, could be categorized as the politics of “democratic dynastic elites”. Three main families/dynasties have been dominating the course of Bangladeshi politics over all these decades – one led by Sheikh Mujibur Rahman and his family, second led by General Zia-Ur-Rahman and his family and third, led by General Ershad.

In 1972, Sheikh Mujibur headed the first parliamentary form of government in Bangladesh with a multi – party system. But, in 1975, the multiparty system was replaced by one – party system and with it, the tinge of authoritarian rule was also felt in the political circles of Bangladesh. This one – party system was led and dominated by the Bangladesh Krishak Sramik Awami League (BAKSAL) which was an output of the merger of Awami League and the Krishak Sramik Party. These authoritarian overtones under the rule of Sheikh Mujibur Rahman created the ground for a military coup led by General Zia-Ur-Rahman in 1977. Sheikh Mujibur Rahman lost his life in 1977. General Zia-Ur-Rahman emerged as the undisputed ruler of Bangladesh, and he soon decided to establish democratic rule by foregoing military rule. He formed the Bangladesh Nationalist Party (BNP) on 1st of September 1978. After the demise of General Zia in 1981, his wife Khalida Zia took over the leadership of the party until 2018, when her son – Tarique Rahman was given the power to be the acting chairperson of BNP. Earlier, with the re-instatement of democratic polity and multi-party system in Bangladesh, Sheikh Hasina – the daughter of Sheikh Mujib Rahman was elected as the president of Awami League party. But this transition from authoritarian rule to democratic one could not sustain for long and in 1982, General H.M. Ershad staged a coup (which was peaceful in nature). Soon, he also formed his own party namely – the ‘Jatiya Party’. He and his kinship, since then, have come to play the pivotal role in the politics of Bangladesh. But soon, General Ershad was also ousted from power in 1990. It was in the decade of 1990s, that a kind of political understanding or consensus emerged in the political scenario in general and among the three dynasties in particular that fair and democratic elections in the only viable way to seek legitimacy in the political arena and to gain and maintain the trust of the people in the democratic form of government. Since 1990s, the power to rule in Bangladesh have been oscillating between Sheikh Hasina led Awami League and Khalida Zia led Bangladesh Nationalist Party.

Over the course of the decades, the political scenario in Bangladesh has been emerged as such that the political elites and military rulers are compelled to respect political channels and democratic institutions in order to gain legitimacy for themselves. The ruling dynasties in Bangladesh have been founded on deep religious, Bengali culture and identity bonds. These political elites across dynasties have

accepted and acknowledged the importance and inevitability of democratic systems and processes but are lacking as far as internal party democracy is concerned. The internal structures of the parties could be defined as hierarchical, non-democratic and dynastic. The element of dominance of kinship within the parties has been a regular feature of Bangladesh politics. The head/leaders of the political parties rely heavily on the support and loyalties of the kins. The political elites which belong mostly to the two main dynastic parties-Awami League and BNP, have been dominating the national and local politics, almost equally. The people also prefer to cast their votes to either of these two parties, which resulted in two main scenarios: one, sometimes, meritorious, and capable candidates are being sidelined to make way for the kith and kins of the head of the political parties and second this political participation of the people through democratic mediums have resulted in producing democratic dynasties, which are ruling the political scenario of Bangladesh.

2.4.3.1 Characteristics of Political Elites in Bangladesh:

So, we can sum up the content in the form of some characteristic features regarding political elites in Bangladesh as:

1. Political elites in Bangladesh refer to those individuals who are influencing and holding power in the political landscape.
2. Bangladesh has adopted a parliamentary form of government and the political elites have emerged from these major political parties or aligned themselves with the major political parties – BNP and Awami League.
3. The political elites have been gaining their powers and privileges through family lines and linkages. The politics of Bangladesh is essentially dynastic in character as there are two main parties functioning on family linkages like Sheikh Rahman – Sheikh Hasina lineage and Zia-Ur-Rahman- Khalida Zia lineage.
4. Political elites in Bangladesh are not only dominating the political scenarios but also the social groups, civil services, media houses and Business groups.
5. Political elites in Bangladesh whichever dynastic party they belong to, have been charged with multiple cases of corruption, favoritism, and nepotism.

6. The incessant struggle for power between the two main dynastic parties – BNP and AL at many times, resulted in political instability, horse-trading and confrontations which clearly affected the governance and democratic processes in a negative way.
7. The first generation of political elites of Bangladesh traced their origin to the successful national struggle for independence. After gaining independence in 1971, these national leaders became prominent political figures.
8. The interference of political elites in manipulation of electoral processes have been remained a regular feature in the politics of Bangladesh. On many occasions, questions were raised by the opposition parties regarding the lack of transparency and fairness of the electoral processes and blamed the ruling party in power for manipulations for gaining electoral & political gains.
9. In the Bangladeshi politics, one can witness the dominance of women in the political scenario. Sheikh Hasina (daughter of father of Bangladesh – Sheikh Mujibur Rahman) is leading the Awami League party and Khalida Zia (Widow of general Zia-Ur-Rahman) is leading the BNP. This reflects a prominent shift in gender dynamics of the country and South-Asian region also.
10. Another characteristic feature in the emergence of political elites from smaller/newly emerged political parties. Although, BNP and Awami League are the main political dispensations in Bangladesh, yet they also form coalitions and alliances to form government and to gain an edge in the political scenario. Apart from that, some young leaders are also emerging in the political scenario of Bangladesh which are challenging the established orders of the Awami League and BNP.

2.4.4 Political Elites in Sri Lanka:

Sri Lanka is a semi-presidential representative democratic republic. The President of Sri Lanka is both the head of the state and head of the government. In Sri Lanka, multi-party system is operational. The political elites in Sri Lanka came from the linkages of two major/dominant political parties – Sri Lanka Freedom Party (which is socialist in principle and ideology) and United National Party (conservative in principle and

ideology). Sri Lanka Freedom Party (SLFP) is being headed and run by the Rajapaksa family and United National Party (UNP) is headed by Wickramasinghe family. The power sharing in Sri Lanka has been remained oscillating between these major political parties – SLFP and UNP. The political elites in Sri Lanka hold significant power and hold in the political landscape there. The Sri Lankan politics also witnessed the emergence and dominance of various dynastic parties controlled by selected influential families like – Bandaranaike, Jayawardene, Rajapaksa, Wickremesinghe families, most notably. The elites from these families hold most influential and powerful positions in the political domain which includes – Legislature, Executive and even Judiciary. By holding top positions in these organs of the government, these political elites shape the contours of policy - making and decision - making and even shape the foreign policy formulations. The political elites in Sri Lanka traced their origin to diverse ethnic and religious backgrounds. They are often charged with promoting nepotism, favouritism, indulging in corruption etc. There have been many protests and movements on the part of the common masses seeking greater accountability and political reforms. The political elites in Sri Lanka were witnessed to be indulged in divisive and ethnic politics most particularly elites belonging to Sinhalese (majority community in Sri Lanka) and Tamils (minority community in Sri Lanka).

2.4.4.1) Characteristics of Political Elites in Sri Lanka:

So, we can sum up the content in the form of some characteristic features regarding political elites in Sri Lanka as:

1. Political elites in Sri Lanka refer to those individuals who are influencing and holding power in the political landscape.
2. Sri Lanka has adopted a semi-Presidential form of government and the political elites have emerged from these major political parties or aligned themselves with the major political parties – SLFP and UNP.
3. The political elites have been gaining their powers and privileges through family lines and linkages. The politics of Sri Lanka is essentially dynastic in character as there are two main parties functioning on family linkages.
4. Political elites in Sri Lanka are not only dominating the political scenarios but

also the social, civil services, media houses and Business groups.

5. Political elites in Sri Lanka whichever dynastic party/ family they belong to, have been charged with multiple cases of corruption, favoritism, and nepotism.
6. The incessant struggle for power between the two main dynastic parties- SLFP and UNP at many times, resulted in political instability, horse-trading and confrontations which clearly affected the governance and democratic processes in a negative way.
7. The interference of political elites in manipulation of electoral processes have been remained a regular feature in the politics of Sri Lanka. On many occasions, questions were raised by the opposition parties regarding the lack of transparency and fairness of the electoral processes and blamed the ruling party in power for manipulating for gaining electoral & political gains.
8. Another characteristic feature in the emergence of political elites from smaller/newly emerged political parties. Although, SLFP and UNP are the main political dispensations in Sri Lanka, yet they also form coalitions and alliances to form government and to gain an edge in the political scenario. Apart from that, the emergence of a third force- Tamil National Alliance (TNA) and rise of some young leaders in the political scenario of Sri Lanka are also challenging the established orders of the dominant parties and their elite circles.
9. Political elites come from diverse ethnic and religious backgrounds. The elites belonging to the majority Sinhalese community and the minority Tamil community represent the core concerns of their respective communities which often led to political polarization along ethnic and religious lines.

2.4.5) Let Us Sum Up:

Most of the countries of the world have adopted democratic form of government which is being referred as government of the people by the people and for the people. But the reality is altogether different. Even in the democratic set ups, the power to rule and govern lies with a handful or selected group of people and this set of people are known as Political elites. The dictionary meaning of the term “Elite” is the chosen

element in the population. The First generation of Political Elites in Pakistan and Bangladesh traced their origin from the Nationalist movements for liberation in 1947 and 1971 respectively. All the three countries under review- Pakistan, Bangladesh and Sri Lanka are having a system of ruling political elites rooted in dynastic politics. In each of these countries, two or three main political parties governed by the dynastic family structure and lineage are shaping the contours of domestic and foreign policy calculations of their respective countries. The case of Pakistan is somewhat different in this context as the Pakistani Army holds an omnipotent position and is regarded as an inevitable part of the Political elite structure there.

2.4.6) Exercise

1. Discuss in detail the functions of political elite in Sri Lanka.
2. Critically examine the role of elite in Pakistan.
3. Explain the role of political elites in Bangladesh.

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M.A. Political Science, Semester III, Course No. 303, Politics in South Asia

Unit – III: Security and Governance

3.1 STATE SECURITY AND HUMAN SECURITY DEBATE

- Suneel Kumar

STRUCTURE

3.1.0 Objectives

3.1.1 Introduction

3.1.2 Concept of ‘State Security’ and ‘Human Security’

3.1.3 Development of Concept of ‘State Security’ and ‘Human Security’

3.1.3.1 Relationship between State Security and Human Security

3.1.4 State Security in South Asia: Threats and State Response

3.1.5 Human Security Scenario in South Asian Region

3.1.6 Let us Sum up

3.1.7 Exercise

3.2.0 OBJECTIVES

After going through this lesson, you will be able to understand:

- The traditional and non-traditional dimensions of state security;
- The concepts of state security and human security and the inter-relationship between them ;
- What kind of security threats the South Asian states are facing and their responses to these threats;
- Human security scenario in South Asian region;

3.2.1 INTRODUCTION

In the contemporary times, a debate on ‘state security’ versus ‘human security’ is pertinent in the Global as well as South Asian politics. Both states and people, particularly in the South Asian region are facing the security dilemma. Although global trends are de-emphasizing the territorial sovereignty and emphasizing on the cooperative mechanisms for managing political and economic relations, yet in South Asia, the question of territorial sovereignty of the state is still predominant. The post-colonial states are still busy in the twin processes of state-building and nation-forging. Historical or colonial legacies along with the flawed approaches of nation-building have not only ignited the group identity politics at domestic level, but also manifested in inter-state territorial disputes especially between India and its neighbours.

During the Cold War era, South Asian region witnessed the armament race between India and Pakistan which in the post-Cold war era, lead to the nuclearization of the region further increasing the possibility of nuclear conflict in South Asia. The territorial disputes have already resulted into three major and one minor Kargil war between India and Pakistan. India had also faced Chinese invasion in 1962. Separatists and secessionists groups, on the one hand, having cross-border support from the hostile neighbours, have adopted violent/terrorist methods posing a serious threat to the state/territorial security and, on the other, violent/flawed strategies and techniques adopted by states, to deal with such challenges, have seriously endangered the human security.

The concept of human security is relevant for post-colonial South Asia. Although, the military centred security seems predominant in the South Asia, the concept of human security is also relevant for post-colonial South Asia. South Asia is prone not only to ethnic conflicts but also to frequent large-scale natural disasters and faces shortage of food, water and other basic amenities. Despite of constant economic growth in a vast majority of the region, the disparity between the “haves and the have-nots” has continued to rise at an alarming pace in the South Asian countries. Therefore, the human security approach has broadened the scope of security analysis and policy formulation from territorial security to the security of people in South Asia. The present lesson analyses the concepts of ‘state security’ and ‘human security’ in

the context of traditional and non-traditional security approaches and, then traces the genesis of these two concepts in International Relations (IR) including South Asia. Furthermore, this lesson discusses the relationship and differences between these two concepts. The lesson also lists the threats to state security. A modest attempt has also been made to analyze the human security scenario in the South Asian region and also, the reasons for the present human security situation in the region.

3.2.2 Concepts of ‘State Security’ and ‘Human Security’

There are two schools of thoughts – traditional and non-traditional – related to the concept of security. The concept of ‘state security’ is linked with the traditional school of thought. On the other hand, concept of ‘human security’ is associated with the non-traditional school of thought.

State security is often referred to as national security or territorial security. It is related to the state’s capability to defend itself against internal or external threats. It can be defined as an aggregate of measures taken to protect the existing state structure and the territorial integrity and independence of the state from subversive activities by the intelligence and other special services of hostile states, as well as from enemies of the existing order inside the country.

Thus, traditional school of security which deals with state security makes ‘nation-state’ as the centre of the security debate. State security is concerned about the safety of the state from internal and external threats from both state and non-state actors.

Human security, on the other hand, is a non-traditional security approach. According to the United Nations Development Programme (UNDP)(1994), it means “first, safety from such chronic threats as hunger, disease and repression. And second, it means protection from sudden and hurtful disruptions in the patterns of daily life whether in homes, in jobs or in communities.

The UNDP argues that human security contains two components of – freedom from fear and freedom from want – and it has seven aspects of security: economic, food, health, environmental, personal, community and political. The Commission on Human Security (CHS) (2003), in its final report titled Human Security Now, considers human security as “Protecting fundamental freedoms that are the essence

of life”. Central idea of this approach, according to the UN General Assembly (2012) is that people have “the right to live in freedom and dignity, free from poverty and despair with an equal opportunity to enjoy all their rights and fully develop their human potential”. Human security, as noted scholar Mehbub-ul-Haq has argued, “is concerned with protecting people from various threats in social, economic, and political life, as well as threats from natural disasters”. According to the CHS, it is an “alternative way of seeing the world”.

Hence, in brief, human security can be defined as a people centric approach committed to secure the human beings from both, traditional and non-traditional, security threats. The idea involves a fundamental departure from an orthodox security analysis that has “the state” as the “exclusive primary referent object”. New people-centric approach suggests that all human beings have the right to freedom and right to basic human needs irrespective of race, colour, religion and ethnicity. This conception is mostly applicable to ensure food security, health security, water security and environmental security in a country.

3.2.3 DEVELOPMENT OF CONCEPTS OF ‘STATE SECURITY’ AND ‘HUMAN SECURITY’

Concept of state security is as old as the concept of state itself. Origin, shape and structure of the state also originated and shaped the state security. Ancient, traditional or parochial states had been observed busy in their efforts to ensure their security vis-à-vis other similar or non-similar entities. In ancient and medieval era, states in the form of small as well as big empires seemed working for the strengthening and enhancement of their security vis-à-vis others thorough keeping big armies, armaments, military alliances and military treaties. The Treaty of Westphalia was signed in 1648. The Treaty led to the emergence of modern nation-state system. State became the primary actor in International Relations (IR) and, therefore, state security or territorial security emerged as privileged concept in the IR. In the South Asian region, primitive state, medieval state, colonial state and post-colonial state have been seemed busy in search of state security. Therefore, these states have had also gone for armaments and alliances in International relations. Territorial disputes and separatist/secessionist movements have made the concept of ‘state security’ as the core of the political agenda of the South Asian states.

The term ‘human security’ originated in the post-Cold War security discourse. However, its philosophical foundations had been laid down with the formation of International Committee of the Red Cross (ICRC) in the 1860s. Its basic components were further formalized by the United Nations (UNO) in the 1940s. The doctrine of human security was incorporated in the UN Charter, the UN Universal Declaration of Human Rights, and the Geneva Conventions. The phrase of “human security” approach was developed and polarized by the United Nations Development Programme (UNDP) in its report published in 1994. Two major components of human security – ‘freedom from fear’ and ‘freedom from want’ – were highlighted by the UNDP in its report. These freedoms were also in the preamble to the UN Universal Declaration of Human Rights. Moreover, these two freedoms were also the part of four freedoms that US President Franklin D. Roosevelt famously referred to a speech of 1941 in which he had advocated a world founded on: freedom of speech and expression, freedom of worship, freedom from want and freedom from fear. After the UNDP report, debate in 1990s added the freedom “to live in dignity”. The UNDP report on human security had brought a revolution in the global security discourse as it argued that concept of security must shift from the idea of militaristic safeguarding of state territory to the reduction of insecurity of human beings.

The UNDP report on human security also made the concept popular in the South Asian academic and political circles. The Mehbub-ul-Haq Human Development Centre had published a full-fledged report, “Human Development in South Asia 2005: Human Security in South Asia” in 2006.

3.2.3.1 RELATIONSHIP BETWEEN STATE SECURITY AND HUMAN SECURITY

Since the state security ponders on the threats directed against the territory of state from external invasion, hence it is defence in nature. Unlike state security, human security is not a defensive doctrine. Instead, it is an integrative concept. Human security concentrates on the sources of insecurity and provides a comprehensive, sustainable and people-centred solution of the predicament. This approach avows the security of the state as a means to ensure security for its people rather than considering it as an end in itself. Hence these are complementary, interdependent and mutually supportive to each other.

Nevertheless, state security and human security are fundamentally different in their identification of threats to security and the strategies of achieving security. State security identifies organized violence between states, weapons of mass destruction and internal armed conflict as threats to security. Unlike this, human security considers environmental pollution, hunger, poverty, violent social and political conflict, economic imbalances, drugs, organized crime, discrimination on grounds of gender, religion, race as threats to human security.

The state security considers the State as “the sole provider of security”. But human security approach does not view the State as sole provider of security. In fact, sometimes this approach considers the State as a source of threat itself.

The strategies of the human security approach differ fundamentally from the state security approach which is a military centred approach. Strategies adopted to ensure the state security are invariably premised on the threat and use of military power. Opposite to this, the human security approach prescribes a “cooperative approach towards conflict resolution with inbuilt guarantees for freedom of expression, representation and action for all as the preferred approach”. The military centred approach (state security) to conflict resolution itself is identified as a threat to human security. In this context, irrespective of the development of cooperative and collective security frameworks, enhancement of military power and capabilities is a preferred method of states to deal with the security dilemma.

3.2.4 State Security in South Asia: Threats and State Response

Since their independence the states in South Asia are facing the security dilemma vis-à-vis each other and also from the non-state actors that exist within and outside their territorial jurisdictions. Hence, all the South Asian states have focused on the preservation of their national integrity, sovereignty and boundaries. This idea has gained its strength from the sense of insecurity emerged among the South Asian countries essentially owing to their earlier colonial subjugation. After the departure of colonial powers, these newly emerged states have primarily attempted to strengthen and preserve the ‘nation-state’ ideal of their motherland by incorporating a strong sense of national security. Domestic compulsions and international circumstances, mutual rivalries and particularly the Cold War politics made these countries extra-careful about their national security.

South Asia witnessed low level of political stability owing to the constant threat of extremism and volatile international relations among the neighbours. Hostile relationship between different South Asian and non-South Asian states on various issues particularly on the territorial disputes threaten the state security. As already discussed, India has faced three invasions from Pakistan along with minor Kargil war. New Delhi has also faced the Chinese invasion in 1962. Similarly, Pakistan had to face territorial disintegration in 1971. Since India has a hegemonic position in South Asian region, all the other South Asian states, due to the lack of mutual trust, always perceive India as a threat to their national security.

Diverse ethnic communities and groups often geographically located on the periphery and constitute a minority in the existing setup have launched movements against the parent states for the formation of an independent and sovereign state. In India, Khalistan movement in Punjab, Kashmiris movement in Kashmir and Naga movement in North-East along with other movements are secessionist in nature. Pakistan has the Balochistan movement, Pashtoon movement and Balawaristan movement which are looking for a separate sovereign state. Sri Lanka has fought violent secessionist movements of Tamils. Bangladesh is also observing the emergence of Bongobhumi movement on its own territory. Similar is happening, in the context of Madhesis, with the state of Nepal. Often, South Asian states blame each other for supporting the secessionist movements prevailing in their territories.

Apart from hostile inter-state relations and secessionist movements, terrorism and naxalism have also emerged as big threats to state/national security in South Asia. All the states have witnessed the brutal terrorist attacks. India and Nepal are fighting against the naxalism or 'red terrorism'. Thus, all these issues are instrumental in making state/national security as most important issue for the South Asian states. The priority in the region is the maintenance of political power and as a result, developmental issues and welfare have often been neglected.

To tackle with the security threats being posed by the above mentioned factors to the state security in South Asia, respective states have adopted various strategies. Apart from strengthening the diplomatic channels at international level, South Asian states are spending huge amount to enhance the military power. Elites in the corridors of power are encouraging the missile tests and purchasing and manufacturing of the

military hardware. Security dilemma is even leading to the emergence of informal political alliances at regional and global level of which the South Asian countries seem active members.

3.2.5 HUMAN SECURITY SCENARIO IN THE SOUTH ASIAN REGION

Concept of human security is not a very popular one in the South Asian region. It has become an issue of debate in academic and political circles only after the publication of the UNDP Report of 1994 and Mehbub-ul-Haq Centre's Report of 2005. Besides, its record relating to the human security is also not as good as the developed regions of the world. In fact, in South Asian region, human security is facing the following diverse challenges as also discussed in the Mehbub-ul-Haq Centre's Report (2006) and the study of ANM Muniruzzaman (2014) :-

- **Economic Insecurity:** - Economic security is important to ensure the human security in the region. However, the region is suffering from high level of poverty and unemployment. It lacks education and health facilities. As the region has more number of uneducated and unskilled people, globalization, privatization and liberalization has also offered vary limited opportunities for these people. At least 40 per cent of the population in South Asia lives below the poverty line. There is high level of inequality of income, wealth and asset among the people. South Asia is facing the challenge of uncontrolled population explosion. The region is home to one of the most densely populated region in the world. It has a much higher population growth rate as compared to the global average. The growing population has increased the rate of unemployment in most of the countries in the region by 3 to 4 per cent in the last 10 years. The lingering poverty has coupled along with the high unemployment rate and created conditions of economic insecurity in the South Asian states. Economic progress is also determined by the education level. This is also the area where South Asia finds itself lacking. Most of the countries in the region have a literacy rate around 50 per cent. Even literacy is not an accurate measure of education as most countries only measure functional literacy which means ability to read and write. Education, on the

other hand, is a much more holistic process that is not limited just to this ability alone. According to the World Bank, between 2002 and 2005, at least 26 million children were out of school with no access to proper education. This is one major hindrance in the development of human security in the region. Without education, the people lack awareness about the rights and responsibilities. This affects their participation in the country's affairs and hence, has negative impact on the governance. Without adequate economic security, it is impossible to develop the human security paradigm in any society including South Asia. Unless the people are not secured from the poverty and hunger, they cannot be considered secure from all threats. Economic security is a vital component of human security.

- **Health Insecurity:** - People in South Asia do not have accessibility to proper healthcare facilities. Countries of the region often spent low on health which has resulted in a general neglect of the health facilities for millions of South Asians. People in South Asia are at a higher risk of infectious diseases rather than from people in developed countries. The root causes this are poverty, unhygienic living conditions, malnutrition, lack of clean water, pollution, lack of sanitary facilities, and lack of awareness about health security. Over two thirds of the estimated 3.7 million children had died in South Asia due to infections such as pneumonia, diarrhea, and measles in 2000. According to the World Bank Report of 2009, South Asia has both highest percentage and largest number of undernourished children in the world. Malnutrition affects 43 per cent to 46 per cent of young children in India, Bangladesh and Nepal. The number of malnourished people in the region as a whole rose from 283 million in 1990 to 314 million in 2005. Over 20 per cent of children who are less than five years in age are underweight in most of the South Asian countries. Approximately 74 per cent of South Asian population has no access to improved sanitation facilities. All of the South Asian countries are in vulnerable situation considering the percentage of malnutrition, underweight and low-birth weight. At least, 56 per cent of the world's low birth weight children are born in South Asia. The National AIDS Control Organization (NACO) estimates that nearly 2.3 million of HIV positive adults live in India,

the highest estimate for any country. On the other hand, though Pakistan's adult prevalence rate is 0.1 per cent, the rate is increasing. Moreover, about 36 per cent of the population of Sindh and Punjab was exposed to high arsenic levels in Pakistan. Due to this, millions of people have lost their lives. The health care systems of most of the countries in the region are riddled with numerous problems that jeopardize the health of the countless people, increasing their insecurity levels.

- **Environmental Insecurity:** - South Asia is home to 15 per cent of the biological wealth of the entire world. Nevertheless, South Asian states have not taken strong measures to preserve that wealth. Thus, this region is one of the most vulnerable regions mainly due to the widespread environmental stress and its greater exposure to natural hazards. Natural disasters have severely damaged natural resources and caused human casualties in the region. For example over 60,000 people were killed by Tsunami in India, Sri Lanka and Maldives in 2004. The earthquake of October 2005 had killed approximately 73,000 people and injured or disabled another 70,000 and rendered 2.8 million homeless in Pakistan. Floods which are very common in South Asia have stranded or displaced at least 20 million people across the region. Bangladesh is one of the most venerable countries for natural disasters. Every year about 500,000 people are displaced only by riverbank erosion in Bangladesh. In the World Risk Report of 2012, Bangladesh was ranked as the top 5th risk prone country among 173 countries for severe exposure to natural hazards such as tropical cyclone, storm, flooding and tidal surge. One of the most severe threats to human security due to environmental degradation is environmental migration in the region. In future, millions of people could become homeless in the region due to increasing level of the sea. The island country, the Maldives, is at high risk due to environmental security which is undermining the human security in the region.
- **Community and Personal Insecurity:** - Community and personal security in the region is also under threat. The growth of fundamentalist forces and terrorist organizations in the South Asian region has jeopardized personal and community security. This also includes ethnic conflicts, which crippled

almost all major countries of South Asia, making life defenceless.

- **Political Insecurity:** - Politically, South Asia is one of most volatile regions of the globe. Hence it lacks political security. According to the Democracy index of Economy Intelligence Unit of the Economist, no country in South Asia has a ‘complete democracy’. Countries have either a flawed democracy or contain contents of authoritarianism. Even world’s largest democracy i.e. India has various problems leading to the political insecurity in the country. Political insecurity and volatility in the region has often hindered the economic development and led to poor governance and human rights abuses that further influence the human security status in the region.

The above discussed issues are required to be addressed properly to improve the human security status in the South Asian region. There is also need to change the mindset of the policy-makers of region. They always think more about the national/state security and hence also act to ensure the same. But they bother least about the human security. Hence, a change in the way of thinking in the region is must for the improvement of human security status of the South Asian countries. Countries of the region especially India and Pakistan are the biggest buyers of arms and ammunition as well as developers of nuclear weapons. But these countries have the very rank in the Human Development Index. All this is happening, because these countries are strengthening the military power for state security, but ignoring developmental issues leading to human security degradation.

3.2.6 LET US SUM UP

To conclude, South Asian countries are facing the security dilemma from the various real and perceived threats to national/states security. As a result of hostile inter-states relations, secessionist movements having cross border support and terrorism has influenced the thinking of the decision-makers of South Asian countries and made state security most significant subject. On the other hand, human security is a new concept for the region. Hence, human security scenario, as the indicators such as economic security, health security, environmental security, community and personal security reflect, presents a dismal picture of the region. Governments of the respective states are not ready to discard or compromise on the idea of state security that consists

of securing national boundary and amassing military power. Thus, whenever some strategic landmark like successful test of nuclear or missile, acquiring military hardware from foreign country is occurred, special celebrations are organized “in corridors of power’. In the context of human security, states of the region lack will, vision, strategy and resources to improve the human security situation in South Asia.

3.2.7 EXERCISE

1. Distinguish between the traditional and non-traditional approaches to security.
2. Analyse various threats and corresponding responses by the States to their Security in South Asia.
3. Human security is much broader than state security. Do you agree with this?
4. Provide a vivid picture of Human security situation in South Asia.

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M.A. Political Science, Semester III, Course No. 303, Politics in South Asia

Unit – III: Human Development, Security and Governance

3.2 GLOBALIZATION AND POLITICS OF SOUTH ASIAN STATES

- Baljit Singh

STRUCTURE

3.2.0 Objectives

3.2.1 Introduction

3.2.2 Globalization: A Conceptual Framework

3.2.3 Globalized South Asia

3.2.4 Political Impact of Globalization in South Asia

3.2.4.1 Liberal to Neo-Liberal State

3.2.4.2 Nationalism: A Contested Terrain

3.2.4.3 Politics: A Shift from Service to Business

3.2.4.4 Dichotomy amongst the Political, Security & Economic Imperatives

3.2.4.5 Globalization of Human Rights

3.2.5 Crisis of Globalization and State in South Asia

3.2.6 Let us Sum up

3.2.7 Exercise

3.2.0 OBJECTIVES

After going through this lesson, you will be able to:

- Conceptualize globalization and why it has become major policy in the states of South Asia;
- Comprehend various economic reforms undertaken by South Asian states in the post-liberalisation period;
- Understand the political impact of globalization with specific reference to neo-liberal policies, nationalist development, social welfare, human rights, etc.
- Know how the economic recession in the developed countries hindering the progress in South Asian states.

3.2.1 INTRODUCTION

During the last two and half decades, the globalization has been a phenomenon in the economy, society and politics of South Asian states that transformed them from within and without. It has brought a major shift from inward to outward oriented strategy of economic development apart from making a shift from import substitution to export driven model of economic growth in the South Asian states. Most of the South Asian states opted for globalization when they were facing economic crisis and their economies were suffering from the balance of payment crisis. In such a crisis situation when they approached the International Monetary Fund (IMF) and the International Bank for Reconstruction and Development (IBRD) for economic help, they were given economic help subject to the conditions that they should restructure their economies according to the Structural Adjustment Programme (SAP). The South Asian states were having no choice but to go for structural reforms like Liberalization, Privatization and Globalization (LPG) in their economies on the prescription of IMF and IBRD. It was a major economic policy decision taken by the South Asian States having social, economic and political implications. International funding agencies suggested that LPG reforms will address the economic ailments of the South Asian states including poverty, unemployment, inflation, agrarian crisis, balance of payment and will also accelerate the economic growth rate and increase the per capita income.

In most of the South Asian states such a vital economic policy decision was taken without any debate in their democratic and representative legislative bodies. Political elites at the helm of affairs in the South Asian states took this vital policy decision without debating its long term implications as the economic crisis situation at home determined their policy decisions.

3.2.2 GLOBALIZATION: A CONCEPTUAL FRAMEWORK

In order to understand the impact of globalization on the politics of South Asian States, it is essential to know the meaning of globalization. Generally, the globalization is considered as an economic process but actually it is a multi-dimensional phenomenon. It has economic, political and social dimensions. To have a better understand about the concept globalization, it is required to view it from different angles. According to Joseph Stiglitz, globalization stands for the closer integration of the countries and peoples of the world which has been brought about by the enormous reduction of costs transportation and communication, and breaking down of artificial barriers to the flows of goods, services, capital, knowledge and people across borders. The economic dimension of globalization consists of liberalization and privatization. Liberalization stands for the opening up the economy to the out-side world by dismantling the tariff and non-tariff barriers so that the trade can move freely across the national borders. Privatization advocates the opening up the economy from within by encouraging the privatization of the public sector undertakings. It was argued that private sector is more efficient and free from corruption in comparison to the public sector. It was diagnosed that most of the developing countries landed in economic crisis because of the inefficiency and wide-spread corruption prevailing in the public sector.

Globalization is also a political process as it has implications for the vitals of State ranging from sovereignty to nationalism apart from transforming the nature of the Liberal State. It has curtailed the role of state in the economy, de-territorialized the nation and stands for the transformation from hard borders to borders and thereby affecting the territorial nationalism of state. In the age of globalization, state has conceded its sovereignty substantially to supra-national actors with regard to national policy making in various areas ranging from: agriculture to industry and education to health. The role of Nation-State has changed markedly since the Keynesian era in

which the State was relatively more autonomous and sovereign apart from having major thrust on welfare economics. In neo-liberal era, states are less autonomous besides having less exclusive control over the economic and social processes within their territories. The Nation-States are less able to maintain their national distinctiveness and economic sovereignty. As argued by the Paul Hirst, Grahame Thompson and Simon Bromley in their book, *Globalization in Question*, national politics and political choices had been sidelined by global market forces which were stronger than even the most powerful states. The capital was mobile and had no national attachments, locating wherever economic advantages dictated, but labour remained nationally located and immobile, and had to adjust its political expectations to meet the new pressures of international competitiveness. Distinct national regimes of extensive labour rights and social protection were thus seen as obsolete.

The Nation-State had also ceased to be an effective economic manager and it could only provide those social and public services deemed essential by the international capital and at the lowest possible overhead cost. According to Ohmae and Reich Nation-States have become the local authorities of the global system. In the globalized world, the job of nation-state is like that of municipalities to provide the infrastructure and public goods that business needs at the lowest possible cost. The populations of state remain territorial being the citizens of Nation-States, the states remain sovereign in appearance-as they have gradually ceding their capacity of decision-making to the super-state agencies and actors. Globalization is also a social process as it has been advocated new values and culture that have threatened the cultural and ethnic identities in the developing countries. It promotes a culture characterised by the western values, life styles, food habits, instant mind set and consumerism. Globalization promotes cultural homogenization as it was required to create the market for the products of the Multi-National Corporations (MNCs). It has been considered as a threat to the local cultures prevailing in the developing societies.

3.2.3 GLOBALIZED SOUTH ASIA

As liberalization, privatization and globalization unfolded in the South Asian region that enabled states therein to come out of the balance of payment crisis, to put their economies of the path of development besides increasing their economic growth

rate and increasing their Gross Domestic Products (GDP). Consequent upon the globalization, the South Asian region has emerged second most fast growing region in the world after Southeast Asian region. The economies of India, Pakistan, Sri Lanka, Bangladesh, Nepal and Bhutan have registered consistently high growth rate since early 1990s. Ironically globalization has also created employment opportunities for the skilled people but many semi-skilled and unskilled people lost their jobs because of the closing down of several small scale industrial units across the South Asian region.

The Human Development Report in South Asia-2001 argued that during the globalization phase about half a million people in the region have experienced decline in their incomes. The benefits of growth that did take place were limited to a small group minority of educated urban population. In South Asia income inequality has increased. An overview of economic situation in the region indicate that it is the poor who bear the heaviest burden and they are the ones who do not have any means to support themselves in bad times. The process of globalization in South Asia has focussed on integrating markets without improving the conditions of the vast majority of South Asians. According to this report, during the globalization period, income inequalities have widened in South Asia and the number of people in poverty has increased. The levels of human development though improved since 1960s have started to stagnate and even decline. The poor are being marginalized.

In Bangladesh and Nepal, the growth rates during globalization have been modest, in Sri Lanka growth rate has faltered during the second half of 1990s. In Pakistan growth rate has declined. Only India has been able to achieve growth rate above 6 per cent. Agriculture has performed badly during globalization. It is true that the decisions regarding budgetary allocations for social development are made by the national governments. However, in view of diminished revenue and increased cost of debt servicing, the government in South Asia are finding it increasingly difficult to allocate sufficient resources for social sector programmes. For most South Asians, the outcome of globalization have been higher prices, fewer employment opportunities, increased disparities in income and high incidence of poverty.

The Nation-State, despite a double squeeze on its role remains an important entity. In two areas, particularly the role of nation-state has become more important

than before; first in accelerating human development and second, in providing social protection to the vulnerable. Globalization has been accompanied by rising vulnerability of individual, families, communities and regions. The gains of globalization have so far accrued to those who already have education and skill advantage, easier market access and possession of assets for use as collateral to access credit. For the poor and women of South Asia, globalization has been associated with rising prices, loss of job security, and lack of health care and rising social tension.

Globalization is driven by knowledge and technology. Thus there is a need not only to provide good quality primary, secondary and technical education but also to spend higher level of professional education. But in South Asia, a trend of declining and stagnant tertiary enrolments rates is emerging. The relative allocations of higher education need to be selectively enhanced to upgrade the level and quality of education. A facilitating role of the state is very important here to make the private sector play an important part in providing higher quality professional/technical education. It appears that in the era of globalization, most South Asian states continued to either reduce or maintain the already low level of expenditure on education, despite poor educational outcomes and growing demand for quality labour force. This has resulted into deteriorating of public provisioning causing poor enrolments rates as well as low attainment rates. Likewise no South Asian state has adapted the education to meet the growing demands of globalization through increased allocations for higher education.

According to the SAHDR-2001, the social protection that a state provides for its citizens through a series of measures against economic and social distress resulting from sickness and death of an income earner, unemployment and old age, etc is the backbone of the modern Welfare State. In the present era of globalization, the job and income insecurities are increasing, especially for women and vulnerable groups who are dependent on informal and casual work without any provisions for social protection. In South Asia, where 80 to 90 per cent of the labour force is in informal sector, they are mostly outside the existing social protection schemes that cover only the formal sector. Sri Lanka is only South Asian State with a formal sector labour force of over 60 per cent, so that social security programmes in Sri Lanka such as pension, provident funds and life insurance schemes cover the majority of workforce. But in

India, Bangladesh, Pakistan and Nepal where the majority of workforce depends on the informal sector, social security system only covers 10 per cent of the population. The poverty alleviation programmes are designed to provide social assistance to the poor but due to the rising budgetary cuts, inefficiency and high costs of service delivery even these programmes are not being effective in protecting the needy. The Social services expenditure in the Post-globalization period stagnated at the prevailing pre-reforms levels in the South Asian region. The ratios of expenditures were higher in Sri Lanka as compared to other countries of this region. On the one hand expenditures of social services were being reduced, overall public expenditure continued to be high due to non-development expenditure. The cut-backs of expenditure also reduced the effectiveness of service delivery.

The globalization process erodes the sovereignty of nation-states particularly their role in economic decision-making. But in developing countries, the role of government in economic and social development is vital. In South Asia, however, the governments continue to play a dominant role in economic and social sectors, with poor outcomes. Still an exclusive focus of the market may leave the poor out in the cold. The challenge is to balance the goals of economic growth with those of human development. In many parts of South Asia, the burden of structural adjustment has fallen mostly on the poor whenever government tries to balance the budget, the social expenditures are the first victims and within social expenditures-primary education, primary healthcare and food subsidies to the poor are the worst hit.

3.3.4 Political Impacts of Globalization in South Asia

Globalization has changed the nature of Post-Colonial in this apart from bringing a paradigm shift in the politics of South Asian societies. It has affected the life of individuals, communities, societies and state at large. It has influenced the nature, character and functions of the state and the rights and lives of the people. It has brought a paradigm shift in the agenda of the state in the South Asia.

3.2.4.1 LIBERAL STATE TO NEO-LIBERAL STATE

The Post-Colonial States in all the South Asia societies happened to be liberal state with their major thrust on the welfare of the people. The liberal democratic state

in South Asian region has attempted to be a Welfare State. The liberal state in this region was having huge economic agenda to serve for the well-being of its people. It was conceived as an instrument of social, economic and political change in the post-colonial period. Liberal state in the South Asian societies was given the determining role in their economies. It was given the mandate to set the agenda of economic development and to design the strategy of development apart from mobilization the resources for the same ranging from capital to technology. The state was conceived as Developmental State in Post-Colonial South Asian societies. The orientation of the liberal state in the South Asian societies was development not pre-datory. Liberal state in the South Asian region ranging from India to Bangladesh was an interventionist state. While intervening in the economy, the State in South Asia mobilized the resources to spend on the well-being of under-privileged and poor people who were on the margins of South Asian societies apart from accelerating the rate of economic growth in the region.

Globalization of South Asian economies did not only change their model and strategy of economic development but has also brought a shift in the nature of state in the region: from liberal to neo-liberal state; from interventionist state to regulatory state: from development state to a facilitator state and from having command and control over economy to be controlled by the economy and market at large because neo-liberal state having more faith in the market, celebrates market fundamentalism. The role of neo-liberal state in the economies of South Asian societies is very limited and regulatory in nature. Neither, neo-liberal state's priorities nor policies are not people centred in the South Asian region, rather they are determined and driven by the considerations of profit. The revenue base of the neo-liberal has shrunk over the period of time, however, the economic liabilities of state in South Asia has been continuously increasing. Neo-liberal state is not only expected to sustain the high growth rate apart from ensuring the human development that too with meagre resources that the neo-liberal state has been having at its disposal in the South Asian region.

3.2.4.2 NATIONALISM: A CONTESTED TERRAIN

Globalization has adversely affected the vitals of state in the South Asian region

ranging from territoriality to nationalism in addition to sovereignty. It does not believe in the territorial nationalism which is very sacred for the South Asian states. Globalization advocates the soft borders-as they are desired to ensure the free flow of trade. Soft borders are also required to ensure the integration of economies initially at the regional level and subsequently at the global level. It has not only questioned the territorial nationalism of South Asian state but also their ideological nationalism. The nationalism as ideology of State in the South Asian region has been sand-witched between globalism at the top and sub-nationalism at the bottom. Nationalism in the region has become a more contested terrain in the South Asian states because globalization has further accentuated the already existing cultural fault lines in the South Asian societies-as it has been accompanied by the cultural imperialism that has threatened the survival of sub-nationalities and their respective cultures in the South Asian region. Keeping in view the treat of cultural imperialism to their survival sub-nationalities have bounced back in the South Asian states.

Globalization has also posed a serious challenge to the national identities of South Asian states which they have been striving hard to construct through their respective processes of nation-building and state-building in the post-colonial period. It has de-territorialized the nation by arguing that the nation is no more the prisoner of the national boundaries rather nation transcends the national boundaries. Neo-liberal South Asian states in search of Foreign Direct Investment (FDI) have been striving hard to connect their respective Diaspora abroad. For instance India as the leading South Asian state has been connecting with its Diaspora abroad not only by celebrating Pervasi Bharati Divas every year but also by providing them certain rights in their capacity as the people of Indian origin. Further, it has already been debating the concept of dual citizenship for the people of Indian origin settled aboard. This has been a conscious effort on the part of Indian state to connect with the people of Indian origin aboard on metal and psychological frame with an objective to convince them to invest in India so that it can sustain and accelerate its economic growth rate. Instead of national identity, the global identity has been considered more important in the era of globalization.

3.2.4.3 POLITICS: A SHIFT FROM SERVICE TO BUSINESS

Globalization has brought a transformation in the politics of South Asian states. In

the Post-Colonial South Asia, politics was considered as a service to emancipate the people. People used to venture into the politics to serve the society and to work for the greater common good. The first and second generation of political elite in the South Asian region strived hard to work for the welfare of the people. However in the era of globalization, the politics is no more service for the third generation political elites in the South Asian states, rather it has become a business enterprise for them. In the neo-liberal the political elite has using politics to serve their individual interests and to maximize their wealth instead of working for the well-being of their constituents. For the third generation of political elite that has acquired corporate orientation in South Asia, the politics has become a business wherein the role of money has increased to the maximum possible extent. The political elites have ventured into politics with a clear objective to invest and appropriate money to multiply their wealth. Neo-liberal politics in the South Asian region has been surviving and thriving while serving the private interests of the political elites who are at the helm of the affairs.

The neo-liberal states in South Asia have been catering more the interest of the corporate sector than the interest of the people because the corporate elites have become the significant stakeholder in their politics. In the pre-globalization or pre-neoliberal era, the corporate interests and elites were at the periphery of the politics of the South Asian states. However, in globalized South Asia, the corporate interests and elites have reached at the centre of the politics of South Asian states. Economic agenda and policies of the neoliberal South Asian states have been more shaped by the corporate interests rather than the interests of the people. Increasing role of the money in the politics of South Asian states and the corporate funding of elections in these states have transformed the whole nature of politics from service to business in the region. Politics as a business in the region has been catering the corporate agenda instead of people's agenda in the South Asian states. Neo-liberal politics in the South Asian region has been making the poor and marginal people more vulnerable to market forces, whereas, the liberal politics was protecting the underprivileged people from the market forces apart from emancipating them through the affirmative action and protective discrimination. Politics as a business in this region believes in the survival of the fittest, however, the prevailing social, economic and political objective realities in the South Asian region does not allow. Neo-liberal politics has been leading to

legitimacy deficit in the South Asian states. In the neo-liberal politics, the economy controls politics whereas, in the liberal politics, politics controlled and shaped the economic discourse in the South Asian states. In other words, the politics has become the hand maiden of market/economy in the globalized South Asian region.

3.2.4.4 DICHOTOMY AMONGST THE POLITICAL, SECURITY & ECONOMIC IMPERATIVES OF STATE IN SOUTH ASIA

Globalization has led to the dichotomy amongst the political, security and economic imperatives of South Asia states. In the pre-globalization phase, the political, economic and security imperatives of South Asian State are in alignment with each other. Political imperative of State in the era of globalization believes in inclusion-as all the South Asian states have been able to establish democracy as a system of governance. Even two Himalayan Kingdoms Nepal and Bhutan have also moved from monarchy of democracy. In the democratic system, the people have occupied the centre stage in the agenda of State because the democratic states in the South Asian region have been driving their power, authority and legitimacy from people. Mandate of the democratic state is to emancipate the people by ensuring their welfare and well-being through the multi-pronged strategy including protective discrimination, affirmative action and the various welfare schemes. Hence the political and economic imperatives of liberal state were in alignment with each other in the South Asian region. However, the neo-liberal state's economic imperatives are contradicting its political imperatives because the former believes in exclusion, whereas the latter believes in inclusion. Logic of neo-liberal economy believes in the survival of the fittest and thereby it contradicts the logic of liberal democracy that almost all the South Asian states are having at present. Neo-liberal economy celebrates market and thereby erodes the very basis of liberal democracy in the South Asian region. Market demolishes the borders whereas democracy cannot exist without them and the most states are losing the means to exercise sovereignty within their borders.

Besides increasing gap between economic and political imperatives of State in the South Asian region, the globalization has also resulted into increasing dichotomy between the economic and security imperatives of South Asian state. Economic imperative of Neo-liberal State requires open-up economy internally and externally

in addition to making the borders soft so that the trade can move freely across the national borders in the South Asian region in particular and in the world in general. Globalization advocates free trade that requires soft and porous borders in the region for the free flow of goods. But the security imperatives of South Asian State demand the hard and fortified borders. In fact the South Asian states have already fortified their land borders not only by deploying more security and army personnel on duty but also by erecting the barbed wire. India and Nepal are the only two countries in the South Asian region that are having soft border which suits to the free flow of trade. In the neo-liberal era, South Asia has become nuclear weaponized region when India and Pakistan conducted their nuclear tests in May 1998. The security imperatives of South Asian states demand hard borders whereas their economic imperatives require soft borders. Security thrust of the South Asian states survives and thrives on their territorial nationalism, however, the thrust their neo-liberal economy demolishes territorial nationalism and celebrates of globalism. Apart from this the globalization has accentuated the sense of economic and cultural insecurity in the South Asian States by making the poor people vulnerable to the market forces and threatening their cultural identities of people that have already multiplied conflicts the intra-state conflict in the region.

3.2.4.5 GLOBALIZATION AND HUMAN RIGHTS

Globalization has adversely affected the human rights scenario in the South Asian region by crippling the capacity of states to hinder the hindrances coming the way of the realization of the human rights of the people. Every South Asian state has provided human rights to its people in their constitutions. Being democratic states, the states in the region are duty bound to create the congenial environment for the realization of human rights of the people in residing in their respective territorial jurisdictions. Merely providing a list of human rights in the constitution is not sufficient that states in this region are expected to create the enabling conditions so that the people can enjoy their human rights. For that the state in South Asia requires huge resources to invest in the health, education and social security to hinder the hindrances coming in the way of materialization of human rights. Globalization has crippled that capacity of state by reducing and eroding its revenue base. Due to that the State in the South

Asian region has been running away from its responsibility to hinder the hindrances.

Globalization has adversely affected the right of livelihood of the millions of people in the South Asian States because it advocates the capital-intensive growth that has reduced the employment avenues in South Asian region. Being the most populous region of the world, it needs more labour intensive growth that has the potential not only to promote more employment but also to make the process of economic growth more participatory and inclusive. Although globalization has created employment opportunities for the South Asian who are well educated and technically trained but at the same time it had reduced the job avenues for the semi-skilled and un-skilled workers. Many semi-skilled and un-skilled workers lost their jobs due to the closing down of small scale industrial units which were not in a position to compete in the market with the finish products of the MNCs. Hence it has snatched the right to livelihood of the unskilled and semi-skilled workers in the South Asian countries.

Further, the proliferation of the MNCs has eroded the power and the capacity of the Nation-State to ensure the distributive justice. Besides this the globalization has initiated many big infrastructure development projects which have displaced many people from the place of their natural habitat in the South Asian region. This forced the people to leave the place of their natural habitat that has not only adversely affected their right to livelihood but also violated their cultural rights. Globalization has further adversely affected the basic human rights of the people by increasing the cost of living –as it has been accompanied by the high inflation rate and decreasing the income level of the millions of poor people in the South Asian region. The costs of food items and life saving drugs have increased substantially however, the prices of consumer goods have come down. The former has increased the cost of living that has adversely affected the poor people’s right to food and shelter and right to life at large, whereas the latter promoted consumerism and benefited the rich people in the South Asian region. Increasing income disparities, regional disparities and gap between the rich and poor have adversely affected the human rights of the millions of the people who are on the margins of South Asian societies.

3.2.5 CRISIS OF GLOBALIZATION & STATE IN SOUTH ASIA

Globalization has been facing crisis since late 1990s that became more visible when

the Asian Tigers/Southeast Asian States landed in economic mess in 1997, followed by the economic crisis in Argentina in 2001 and financial crisis of the United States in 2008 and the dramatic downfall in the stock market of China in 2015. These economic crises have again created the space for the state in the economy because ultimately the loss-making private enterprises were saved by the purposeful intervention of state. South Asia states are not exceptions; however, they have not been affected by the way the US and the Southeast Asian states suffered because their economies are not internally integrated. But still they felt the heat of global economic meltdown when the stock markets registered abrupt downfalls and the real estate sector has stagnated. The prices of housing have come down that has actually benefitted the people in South Asia because during the peak of globalization the prices of housing reached beyond the capacity of lower middle and the lower class people. Some private companies like private airlines and companies related with Information Technology like Infosys have suffered badly from the economic slowdown.

3.2.6 LET US SUM UP

To sum-up, it can be argued that globalization has been as a phenomenon-as it has affected the lives of millions of South Asian people negatively or positively. Of course its negative impacts are more pronounced as compared to its positive ones. Positively, it has benefitted a miniscule minority by generating new employment opportunities and providing the cheap consumer goods. But globalization also resulted into unemployment because it had led to the closing down of the small-scale industrial unit that were more labour-intensive than the capital & technology intensive. Consequently, the millions of semi-skilled and unskilled people lost their jobs and leading to the situation of hopelessness drug addiction, poverty and various kind of political violence in the South Asian region. Globalization has not only changed the model & strategy of economic development but also the nature of state in the South Asian region. The former has changed from import-substitution to export oriented driven strategy of economic development, whereas the latter has changed from liberal to neo-liberal in terms priorities and policy perspectives.

The globalization has changed the nature of State by drastically changing its role in the economies of South Asian societies from interventionist to a regulatory

agency. The LPG reforms required the South Asian states to cut the size and expenditure of the government. Consequent upon that the social sector has become the main casualty when the governments in this region reduced their expenditures. Paradoxically, the state's responsibility to ensure human development by investing in the health, education and social sector has increased but the state capability to mobilize resources for the same has been reduced drastically by the forces of globalization in South Asia. Human rights have also been adversely affected by the globalization-as it has increased the cost of living substantially and deprived the semi-skilled and unskilled workers from their right to livelihood. Globalization has changed the structures of South Asian economies from within but it has failed to integrate them on the regional bases where from they have benefitted tremendously. Further, the crisis ridden globalized markets have enhanced the financial liabilities of state in the South Asian region. Moreover, globalization has created dichotomy between the logic of democracy and the rational of market economy in South Asian states-as the former is inclusive whereas, the latter is exclusive in nature. It has far reaching implications for political obligation of state in the South Asian region.

3.2.7 EXERCISE

1. How do you conceptualize globalization?
2. Write an essay on the process of globalization in South Asian region.
3. Critically analyse the political impact of globalization in South Asian states.
4. The globalization has created a dichotomy between the political, security and economic imperatives among the states of South Asia. Elaborate.
5. Do you agree with the view that globalization has undermined the human rights in South Asian States?

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M.A. Political Science, Semester III, Course No. 303, Politics in South Asia

Unit – IV: Separatism, Human Rights, Civil Society and Gender

3.3 SEPARATISM AND TERRORISM IN SOUTH ASIA

- Suneel Kumar

STRUCTURE

3.3.0 Objectives

3.3.1 Introduction

3.3.2 Concept of ‘Separatism’ and ‘Terrorism’

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3.3.7 Terrorism and Separatism: State Response

3.3.8 Separatism and Terrorism: Implications

3.3.9 Let us Sum Up

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3.3.0 OBJECTIVES

After going through this lesson, you will be able to understand:

- the concepts of separatism and terrorism;
- how all the states of South Asia affected by separatist movements and their response towards these movements;

- how terrorism has become one of the important instruments for separatist movements in South Asia; and
- the involvement of external powers in separatist movements and how it is complicating the security environment in the states of South Asia;
- Causes and implications of separatism and terrorism in South Asia.

3.3.1 INTRODUCTION

Separatism and terrorism are inter-related phenomena which are haunting the state and human security at global level in general and South Asia in particular. Since their independence from the British colonialism, in majority of the states of the South Asian region, different groups/or communities have had launched violent movements for autonomy or separate statehood or even secessionism, posing a serious threat to the territorial unity and integrity of the respective states. Separatist groups have formed various organizations which have adopted terrorism as the main tool to influence or force the states to fulfil their demands. Even the states like Sri Lanka have had to face civil war for a long period due to the politics of separatism and terrorism. It is said that poverty, bad governance, corruption, irrational borders, economic exploitation and political suppression along with geopolitical tensions are the main reasons behind the emergence of separatism and terrorism in different states of South Asia. Although the politics of separatism started immediately after the end of colonialism in South Asia, however, majority of the separatist movements began to use terrorism as their modus operandi in the New Cold War and post-Cold War period. In the 1970s, terrorism was largely confined to the Middle East. However, the revolution in Iran, the Soviet invasion of Afghanistan and the Egypt-Israel Peace Treaty in 1979 shaped the contemporary wave of terrorism. The Afghan Mujahedeen campaign against the Soviet Union (1979-1989) and subsequently, the disintegration of the Soviet Union empowered a new generation of fighters. The threat of terrorism spread to other parts of the world. All the South Asian countries have had experienced the tragic and indiscriminate acts of terrorism.

According to South Asia Terrorism Portal, there are more than 200 terrorist organizations in across different South Asian countries. Scholars have observed that

the highest number of terrorism-related deaths in the world has been observed in South Asia. Moreover, political leaders such as Rajiv Gandhi, Prime Minister of India (1984-1989), Benazir Bhutto, Prime Minister of Pakistan (1993-1996), Ranasinghe Premadasa, President of Sri Lanka (1989-1993) and Lakshman Kadirgamar, Foreign Minister of Sri Lanka (1994-2001, 2004-2005) have been assassinated by different terrorist organizations. Separatism and terrorism are influencing the inter-state relations in the South Asian region. While defining the concepts such as ‘separatism’ and ‘terrorism’, this lesson gives a brief detail of the separatist movements in South Asian countries and use of terrorism as a strategy/method by different separatist terrorist organizations. Since these separatist movements have received the assistance from external powers, this lesson also looks at that aspect of the separatism. Besides, an attempt has been made, in this lesson to analyze the causes, state response and implications of separatism and terrorism in the South Asian region.

3.3.2 CONCEPTS OF ‘SEPARATISM’ AND ‘TERRORISM’

Theoretically, the concept of ‘separatism’ is much broader than secessionism. Secession is an extreme form of separatism. However, separatism includes demand for or struggles to gain more autonomy in a specific area within the borders of an established state, demand for a separate administrative setup or statehood or demand or struggle for a separate sovereign political entity. It is one of the most serious challenges to both state institutions and the international order as a whole. In fact, secessionist movements are pursued worldwide under both democratic and non-democratic regimes using both violent and non-violent modus operandi. Politics of separatism emerge in a situation when the people of a particular region are alienated from the existing political system and thus, often seek to gain more political control. Separatist groups /or communities may have a different language, culture and religion from the rest of the state. These communities keep a sense of real and perceived discrimination by the existing political system. This can lead to the growth of separate political parties, civil disobedience, terrorist violence and even civil war.

On the other hand, terrorism, which is a global phenomenon, has been defined by the United Nations General Assembly (UNGA) as the “criminal acts intended or calculated to provoke a state of terror in the public, a group of persons or particular

persons for political purposes are in any circumstance unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or any other nature that may be invoked to justify them.” Walter Laqueur says, terrorism “is the use or the threat of the use of violence, a method of combat, or a strategy to achieve certain targets.” Main objective of terrorism is to induce a state of fear in the victim. According to Bruce Hoffman, it is designed to have far-reaching psychological repercussions beyond the immediate victim or target, conducted by an organization with an identifiable chain of command or conspiratorial cell structure whose members wear no uniform or identifying insignia, and perpetrated by a sub-national group or non-state entity. In brief, terrorism can be termed as a tool, strategy or method to achieve specific goals. But separatism is an objective or goal of a specific group or community and terrorism is adopted as a method to achieve this goal.

3.3.3 SEPARATISM IN SOUTH ASIA

Separatism is a dominating trend in the South Asian politics. All the South Asian countries have the populations of diverse ethnic and religious backgrounds. On the basis of their distinct ethnic or religious background, various communities are indulged in the politics of separatism either to attain the autonomy and separate statehood within the boundaries of existing states or to form their own separate sovereign state.

India, the dominant power of the South Asian region, is facing various separatist movements. Some groups call for a separate state, others for regional autonomy while some extreme groups demand complete independence from India. In Punjab, India fought against the violent movement for Khalistan. Terrorist organizations, for example, Babbar Khalsa, Khalistan Zindabad Force (KZF) were indulged in the terrorist activities to achieve the objective. There is a separatist movement in Kashmir. Political organisations like All Parties Hurriyat Conference and terrorist organization such as Jammu Kashmir Liberation Front (JKLF), Lashkar-e-Toiba, Harkat-ul-mujahideen and Jaish-e-Mohammad have been active in Jammu and Kashmir for the separatist cause. In North-East India, there is a demand for autonomous area called “Hajong Chakma Homeland” in Arunachal Pradesh. Political organizations such as All Hajong Chakma Homeland Movement are active for this purpose. Besides, there is demand for “Teola” country. The Arunachal Dragon Force

(ADF), also known as the East India Liberation Front is a terrorist organization which is leading this secessionist movement in Arunachal Pradesh. The ADF seeks to create a state resembling the pre-British Teola Country consisting of area currently in Arunachal Pradesh as well as neighbouring Assam. In Assam there is demand for Bodoland. Militant organizations such as United Liberation Front of Assam, Muslim United Liberation Tigers of Assam, National Democratic Front of Bodoland have had involved in the violent activities for this cause. There are separatist forces in Manipur aiming for liberating the Manipur from India. Such forces include Manipur People's Liberation Front, People's Liberation Army of Manipur, United National Liberation Front and Revolutionary People's Front of Manipur. Separatist movement, led by Mizo National Front in Mizoram had ended in 1986 after the Mizo Accord.

Pakistan which formed in 1947 has been facing various separatist movements. Bengali separatist movement had resulted into the disintegration of Pakistan and emergence of Bangladesh in 1971. Political Parties like Baloch National Movement and Baloch Republican Party are asking for separate state for the Baloch people in Balochistan. Militant organizations such as Baloch Liberation Army, Baloch Liberation Front and Baloch Republican Army are also involved in the violent separatist movements against the state of Pakistan. Besides, there is demand for separate state of Pashtunistan by the Pashtun people. Influenced by the separation of the East Pakistan, the Sindhi separatist movement for Sindhudesh was begun in 1972. Jeay Sindh Mahaz was the umbrella organization of several Sindhi separatist groups. Similarly, people of Gilgit-Baltistan areas are demanding for Balawaristan. Balawaristan National Front is fighting for this cause. Bangladesh, which itself emerged as a separation from Pakistan is also having a separatist movement called as "Bongobhumi separatist movement". Bongobhumi also known as Bir Bongo is separatist movement to create a Hindu country using southwestern Bangladesh, envisioned by Banga Sena of Bangladesh. Bongobhumi movement for a separate Hindu homeland was first launched after the military coup of 1975 in Bangladesh, when many Hindu leaders fled to India. Most of them belonged to the Awami League party, which was forced from power in the coup and whose leader, Sheikh Mujibur Rahman was killed.

The South Asian island country of Sri Lanka had faced civil war due to the Tamil separatist movement. Tamil people of Sri Lanka, a minority ethnic group asserted

their right to constitute an independent state first under the leadership of the Tamil United Liberation Front (TULF). The TULF was formed when the Tamil political parties merged and adopted the Vaddukoddai Resolution. In the 1977 election, TULF became the first Tamil Nationalist party to run on a separatist platform. The Sixth Amendment was passed in 1983, requiring Tamils in parliament and other public offices to take an oath of allegiance to the unified state of Sri Lanka. It forbade the advocacy of a separate state, and consequently TULF members were expelled from parliament for refusing to take the oath. After the expulsion of TULF from parliament, militants ruled the Tamil political movement. As a result, the 1970s saw the emergence of more than 30 Tamil militant groups. The five of the militant groups of Tamils – People’s Liberation Organization of Tamil Eelam (PLOTE), Tamil Eelam Liberation Organization (TELO), Eelam People’s Revolutionary Front (EPRLF), Eelam Revolutionary Organization of Students (EROS) and Liberation Tigers of Tamil Eelam (LTTE) have been observed as the a potent political forces in the Sri Lanka. Of these five dominant groups, the LTTE was the most powerful Tamil resistance organization. It had established a de facto state in the areas under its control, called ”Tamil Eelam” and managed a government in these areas by providing state functions such as police force and judiciary, a humanitarian assistance board, a health board, and an education board. Moreover, the LTTE ran a bank “Bank of Tamil Eelam”, a radio station “Voice of Tigers” and a television station “National Television of Tamil Eelam”. In 2009, a Sri Lankan Army defeated the LTTE. After the defeat of LTTE, pro-LTTE political party Tamil National Alliance (TNA), also the largest political group representing Sri Lankan Tamil community has dropped its demand for a Tamil Eelam, in favour of a federal solution. However, the idea of Tamil Eelam still exists as a political aspiration among sections of the Sri Lankan Tamil diaspora.

In Nepal, a splinter Maoist faction in southern Terai plains is calling for full sovereignty and independence for the Madhesis. This is the first separatist movement in the country’s history. This movement is led by the Terai Jantantrik Liberation Front (TJLF), led by former Maoist Jayakrishna Goit. Grievances of the Madhesis are fanning the flames of radicalism and separatism. No separatist movement exists in Bhutan and Maldives. However, time to time, numerous separatist terrorist organizations active in the North-East India have had taken the shelter in border areas of Bhutan.

3.3.4 USE OF TERRORISM AS A TOOL IN SEPARATIST MOVEMENTS

Majority of the separatist movements in South Asia have used terrorism as political tool to pressurize the respective governments to fulfill their demands. For example in India, Northeastern separatist groups like the United Liberation Front of Asom (ULFA), the People's Liberation Army - Manipur (PLA), the United National Liberation Front (UNLF), the People's Revolutionary Party of Kangleipak (PREPAK) and the All Tripura Tiger Force (ATTF) have adopted terrorism as strategy to fight against the Indian state. Sikh separatist organizations spearheading the Khalistan (Sikh homeland) movement, such as Babbar Khalsa International (BKI), the Khalistan Commando Force (KCF), and the International Sikh Youth Federation (ISYF), Kashmir-centric groups based in Pakistan, such as Lashkar-e-Taiba (LeT), Jaish-e-Mohammed (JeM), Harkat-ul-Jihad-e-Islami (HuJI) and the Hizb-ul-Mujahideen (HM) have done the same thing to pursue their goal. Baloch separatists have also used terrorism as their strategy. Baloch organizations such as Baloch Liberation Army, Baloch Liberation Front and Baloch Republican Army are involved in the violent separatist movement in Pakistan. The Liberation Tigers of Tamil Eelam (LTTE) of Sri Lanka had been one of most powerful terrorist organizations in world. Due to the violent activities more than 64,000 people have died in Sri Lankan civil war. The LTTE had been responsible for more suicide attacks than any other terrorist organization worldwide.

3.3.5 SEPARATISM AND INVOLVEMENT OF EXTERNAL POWERS

Separatist movements in South Asia have received moral and material support from the external powers. These powers are states as well as non-state actors. Among states' assistance to the separatist movements in South Asia, India's assistance to Mukti Bahini rebels in the East Pakistan, China, Bangladesh and Myanmar's support to separatists in the North-East India, India's alleged support to Baloch separatist movement in Pakistan and Bongobhumi movement in Bangladesh, Pakistan's support to the Khalistan and Kashmiri separatist groups and India's role in Sri Lankan Tamil separatist movements have been discussed on numerous occasions in the academic and political circles. Due to hostile relations, neighbouring states have supported these separatist movements for their own strategic and instrumental interests. States have

provided moral and material assistance in the form of diplomatic support at various international forums so that these separatist movements can internationalize their agenda and be able to get the support and sympathy of the international community. Separatist terrorist organizations have had received funds, training, shelter and weapons from the other states for their cause.

Apart from the states, diasporas have also provided assistance to separatist movements. In fact in Punjab, Kashmir, Nagaland and Sri Lanka, diasporas were the crucial sources of support for the separatist movements. The Sikh diaspora especially of United States, Canada and United Kingdom was actively supporting the Khalistan movement in India. Sikh diaspora internationalized the Khalistan movement, attempted to get the international diplomatic and political support and raised the funds for the Khalistan movement. The Khalistan movement is almost over in India, but the Khalistan propagandists of Sikh diaspora are continuing with their activities in the United States and Canada. For example diaspora organization, Council of Khalistan led by Gurmit Singh Aulakh, is still active on this issue. The Kashmiri diaspora, especially those who have migrated from the Mirpur in Pakistan Occupied Kashmir to the United Kingdom in 1960s after being displaced by the construction of the Mangla Dam have also supported the Kashmir separatist movement. In fact the uprising against the Indian state in 1989 was spearheaded by the Jammu and Kashmir Liberation Front (JKLF) which was formed in the United Kingdom in 1977 by Amanullah Khan. Other diaspora organizations such as the British Kashmir Association and World Kashmir Diaspora Alliance are lobbying for separatist cause at international level. Kashmiri diaspora lobbyists have made common cause with Khalistani protagonists in the United States, Canada and European countries for long.

Like Sikh and Kashmiri diasporas, Tamil diaspora has involved in the Tamil separatist movement in Sri Lanka. Sri Lankan Tamils are scattered and dispersed around the globe, with concentrations in the United Kingdom, Canada, India, Malaysia, Singapore and Europe. Tamil Diaspora organizations such as Transnational Government of Tamil Eelam (TGTE), the Swiss Council of Eelam Tamils (SCET), British Tamils Forum, Maison du Tamil Eelam and National Council of Canadian Tamils have had assisted the separatist movement of their kin-community in Sri Lanka.

Thus in brief it can be argued that states and diaspora communities have assisted their kin-communities to pursue their separatist agendas. Nature of the assistance has been both moral and material. Due to the involvement of neighbouring states and diaspora communities, separatists have been able to challenge the powerful state apparatus in the South Asia.

3.3.6 CAUSES OF SEPARATISM AND TERRORISM

Separatism and terrorism is a product of the various factors discussed as under:-

- **Irrational and Hard Borders:** Irrational and Hard Borders created by the British colonialism in South Asia had divided various communities across the borders. In the post-colonial era, on the principle of *uti possidetis*, states accepted the border created by the Britishers. However, various communities such as Nagas in India and Pashtuns and Balochs in Pakistan reject these borders. Since these border and modern visa regimes affect their community life, thus these communities are looking for the re-demarcation of these borders by asserting the principle of right to self-determination.
- **Sense of Economic, Political and Cultural Discriminations:** Since the state institutions are dominated by the majority communities in South Asia, minority communities have a sense of economic, political and cultural discrimination. Minority communities such as the Sikhs, Balochs, Sindhis, Madhesis, Tamils and Bangladeshi Hindus felt that respective governments have done nothing for their economic development and they have not been given adequate representation in the political institutions. And moreover, their language, religion and culture are not been respected in the existing political systems. They assume that their economic development and cultural security can be ensured only by having an autonomous status in particular area, or a separate statehood within the existing political system or even sovereign state outside the existing political system.
- **Exploitation of Local Resources by the National Government:** Some of the communities for example Baloch in Pakistan have the perception that Pakistan government is exploiting the local resources of the area of Balochistan for

the benefits of the other parts of Pakistan. However, exploitation of local resources by the national government produces little economic gain for the people of Balochistan.

- **Peripheral Location:** Peripheral location of the different communities to their political core is also encouraging the separatist movements especially those are of secessionist in nature in South Asia. In fact, majority of the communities indulged in the secessionist activities are located on the periphery to their political cores. This factor also facilitate the external powers to intervene/or support such separatist movements and provide them material assistance.

Hence, these factors jointly encouraged the separatism and terrorism in South Asian countries.

3.3.7 Terrorism and Separatism: State Response

Majority of the states in South Asia tried to resolve the problem of separatism and terrorism through military means. In India, to a large extent, State has adopted accommodative approach towards the demands for separate statehood within the existing political system. Indian state has done the reorganization of its territories on different occasions and has created new states to accommodate the aspirations of different communities. For example, recently Indian state has created a new state of Telangana. Provision of autonomous councils has also been made in some areas. However, Indian state has used military means to suppress the separatist movements of secessionist nature especially in cases of Khalistan movement, Kashmiri terrorist/separatist organization and other North-East India separatist movements. However, these methods have been used as and when state has failed accommodate their demands and separatist movements have taken the violent path to pursue their agenda.

Pakistan's approach in dealing with separatist movements has more or less been suppressive in nature especially in case of the Baloch movement. Thus, Islamabad has continuously looked for the military solution for these political problems. Approach of the Sri Lankan government in the beginning had been non-accommodative in nature but now after facing the civil war, it has also started to talk about the accommodative approach towards the Tamil community. Since the

situation is under control in Bangladesh and Nepal, no major strategy/approach has been adopted by the respective governments towards the Bongobhumi movement or Madhesis. However, both the governments talked about the accommodative approach towards the ethnic, religious or cultural minorities.

To curb the separatist terrorism, South Asian states have enacted various special laws giving special powers to their security forces. For example, Armed Forces Special Power Act (AFSPA) was introduced by the Indian state to put down separatist movements in certain parts of the country. The law was first enforced in Manipur and later in other North-Eastern states. It was extended to most parts of the Indian-occupied Kashmir in 1990 after the outbreak of armed separatism in 1989. The Act provides immunity to soldiers in specified regions against prosecution unless the Indian government gives prior sanction for such prosecution. The government maintains that the AFSPA is mandatory to restore normalcy in regions like Kashmir and Manipur. Pakistan has also passed Anti-Terrorist Law (ATL) in 1997 and Pakistan Armed Forces Ordinance in 1998. The ATL has been amended in 2014. Sri Lanka has enacted the Prevention of Terrorism Act in 1978. It provides the police with broad powers to search arrest and detain suspects. It was first enacted as a temporary law, but then made permanent in 1982. The Bangladesh Parliament passed the Anti-Terrorism (Amendment) Bill in 2013.

3.3.8 SEPARATISM AND TERRORISM: IMPLICATIONS

Politics of separatism and terrorism has affected society, economy and polity of region adversely. This has posed a threat to the security, political order, economic growth, development, social harmony and stability of the political systems of the region. Such impacts are discussed briefly as below:-

1. Politics of the separatism has disturbed the agenda of peace and development that has to be pursued by the political systems of the region. Due to the separatist movements and subsequently, use of violent methods has not only created a problem of law and order but also posed a threat to the territorial unity and integrity of the states. In such situations, state security becomes more important for the states of the region than to work on the agenda of peace and development. This is promoting the cultural of militarism in South

Asian region and the states are spending large part of their budget on defence affairs including the creation of Special Forces and purchase or manufacturing of weapons and other military/security equipments for their security forces to tackle with the violent separatist movements especially supported by the external powers. Hence, economic growth and social development have suffered in South Asia.

2. Politics of separatism and subsequent use of terrorism has promoted human rights violations and also degenerated the human security. As a result of separatist violence, South Asia has lost many of the prominent leaders like Indira Gandhi and Rajiv Gandhi of India, President Premadasa and prominent ministers like Lalith Athulathmudali, Gamini Dissanayake, Ranjan Wijeratne and Lakshman and Kadirgamar of Sri Lanka. Deaths of innocent South Asians in civil wars and terrorist attacks run into thousands of women and children having been subjected to untold human rights abuses. According to one estimate in Jammu and Kashmir, there were 3,400 disappearance cases and till July 2009 more than 47,000 people have died. In Sri Lanka, as the US Department of State observes more than 64,000 people have died. Both security forces and separatists have been indulging in the human rights violations.
3. Politics of separatism resulted in the disintegration of Pakistan in 1971. Sri Lanka has also witnessed the civil war before the defeat of LTTE.
4. Separatism and terrorism remained as major hurdle in the bilateral cooperation in the South Asian region. As the separatists movements are being supported by states against one another for their strategic and instrumental interests, hostile states are often avoiding cooperation and in fact, even prefer the path of confrontation. India and Pakistan have fought two major wars in 1947-48 and 1965 and one minor war of Kargil on the issue of Kashmir.
5. Separatism is also a major obstruction in way of multilateral cooperation in South Asian region. For example, the South Asian Association for Regional Cooperation (SAARC) has not been able to get that much success due to inter-state rivalry of the regional states due to their involvement in the separatist

movements against the one another.

3.3.9 LET US SUM UP

To conclude, separatism and terrorism are a major challenge to the political systems of the South Asian region. Factors such as irrational and hard borders, sense of economic, political and cultural discrimination, exploitation of local resources by the national governments for other regions and peripheral location of the homelands of the particular minority groups/communities encouraged the politics of separatism. Separatists have adopted agitational and confrontational methods against the states to achieve their separatist agendas. Separatist movements, particularly those of secessionist nature, have used terrorism as an instrument to influence or pressurize the states concerned, to fulfil their demands. Separatist movements have been supported by the hostile neighbouring states for their own instrumental purposes. Separatist movements have also received support from the co-ethnic diasporas. States have used both accommodative as well as suppressive measures to deal with such movements. Depending on the nature of separatist movement and capacity of the states, some states have succeeded to suppress a few separatist movements. For example, Indian state has been able to suppress the Khalistan movement in Punjab. Similar thing has happened in case of the Tamil movement in Sri Lanka. However, majority of the movements are continuing and are becoming more vigorous leading to the threat to the territorial unity and integrity of that particular country. Although the elimination of the LTTE has closed the option of a separate Tamil Eelam for the Tamils in Sri Lanka, but if their grievances will not be addressed politically and amicably, the re-emergence of separatist Tamil movement cannot be ruled out in future. In India, the persisting conflicts especially of the Nagas and Kashmir have the viruses of separatism. India's resilient polity needs to deal with them properly. In Nepal, if Terai is not integrated through a federal structure and socio-economic accommodation, a separatist demand would gain momentum in future. Pakistan is also afflicted by the separatist movement in Baluchistan and North-Western Frontier Province (NWFP). There is a serious debate among policy analysts and policy makers whether Pakistan would be able to maintain its territorial integrity or not? As a result of the separatism and terrorism, people and states both have suffered in South Asia in one way or the

other. If states are facing the law and order problem and threat to their territorial unit, people are the victims of human rights violations. Moreover, it is not good for the bilateral and multilateral inter-state cooperation in the South Asian region.

3.3.10 EXERCISE

1. Discusses how Separatism and terrorism are different but also interlinked.
2. Discuss about the growth of separatism across various countries of South Asia.
3. Briefly discuss how majority of the separatist movements in South Asia have used terrorism as political tool to pressurize the respective governments to fulfil their demands.
4. Examine how the separatist movements in South Asia received materiel and moral support from the External Sources.
5. Discuss the main causes for the growth of separatism in South Asia.
6. Briefly discuss to what extent you support the state response to separatism in South Asia.
7. Elaborate on the implications of separatist politics for the South Asian Region.

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M.A. Political Science, Semester III, Course No. 303, Politics in South Asia

Unit – III: Human Development, Security and Governance

3.4 GOVERNANCE IN SOUTH ASIA: ISSUES AND CHALLENGES

- Suneel Kumar

STRUCTURE

3.4.0 Objectives

3.4.1 Introduction

3.4.2 Governance in South Asia

3.4.3 Development of Governance in South Asia

3.4.4 Nature of Governance in South Asia

3.4.5 Governance Mechanisms in South Asia

3.4.6 Governance in South Asia: Challenges and Prospects

3.4.7 Let us Sum up

3.4.8 Exercise

3.4.0 OBJECTIVES

After going through this lesson, you will be able to:

- Conceptualize governance and the reasons for the term gaining popularity all over the world;
- Understand the development of the process of governance in the states of South Asia;

- Comprehend the nature of governance in South Asia and mechanisms placed to execute various policies; and
- Know the challenges and prospects for good governance in South Asian region.

3.4.1 INTRODUCTION

Earlier the term ‘governance’ was understood as synonymous to government. However, the meaning of governance is broader than government. In common parlance, Governance now refers to new processes, methods, or ways of governing society. The World Bank defines governance as “the manner in which power is exercised in the management of a country’s economic and social resources”. The United Nations Development Programme (UNDP) considers governance “as the exercise of economic, political, and administrative authority to manage a country’s affairs at all levels.” It includes the form of the political regime; process by which authority is exercised in the management of a country’s economic and social resources for development; and capacities of government to design, formulate, and implement policies and discharge functions. Governance involves interdependence among a host of actors for the sake of policy making at multiple levels. Government is not the sole actor in the process of governance. Rather, it is one of the actors along with private sector and civil society. The World Bank uses six indicators to assess the quality of governance: (1) voice and accountability, (2) political stability, (3) government effectiveness, (4) regulatory quality (5) rule of law, and (6) control of corruption. These six dimensions cover the political, economic and, institutional aspects of governance. These indicators are normative and have a high association with democracy and economic development.

3.4.2 GOVERNANCE IN SOUTH ASIA

The South Asian countries share a common history of colonial dominance, even though some countries such as Nepal and Bhutan have not been proper colonies under the British rule. They have also had major variations in terms of geography, territorial and population size, religion, culture, and language. South Asia has a total population of 1,364.5 million, which is about 1/5 of the world population. The population of South Asia is divided by ethnicity, language and religion. Religious communities are

further divided on the sectarian lines. The countries also vary in size. Variations also exist in the countries in terms of living standards and levels of income. For example, Sri Lanka and Maldives have the highest level of income while Bhutan and Nepal have the lowest level. Despite all this distinctiveness, these countries are quite similar in terms of the objectives, structures, functions, attitudes, and standards of governing institutions.

In the context of human development, South Asian countries lag behind many other regions of the world. Since human development and good governance go hand in hand, low human development in South Asia has serious implications for governance in the region. Therefore, South Asia is not only confronting a challenge of human development but also facing a crisis of governance. The Mehabub ul Haq Human Development Centre and World Bank have observed a poor state of governance in the South Asian region. The governance percentage of South Asia is very low on six governance assessment indicators prescribed by the World Bank. Besides, there are disparities among countries on the six dimensions of governance. For example, small countries such as Bhutan and Maldives have higher percentage than the big countries like India, Pakistan, and Bangladesh. Thus, South Asia has consistently emerged as one of the poorly governed region in the world.

3.4.3 DEVELOPMENT OF GOVERNANCE IN SOUTH ASIA

At present, governance has become a global phenomenon. It evolved in the capitalist and industrialized countries with managing their public affairs. It is an outcome of a paradigmatic shift in political thinking on the role of the state in society primarily influenced by neo-liberalism. Later, it swept the developing world including South Asia.

Governance incorporates democratic and bureaucratic norms and beliefs such as rationality, accountability, competition, and efficiency along with rule of law, individualism, impersonality, equality, merit, justice and participation. Western countries have long history of using democracy and bureaucracy to ensure accountability, responsibility, competence and efficiency of their governments. Political and administrative institutions in these countries are guided by democratic and bureaucratic norms. These norms are the product of a natural course of history

set by the French revolution and a scientific revolution. These trends led to the decline of traditional, agrarian, feudal and aristocratic setup and paved the way for the emergence of a rational, capitalist, industrialist, bureaucratic and democratic setup. Subsequently, bureaucracy is consistently subjected to political control through democratically elected governing bodies. Thus, despite its built-in capacity for dominance, bureaucracy has not hindered the development of other institutions in the western countries.

The process of the colonization of developing countries including South Asia by the Western countries led to the introduction of the modern administrative system of governance in South Asia. This system was typified by depersonalization of public office. The Colonial system of governance rested on the maintenance of law and order, rationalization of administration and enhancement of a smooth collection of taxes. Thus, western model of bureaucracy introduced by the colonial masters in their colonies including South Asia was fully utilized by them to serve the colonial interests such as maintenance of law and order and collection of revenue. This resulted into the modernization of administrative systems of the colonies, but other institutions in political and economic spheres remained underdeveloped as these were not a priority of colonial masters. This situation continued to prevail in the post-colonial period.

3.4.4 NATURE OF GOVERNANCE IN SOUTH ASIA

Due to colonialism and cultural values of these societies, South Asian countries lack a co-ordination among the social, economic, political and administrative spheres. These countries have imbalanced institutional development and overdevelopment of bureaucracy.

South Asia inherited its administrative system from its colonial past with imbalanced institutional development and bureaucratic elitism which perpetuated in the post-colonial period. Despite its western origin, bureaucracy in developing countries including South Asia has deviated from its principles such as neutrality, impersonality, merit and rule of law. This is a result of the existing incongruence between bureaucratic values and cultural values. The experience of South Asian countries with democracy is not very different either. Since there is a wide gap between common people and the political elites, elected politicians have used

bureaucracy for their own political interests and not made it responsive to the needs of the public. Rationality which is based on principles of neutrality, universalization, impartiality, and formalism has not taken deep roots in the South Asian context. Since governance is based on bureaucratic and democratic norms universally accepted values such as participation, accountability, transparency, efficiency, decency, and fairness. These values are based on the notions of liberal democracy, free market, and bureaucracy that are not compatible with the cultural context of many developing countries including South Asian countries. The South Asian cultural context may best be characterized by authoritarianism, elitism, familism, paternalism, sectarianism, extremism, and feudalism. The reflections of these cultural values can be seen in political, administrative, economic, and social spheres at systemic, organizational, and individual levels. Therefore, values embodied in the notion of good governance stand in conflict with the cultural values of South Asia.

As a result of this, in spite of many experiments and innovative efforts for improvement, governance has remained weak, unresponsive to citizen needs, centralized, rigid, non-transparent, and unaccountable.

3.4.5 GOVERNANCE MECHANISMS IN SOUTH ASIA

South Asian countries have shown a quest for better and sound governance. This has been on the policy agenda of different governments. Despite this, South Asian governance, as observed by Ishtiaq Jamil, Steinar Askvik and Tek Nath Dhakal, reflects four types of governance mechanisms. These mechanisms explain how the state is organized in terms of institutional structure and behaviour, interpersonal relations, policy making and implementation, and relationships between the state, private sector, civil society, and citizens. These governance mechanisms have been explained briefly as under:

- 1. Paternalism:** Paternalism is the one of negative governance mechanisms that is prevailing in the South Asian countries. This refers to an authority pattern where obedience and loyalty is person or family based rather than linked to an impersonal office or position. It protects and extends social privileges to certain persons belonging to certain family, caste, and group. In politics, family plays an important role in the selection of leaders, and families with

high political standings exercise considerable power and authority in society. Such type of leadership trend has often led to dynastic rule in South Asia. In paternalism, the status quo is preferred over the change as it could disrupt the existing power structure and authority pattern. In South Asia, political parties are the champions of paternalism. All the leading political parties that have been in power have a strong base in family leadership. For example, the Nehru-Gandhi family in India, Mujib and Zia families in Bangladesh, Bhutto family in Pakistan, Bandaranaike family in Sri Lanka, and the Koirala family in Nepal. In these countries, family members are groomed to become future leaders. Party leadership at top level seldom changes. Majority of the political parties have leaders for life. Therefore, only after the death of a leader the leadership of a party changes. Even in that case again another family member becomes the party leadership. Political parties always had leaders from the same family in South Asia. Loyalty is based on personal obedience. Thus accountability is also person based rather than an impersonal accountability mechanism. Political interferences in administration are a common phenomenon. Merit is not the major criteria for career enhancement. Lobbying and political allegiance are main tools for public officials to promote their professional career.

- 2. The Administrative State:** The Administrative state is another governance mechanism prevailing in South Asia. This mechanism refers to a state where most of the decisions are taken by state employees. This involves a well-established bureaucracy based on the Weberian conception of a legal rational authority system. This sort of governance depends heavily on centralization, hierarchy, merit principles in recruitment, tenure of service, impersonality in officials' behaviour, autonomy, and a clear distinction between official and private life. In South Asia, colonial masters had not established an effective form of political self-government. Instead they created the bureaucracy which was elitist, centralized, and staffed by generalists graduated from Oxford and Cambridge. The civil servants were the premier instrument of colonial administration. They became the model for the colonial civil service.

Subsequently, they influenced the structuring of civil services in post-colonial India and Pakistan, Sri Lanka and also in Bangladesh, Nepal and the Maldives. The British class of generalist administrators embodied a more paternalistic and elitist set of ruling ideas. Classical education and civilized manners equipped them for rule. Their political discretion and judgment were more important than their expertise. The British tradition fitted well with the paternalism of the South Asian region. South Asia continued to be an administrative state in post-colonial period. It has excessive dependence on the bureaucracy for nation-building and development. Bureaucracy is vulnerable to political pressure. Their posting, transfer, and promotion depend on their level of loyalty to the new leaders. Some administrators join hands with the government in power and those who got favours earlier are usually discriminated and sidelined. The erosion of rule of law is leading bureaucratic actions to be based on political preferences sacrificing universality, impartiality, and uniformity in the provision of services. Despite all that, generalist bureaucrats are trying maintain their elite and dominant status in the administrative set up. Thus generalist administrators are the champions of the administrative state.

3. **Alliances and Networking:** In order to gain the power, alliances and networking are a common mechanism in South Asia. Numerous alliances between and among political parties, between political parties and business houses, and even between politics and civil society can be observed in South Asian polities. Alliances among political parties and politics-business nexus to win election and gain access to business favours have become common feature in South Asia. In India, the United Progressive Alliance (UPA) and National Democratic Alliance (NDA) were the result of this sort of politics in 2004, 2009 and 2014. Bhartiya Janata Party (BJP) also did the same thing. In Pakistan, Nepal and Sri Lanka have the similar situation. In the case of Bangladesh, the Bangladesh Nationalist Party (BNP) led Alliance of different parties won the elections in 1991 and 2001. The other alliance of 14 parties was led by the Awami League (AL) in 1996 and 2008. Since political governance has become competitive, negotiation and bargaining has become a regular feature in alliance formation in South Asia. Alliances are informal

and unstable in nature. Party leaders strike a deal with other parties to attain the power. If deal fails to work, alliances break up.

Along political alliances, alliance between business community and political parties are also a common trend in South Asia. Elections are expensive affairs in South Asian politics. Political parties receive funds from business houses and in return favour them in the policy formulation related to business and trade issues. Sometimes parties even gave the tickets to businessmen. Due to this trend in Bangladesh, the number of businessmen in the parliament increased from 24 per cent in 1973 to 56 per cent in 2008. In some of the South Asian countries such as India, Pakistan, and Bangladesh and to some extent in Nepal money and muscle play a central role during elections. Person of criminal background are getting elected to the national and local legislatures. For example in India, Out of 543 winners of 16th Lok Sabha elections, 186 (34%) have declared criminal cases against them. Dominant political parties are the champions in forming alliances with other parties sometimes diverse in terms of ideologies. The business community is also a champion of alliance building to have an access and influence in the policy arenas. This reflects the decline of ideology based politics in the South Asian region.

4. **Reinventing State:** In the era of globalization, economic growth and sustained economic development can be achieved only when the national economy, administration, and policies are geared to the global economy. This is a preferred instrument of the donor and international agencies because foreign assistance cannot be utilized better without reengineering the existing state. This is also preferred by civil society, especially non-governmental organizations because that would give them access to policy-making arenas and be part of the public-private partnership process. Thus, South Asian countries are also adapting, to these new modes of governance resulting in less government and more governance. The aim has been to develop an effective, efficient, citizen friendly, and development-oriented governance system to improve welfare and quality of life of citizens. It is inspired by the New Public Management (NPM) and is increasingly embraced by the South Asian countries under the guidance and influence of international

development agencies. This NPM trend got momentum in South Asia in 1990s with the establishment of democracy in the region and when western countries along with global financial institutions changed their strategy of distribution of developmental aid from allies to those countries which opt for “good governance” measures. Since the good governance became a condition for development aid disbursement, it led to a number of public administration reforms, privatization of state owned enterprises, deregulation to make public services easily and quickly available, decentralization to transfer both functions and power to local government bodies, holding of elections on a regular basis, involvement of non-governmental sectors in policy formulation and implementation, contracting out and outsourcing of public services, etc. The objectives were to streamline governments in line with global trends. This contained the elements of reinventing state. This has three dominant trends:

- Fewer public sectors but more private sectors: In order to overcome inefficiencies and sluggishness of the public sector, there was a need to reduce the government and transfer some of its activities and delivery of services to the private sector. The privatization of state owned enterprises in the transport and communication, banking, electricity, telecommunication, and industrial production sectors is increasing to reduce the public expenditure and subsidy. Private sector is increasingly involved in the development and running of higher education and health sectors. Foreign direct investment is highly encouraged.
- Improvement in the Public Sector Management: As part of reinvention to make public sector in tune with market-based efficiency, ensure its accountability, and make it more responsive to citizen’s needs South Asian governments carried out a number of administrative reforms. These reform initiatives could be seen in the form of e-governance in the management and delivery of services, citizen charter, deregulation, liberalization, use of performance-based compensation and decentralization.
- Involvement of non-governmental sectors and civil society in governance: The non-governmental actors and civil society have become increasingly

involved in governance in South Asia. They are active in the field of education, health, empowerment of women and the poor, awareness, democracy, and environment protection. They work with government and other NGOs. They are watchdogs of government policies. They raise the issues of malpractices in policy implementation and human rights abuses. Nevertheless, they have their own limitations. They have the dependence on donor agencies. Hence, they are that much accountable and sensitive to their beneficiaries and the national government. The donors, NGOs and civil society, and some sections of the bureaucracy who have and want to remain non-partisan and neutral are the champions of reinventing the state along private management and market principles.

- In brief, it can be said that alliances and reinventing state are new patterns of governance. Alliances are important instrument to win elections to have an access to and influence on policy decisions. As a result of globalization of economy and neo-liberal market trends, reinventing state is also becoming a popular strategy of governance. These four governance mechanisms have different demands and champions. Paternalism is favoured by political parties. Administrative state is favoured by generalist bureaucrats. Alliances are preferred by political parties and business community. Reinventing state is guided by international organizations and advocated by NGOs and civil society organizations.

3.4.6 GOVERNANCE IN SOUTH ASIA: CHALLENGES AND PROSPECTS

There are numerous obstacles and challenges in the way of good governance in South Asia. Some of them as discussed by Jabeen have been given as below:

1. **Rule of Law:** Rule of law is a basic condition for good governance. Nevertheless, there is a weak tradition of the rule of law in South Asia which is a major barrier to good governance in the region. The rule of law requires a fair political system including independent legislatures, a strong executive and a free judiciary that has yet to evolve in South Asia. In the wake of such a fair system rules mean different things to different people and so does their

implementation. Equality before the law and one law for everyone is a norm not very well appreciated in this part of the world. One can get away with violation of law ranging from traffic violation to murder through money, social networks, and family connections. Mistrust between police and people, is a major obstruction to the rule of law. The police is often used as an instrument against opponents, feudal lords, and other elites, even by politicians. Some administrators join hands with the government in power and those who got favours earlier are usually discriminated and sidelined. The erosion of rule of law is leading bureaucratic actions to be based on political preferences sacrificing universality, impartiality, and uniformity in the provision of services.

2. **Poverty:** Poverty is another major obstacle to governance in South Asia. Nearly half of the population in the region suffers from poverty with little or no access to adequate food, clean water, sanitation, health, education, and employment. There is big gap between the rich and the poor in the region. The poverty has increased in the entire region in terms of income and opportunities with an exception for India. Poverty is creating distrust among the people towards the governance mechanism. As a result of this, the poor are excluding themselves from the political and social processes. This is further restricting their participation and representation in governance.
3. **Corruption:** Corruption is viewed as a major hindrance towards good governance in South Asia. Various forms of corruption are persistent at individual, organizational, and state levels. It could be seen in the form of bribery, fraud and misuse of public funds and utilities at individual level. It could also be observed in the form of kickbacks, speed money, illegal industrial licensing and contracts, tax evasion, money laundering and abuse of power at the organizational and state level. These are the most pervasive forms of corruption in South Asia. A nexus among political elites, bureaucracy and business elites can be seen in South Asia. This nexus is responsible for abuse of political powers and misuse of public resources. Business elites provide financial support to political elites. Political elites in return give formal and informal political and economic concessions to the business elites.

4. **Nepotism:** Nepotism is a common thing in South Asia. Family, and sectarian, ethnic, and regional connections are often the bases for appointments and promotions in public sectors. Principle of merit and equality of opportunity are being ignored. The devastating effects of entrenched nepotism in the South Asia are the reduced efficiency and disorder and distrust between the governing bodies and the public. This is promoting the poor governance.
5. **Militarism:** South Asia is a highly militarized, volatile and vulnerable region of the world. A significant part of the limited resources is allocated to military expenditure. Both India and Pakistan are nuclear powers. They are spending on building nuclear weapons. When India demonstrated its nuclear capability in 1998 with three nuclear tests, Pakistan also did the six nuclear tests. Both the countries are indulged in the race for conventional and no-conventional weapons. Time to time they enhance their military budget. Apart from regular armed forces, South Asian countries also maintain costly paramilitary forces. These countries spend heavily on purchase of military weapons and hi-tech military hardware from abroad. Militarism in South Asia is a hard reality. Since independence, India and Pakistan have fought three major wars along with one limited Kargil war. Dispute over Kashmir is a continuous source of hostilities between two nuclear powers of South Asia. Sri Lanka has faced dangerous civil war and Nepal is facing moistest insurgency. These things are forcing them to keep big armies and other paramilitary forces equipped with highly modern weapons. As a result of this, the people of these countries are finally the victim. Militarism has negative impact on the economic development and the state capacity which is becoming a hurdle in the way of good governance in the region.
6. **Poor Capacity of State and Non-State Institutions:** Poor capacity of state and other non-state actors in South Asia is also a constraint and challenge to good governance. The states should have a capacity for policy formulation, implementation and evaluation. It should have capacity of budget and expenditure management, and transparency, accountability and possibilities of fighting corruption. In South Asia, capacity of state institutions and public organizations is constrained by a number of factors that include weak

management and a poor control system, corruption and nepotism, low wages and incentives, and politicization of the bureaucracy and the judiciary. The lower salaries of civil servants diminish their motivation, inhibit efficiency, decline effectiveness and encourage corruption. These problems are not only limited to the bureaucracy; inefficiency and lack of discipline are also a problem in parliament, the cabinet, and the judiciary. Parliamentary proceedings are poorly attended. There is no mechanism for internal accountability in parliaments. Access to justice is also a problem due to incapacity of courts to handle increased workloads.

Poor capacity is also an issue in civil society and the private sector which are the non-state partners in governance. Civil society in South Asia is small and fragmented and, also has the financial constraints. Civil society also constrained by weak management and control systems. It demands transparency and accountability from the government. But these things are rarely seen even in the behaviour of these civil society organizations. Along with civil society, private sector is also facing similar problems. Both state and non-state actors need new managerial skills from to perform effectively as partners in the governance. These governance skills are limited in South Asia. Good governance also requires good local knowledge. The capacity to produce local knowledge through research is also a constraint to good governance in South Asia. The countries in South Asia except India do not possess a capacity to produce local knowledge through research which can be utilized in policy formulation. India had established research institutions and universities much earlier than the other South Asian countries. That is why it is performing better in terms of indigenous research than the other neighbouring countries of the region.

Despite the above discussed challenges and hurdles which portray a dismal picture of governance in South Asia, there are hopes, aspirations, and possibilities for good governance. State and society in this region have not given up their quest for good governance. There are enormous prospects of the emergence of good governance in South Asia due to the following reasons:

- A visible political transition from military and authoritarianism regimes and absolute monarchy to democracy has been observed in the region. In future, consolidation of democracy and democratic culture would be vital for the governance in the region.

- Although South Asian states do not adhere to the philosophy of multiculturalism, yet they tried to accommodate the minorities despite their majoritarian character. Multiculturalism can be instrumental in creating political stability by promoting the sense of belonging among the people of diverse ethnic, cultural and religious backgrounds.
- A reluctant move towards the decentralization of powers has been also observed in the region. Participation at the grass-root level can be use to improve the governance.
- Efforts towards women empowerment in the region are also seen as a healthy sign as far as the governance is concerned.
- Despite its negative impacts, coalition politics is providing opportunity to the people of diverse interests and backgrounds to participate in the process of governance.
- In the last few years, South Asia has witnessed people’s movements for eradication of poverty and corruption, protection of environment and also protection of women and children’s rights. These movements have highlighted the issues of marginalized people and strengthened the civil society in the region.

In brief, as Mann argues, “the future of governance in South Asia lies in democracy not authoritarianism, multiculturalism not homogenization, accommodation not assimilation, decentralization not centralization of power, a secular not sectarian state, rule of law not rule of rulers, politics as a service not as a business, in institutional building not in institutional decay.” Thus in the light of above mentioned developments, one can say that there is a ray of hope for the emergence of good governance in South Asia.

3.4.7 LET US SUM UP

Since the significance of good governance for development is now universally recognized, it stands at the core of governance and administrative reforms undertaken in developed as well as developing countries including transitional economies. At the 2005 UN World Summit, the world leaders agreed on the vitality of good governance

for sustained development and eradication of poverty and hunger. Accountability, transparency and participation are some of the central themes. However, good governance can mean different things to different countries and can have different implications when it is used as a guiding framework for policy and administrative reforms. Since each country or region has a different context of governance, it faces unique governance challenges. Therefore, it is important that the concept of good governance is understood in the context of each country and region to find indigenous and pragmatic solutions to its unique problems of governance within the framework of universally accepted values. The region of South Asia is no exception to this. The countries in South Asia, factoring the constraints they are facing, have to indigenize the governance practices. The concept of governance, reformulated by a South Asian scholar Dr Mahbub ul Haq as humane governance, in conjunction with the concept of good enough governance proposed by Grindle appears to be more relevant as it takes into account the ground realities of South Asia.

3.4.8 EXERCISE

1. Define Governance and describe its indicators.
2. Discuss about the development of Governance in South Asia.
3. Analyze the working of various mechanisms of Governance in South Asia.
4. Explain why alliances and reinventing state are considered to be new patterns of governance.
5. Discuss various challenges in the way of good governance in South Asia.
6. Make a fair assessment of prospects of good governance in South Asia.

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M.A. Political Science, Semester III, Course No. 303, Politics in South Asia

Unit – IV: Separatism, Human Rights, Civil Society and Gender

4.1 HUMAN DEVELOPMENT SCENARIO AND EMERGING TRENDS

-Baljit Singh

STRUCTURE

4.1.0 Objectives

4.1.1 Introduction

4.1.2 Economic Development

4.1.3 Emerging Trends in Economic Growth

4.1.4 Human Development: A Conceptual Framework

4.1.5 Human Development Scenario in South Asia

4.1.6 Trends in Human Development in South Asia

4.1.7 Governance & Human Development

4.1.8 Let us Sum up

4.1.9 Exercise

4.1.0 OBJECTIVES

After going through this lesson, you will be able to understand:

- Economic development and trends in economic growth in South Asian states of post-colonial period;
- The concept of human development and how holistic it is by including development at multiple levels;

- Human development in South Asian states and the problems they are facing in achieving human development;
- The linkage between good governance and human development.

4.1.1 INTRODUCTION

Development occupied the central stage in the agenda of post-colonial states in the Third World apart from the Nation-building and State-building. This is more evident in South Asia as all the states in the region set economic development as main priority, though the particular models and strategies they followed considerably differ with each other; while Sri Lanka opted for capitalist path, India had chosen mixed economy with socialist orientation. Notwithstanding the capitalist and socialist strategies of economic development, all the South Asian states opted for the inward-oriented or import-substitution model of development till 1990s. Main focus of development was to increase growth rate, per-capita income and to improve infrastructure in addition to the diversification and industrialization of economies in the region.

4.1.2 ECONOMIC DEVELOPMENT

Immediately after their independence, the huge task in front of state in South Asian states like India, Pakistan and Sri Lanka was to redistribute land by acquiring surplus land from the landlords and distributing the same amongst the landless people. Land was the major source of living in the region because at that time the South Asian countries were having predominantly agriculture based economies. To realise the objective of distribution of land, India, Pakistan and Sri Lanka have passed several legislations with regard to land reforms. In order to ensure an effective implementation of land reform laws, the laws related with land reforms in India are placed in the 9th Schedule of its constitution to avoid intervention of the judiciary through the mechanism of judicial review-as the implementation of land reforms laws came in conflict with the right to property of individual that happened to be one of the fundamental rights of the individual till the 44th Constitutional Amendment made to the Constitution of India in 1978. Despite that India has failed to redistribute the land except three states: Jammu & Kashmir, West Bengal and Kerala. Sri Lanka and Pakistan have also failed to implement land reforms because the leverage of power in

these states has remained in the hands of landlord class. However, the implementation of land reforms was vital for the economic development in addition to providing the distributive justice but the class character of Post-Colonial state did not allow this to happen.

Food insecurity was formidable economic challenge confronting India State in the 1950s apart from the other South Asian states. To overcome that the agriculture sector became the main focus of India's first five-year plan. In 1952, the Community Development Programme was launched with a focus on agriculture, price stability and power sector. The various dams ranging from Hira Kund to Bhakra Dam were established to fulfil the energy needs of the nation. In this plan, India made major investments in the agriculture sector that led to its modernization. Improvements in irrigation facilities, quality of seeds & fertilizers, use of pesticides and insecticides resulted into quantum jump in the yield of crops. Consequently, the food production increased substantially in terms of quantity besides improving quality. Modernization of agriculture sector resulted into green revolution that helped India to overcome the challenge of food insecurity apart from improving the income level of the people engaged in this sector.

Apart from strengthening the agriculture sector, the diversification of its agriculture based economy was huge challenge for the policy makers in India. The diversification in the Indian economy was set in motion immediately after independence but it caught the imagination of policy makers when the second five-year plan drafted. In this plan, industrialization became the main thrust with more emphasis on the large scale industries. This plan was also named after Mahalanobis, the well known economist with focus on rapid industrialization and shifted basic emphasis from agriculture to industrialization. During the period of second five-year plan, India successfully established the heavy industries in the iron, coal, steel sectors of its economy. With the help of United Kingdom, United States, Soviet Union and Germany, India established steel plants which were the indicators of industrialization apart from having the huge potential to further promote industrialization of the Indian economy. The target growth of economy was 4.5% however growth rate achieved during this plan was 4.27%. Third five year plan (1961-66) laid considerable stress on the agriculture sector but the Sino-Indian war of 1962 diverted its attention to

the security of the country. Its main aim was to make India self-sufficient and self-generating economy. Based on the experience of first two five year plans agriculture sector was given the top priority to support the exports and industry. The plan was designed to achieve the growth target of 5.6% but this plan was able to achieve the actual growth of 2.84% due to the two wars India fought with China and Pakistan in 1962 and 1965 respectively. The main focus of the fourth five year plan (1969-74) was on growth rate of agriculture to enable other sectors to move forward. The target growth rate of economy was 5.7% but the Indian economy actually grew at rate of 3.30%. The removal of poverty and the attainment of self reliance became the twin objectives fifth five year plan (1974-79). Promotion of high rate of growth, better distribution of income and significant growth in the domestic rate of savings were considered as key instruments. However, this plan was terminated in 1978 instead of 1979, when Janta Party rose to power. The target growth of economy during this plan was 4.4% but the actual growth rate of economy was 3.8%.

The sixth plan (1980-85) was launched with focus on increase in national income, modernization of technology, ensuring continuous decrease in poverty and unemployment and population control through family planning. This plan was quite successful as it achieved more than its target. The target growth rate of economy in this plan was 5.2% whereas it successfully achieved 5.66%. The seventh five-year plan (1985-90) launched with objectives of rapid growth in food-grains production, increased employment opportunities and productivity. During this plan, Indian economy successfully recorded 6% growth rate against the targeted growth rate of 5%. The eighth five plan was delayed due to political uncertainty in the country apart from the economic crisis. It was launched (1992-97) with an objective to combat the bad economic situation and to undertake an annual average growth of 5.6%. The ninth plan (1997-2002) was to achieve the target of 6.5% growth of economy, whereas, the actual growth rate experienced by the Indian economy during this plan was 5.35%. India launched tenth plan (2002-2007) to achieve 8% economic growth rate. Besides this, to reduce the poverty by 5% and to achieve universal access to primary education by 2007 were the other significant objectives to be achieved during the course of this plan.

The 11th Five Year Plan was launched to accelerate the growth of economy

from 8% to 10%, to reduce educated unemployment to below 5%, to provide clean drinking water for all by 2009, to raise the real wage rate of unskilled workers by 20%. India launched the 12th Plan (2012-17) with an over-arching objective to achieve faster, sustainable and more inclusive growth. The main stress was to achieve inclusive and participatory growth apart from accelerating the economic growth rate. The plan is expected to encourage the development of agriculture, education, health and social welfare through government spending. The target of GDP growth is 9% to 9.5% range, increase in literacy rate to 100% and to achieve the target of increased expenditure on health from 1.3% to 2.0% of GDP. This plan promises a lot for rural development and growth. Although 65-70% people are residing in the rural areas but the rural infrastructure could not get the attention it deserves. This plan sets out the target to fill this gap through massive investments in the rural infrastructure. Pakistan was one of the most underdeveloped countries in the world. The partition of Indian sub-continent left Pakistan with a food and raw material surplus but virtually no industry-as India retained almost all of the industry. The West Pakistan produced the raw cotton, India had most of the textile mills, East Pakistan produced raw jute and India had the jute processing facilities.

4.1.3 EMERGING TRENDS IN ECONOMIC GROWTH

According to the South Asian Human Development Report (SAHDR) 2012, overall, the South Asian region has performed well on indicators such as economic growth, trade to GDP ratio, saving and investment rates, services sector growth, significant accumulation of foreign exchange, information technology and stock market development. South Asian economies generally continue to maintain their recovery momentum despite flagging growth in advance economies. Such resilient growth has led to declining poverty rates and notable progress in human development. It has made improvements in issue related to hunger and malnutrition, child mortality, as well as improving maternal health and providing safe drinking water and sanitation facilities. However, with economies growing unevenly, migration and urbanization happening at a fast rate, the pressures on the well being of the poor segments of these societies are gaining momentum. With the recent spur of high growth in the region, South Asian countries are getting bigger but without getting better. Key problem hindering effective economic mismanagement include, firstly, that the states are too big in unproductive

areas and too small in essential areas and are over extended in production and trade creating inefficiencies and wasteful expenditure. The government are also unable to enforce economic policies effectively. The performance of governments is weak in essential areas such as social service delivery and access, redistribution of resources, maintenance of macroeconomic stability and coordination of government policies across various sectors and levels. According to SAHDR-2012, the South Asia has been the fastest growing region since the 1990s, Investment as a percentage of GDP has been constantly increasing on the rise since the 1960s. The productivity in some part for the region (such as India and Pakistan) is at par with China, Thailand and Korea. However, the service delivery in both the education and health has remained weak. South Asia is spending less than Sub-Saharan Africa in both these areas.

Sri Lanka is rigorously pursuing the Development Policies Framework for the year 2010-2016 with the intent of raising the GDP growth and doubling per-capita income. But a well intended policy framework coupled with the government's minimum measures to reduce bureaucratic hurdles and improve the investment climate is challenge. However, Sri Lanka's growth process needs to be more inclusive so that people can demand a greater stake in the political process and in matters related to economic mismanagement of the country. Public spending priorities in education and health are low, while expenditure of defence and civil service is on rise.

The SAHDR-2015 titled Human Development in South Asia: Economy and the People, articulated that between 1980 and 2010, the South Asia has transformed its economic outlook from a region with modest growth rate to the fastest growing regions in the world. India has led growth momentum, followed by Bangladesh and Sri Lanka, while growth in Pakistan and Nepal has been volatile. Economic growth has taken place in all the sectors, however growth has been more robust in services sector. Consequent upon that the structure of economy has evolved over the past three decades (1980-2010) as services sector has replaced agriculture as the major contributor to economy and thereby to the national income. In India and Bangladesh, the industrial growth has witnessed robust growth although, it has not been geographically well distributed with some provinces, states and regions are doing well as compared to others.

A key driver of economic transformation in South Asia has been the internal and external liberalization of economy resulted into the growth of the private sector and financial sector. Savings and investments have increased, with the private sector accounting for major share of total investments. However, the growth of imports has outpaced the growth of exports resulted into massive trade deficit. Poor fiscal performance has been the major reason why the benefits of growth have not reached the people. The South Asian states have faced the massive budget deficits because of their inability to generate revenues and prioritise expenditures. Despite tax reforms, tax-to-GDP ratios have remained low, mainly because of larger scale exemptions and poor compliance. However, the positive side of the economic scenario in the South Asian region indicate that the share of direct taxes has increased in comparison to indirect taxes and fiscal responsibility & budgetary reforms have reduced expenditures during the last decade. The cut in expenditures has mainly been on the development expenditures especially on infrastructure development. Expenditure on defence and interest repayment still comprises a major of public expenditures and the financial health of South Asian states has been crippled with massive debt burden. However, it is vital for the South Asian States to maintain the momentum of economic growth but it is equally significant to improve the character of growth. Reforms should focus on improving the management of resources so that the benefits of economic growth are distributed fairly.

4.1.4 HUMAN DEVELOPMENT: A CONCEPTUAL FRAMEWORK

The idea of human development was articulated as a critique of development in the early 1990s when the United Nations Development Programme (UNDP) team led by a renowned economist Mahbub-ul-Haq examined that why the increasing economic growth rate and the per-capita income have not benefited the poor and underprivileged sections of the society. Due to the increase in economic growth rate and gross national income some sections of the society have prospered whereas, the majority of the population continue to suffer from poverty, unemployment, high inflation rate, unhygienic living conditions, poor quality of education and health condition. In spite of high growth rate, the number of people below poverty has been continuously increasing, illiteracy rate is quite high. The fundamental question examined by the

UNDP team that why high economic growth rate and increasing per-capita have not translated into improving the living conditions of people apart from reducing poverty and increasing employment & literacy. The critical question confronting the UNDP team was that are the high economic growth rate and increasing per-capita income sufficient yardsticks to measure development in a society? After having an overview of the economic scenario in the different developing countries from Asia, Africa and Latin America, the UNDP team found that increasing economic growth rate and per-capita income have not improved the well-being of the people. Hence the level of the development of a country cannot be measured merely by keeping in view its high economic growth rate and increasing per-capita income. Rather the UNDP team identified various other parameters in addition to aforesaid two parameters to measure development of a society. The new parameters identified the UNDP team fall in the social sector like education, health and social security in addition to human governance and human security. The UNDP team articulated alternative paradigm of development that is known as Human Development. There is two-way relationship between the economic growth and human development; economic growth generates resources to expand human capabilities which in turn foster future economic growth. This principle is often forgotten in the race towards economic growth. The countries that have incorporated this principle in their strategy of economic development have progressed- as evident in the development of Japan, South Korea, China and Thailand. These states have reinforced their economic success by expanding their people's capabilities and enlarging their opportunities.

According to SAHRD-2015, this two-way relationship is yet to be firmly established in South Asia. Over the past three decades reviewed in this report, South Asia has done remarkably well on the economic front. The Gross Domestic Product both in absolute terms as well as per capita, have increased. In fact, region's GDP is one of the highest in the world only behind East Asia and Pacific. The region has seen economic output (GDP) to increase 5.9 per cent annually between 1980 and 2010 expanding the region's global competitiveness in industrial and services sectors in particular. The high economic growth has resulted into increasing employment opportunities, reducing poverty and hunger, and improving health and education. South Asia's economic growth experience over the past three decades has been

characterized by three-fold increase in GDP and per capita income. Still there have been failures to use the resources generated by economic growth to enhance people's life. As result, poverty and hunger still in South Asia and access to education and health infrastructure is inefficient and inadequate. Severely handicapping South Asia's relationship between economic growth and human development is lack of cohesively engendered approach to development. However, South Asia's future progress depends on its ability to sustain economic growth while simultaneously focusing on accelerated the pace of human development. A people-centred approach, therefore, must be adapted whereby the development policies are more inclusive and empowering the communities. Notwithstanding, the South Asian region's economic progress since 1980s, the region's progress with regards to providing education for all has been a missing bag. While the primary and secondary enrolment rates have improved in the region still considerable disparities along the lines of wealth, gender, ethnicity and caste persist in the distribution of this progress. These disparities not only plague the issues of access but more importantly, the issues of quality and learning outcomes in education in the region.

4.1.5 HUMAN DEVELOPMENT SCENARIO IN SOUTH ASIA

The human development paradigm pioneered in the 1990s by Mahbub-ul-Haq calls upon enlarging people's choices, expanding their freedoms and enhancing their capabilities. Development is no longer limited to growing incomes or outputs in terms of gross domestic product but it is widened to include human dimensions such as empowering people with education, health and human governance. The South Asian Human Development Reports (SAHDR) of 1997 and 1998 documented the magnitude of human deprivation in South Asia.

The Crisis of Governance conceptualized the relationship between governance in country and its people. According to the SAHDR of 1999, the concept of governance has failed to match the radicalism on the notion of human development. It was appropriate to add to it the characteristic of humane governance to recognize the multidimensionality of human development. Mahbub-ul-Haq urged that poor governance is the fundamental reason for human deprivation in South Asia. He had discussed extensively about political corruption, economic mismanagement,

tax evasion, loan default, inefficiency of the public corporations, reform of the bureaucracy, lack of safety nets for poor and the concentration of wealth and power in the hands of the few elites. Despite a two-half decade of spectacular economic growth has failed to deliver good governance to the people of South Asia. Although, the South Asian region has recently undergone radical changes in the form of governance; as Nepal and Bhutan have moved from absolute monarchy to republic, democracy & federal system and absolute monarchy to constitutional monarchy & democracy respectively. Bangladesh has moved from praetorian rule to democracy since 1990; Pakistan from praetorian rule to democracy; Maldives from republican authoritarianism to democratic republicanism but the improvements are not sufficient to achieve the optimum level of human development in the region. The South Asian region has the largest concentration of poor people, with more than 500 million people (almost one third of its population) living on less than \$ 1.25 a day, With abject poverty, rising income inequalities and regional disparities remain issues of concern. Human deprivation is widespread in many parts of the region. According to the latest Human Development Index (HDI) data published, the South Asian region falls at bottom of the group of countries with medium human development. The region has shown slight progress in human development since 1998 but still it lags behind many other regions of the world. Further the gap between the region and the rest of the world does not seem to be reducing. The only region behind South Asia is Sub-Saharan Africa. It is obvious from the available data that the human development could not keep pace with the economic growth in the region. Most of the South Asian countries have also failed to enhance public allocations for education and health.

Sri Lanka has been an exceptional performer in the region with its HDI value leading the way consistently since 1980s. The way it has configured its way path to development is commendable and merit attention. A closer look at its poverty, health and education profile will elucidate the successes of Sri Lanka has already made and the challenges that lie ahead. Sri Lanka has been front runner on the road to the achievement of Millennial Development Goals (MDGs). Sri Lanka's education profile is highly commendable. The literacy rate for adult stands at 91 per cent whereas the youth literacy rate stands at 98 per cent. The net enrolment rate for both the boys and girls in primary education stands at 94 per cent and the Sri Lanka has

been early achiever of in education related MDGs. Public expenditure of education as a percentage of GDP stood at 2.1 per cent in 2009.

However, improvements in the social indicators of human development have been slow generally not on the ground of limited expenditure but also of low levels of efficiency in the delivery of social services. The quality of governance is critical to poverty reduction, for improvement in social indicators of human development and empowerment of people. Containing nearly one-fourth of humanity, the South Asia has enormous development potential. The region's recent record of governance and growth highlights how much faster the region could have grown if it had been able to tackle the governance problem.

Over the past two decades, South Asia has experienced strong economic growth - During 1991-2017, the GDP per capita of South Asia grew by around 5.5 times which is much faster than world GDP per capita growth (3.1 times) Bhutan has grown the fastest, followed by India, Whereas Pakistan has grown the slowest. As per the preliminary report of the Multi dimensional Poverty Index 2018, Afghanistan is the poorest country followed by Pakistan and the Maldives is the richest in the region followed by India. Overall, economically this region has progressed very well.

The last decade of the 20th century witnessed the emergence and popularity of the Human Development Index, as an alternative to compare difficult national indicators. As the Index analysis economic as well as social development, it has been recognised as a better tool to help formulate effective public policy through improving health and education infrastructure. Better health and education standards strengthen human competence and empower individuals to create their own choices.

The 2016 Human Development report focuses on how human development can be ensured for everyone now and in the future. It starts with an account of the achievements, challenges and hopes for human progress, envisioning where humanity wants to go. Its vision draws from the builds on the 2030 Agenda for sustainable development that the 193 member states of the United Nations endorsed last year and the 17 Sustainable Development Goals that the world has committed to achieve.

As universalism is the centrepiece of human development, human development must be and can be attained for everyone. The positive evidence is encouraging. By

2015 the world has achieved some of what seemed to be daunting challenges 25 years ago. Even though the global population increased by 2 billion from 5.3 billion in 1990 to 7.3 billion in 2015 more than 1 billion people escaped extreme poverty, 2.1 billion gained access to improved sanitation and more than 2.6 billion gained access to an improved source of drinking water.

The 21st Century has witnessed great progress in living standards, with an unprecedented number of people around the world making a great escape from hunger, disease and poverty - moving above minimum subsistence.

The HDI shows impressive improvements as average, reflecting dramatic improvement in achievements in achievements such as life expectancy at birth, driven largely by sharp declines in infant mortality rates. Still, many people have been left behind, and inequalities remain widespread across all capabilities.

3.1.6 Trends in Human Development in South Asia

The SAHDR-2007 has given ten year review regarding the human development scenario since the launch of first SAHDR in 1997. According to SAHDR-2007, only way to evaluate the impact of human development reports on the people's lives is to analyse the impact of the some of the most important economic and social indicators over the period of time. This report provides the achievement and short fall with regard to human development in the South Asian region with a special focus on the indicators of the economy and education. The human development paradigm has influenced every economic and social development policies and plans in the region. It is very rare to see a policy document that does not use as the base line indicators the indicators of education, health, women's empowerment or poverty reduction-a rare feat not seen before in development policies. Consequent upon these human centres policies and actions as well as the ongoing economic reforms programmes in the region. The South Asian region has witnessed progress in many areas. First, there has been a rapid increase in economic growth rate and per-capita income in the South Asian economies. Second, poverty has declined in most of the South Asian states; however the rural poverty is still a major issue in some of the states. Third, since the last one decade ranging from 1995-2005, the adult literacy rates have gone up in South Asia from 49 to 58 per cent; the net primary enrolment has gone up from 61 to 87 per cent; the dropout rate at primary level has come down from 43 to 14 per

cent; and the number of out of school children has come down from 50 million to 13 million. Fourth, infant and under-five mortality rates have come down significantly. Fifth, women's economic and political empowerment indicators have recorded higher values over the period. Both access to and enrolment of girls in primary and middle schools have increased rapidly in South Asia. However, these numbers tell the half truth because they give the regional averages. The progress achieved by individual countries, especially by regions and groups within each country differ significantly.

Despite unprecedented economic growth in South Asia leading to decline in poverty and a higher human development, the total number of people in poverty has still high, and health and education indicators are still area of concern. The benefits of economic growth have yet to be translated adequately into reduction in poverty and human deprivation. Despite some reduction in poverty rate, the share of South Asia in the total number of poor has increased significantly from 40 per cent in 1993 to 47 per cent in 2004. The rural poverty has increased in many South Asia states and income inequality is on rise. Economic growth has concentrated in the service sector in urban areas and has mostly benefited the urban middle class that is well equipped with education and skills. The contribution of service sector in terms of generating employment for the labour force has been very limited with the result that open unemployment rates in many South Asian states have registered a significant increase since last twenty years.

Despite improvement in education and the literacy rate, the region continues to be the most illiterate region in the world containing around 379 million illiterate adults- the highest absolute number in the world. Despite achieving remarkable performance in terms of reducing the total number of out of school children in the past, India and Pakistan, together contain the highest number of out-of-school children in the world. Health indicators of the most vulnerable group in South Asia- women and children have failed to show any significant improvement. The South Asian region continues to one of the most malnourished regions in the world. From 1995 to 2005, the total number of malnourished people in the region has gone up from 290 to 299 million. In terms of gender concerns, the share of female in the total illiterate population in South Asia has gone up from 62 per cent in 1995 to 68 per cent in 2004.

According to the SAHDR-2007, India has moved to higher GDP growth accompanied by macroeconomic stability. However, social exclusion based on income, caste, gender, geographical location, the prevailing agrarian crisis across many parts of the country: the persistence of poverty and unemployment; and generally the poor status of human development in some states represent challenges for Indian policy makers. Around 60 per cent of the population is still employed in the agriculture sector even though the contribution of this sector to GDP has declined markedly. Public expenditure in areas such as rural infrastructure critical for farmers has been seriously curtailed. The high economic growth in India has not been accompanied by a satisfactory rate of employment generation in India. In terms of achievement in human development, the poor quality of education and gender gaps in literacy that continue to persist in some of states remain a matter of concern. Child immunization indicators have actually deteriorated in some states. However, the governments in India have taken some commendable steps for the empowerment of poor such as Sarva Shiksha Abhiyan (SSA), Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) and National Rural Health Mission (NRHM) to ensure primary education, employment and health for the rural people. In terms of effective empowerment of people, the case of India can be viewed as success story. India has taken many strides towards reducing poverty and ensuring success to social services like education and health for its people, to empower them such that they can reap the benefits from growing economy.

The progress regarding human development in Pakistan has been unsatisfactory. Although, the average life expectancy has been stagnant between 1995 to 2005 while there has been modest decline in infant mortality. The adult literacy rate is still very low at 50 per cent. Currently, Pakistan spends 2.4 per cent of its GDP on health and education, a ratio that has gone down since 1995. The proportion of the undernourished has ballooned from 19 to 24 per cent of the total population of Pakistan. Bangladesh witnessed consistent economic growth and rapid human development since the 1990s attaining self-sufficiency in food grains. But high poverty levels, rising income inequality, widespread underemployment and inadequate social sector expenditures pose serious challenges to the achievement of the country's socio-economic goals. Despite some initiatives taken by the government, the state of education in Pakistan

remained dismal. Inadequate resource allocation, low enrolment, high dropout rate, gender disparity and low educational standards at every level of the education system are some of the key challenges. However, Pakistan has been able to reduce the out of school children from 10 million in 1995 to 6.5 million in 2005 but still it has the second highest number of out of school children in the world. The quality of school education that is imparted is low mainly due to the shortage of teachers and their low competency level. During the last couple of years, the government of Pakistan has taken key initiatives in the education sector that include the Education Sector Reforms (ESR), the employment of contract teachers, National Education Assessment System (NEAS) and National Text Book Policy. However, despite these policies, it is highly unlikely that Pakistan will be able to achieve the Universal Primary Completion (UPC) and the education related Millennium Development Goals (MDGs) by the end of 2015.

Although, Bangladesh made substantial progress in economic growth and human development but still it has been facing huge challenges in area of human development. Bangladesh has a long way to go even if the Millennium Development Goals are achieved. Total public expenditure on education and health has gone up as a share of GDP but still it is less than 2 per cent on education and around 1 per cent on health. The number of primary level institutions in Bangladesh has grown almost 30 per cent in the decade since 1995 with an improvement of 15 percentage point in gross enrolment. The major problems of education system in Bangladesh are attributed directly or indirectly to governance and the management of the system. The centralized structure of management of both government and government assisted institutions has not changed over the years in spite of the rhetoric about decentralization.

4.1.7 GOVERNANCE & HUMAN DEVELOPMENT

Governance is for people to serve people, to empower them to be accountable to them. These are the basic principles of representative democracy which almost all the South Asian states are having at this moment. Hence there is convergence between the agenda of human development and governance because the humane governance promotes human development, whereas latter reinforces the former. However, these

principles are often forgotten in the race of economic growth but such type of growth has not resulted into human development. According to the SAHDR-2012, the governance in this case has become handmaiden for economic growth only-rules, regulations, laws, policies and actions are all framed so that growth can take place, trade can be accelerated and profit can be maximized. The people especially poor and marginalized are not factored into this equation. A certain percentage of people benefit from this process-and they benefit enormously but others depend on trickle-down effect. However, recently, when global recession is hurting trade and investment, lowering gross domestic product growth-the countries have started looking inwards to domestic markets, domestic consumers and to employment generation at home. So people are again started to be factored into the growth policies. The question remains however are the poor entering into the equation as an important determinant of policy choices. This report further argued that the human development philosophy goes beyond trickle-down effect to make people the main beneficiary of growth, not only in monetary terms but also in human terms; people are to be so empowered as to be their own agency. The human development paradigm places man and women particularly poor and vulnerable at the centre of development process where the ultimate aim of development is to build human capabilities, to enhance human choices and to create an environment where people can live life with dignity and equality.

All of these cannot be achieved by economic growth only. Development should no longer be limited to growing incomes or outputs in terms of GDP, but should be widened to include human dimension of development, such as empowering people through education, health and good governance. The lack of effective governance has emerged as one of the most fundamental human development challenges in South Asia. The SAHDR-1999 argued that since the concept of governance had so far failed to match the radicalism of the notion of human development, it was appropriate to add to it the components of humane governance to address the multi-dimensionality of human development. The report addressed an issue that touched the core of all South Asian problems: poor governance. That report underscored how South Asian governments were “high on governing and low on serving; parliamentarians elected by the poor but aiding the rich; and societies asserting the rights of some people while perpetuating exclusion of others”. The report called upon policy makers to improve governance, particularly for enhancing human development.

However, despite numerous programmes and policies of reforms and reorganizations, the governance in most countries has failed to address adequately such issue of reducing poverty, ensuring quality of access to public services, providing security and safety to all citizens and implementing policies framed by many committed professionals to empower the ordinary citizens of this region. In every South Asian country, bureaucracies have become increasingly politicized and the quality of administration has deteriorated. Transparency in governance has remained poor and accountability weak. Human development in South Asian region needs humane governance. The concept of governance is broadened and redefined to go beyond mere political governance and good economic management. Humane governance must lead to broad based economic growth and social development as a means to empower people. In recent years, the South Asia has shown much progress towards economic growth, poverty alleviation and human development. However, how many challenges remain, from the millions who remain outside the formal structure of political and economic governance, to the challenges of poverty, inequality and social exclusion, to urban slums and environmental degradation.

While economic governance in most of South Asia has served to make these economies bigger, it has failed to make them better. The weak performance of economic institutions and economic policies in the region in essential areas such as maintenance of macroeconomic stability, control of inflation, prioritizing of social services for the poor are the main reasons behind economic the failure of economic governance to expand opportunities for the vast majority of people of South Asia. The lack of progress is more evident when analysed through a gender lens- gender inequalities to place women from poor and marginalized groups at great disadvantage than the rest of population. The costs of poor economic governance are high in terms of its implications for equity, poverty and quality of life. Enhancing economic opportunities for the poor could start with, but not be limited to, shifting public expenditure away from wasteful expenditure of the state machinery to key priority areas like education, health, environment and infrastructure, sound fiscal and monetary policies, especially towards increasing direct taxes and reducing indirect taxes, and curbing inflation; and employment creation at the rural, agriculture and semi-urban areas.

The main objective of SAHDR-2015 is to assess the impact of economic policies on the social development in South Asia over the last three decades- 1980

to 2010. According to this report, the trends in the human development indicators in the region shows much progress compared to the initial conditions. The average life expectancy in South Asia has gone up from 55 years in 1980 to 66 years in 2010. Adult literacy went up from 39 per cent in 1980 to 61 per cent in 2011. Infant Mortality rate went down from 117 per 1000 live births in 1980 to 48 in 2010. The real per-capita GDP went up from \$295 in 1980 to \$940 in 2010. The Human Development Index of South Asia has improved from 0.365 in 1980 to 0.562 in 2010. In 1990, Sri Lanka was among the ‘medium human development’ countries, Bangladesh, India, Pakistan and Nepal were among the ‘low human development’ countries in the world. By 2010, Sri Lanka, Maldives, India and Pakistan were among the ‘medium human development’ countries. However, in comparison to initial conditions, much progress has made regarding the human development in South Asia but still colossal human deprivation pervades in the region. In South Asia the women suffered from the human deprivation more as compared to their male counterparts. In 2010, of the total number of illiterate people, 64 per cent were women, and of the total number of out of school children 52 per cent were girls. Women do not legal equality with men in ant South Asia state in spite the constitutional guarantees in each state.

4.1.8 LET US SUM UP

After having an overview of the scenario regarding economic development, it can be inferred that the South Asian states have made considerable progress in the Post-Colonial period-as they have registered three-fold increase in their rate of economic growth apart from increasing per-capita income. South Asian states have also been diversifying their agricultural economies through the process of industrialization and generating employment avenues in the manufacturing sectors. Further they have succeeded in reducing the share of agriculture sector in their GDP besides modernizing their agriculture to ensure their food security. Services sector has also come up as a territory sector of their economies that resulted into employment generation opportunities for the South Asian societies. They have also modernized and improved their physical infrastructure for further fuelling the rate of economic growth. The state had been the engine of economic growth till 1990 in all the South Asian states irrespective their model and strategy of economic development. From 1990 onwards, they have laid more emphasis on the market instead of state for their economic development. Even with this market driven strategy, they continued

to accelerate their economic growth notwithstanding its social and environmental implications.

In addition to increase in growth rate and per-capita income, South Asian States have also improved certain indicators on the count human development in their respective societies. Literacy rate has improved besides increasing life expectancy in the South Asian region. Health indicators like infant and adult mortality rates have also come down in the South Asian states. South Asian states have also successfully conducted campaign for universal immunization regarding polio and measles. Notwithstanding these improvements, the South Asian states still are lacking on the count of human development indicators. Human deprivation is widespread in this region because the South Asian states have progressed very slowly on the health, literacy and social security indicators. South Asia people are still suffering from the diseases that are otherwise preventable like polio, malaria, tuberculosis and various other health hazards. Besides this the South Asia is having 15 per cent of HIV affected people which is a serious threat to human development. However, the economic development has transformed the lives of some people but it has not transformed the lives of all the South Asians. South Asian states need to invest substantive resources to get rid of human deprivation and to attain human development.

4.1.9 EXERCISE

1. Critically analyse economic development in South Asian states in early post-colonial period.
2. What are the emerging economic trends in South Asian states in the post-liberalisation period?
3. Conceptualize human development.
4. Critically analyse human development in South Asian states.
5. Despite the high economic growth, South Asia is highest poverty concentrated region of the world. Comment.
6. How governance is important in achieving human development.

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M.A. Political Science, Semester III, Course No. 303, Politics in South Asia

Unit – IV: Separatism, Human Rights, Civil Society and Gender

4.2 HUMAN RIGHTS : TRENDS AND CHALLENGES

- Suneel Kumar

STRUCTURE

4.2.0 Objectives

4.2.1 Introduction

4.2.2 Constitutional and Institutional Framework on Human Rights

4.2.3 Human Rights Scenario

4.2.4 Casteism and Human Rights

4.2.5 Women and Human Rights

4.2.6 Minorities and Human Rights

4.2.7 State Forces and Human Rights

4.2.8 NGOs and Human Rights in South Asia

4.2.9 Let us Sum Up

4.2.10 Exercise

4.2.0 OBJECTIVES

After going through this lesson, you will be able to understand:

- The constitutional and other institutional guarantees incorporated in the states of South Asia with regard to human rights;

- The prevailing human rights scenario in South Asian region;
- The issues related to human rights with regard to caste discrimination, women, and minorities;
- How the state forces protecting or violating human rights;
- The role of NGOs in preserving the human rights in the South Asian states.

4.2.1 INTRODUCTION

The subject of human rights has attained a significant place in the existing liberal and democratic world. In common parlance, human rights are considered as to be those fundamental rights of an individual which are indispensable for a life with dignity. The United Nations also considers human rights as “...those activities, conditions, and freedoms that all human beings are entitled to enjoy, by virtue of their humanity.” It is accepted that all the human beings are equally entitled to human rights without discrimination on the basis of nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. These are interrelated, interdependent, indivisible and inalienable. Human rights can not be taken away, except in extra-ordinary situations and according to due process. At international level, these rights have been expressed and guaranteed by international law, in the forms of conventions, treaties, protocols, customs and other sources of international law. The principle of universality of human rights was first emphasized in the Universal Declaration on Human Rights in 1948. Later, it was reiterated in numerous international human rights conventions, treaties, declarations, resolutions and conferences. The Vienna World Conference on Human Rights (1993) had concluded that regardless of their political, economic and cultural systems, it is the duty of states to promote and protect all human rights. Since the human rights are inherent, inalienable, interdependent, and indivisible, the South Asian countries have also accepted and owned the UN Declaration on Human Rights while making it their constitutional commitment. In fact, the Constitutions of India, Pakistan, Sri Lanka, Bangladesh, all of which post-date the Universal Declaration, elevated these to “fundamental rights”. This was a unique incorporation of human rights in the supreme law of the land. However, despite the constitutional safeguards, human rights scenario of the region indicates that causes related to human rights abuses have

become a routine characteristic of the South Asian states. Although state institutions are trying to improve the human rights situation, various state and non-state actors are blamed to be indulged in the human rights violations. Hence, this lesson discusses the Constitutional framework of human rights in the South Asian countries and to what extent this framework has been implemented in practical sense.

4.2.2 CONSTITUTIONAL AND INSTITUTIONAL FRAMEWORK ON HUMAN RIGHTS

At present, all the South Asian countries have democratic political systems and, in principle, are governed by the respective constitutions. These countries have written constitutions. These countries are hosting over one-fourth of the world population. The region is home to some of the world's most ancient civilizations, cultures, religions and languages. Countries of the region are bound by historical ties with vivid exchanges among its populations. These countries have multi-religious, multi-ethnic and multi-lingual populations. According to one estimate, more than 2,000 ethnic and tribal communities are living in the region. Hence to provide the stability to the political system and accommodate the interests and rights of the all communities and populations, these countries incorporated the provisions of fundamental rights in the constitutions.

Part-III of the Indian Constitution deals with the fundamental rights. From Article-12 to 35, it guarantees civil liberties and individual rights such as equality before law, freedom of speech and expression, and right to assembly, freedom to practice religion, and the right to constitutional remedies for the protection of civil rights by means of writs such as habeas corpus. Fundamental rights have also been aimed at overturning the social, economic and political inequalities. Specifically, these rights have also been used to abolish untouchability and thus prohibit discrimination on the grounds of religion, race, caste, sex, or place of birth. They also forbid trafficking of human beings and forced labour. They also protect cultural and educational rights of ethnic and religious minorities by allowing them to preserve their languages and also establish and administer their own education institutions. These rights have been given to all citizens irrespective of race, place of birth, religion, caste or gender. Aliens are also considered in matters like equality before law. Violation of these rights result

in punishments as prescribed in the Indian Penal Code or other special laws, subject to discretion of the judiciary. These rights are enforceable by the courts, subject to certain restrictions. Moreover, the Indian state has established National Commission for Human Rights, National Commission for Minorities, National Commission for Women and National Commission for Scheduled Castes and Scheduled Tribes to monitor the human rights situation in the country and also to take the required steps to improve the same.

Like the Indian constitution, the Constitution of Pakistan has also made the provision of fundamental rights. An extensive framework has been made in the form of Part-II titled “Fundamental Rights and Principles of Policy”, Chapter-1: Fundamental Rights from article-8 to 28 regarding these rights in the Constitution. Constitution provides various rights including freedom of speech, freedom of thought, freedom of information, freedom of movement, freedom of religion, freedom of association, freedom of the press, freedom of assembly and the conditional right to bear arms. There is a provision for an independent Supreme Court, separation of executive and judiciary, an independent judiciary and independent Human Rights commission.

The Constitution of Bangladesh is an important tool for the protection and promotion of human rights in the country. It enables country to translate international agreements into domestic law. It obliges all branches of government to respect and ensure the rights it enunciates. Inspired by the UN Declaration of Human Rights (1948), Bangladesh in its Constitution, adopted on 4th November, 1972, has also enumerated some basic civil and political rights common to most liberal democracies. This also covers the rights to constitutional remedies for the protection of these rights. Part-II of the Constitution deals with the fundamental rights. It prohibits discrimination on the grounds of religion, race, sex, color place of birth and forbid trafficking human being and forced labor. Article 9, 10, and 11 of the Constitution declares the rights of the people. Moreover, specific guidelines for quotas for the underrepresented communities, women, and peasants, have been mentioned in the Bangladeshi Constitution.

Chapter-III of the Constitution of Sri Lanka also enumerates the fundamental rights guaranteed by the constitution. Article-10 to 17 provides the details the various

rights and freedoms such as freedom of thought, conscience and religion, freedom from torture, right to equality, freedom from arbitrary arrest, detention and punishment, and prohibition of retroactive penal legislation and freedom of speech, assembly, association, occupation and movement. Therefore, Article-17 of Chapter-III provided for specific remedies entitled to by the people of Sri Lanka whose fundamental rights are infringed.

The Constitution of Nepal (2015) has also incorporated a long list of human rights entrenched as “fundamental rights’. As these human rights are guaranteed constitutionally, they are not unduly violated even by the state through any act of its own or alienated through any legislation. The Constitution has encoded fundamental/human rights in its part-3 from Article 16-48. These rights include right to freedom, right to equality, right against approachability and racial discrimination, rights regarding publication, broadcasting and press, rights regarding environment and health, right to education and cultural rights, rights regarding employment and social security, right to property, rights of women, right to social justice, rights of children, right to religion, rights regarding justice, right against preventive detention, right against torture, right to information, right to privacy, right against exploitation, right related to labour, right against exile, and right to constitutional remedy. The state has been authorized to make special provisions by law for the protection and empowerment of marginalized sections of the society such as women, dalit, indigenous ethnic communities, Madhesi or farmers, labourers, backward communities, children, the aged, or the disabled persons.

Bhutan has transformed from an absolute monarchy to a democratic constitutional monarchy. It enacted its Constitution on 18th July 2008. This Constitution is based on Buddhist philosophy. This was prepared keeping in view various international conventions on human rights and after the comparative analysis of other modern constitutions, public opinion and existing laws. The Constitutional Committee was particularly impressed by South African Constitution due to its strong protection of human rights. Hence, Bhutan’s Constitution also includes various provision related to human rights. Article-7 of the Constitution deals with the Fundamental Rights such as the right to life, liberty and security of person, right to freedom of speech, opinion and expression, right to information, the right to freedom

of thought, conscience and religion, freedom of the press, radio and television and other forms of dissemination of information, including electronic. All persons are considered equal before the law. They cannot be discriminated against on the grounds of race, sex, language, religion, politics or other status. They are entitled to equal and effective protection of the law. All persons in Bhutan have the right to initiate appropriate proceedings in the Supreme Court or High Court for the enforcement of the rights conferred by the Constitution.

Maldives also provides various fundamental rights to its people in the Chapter-II, from article-16 to 69 of the Constitution. Its Constitution guarantees the basic rights and freedoms including, right to life, freedom of the assembly, of media and of association, are guaranteed as fundamental rights. Freedom of expression is guaranteed so long as such expression is not contrary to any tenet of Islam. Apart from Maldives, Afghanistan has also provided constitutional safeguards for the human rights. The current Afghan constitution, which was approved in 2004 after the Loya Jirga of 2003, has incorporated such provisions in the Chapter-2, from Article-22 to 59. People have been guaranteed the right to life and liberty, to privacy, of peaceful assembly, from torture and of expression and speech. If accused of a crime, people have the right to be informed of the charges, to representation by an advocate, and to presumption of innocence. There is a constitutional provision for the establishment of the Independent Human Rights Commission of Afghanistan to monitor the human rights situation in Afghanistan. People can complain about the violation of personal human rights to this Commission. The Commission refers human rights violations of individuals to legal authorities and assists them in defence of their rights.

In brief, it can be said that South Asian countries have agreed, in principle, to guarantee certain rights within their own territories and thus, made enough provisions related to the promotion and protection of the human rights in their respective constitutions. Besides, these countries have shown their commitment, at various international forums, to promote and protect human rights. Moreover, these countries have also signed different international human rights treaties and protocols. Significant documents related to human rights ratified by the South Asian countries are as under:-

- Convention Against Torture and Other Cruel, Inhumane, or Degrading Treatment or Punishment
- Convention on Elimination of All Forms of Discrimination Against Women(Except Maldives)
- Convention on the Rights of the Child
- International Convention on Elimination of All Forms of Racial Discrimination
- International Covenant on Economic, Social and Cultural Rights
- International Covenant on Civil and Political Rights

Apart from this, governments have now recognized human rights as an integral area for cooperation. The South Asian Association for Regional Cooperation (SAARC), the primary inter-governmental body in South Asia. It has taken on some initiatives to improve the human rights situation in the region. The SAARC has adopted instruments on protection of women, children, food security, combating terrorism, climate change and democracy. This reflects that this regional organization is has started to work for human rights promotion in the South Asian region. Through, SAARC, South Asian governments are also thinking towards the establishment of a South Asia Human Rights Mechanism.

4.2.3 HUMAN RIGHTS SCENARIO

South Asian region is improving rapidly on the on front of economic development. Countries have provided constitutional safeguards against the human rights violations. But despite these great strides in economic progress and constitutional safeguards, the region continues to grapple with grave human rights violations. The region is considered as one of the top regions in the world hosting massive human rights violations. Poverty, terrorism, extremism, corruption and deficiencies in democratic institutions are a serious setback for the region. Women, children and minorities continue to be marginalized and require greater standards of protection as they are constantly victims of human rights infringements. Various international human rights agencies and other institutions such as Amnesty International, Human Rights Watch, World Bank and United Nations and its specialized agencies such as International Labour Organizations (ILO) and World Health Organization (WHO) have highlighted

the cases of human rights infringements in South Asia. These agencies have alleged both, states and non-state actors, for indulging in the human rights violations in the region.

4.2.4 Casteism and Human Rights

Caste discrimination has emerged as one of the most serious human rights issues in the contemporary world. According to European Union (2009), more than 260 million people are victims of caste-related discrimination at global level. The majority of these victims reside in South Asia. Since the caste system is a rigid hierarchical social system people of low castes are facing discrimination influencing all spheres of life and violating a cross-section of basic human rights including civil, political, social, economic and cultural rights. Caste-based discrimination entails social and economic exclusion, segregation in housing, denial and restrictions of access to public and private services and employment, and enforcement of certain types of jobs on people of low castes which promotes slavery and bonded labour. Caste discrimination is a de facto denial of equality before the law. It has been observed that in South Asian countries, there is a lack of protection of caste-affected people against violent attacks and other crimes. Caste-based discrimination is not only a serious violation of human rights but also a major hindrance to achieving development goals. Victims of caste discrimination are routinely denied access to water, schools, health services, land, markets and employment. People of low caste are generally much poorer than the average population as their rights are not protected and respected. The violations continue unabashedly. Practice of untouchability exists in these states. Denial of or restricted access to water, temples, public offices, health services and cremation grounds are among the most common practices enforced on people of low castes. Discriminatory treatment in schools, educational institutions, and restaurants are likewise common. Social interaction at religious festivals and weddings is also limited for these people. They are often expected to perform ritual functions in services of upper castes such as washing, drum beating and skinning of animals. People of lower castes are subjected to violent attacks, murder, harassment, burning of villages, and other forms of atrocities on a daily and sometimes systematic basis. Impunity for the perpetrators of crimes against caste-affected groups permeates the justice and

law enforcement systems in all caste-affected countries. European Union (2009) in its report “Caste-Based Discrimination in South Asia” has observed that causes related to this sort of human rights violations are often not reported, investigated or prosecuted properly by the states. Policemen, lawyers and judges often belong to dominant castes are unwilling to investigate, prosecute and hear cases of crimes against the people of low castes. Although in India due to the affirmative actions of the state, scheduled castes have secured some influence in education, political office and public employment yet it does not automatically lead to equal access and treatment at the work places. Alone the Sindh Province of Pakistan has about 1.7 million bonded labourers. The overwhelming majority of them belong to lower castes. In India, Dalit assertion and a gradual and relative economic foothold in some regions is a cause of conflict and retaliation by dominant castes.

4.2.5 WOMEN AND HUMAN RIGHTS

Since the South Asia societies are patriarchal in nature, women are also victims of human rights abuses. Violence is an inescapable reality of women’s lives. According to Mona Mehta (2004), the social customs and attitudes support violence against them in home, family, community, society, and the state. It has been observed that one in every two women in South Asia is the directly sufferer to violence domestically. The persistent culture of gender-based violence in South Asia has eroded women’s fundamental rights to life, health, security, bodily integrity, political participation, food, work, and shelter. It has severely limited their choices in practically all spheres of life. Their participation in the political and economic sectors is insignificant. Facts reveal that girls and women in South Asia die prematurely through neglect and violence. Vulnerability and disadvantageous position of women in South Asia has been observed by the United Nations Development Programme (UNDP) and World Bank in their respective studies. At least 56 per cent of women of the region are illiterate. Moreover, one third of all maternal deaths in the world occur in the South Asian countries. State interventions to protect women through effective implementation of legislation have been consistently impaired by the lack of support from dominant interests within the society. According to Aditya Pandey (2005), eighty per cent women in Pakistan face violence within their homes. Honour killing

and rape have become a common phenomenon in India and Pakistan. According to different reports, every six hours, somewhere in India, a young married woman is burned alive, beaten to death, or driven to commit suicide. Besides, as Mona Mehta writes more than 15,000 women become victims of dowry-related violence annually. In Bangladesh, 47 per cent of women experience some physical violence at the hands of their intimate partners. Besides, more than 10 women are suffered from an acid attack weekly. Moreover, as studies reveal, 32 per cent of women working outside their homes experience disruption of their work due to incidents of domestic violence. Violence against women is on the increase in Sri Lanka. In Sri Lanka, 60 per cent of women suffer domestic violence in Sri Lanka. There is a large scale of -trafficking of women and girls from Nepal. According to one estimate at least 5,000 to 7,000 Nepali women and girls are trafficked to act as sex workers annually. According to Human Rights Watch, approximately 200,000 Nepali women and girls are working in the sex industry in India. Incidences of rape, forced marriage, abductions and assaults are a common trend in Afghan society. Social position of the women of lower castes makes them vulnerable to a number of human rights violations such as physical and verbal abuse, forced labour and slavery, trafficking, abduction, naked parading, and sexual violence including rape and gang rape. Women of low castes are also subjected to discrimination based on specific social customs and religious practices such as the devadasi, jogini and Badi systems of forced prostitution. In the last few years states have tried to improve the status of women by providing them educational and economic opportunities. States are also trying to enhance their representation and participation in the political and decision making institutions. To protect them from diverse type of violence, various laws are being enacted at different levels. For example Indian Government has formulated Protection of Women from Domestic Violence Act 2005.

4.2.6 MINORITIES AND HUMAN RIGHTS

Despite the constitutional safeguards, cases related to the infringement of the minority rights have also become a matter of serious concern. In the last two decades, as K.N. Pannikar (2005) observes, the fundamentalist forces have succeeded to gain access to state power in the different South Asian countries. These forces are not only

influencing the government to bring about a social and political climate inimical to the linguistic, ethnic and religious, minorities, but are themselves targeting the members of minority community. The partition of the subcontinent had created a sense of insecurity among the minorities and jeopardized the social peace. Now the impetus acquired by fundamentalism has worsened the situation. Minorities in South Asia are victims of, and have, a sense of real and perceived, discrimination and deprivation which is undermining tradition of living together, even if with differences. It has been observed that minorities are relatively poor in the South Asian countries. Their share in the government employment, does not match their numerical strength. Noted scholar K. N. Pannikar has argued that representation of Muslims in government administration is abysmally low in India. In Pakistan, discrimination against non-Muslims especially, Hindus and Sikhs is quite apparent. For instance, non-Muslims have rarely risen above the rank of a colonel in Army. They are even not assigned to sensitive positions. They do not receive similar treatment in the civil services. Ahmadiya Community is also facing violent attacks from the state and non-state actors.

Although the minorities are constitutionally entitled to equal rights, yet in practice the situation is altogether different. It has been observed that laws enacted for the prevention of terrorism in India has been extensively misused against the minority communities. It has been noticed that the majority of arrested and jailed persons under the Terrorist and Disruptive Activities (Preventive) Act (TADA), 1985 and Prevention of Terrorism Act (POTA), 2001 belonged to minorities. In Gujarat those arrested under POTA are almost entirely drawn from the Muslim community. They have been kept in jail without trial and subjected to inhuman treatment and severe torture. The reports regarding the misused of Armed Forces Special Powers Act (AFSPA) in Jammu and Kashmir, Manipur and Nagaland against the minorities have also been highlighted in media. Attacks by some of the Hindu fundamental organizations against the Christian community have also been recorded in the country. Infact in India, religious minorities such as the Sikhs, Muslims and Christians have been the targets of attack by the members of the majority community. In 1984, after the assassination of Indira Gandhi, thousands of the Sikhs were killed and their property was plundered all over the country. The same thing has happened in case

of the Muslims during the Gujarat riots of 2002. There are allegations of overt and covert support of the government in these riots organized against the minorities.

Pakistan and Bangladesh have adopted Islam as state religion and placed the minorities in a disadvantageous position. In Pakistan, for instance, franchise rights are limited for the minorities. The democratic rights of non-Muslims are thus severely restricted. The minorities have been protesting against this discrimination and restriction. The Pakistan government has enacted a series of laws which are particularly repressive for the minorities. For instance, the Blasphemy law enacted in Pakistan in 1986 which provides for punishing those who offend the Koran with life in prison and death penalty for those who insult the Prophet. Since its enactment, dozens of Christians have been killed for having slandered Islam. In Bangladesh, minorities are facing an anarchic situation due to the nexus of government and fundamentalist forces. Violence against the minorities ranged from burning alive to death, gang rape of children and elderly women, attack on temples, churches and orphanages, looting, unlawful and forced land grabbing and eviction and forced conversion to Islam. Human rights abuses against the minorities in many of cases are forcing the members of minority communities to migrate for safe places even through using illegal methods. The Christian, Muslim and Tamil minorities in Sri Lanka have been the targets of physical intimidation and attack. The Nepalese-speaking people of Bhutan have suffered under the monarchy's state policy of ethnic cleansing. They have been compelled to leave Bhutan and take shelter in countries such as India and Nepal. According to one estimate, more than 90,000 Bhutanese refugees have fled to Nepal. Hence, in case of the minorities, the state has not been the best guarantee of minority rights in South Asia. The rights of the minorities in the field of education, employment, religious and cultural freedom cannot be protected without the active support of the state. If the state becomes indifferent or hostile, the minorities can neither survive nor progress.

4.2.7 STATE FORCES AND HUMAN RIGHTS

South Asia countries are facing various separatist and secessionist movements which are threatening the territorial integrity of these countries. As Swati Mehta observes, to suppress these separatist movements, states have enacted various laws giving special

powers to their police, para-military forces and army. As a result of this, state forces have also been involved in the human rights violations. Cases of torture, disappearances and extra-judicial killings are a common thing in the South Asian polities. In India, thousands of persons from the minority Sikh community had been tortured and disappeared and were believed illegally cremated as part of a brutal police crackdown to nullify the separatist movement. Human Rights Watch has also highlighted the cases of disappearances and extrajudicial killings in Jammu and Kashmir. In Sri Lanka during the period of 1988-90, at least 27,200 cases of disappearances were recorded. After that till the end of civil war in 2009, numerous cases of torture and disappearances at the hands of the security forces or by paramilitary forces of the Sri Lankan state have recorded. Atrocities of the state forces in the Pakistan, especially in the areas of Sindh, Baluchistan and Gilgit-Baltistan have been highlighted by the international media.

Even in the ordinary circumstances, the excessive use of force by the police while dealing with public protests and demonstrations is routine in the South Asian Countries. This has often results in deaths. In many countries, state forces enjoy protection from prosecution under ordinary law. In India, Pakistan and Bangladesh, police officials cannot be prosecuted without prior permission from the relevant government for acts done in the course of performing their duties. It is usually very difficult to obtain this permission. Moreover, as discussed earlier, all South Asian states (except Maldives) have special laws that explicitly grant immunity from prosecution to the police and other security force personnel in particular situations. Besides, according to Swati Mehta, many countries in the region have resorted to passing laws retrospectively that indemnify acts committed by security forces. Sri Lanka has passed laws indemnifying the police or other security forces for any act done in good faith to restore law and order between August 1977 and December 1988. The Bangladesh passed the Joint Drive Indemnity Act in 2003. This Act indemnified the police for arrests, searches, interrogation and other steps taken during the period between 16 October 2002 and 9 January 2003. This was in the context of a joint operation of military and police called the Operation Clean Heart in which the joint forces were directed to curb rising crime in the capital city of Dhaka. In this three-month operation, more than 10,000 people were arrested and about 40 people died after soldiers detained them.

As the cases of human rights violations by the security forces have been highlighted and South Asian states have had to face the criticism at international level, these states have taken various steps to improve their record in this context. States are creating the awareness among the police and armed forces about the respect of human rights of the people. Various courses are being offered to them along with the organization of lectures, seminars, conferences and workshops on human rights for them. Moreover, human rights commission are also taking the serious note of human rights violations and thus taking the required preventive measures related to the human rights infringements.

4.2.8 NGOS AND HUMAN RIGHTS IN SOUTH ASIA

In South Asian countries, various human rights organizations are also working hard to improve the living situation of their respective peoples. For example in India, NGOs such as The Other Media, South Asian Human Rights Documentation Centre, and Yuva (Youth) are doing work in this field. In Pakistan, NGOs like the Commission for Justice and Peace and the Pakistan Human Rights Commission are doing the same thing. In Nepal, the Informal Sector Service Centre, the Centre for the Victims of Torture and the Human Rights Organization of Nepal are creating the awareness in the context of human rights while in Bangladesh, the Bangladesh Human Rights Commission can be seen active for the same purpose. NGOs like Asia Pacific Women, Law, and Development in Sri Lanka and the Law and Society Trust are the human rights related issues in Sri Lanka. The Human Rights Organization of Bhutan and All Bhutanese Women Refugee Women's Association are the two important NGOs in Bhutan. Activities of the NGOs in the South Asian region has resulted into the creation of the South Asian Forum for Human Rights (SAFHR). The SAFHR circulates newsletter describing the human rights situation in the region and organizes different training programmes for the human right activists. Long-term goal of the SAFHR is to establish a South Asian Charter for Human Rights that can be comparable in structure and purpose to the Charter of the OAS and the European Convention.

4.2.9 LET US SUM UP

To conclude, it can be argued that South Asian countries have provided various safeguards for the protection and promotion of human rights in their territories. These safeguards are the part of supreme law of the land. To monitor the human rights situation these countries, respective governments have established human rights commissions and have also ratified the various international conventions, treaties and agreements related to human rights. Despite the existence of a constitutional and institutional framework for the protection of human rights, cases of human rights infringements has not disappeared from the region. The most significant human rights problems is seen at the hands of police and security force abuses including extrajudicial killings, torture, and rape. Besides, marginalized sections of the society for example, women, people of lower castes and minorities have observed as the most vulnerable groups. Although states are trying to improve their human rights record, its institutional capability, nature of the society and lack of resources and corruption are proving a major hurdle in this way.

4.2.10 EXERCISE

1. Discuss the Constitutional framework of human rights in the South Asian countries and to what extent this framework has been implemented in practical sense.
2. “As a result of the constitutional safeguards against the violation of Human Rights, the scenario of Human Rights is improving in various countries of South Asia”. Discuss such changing scenario with special reference to Caste and Women in South Asian region
3. In the light of the statement “The state has not been the best guarantee of minority rights in South Asia”, discuss the provision and protection of Human Rights for minorities across South Asian Countries discussed.
4. Analyze how and why state forces are also getting involved in the human rights violations.
5. Briefly discuss the role of non-governmental organizations in creating awareness about Human Rights in South Asia.

M.A. Political Science, Semester III, Course No. 303, Politics in South Asia

Unit – IV: Separatism, Human Rights, Civil Society and Gender

4.3 WOMEN PARTICIPATION IN THE POLITICS OF SOUTH ASIAN STATES

- Mamta Sharma

Structure

4.3.0 Objectives

4.3.1 Introduction

4.3.2 The Need for Political Participation of women

4.3.3 Political Participation of Women in South Asian States

4.3.3.1 Factors Responsible for low level of Political Participation of Women

4.3.4 Measures to Improve Women’s Political Participation

4.3.5 Let Us Sum Up

4.3.6 Exercise

4.3.0 OBJECTIVES

After going through this lesson, you will be able to understand:

- The need of political participation of women in the governance process
- Status of women in politics in various South Asian States
- Measures to improve women’s political participation

4.3.1 INTRODUCTION

The participation of both men and women is the basis of good governance. Participation can be either direct or through legitimate intermediate institutions.

While greater representation of women has been ensured through an indirect party-list system of proportional representation in Pakistan, efforts to bring gender balance to the representative system in the Indian national assembly have yet to succeed. Nepal achieved a 33 per cent representation of women in its election to a Constitutional Assembly. It remains to be seen how this will affect gender aspects of the new Constitution. In Bangladesh, the reserved quota provision has been changed in recent years, raising questions about commitment to gender sensitivity in political governance. In the most recent election, only 18 per cent women were elected to the 350-seat in parliament. Sri Lanka has the lowest level of representation of women in its national assembly, despite its over 90 per cent literacy rate among women. The general level of political participation among South Asian women is not high. Even in pockets of greater political awareness among women, actual participation is often hindered by constraints on mobility and gender roles based on socio-cultural perceptions. Therefore, in spite of the high visibility of women at the higher echelons of government over the years, women's representation in parliament remains low – ranging from 33 per cent in Nepal to 21 per cent in Pakistan and 18 per cent in Bangladesh.

India amended its constitution in 1992 to reserve one-third of local government seats for women. This generated tremendous interest among the other countries of the region. In 1997, both Nepal and Bangladesh introduced reserved seats for women in local bodies (20 per cent in Nepal and 33 per cent in Bangladesh). In Pakistan, one-third of the seats in local bodies are reserved for women. In South Asia women have played a very important role during the democratic movement, but their participation in the various spheres of public life has continued to remain minimal in comparison to their male counterparts. In this region special provisions have been made to increase women's political participation, yet the percentage of women in the higher levels of the political power structure has not risen. There are various factors that have discouraged women from taking an active part in politics. The main reasons are due to the amount of violence, corruption and manipulations, which are present. Many women who have excellent leadership qualities are unwilling to participate in politics because of these above said factors. It is therefore essential to make politics clean and green so that the flow of women into the political arena is enlarged. However, in this region is needed to mobilize more women to act as effective leaders.

4.3.2 THE NEED FOR POLITICAL PARTICIPATION

The importance of women's political participation is manifold. UNICEF, in its report, identifies the need for political participation of women:

- Empowerment of Women in the political arena has the potential to change societies.
- The participation of women in local politics can have an immediate impact on outcomes for women and children, particularly in the distribution of community resources and in promoting provisions for children.
- Women's participation in peace negotiations and post-conflict reconstruction is vital to ensure the safety and protection of children and other vulnerable populations.

While the need for political participation of women has been clearly established in the 20th century, the actual participation depends on factors of demand and supply of women participants in the field of politics. Pamela Paxton and Melanie M. Hughes identify culture and social structure as factors determining the supply side of women's participation while politics determines the demand for women's political participation. Culture plays an important role in determining the political participation of women. If the predominant cultural belief is that women are less capable of performing political functions than men, this can be a hindrance to their participation. The following are the years the various South Asian Countries granted women the 'Right to Vote', Sri Lanka – 1931, Maldives – 1932, Pakistan – 1947, India – 1950, Nepal – 1951, Bhutan – 1953 and Bangladesh – 1972 .

4.3.3 POLITICAL PARTICIPATION OF WOMEN IN SOUTH ASIAN COUNTRIES

A UN Women report looks at the state of women and their political representation in all the countries of South Asia. The report finds that despite being guaranteed equality constitutionally, patriarchal social structures impede political ambitions of women all over. A recent report by UN Women called 'Country Reviews: Women's Political Participation in South Asia' looks at the political participation of women in South Asia. Political participation, especially in the local levels is something that is affected by numerous factors. The South Asian countries face issues of their own, the most being patriarchy and traditional gender stereotypes that prevent women from

entering the public sphere due to different reasons. Bangladesh for instance, found that the functions of women have largely remained limited to the Union Parishads, due to resistance from male colleagues and the discrimination emerging from such resistance. Also, knowledge of women regarding financial issues of the Parishads was inadequate, which in turn resulted in their opinions being side-lined during decision-making processes. There was also much opposition from religious groups and violence from factions often deterred women from participating. Bhutan on the other hand, was a place where though women enjoyed considerable economic success and decision-making powers, political representation was still less. The situation in Pakistan was perhaps direst. Due to the overt patriarchal set-up, political representation was scarce among women. Till as late as 1977, there was no provision for women in Pakistan to be represented politically. Moreover, as the report states, that although women are brought into political institutions, no effort is made to transform the patriarchal nature and culture of institutions. Most South Asian countries throw up almost similar circumstances for women, poverty and dependence on men prevent women from exploring avenues like politics. Also, lack of education ensures these women are not taken seriously and even if they get a political office, the culture is maintained to prevent them from making major decisions. In their sameness, the South Asian countries have many differences as the report shows. As the reports states, ‘Violence in the public arena is particularly responsible for hampering their mobility and public participation in countries such as Pakistan and Sri Lanka, due to religious protests and military activity in the former and the long-standing civil war in the latter that ended in 2009. Bhutan presents an interesting case where women have enjoyed a strong position in society, especially in the north, due to the matrilineal form of family, but this has not translated into participation in public life.’

Many South Asian countries have witnessed woman’s leadership as Head of State or Head of Government. Women have gained the Franchise right in all South Asian countries. The following section provides a brief history of women in politics in the South Asian countries of India, Pakistan, Sri Lanka, Bhutan, Maldives, Bangladesh and Nepal.

India

The emergence of women’s movements and reforms related to women can be traced to the late 1800s and early 1900s. It was set in motion with the support of the Indian

National Congress when it started the National Social conference to discuss social issues. Aware of the dominant role played by men in defining reforms, Saraladevi Chaudhurani began 'the Bharat' Jayalakshmi Gopalan,' Stree Mahamandal' (the Large Circle of Indian Women) in 1910 to serve as a permanent association of Indian women. Women then started defining key issues affecting them, such as female education, child marriage, the observance of purdah and the status of women in the family. Women's associations, under various names, sprang up all over India in the late 19th and early 20th centuries. Many of these organisations fought for a range of women's issues, including their right to vote. Three main organisations that were formed during this period are: • The Women's Indian Association (WIA), whose four primary areas of work included religion, education, politics and philanthropy. Annie Besant became the first president along with Margaret Cousins, Dorothy Jinarajadasa, Mrs. Malati Patwardhan, Mrs. Ammu Swaminathan, Mrs. Dadhabhoy, and Mrs Ambujammal as honorary secretaries. In 1925, the NCWI was established as a national branch of the International Council of Women. Mehribai Tata (wife of Sir Dorab Tata), chair of the Executive committee of the Bombay Council in its first year, played a key role in its advancement. Because of its elitist nature, the Council failed to grow and become a vital national organisation. The All India Women's conference (AIWC): AIWC first met in Poona in January 1927, following more than six months of dedicated work by Margaret Cousins and other women belonging to the WIA. Beginning with education, it went on to expand its preview, especially with regard to social customs which restricted female education, notably child marriage and purdah and Franchise rights. On December 15, 1917, Sarojini Naidu, a veteran congress worker, led an All-India delegation of prominent women to meet with Montague and Chelmsford. With this deputation, Indian women began their struggle to secure for themselves political and civil rights. In 1932, the Lothain committee (to work out the issues of the rise in enfranchised women in India) Jayalakshmi Gopalan, Women in Politics in South Asia January 2011 accepted a memorandum from the all-India women's organisations. In their final report, the Lothian Committee rejected adult franchise because of the country's size, large population, and high rate of adult illiteracy. They agreed more women should be enfranchised to facilitate social reform and recommended increasing the ratio of female to male voters from 1:20 to 1:5.13 This was a blow to the women's organisations fighting for franchise of women. The fight for women's franchise also did not receive consistent support from the Indian

National Congress. The Congress wanted women to help them fight against the colonists before focusing on women's right to vote. So women obtained the franchise right in a narrow and limited fashion. Bombay and Madras were the first provinces to extend the franchise to women in 1921; the United Provinces followed in 1923; Punjab and Bengal in 1926 and finally Assam, the Central Provinces, Bihar and Orissa in 1930. The most important aspect of the Nationalist movement was that it appealed to women from all sections of the society. Their participation also won the support of men to a large extent. Women participated actively during the Civil Disobedience movement in Bombay. Rashtriya Stree Sangha (RSS), which had remained under the presidency of Sarojini Naidu with Goshiben Naoroji Captain and Avantikabai Gokhale as vice-presidents, was involved in the movement. It advocated swaraj and women's emancipation as its primary goals. Women also participated, albeit in smaller numbers, in the movement in Bengal and Madras. The Government of India Act of 1935 granted the right to vote to women over twenty one years of age who qualified because they owned property or had attained a certain level of education. In the elections of 1937, some women had the right to vote and the right to contest elections. Unfortunately, political parties, including the Congress, did not support women's candidacy outside the reserved seats. In the 1940s, important changes can be noticed in the women's movement. As identity became a key element in power politics, mobilising women became crucial to the Muslim League. Begum Shah Nawaz agreed to organise a separate political league for Muslim women. The Quit India movement also witnessed the participation of women in large numbers. In the rural areas, women joined men in protesting against a number of issues including taxes and land tenure. Women were also part of social movements like the Tebhaga Movement in Bengal and Warli Movement in western India. a number of women's organisations emerged in the post-independence and post-emergency period. Some of them included the Samata Manch (Equality Forum), Stree Sangharsh Samiti (Women's Struggle Committee), Stree Mukti Sangathan (Women's Power Organisation), Purogami Sangathan (Forward Stepping Organisation), the Forum against Oppression of Women, Saheli, the Progressive Organisation of Women, the Women's Center, Kali for Women and Manushi. These organisations addressed a range of issues, though their primary concern was violence against women, dowry deaths, the rape of women by police and security forces and domestic violence. In 1950, all adults above 21 years of age secured the right to vote. The Tebhaga movement-In September of 1946 the Bengal

provincial Kisan Sabha (Peasant's Organisation) called a mass struggle among sharecroppers to keep Tebhaga(two-thirds) of the harvest. Rani Mitra Dasgupta, Manikuntala Sen, Renu Chakravarthy and other women who had worked with MARS during the famine years wanted to bring rural women into this movement and actively participated in the movement. Warli movement – Godavari Parulekar worked among the Warlis, adivasis in western India between 1945 and 1947 to help them obtain social and economic justice. The age was later changed to 18 in 1989 Jayalakshmi Gopalan, Women in Politics in South Asia January 2011 6 total seats in the Upper House of the Parliament. Although the number of women's organisations grew post independence period. Many women's organisations preferred to remain autonomous to keep their agenda undiluted. This led to women's organisations working closely with the bureaucracy and at the grassroots level. Despite the reluctance of many women's groups to join political parties, the parties realised the importance of including women's issues in their agenda. Many of them had a women's wing. For instance, the former Communist Party was active in mobilising women. This was essentially through its two wings - the Communist Party of India (CPI) and the Communist Party of India Marxist [CPI (M)] - after the party split in 1964. The National Federation of Indian Women (NFIW), affiliated to the CPI, also came to play a more significant role. In 1981, the CPM formed the All India Democratic Women's Association (AIDWA). AIDWA collaborated actively with autonomous women's groups and took up issues of violence against women. It is interesting to note that both left-leaning parties and right-leaning parties took great interest in mobilising women. In the case of the Bharatiya Janata Party (BJP), women have played a key role in Hindu Nationalism. Vijayraje Scindia, Uma Bharathi and Sadhvi Rithambara were at the forefront of the movement. Many parties have been advocates of reservation of seats for women in the parliament. This is one facet of the movement where women's organisations have closely interacted with political parties. Although parties have been advocating for reservation, they fail to support the Bill when it comes to Parliament. Left leaning parties have often opposed the bill on grounds that it does not take into account caste inequality. The Janata Dal, Rashtriya Janata Dal, Samajvadi Janata Party and the Bahujan Samajwadi Parties have all rejected it because it makes no provision for reservation on a caste basis for Other Backward Classes (OBCs) Thus, the issue of reservation at the parliamentary level continues to be a debate in India. In 1996, a Women's Representation Bill was first tabled in parliament.

It proposed to reserve one-third of the seats in the Lok Sabha (House of the People) and other legislative bodies for women. Since then, the Bill has been pending and has been discussed repeatedly, with various quota formulations. In March 2010, the Women's Reservation Bill was passed in the Rajya Sabha. The creation of spaces for women at the local level happened with the 74th amendment to the constitution in 1993, which reserves 33% of seats for women. But the main critique of this system has been that since the reserved seats are based on rotation, the same constituency may not be reserved for two consecutive elections and a woman coming back to power in a general seat is tougher. In terms of quotas within parties, the Indian National Congress (INC) has a 15% quota for women candidates.

Bangladesh

A quick glimpse at the history of Bangladesh reveals that women have headed the government of the country. It also had a system of reservation for women that greatly favored their political participation. After its creation in 1971, Bangladeshi women got the right to vote and contest elections in 1972. The first woman leader was elected in 1973. According to the Human Development Report of 2003, 49.29% of the total registered voters in the year 2000 were women. In the 1970's, Zia ur Rahman's regime established the Ministry for Women's affairs in 1978. It encouraged NGOs and the government to undertake programmes targeting women, raised the number of parliamentary seats reserved for women from 15-30 (5% to 10% of the state open for general election) and reserved 10% of all public sector jobs for women. In the 1980's, following Zia's assassination, General Hussain Mohammad Ershad took over as president and encouraged formation of the Jatiyo Party. Women's organisations played a leading role in opposing the emergency rule declared by Ershad in the late 1980s. In the 1990s, two women Prime Ministers ruled the country. Khaleda Zia (Bangladesh National Party) was elected Prime Minister from 1991-1996 and Sheikh Hasina came to power in 1996 to lead the Awami League Government. The women's movement, which grew out of the nationalist movement, has played an active role in Bangladesh since the time of its creation. The left-leaning Mahila Parishad, formed in the 1970s, was the largest women's organisation in Bangladesh. The group took measures to influence government policy, including a campaign to support anti-dowry legislation and another for the ratification of CEDAW. One of the major struggles of the movement centered around the issue of reservation of seats for women in

parliament. On May 16, 2004, the Jatiyo Sangshad (the national parliament) passed the 14th constitutional amendment to reintroduce quotas for women (article 65). The number of seats in parliament was raised to 345, 45 (13 percent) of which will be reserved for women in the next parliament. The seats will be allocated to parties in proportion to their overall share of the vote.

Bhutan

Women received the right to vote in 1953 in Bhutan. Yet, this was not a complete right, in the sense that the election law in the tiny Himalayan country of Bhutan allowed only one vote per household. Even though Bhutanese women hold majority of property deeds and run households, men almost always cast those votes. In July 2008, universal suffrage was introduced after the new constitution was adopted, and all adult Bhutanese women will be able to vote in the next general election. As of 2004, women held 9.3% of the seats in the parliament in Bhutan. They also form 9.3% of female legislators, senior officials and manager. Although women have been greatly restricted in their political participation, mainly because of traditional roles confining them to the household, there have been some measures taken to improve their position. For instance, the National Women's Association of Bhutan (NWAB) was established on April 9, 1981, by the 33rd resolution passed by the 53rd session of the National Assembly. It was first established as an NGO and entrusted with the responsibility of improving the socio-economic conditions of women across the country. The primary role of the association was structured on the forward looking strategies for the advancement of women adopted at the UN conference in Nairobi in 1985 and the Convention on the Elimination of all forms of discrimination against women (CEDAW). In 1990, NWAB was identified as the national body dedicated to the advancement of women. NWAB is currently registered with the UN as national machinery for the advancement of women. NWAB's secretariat at Thimphu is staffed with professionals, while its District chapters function with the support of a wide network of volunteers. Since its inception, HRH Ashi Sonam Choden Wangchuck served as the president of the NWAB. It aspires to advance the socio-economic conditions of disadvantaged women through the promotion of economic opportunities, capability enhancement and by raising awareness of women's rights and potentials. In March 2008, women organised themselves into women's wings of the two major recognised political parties - the Bhutan Peace and Prosperity Party

(BPPP) and the People's Democratic Party (PDP). The PDP dedicated a section of its website to discussing women's roles in the party and in a democratic Bhutan. In the very first elections for the National Council (the upper house of parliament), three women were elected to the 20 open seats. In the end though, none of the six female candidates put forth by the PDP in the Bhutanese National Assembly (the lower house) elections emerged victorious.

Maldives

Women in the Maldives seem to have an active role to play in the community rather than in the political arena. It is interesting to note that since Maldives does not have major political parties and contestants for the parliament contest as independents, there is no party affiliation that women can take to gain political power. Women's organisations did not exist until 1979 when the National Women's Committee was established, preparatory to the International Women's Conference in Nairobi. Subsequently, an Island Women's Committee was established on each island. It must be noted, however, that long before this period, women as a group were traditionally active in clean-up campaigns and other community activities. On July 16, 1986, the National Women's Committee became the National Women's Council. The Office for Women's Affairs was created, with Mrs. Fathmath Jameel, the President of the National Women's Council serving as Director. In addition to the two NGOs, each island also has a women's committee. (Similarly, there is one for each of the four wards in Male). The voluntary and unpaid activities of these committees, which work closely with the island chiefs, are generally devoted to tasks that benefit the community as a whole. These committees serve a modest but useful purpose in improving life on the islands. Of special benefit to women is their promotion of island cleaning and the construction and maintenance of women's mosques. These women's committees provide the most constructive ways in which women at the grassroots level are able to make a collective contribution to the life of the country. Women have the right to vote for the President and for the Majlis or the Parliament. They may stand for election in the Citizen's Majlis and in the Citizen's Special Majlis, which are formed as the need to revise the Constitution arises. In practice however, very few women stand for election. Although there are 54 seats in Majlis, eight are nominated by the president. A woman occupies one of the remaining 46 seats. The reason why so few women stand for election is that members of the Majlis have to

live in the capital and while they are paid an allowance, it is not sufficient to meet the cost of supporting a family. There are comparatively few unmarried women or women free of family responsibilities in the Maldives. Women have participated in the Maldivian democratisation movement by joining rallies and door-to door campaigning programmes. Pro-democracy organisations grew out of civil society, involving women outside mainstream politics as well. The 2009 elections were the first multi-party elections in the country. They were also the first to be held under the new President, Mohamed Nasheed, whose election in October 2008 put an end to President Maumoon Gayoom's 30 years in power. At stake were 77 seats in the new People's Majlis, all directly elected. A total of 465 candidates, 211 from 11 political parties and 254 independents. The 2009 elections saw a contest between the Maldives Democratic Party (MDP) and the Dhivehi Rayyithunge Party (DRP). Of the total 77 seats, 5 seats were won by women constituting 6.49% of the seats won.

Pakistan

The role of women in politics in Pakistan has been greatly impacted by the fact that the country has been constantly shifting between democracy and military rule. Women secured the right to vote and contest for elections in 1947. But the first woman leader was elected only in 1973. According to the Human Development Report of 2004, 21.6% of total seats in the Lower House of the Parliament were held by women and 17.0% in the Upper House. Amrita Basu argues that women's participation in Pakistan grew out of their participation in the anti-colonial struggle before 1947. Active participation in the education reform movement led by Syed Ahmed Khan, fighting for the education of Muslim Women. Khilafat movement to support the Turkish Khilafat, which provided a symbol of Muslim identity. Demanding the creation of an independent state of Pakistan. The 1970s formed an important period for the development of women's agenda in Pakistan. The period witnessed Zulfikar Ali Bhutto's rise to power. The 1973 constitution included a provision on affirmative action, reservation of 10 seats in the National Assembly and 10% of seats in the provincial assemblies for a specified period. All government posts were open to women, who were also appointed to several high-ranking positions. Around the same period, educated middle-class women formed a number of organizations - including the United Front for Women's Rights (UFWR), the Women's Front, Aurat and Shirkat Gah, which later gave rise to the Women's Action Forum. All these groups were

committed to expanding women's democratic rights. In the period that followed, Zia Ul Huq introduced repressive laws, such as the Hudood Ordinance (1979) and the law of evidence (1984). The Women's Action Forum led a campaign against these measures and delayed the enactment of the Law of Evidence for 2 years. The major political parties created by Zia and Bhutto, the Pakistan Muslim League and the Pakistan People's Party (PPP) respectively, continued to place women prominently in their agenda in the run up to the 1993 elections. Benazir Bhutto's coming to power in 1998 was greeted with enthusiasm by women's groups. But both Bhutto and Nawaz Sharif failed to bring about any major changes in the condition of women. Many political parties have women's wings, but they mobilise women only to get votes during the elections. Some parties have established connections or have at least supported the agenda of women's groups. For instance, the WAF brought out a Charter of Demands, presenting a comprehensive women's political programme, in 1988. In terms of efforts made to increase women's political participation, a series of constitutions and constitutional amendments across 1954, 1956, 1962, 1970, 1973 and 1985 provided for reserved seats for women at both the Provincial and National Assemblies. The allotment of seats ranged from five to ten percent and was only through indirect elections by the members of the assemblies themselves. For example, a 3% quota for women in parliament was approved in 1954. The 1956 constitution under Article 44(2) (1) provided for the reservation of 10 seats for a period of 10 years for women, equally divided between East and West Pakistan. Reservations lapsed in 1988 after three general elections (1977, 1985 and 1988) as provided for in the 1985 Constitution. In terms of reservation at the National level, according to the law of 2002, 60 of the 342 seats in the national assembly (17.5%) are to be allocated to women. According to the Devolution Plan adopted in 2000, 33 percent of the local legislative seats are reserved for women in legislative councils at the union, tehsil (municipality) and district level. One of the main challenges faced by women in Pakistan lies in the overarching political context itself. Since the country has not had a stable democratic government, the political parties are weak and unrepresentative of all sections of society. Military regimes have sidelined women to civil bureaucracies and in some regions, the feudal structures exclude women from power. Fundamentalist movements and state-supported Islamisation programmes have also curbed the participation of women in the political arena.

Sri Lanka

Sri Lanka was one of the South Asian countries where women won franchise rights as early as 1931. The country can also boast of having the first woman prime minister in the world. Srimavo Bandaranaike served as the president of the Sri Lanka Freedom Party (SLFP) government in 1960–1965 and 1970–1977, the first time a year after the assassination of her husband, Prime Minister Solomon W.R.D. Bandaranaike. The second was Chandrika Kumaratunga, who served as president in 1994 and 1999. She was the widow of the assassinated political leader Vijay Kumaratunga. A study of the history of the country tells us that early in the 1900s, professional middleclass women, especially teachers and doctors, became politically conscious and a few of them joined nationalist organisations. Associated with the earliest radical nationalist organisation, the Young Lanka League formed in 1915, was Nancy Wijekoon, a school teacher, who was well known for her stirring nationalist poetry. When the Ceylon National Congress was formed in 1919, there were several women delegates at the first sessions. They included Dr. Nalamma Burugesan (who later married the estate trade union leader Satyawagiswara Aiyar), Miss I. Ganguli, a Theosophist teacher from Bengal, and Mahesvari Seqararasingbam, daughter of Sir Ponnambalam Arunachalam. When the Donoughmore Commission on the reform of the Constitution came to Ceylon in 1927, the Women's Franchise Union was formed to give evidence before the commission demanding franchise rights for all women. The main activists were Agnes de Silva, Lady Daisy Bandaranaike (mother of S.W.R.D.), Mrs. R.S.S. Sumana Gunewardene, Mrs. Satyawagiswara Aiyer, Mrs. H.H. Gunasekera and Mrs. A.B. Goonesingha. After adult franchise was won in 1931, middle-class women formed several organisations, including the Lanka Mahila Samiti and the Women's Political Union. By the middle of the 20th century, it was not only urban middleclass women who were active in public life, but also many Tamil women working in the estates who became active in the trade union movement. One of the main reasons for low participation of women in political office is the prolonged civil war, lack of measures like reservation of seats for women to enhance greater participation in politics and the failure of the political parties to encourage women's participation. The parties' national leaders, who make the final decisions about the choice of candidates, tend to favour men and select women only when they come from prominent political families. Among the 34 women whom parties nominated between 1947 and 1994, 25

came from political families and were nominated to fill the vacant seats of male family members. A more significant shift in parties' stance towards women came about with the 1994 general election. The UNP pledged to implement the National Charter, which provided for equal pay, women's rights to government-allocated land and houses and the safety of women factory workers. The UNP manifesto also promised to revise laws relating to divorce, the Land Development Act, sexual violence and the minimum age for marriage. The party manifestos of the People's Alliance (PA) and the TULF also demonstrated a strong commitment to women's issues. There are number of national-level organisations such as the Voice of Women, the Women and Media Collective, Kantha Shakthi, Women in Need (WIN), Women's Education and Research Centre (WERC), Muslim Women's Research and Action Forum (MWRAF) and Centre for Women's Research (CENWOR) which focus on a range of activities such as research, advocacy, lobbying and networking, both at local and international levels. The Sinhala Tamil Rural Women's Network (STRWN), based in Nuwara Eliya, was among the first independent women's group to contest for provincial council elections in 1999. In terms of reservation of seats for women, several proposals on quotas for women were made between 1998 and 2000, but abandoned in 2000. A proposal for a 25% quota for women in local bodies, for example, was dropped in the draft constitution presented to the parliament and withdrawn in 2000. Tamil and Muslim party leaders opposed the quota because of the difficulties in finding women candidates. In 2002, calls for quotas were renewed. Hema Ratnayake, the Minister of Women's Affairs, declared that her People's Alliance government would draft a legislation to provide a minimum of 25% representation for women in all elected bodies - from the national parliamentary level to village councils.

Nepal

Nepal is characterized by its isolated position in the Himalayas and its two dominant neighbours, India and China. Its population is predominantly Hindu with significant presence of Buddhists, who were in majority at one time in the past. Nepal experienced a failed struggle for democracy in the 20th century. During the 1990s and until 2008, the country was in civil strife. A peace treaty was signed in 2008 and elections were held in the same year. Many of the ills of Nepal have been blamed on the royal family of Nepal. In a historical vote for the election of the constituent assembly, People voted to oust monarchy in Nepal. In June 2008, People ousted the royal household. Nepal

was formally known as the Federal Democratic Republic of Nepal when it became a federal republic. In Nepal, women were proactive participants in all the recent major political movements. Their participation in the people's movement in 1989 was outstanding. However, despite all the constitutional assurances and the flowery words expressed by the leaders, women's participation in the political process is negligible. The constitution of 1990 has proclaimed gender equality and it has made compulsory provision for the political parties to have at least 5% women candidate in parliament election. Likewise, three seats have been reserved for women in the upper house out of 60 members. 11 In Nepal the Local Self Governance Act made special provision to increase the participation of women at local level. This act states that one seat must be reserved for women in each ward of the Village Development Committee. Due to this compulsory provision about 40,000 female candidates were elected in the local level election of 1997. The provision really forced all political parties to support a female candidate and encourage women to become involved in the political process.

What stops them from participating in the political arena? Women have been long confined to households and been a part of employment in the informal sector. In the process, they have not only been constrained by resources, but have also not had enough opportunities to fight for their own space and engage in activities of their own liking. It is only when they make space for themselves in the household will they be able to fight for space in the political arena. Although measures are being taken to improve the political participation of women, they continue to be limited by a variety of social, cultural, economic and political factors such as traditional, gendered expectations of their role and position in the family and community, caste and class inequalities, lack of education, and lack of knowledge of laws. In this context, 'The Resource Model of Political Participation' theory becomes relevant. It argues that differences in men's and women's political participation are the result of individual level inequalities in certain prerequisites to participation such as money, free time and civic skills. The following factors are important for women to contest in elections - family background, family financial support, the support of male members in the family, personality, education, personal involvement in politics, local politics, caste affiliation, plans of party leaders, campaign strategy and push from within the party . The participation of women has been limited by resources, their important role in the household, lack of education, lack of exposure to public spaces and public life and therefore their inability to raise support or lobby effectively in the political arena.

4.3.4 MEASURES TO IMPROVE WOMEN'S POLITICAL PARTICIPATION

Women's participation in politics can be improved by removing the obstacles they face. Measures such as capacity building, gender training and spreading awareness are also useful in improving women's participation. As discussed in earlier sections, the most popular measure in South Asia has been the adoption of quota to increase women's participation in politics. However, the effectiveness of the quota system has been debated. Analysing the Indian quota system at the Panchayat level, some authors argue that the quality of participation may not be effective in the beginning. Nevertheless, these are success stories. Quotas are also used within political parties to improve the participation of women. Evelin Hust concludes that although it does not fully empower them, they open up an important space for them to become politically active, which will lead to empowerment in the long run.

4.3.5 LET US SUM UP

Understanding the role of women played in politics in the various South Asian countries shows that a number of similarities and differences exist between the various countries. Some of the similarities include :

- In most of the South Asian countries, women's movement has either emerged as a part of the nationalist movement or has played an important role in the nationalist movement.
- The political parties in most of these countries have identified the importance of women mainly in electoral politics and have therefore formed women's wings in their parties to enhance participation of women in the political arena. Although this participation might be mainly to mobilise their vote, it nevertheless opens up new opportunities for women.
- In terms of the challenges faced by women, there are overarching factors across these countries– the traditional role of women in the household, the resource constraints faced by women and many others.
- Most of the South Asian countries have also responded to international women's movements. For instance, committees or organisations have been formed in Maldives and Bhutan as a preparatory step for the International

Women's conference. The key factor creating differences in the role played by women in the South Asian countries has been the political structure of the various countries. Most countries have been facing either unstable governments, dictatorships or civil wars, which have defined the role women play in politics. With the recent developments in various countries, the role of women in politics will continue to change. Hence, it becomes all the more crucial to continue studying the political participation of women in these countries.

4.3.6 EXERCISE

1. Discuss the role of women in the politics of South Asia.
2. Critically examine the factors responsible for the low participation of women in South Asian politics.
3. Discuss the various measures to improve women's political participation.

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M.A. Political Science, Semester III, Course No. 303, Politics in South Asia

Unit – IV: Separatism, Human Rights, Civil Society and Gender

4.4 CIVIL SOCIETY AND POLITICS IN SOUTH ASIA: ROLE AND EMERGING TRENDS

- Suneel Kumar

*Without civil society, democracy remains an empty shell;
without civil society, the market becomes a jungle.*

-Ignatieff

STRUCTURE

4.4.0 Objectives

4.4.1 Introduction

4.4.2 What is Civil Society?

4.4.3 Civil Society in India

4.4.4 Civil Society in Pakistan

4.4.5 Civil Society in Bangladesh

4.4.6 Civil Society in Sri Lanka

4.4.7 Civil Society in Nepal

4.4.8 Civil Society in Bhutan

4.4.9 Civil Society in Maldives

4.4.10 Let us Sum Up

4.4.11 Exercise

4.4.0 OBJECTIVES

After going through this lesson, you will be able to understand:

- The concept of civil society and how it is different from political society;
- The functioning of civil society in all the South Asian States;
- The importance of civil society in present times for achieving democratic governance, participatory policy making and transparency.

4.4.1 INTRODUCTION

The history of the South Asia region reveals that civil society has played an active role in the region since the colonial period. During colonial period, it fought against the exploitative colonial regime to attain the social, economic and political justice; and ultimately mobilized and led the freedom movement successfully. In the post-colonial era, it continued to play a very significant role in bringing significant social, economic and political transformation in the state and society. While the existence of this civil society has definitely strengthened the institution of democracy in the region, the level of its influence and success in promoting and strengthening of democratic process varies from country to country. This variation is primarily determined by the nature and level of democratization of state and politics in each country. Nevertheless, in this context, the significant role of civil society is unquestionable as in the last few years, it has been observed in case of India, Pakistan, Nepal, Sri Lanka and Bhutan. More recently, it has also seen in case of India in the form of Anna Hazare's movement against corruption. Hence, while defining the concept of civil society, the present lesson discusses the role of civil society in different South Asian countries. It also discusses the emerging trends in the related area.

4.4.2 WHAT IS CIVIL SOCIETY?

In common parlance, civil society includes non-state, non-profit and voluntary organizations formed by people in that social sphere. It encompasses a wide range of organizations, networks, associations, groups and movements which are independent of government. Moreover, sometimes these entities come together to advance their

common interests through collective action. Civil society, as Bruce Sievers points out, “is the arena outside family, government, and market where people voluntarily associate to advance common interests based on civility.” The concept of civil society is linked with the central tradition of the Western thought, i.e., common good. This common good includes the public benefit and ideals such as freedom, social justice, peace and civic commitment. It is not possible to achieve these objectives through the individual actions rather it requires common/collective actions. Collective actions are vital to the safety, survival and welfare of any community. Thus, civil society prevents the societal dualism and extremism by creating overlapping interests, common ground and associational sociability for the peaceful mediation of disagreement and conflict. It is consciously oppositional to hegemony, domination, coercion and anti-democratic spiral.

The civil society is also a means for public opinion and collective will formation. The public communication function of civil society helps the removal of false consciousness including the manufacturing of consent so that ordinary people do not find a mismatch between the words and actions of their leaders. It liberates them from propaganda and exploitation. It protects collective and social good as it strengthens the public sphere where public issues are debated, refined and endorsed for resolution and execution. On the one hand, civil society provides an enabling framework for democracy; on the other it creates an intrinsic tension—a delicate balance between the private and public interests. Maintenance of such balance is necessary to resolve the problems that demand public resolution in the democratic states. Problems such as environmental degradation, fundamental educational needs, ethnic and religious conflict, and corrosion of public decision-making processes are often described as the issues of the common people. And the resolution of such issues can determine the future of civilizations. Further, Civil Society has played a remarkable role in dealing with the social, economic and political problems faced by the States and societies of the South Asian region

4.4.3 CIVIL SOCIETY IN INDIA

Civil society has played a significant role in bringing the social, economic and political changes in India. Although, civil society existed even in during the colonial period in

India, yet the phrase ‘civil society’ has gained general currency in 1990s. A wide range of formations that include the mosaic of civil society in India are community-based organizations, mass organizations, religious organizations, voluntary development organizations, social movements, corporate philanthropy, consumer groups, cultural associations, professional associations, economic associations and media and academia.

In the colonial period, civil society played a significant role in fighting against the injustice and exploitation that took place during the colonial regime. During the colonial period the formation of state and civil society in India were different from that of Western Europe. The state co-existed with influential religious and traditional power structures outside its immediate reach and the effects of these alternative power structures were evident also in the formation of the civil society. The British colonial state respected religious differences and divided the population according to faith. This practice led to a strong position of the native religious elites, and the strengthening of religious identity in both the private sphere and in civil society. Numerous religious reform movements were formed throughout the 19th century, some of them with social and political issues on their agendas. The Brahmo Samaj was founded in 1843. It worked for the reform of Hindu traditions and practices, as did the Ramakrishna Mission under Swami Vivekananda, and the Theosophical Society in Madras, led by Annie Besant. The Arya Samaj was also formed in the 19th century. It had similar features as the other reform movements. All these institutions emphasized on the Hindu unity, played an important role in the freedom movement, and strengthened Indian civil society.

The national resistance movement, spearheaded by the Indian National Congress (INC), became the main source of civil society activity in early 20th century British India. When the INC developed into a mass movement large segments of the population were for the first time drawn into political and social activism. While the struggle was basically anti-colonial, the movement held within itself many forms of activities which would continue as independent sections of civil society, one case in point being the women’s movement. Partly outside of the INC also other forms of social movements gained in strength during the first half of the 20th century. The increasing awareness of the Indian workers contributed to the development of trade

unions. The All Indian Trade Union Congress (AITUC) was formed in 1920 and contributed significantly to the formation of a rudimentary civil society during the late colonial period. Various peasant uprisings, such as the Moplah revolt in 1921, occurred frequently and increasingly so after the First World War. Both these rebellions and the struggle of the INC can be seen as a reaction against the colonial state and to the symbiotic relationship between the economic and the political spheres. Hence, during the colonial period, the civil society successfully led the freedom struggle against the Britishers, and fought for the rights of the workers and peasantry. In post-independent India, pre-liberalization phase, civil society worked for the overall development of the society and tried to contribute for the upliftment of the oppressed people and communities. During this period, as Debika Goswami, Rajesh Tandon and Kaustuv K. Bandyopadhyay argue, civil society contributed through the following three functions:-

- Civil society organizations raised the critical developmental issues and concerns such as environmental degradation, deforestation, land alienation, and displacements of the people in the public domain, generated the public debate, created public opinion on the said issues and brought the attention of national and local policy-makers on the said issues for the required policy formulation and policy modification.
- Civil society organizations experimented with various developmental models and solutions to address the socio-economic problems of the Indian society. The models of adult education, primary health care, toilets, irrigation system, bio-gas, ecologically balanced wasteland development were developed on the basis of micro-experiments carried on by them throughout the country.
- Civil society highlighted the plight of the most deprived sections, groups and communities of the society. Most of the civil society groups worked with the women, tribal, landless labourers and informal sector workers for their social emancipation, economic development and political empowerment. In other words, along with other two sectors – government and business – civil society organizations acted as “the third sector of society.”

In the post-liberalization era, when the Indian state started withdrawing from

many of its responsibilities, civil society is being encouraged to take up responsibility for the development and welfare functions. It is argued that the compulsions of survival in the globalized financial and capital markets necessitate such a division of responsibilities. States, it is argued, can no longer guarantee employment and redistribution of assets and remain competitive. Besides, there is a large scale prevalence of poverty, conflict, exclusion, marginalization across the world. Handful of people belonging to corporate and government are also hijacking money through corrupt means. Therefore, the CS needs to focus upon governance and development.

Hence, in the post-liberalization period, the Indian civil society has evolved some new roles that have attained importance. Debika Goswami, Rajesh Tandon and Kaustuv K. Bandyopadhyay have discussed newly evolved role of the civil society in India as under:

- **Promoting Participatory Governance and Democracy:** Civil society in India has made a noteworthy contribution to making the Indian democracy alive and participatory. Civil society organizations are playing an important role in deepening the democratic process and expanding the spaces where the poor, marginalized and oppressed people and communities can participate in the democratic process and contribute to improve the governance in the country. The civil society has played an active role in the formulation of the various acts such as of Right to Information Act (2005), Mahatma Gandhi National Rural Guarantee Employment Act (2005), Domestic Violence Act (2005), Forest Rights Act (2006), Right to Education Act (2009) and the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act (2013). Many civil society association and groups are closely working in association with the Panchayati Raj Institutions and municipalities. As a result of the continuous efforts of these organizations, participation of the women and the marginalized at the levels of local governance has increased. These organizations are engaged in strengthening the capacities of the elected local government. The issues of transparency and accountability in local governance have also attracted the attention of the civil society. Many social organizations have had made constant efforts to ensure the persistence of

democratic forms of governance persist at the grassroots level.

- **Implementation of Government Flagship Programmes:** The civil society organization has also played an outstanding role in the implementation of various governmental programmes. Numerous organizations are collaborating with the Centre and state governments to implement various flagship programmes. In some cases, instead of giving independent service, the civil society organizations have become “facilitators of the government” as implementers of various flagship programmes. For example, Child In Need Institute (CINI) has become a service facilitator from a service provider through the strategic planning process in 2005. The CINI was established in 1974. It started its journey from two clinics for deprived children in Kolkata, West Bengal and has now emerged as a national non-governmental organisation (NGO) serving the five million people across the country. It works in four sectors – health, nutrition, education and protection of women, children and vulnerable groups.
- **Contractual Services:** The civil society is also indulged in the contract-based work. Government agencies and even donor agencies are geared towards service provision and administer through ‘tender’ based approaches inviting bids and therefore there is a cutthroat competition among various civil society organizations for particular project/ work.
- **Apart from this, the nodal organizations like National AIDS Control Programme (NACO) which are parts of the Government Departments have also played a significant role in assembling the civil society organizations and partnering with them in reaching out HIV prevention and care services to the highly vulnerable population groups. There are numerous civil society groups working on HIV/AIDS at the local, state and national levels. The National AIDS Control Programme recognizes the importance of their participation in preventive, care and support of people who are suffering from HIV/AIDS.**
- **Economic Inclusion:** In the era of globalization and market economy, the civil society associations are integrating the far excluded sections and communities

of society within the global economic chain. These associations are developing the income generating skills and capacities among these sections and providing them required financial services and market linkages. For example, the Project Shakti Amma was an initiative promoted by the Indian State in collaboration with Hindustan Unilever Limited (HUL). Its aim was to create livelihoods for rural women and improve the living standards in rural India by providing opportunities of additional income to these women and their families and training them to become extended arms of the company's operations. The pilot was initiated in 2001 in Andhra Pradesh and from 2002 operations scaled up to Karnataka, Gujarat, Madhya Pradesh, Uttar Pradesh, Tamil Nadu, Chhattisgarh and Orissa.

In brief, civil society has played an important role in the colonial and continues to play a very vital role in the post colonial period in India. During colonial period, it protected the interests of workers, peasantry and fought for different social and religious reforms and then finally developed anti-colonial movement which led to the independence of India. In the post-colonial period, it has highlighted the plight of the most deprived sections, groups and communities of the society, raised the critical developmental issues and concerns about environmental degradation, deforestation, land alienation, and displacements of the people in the public domain and has influenced the policy makers to take the required steps to resolve these problems. Besides, it has helped in strengthening the democratic institutions and improving the governance. It has assisted the government to implement its flagship programmes and has also emerged as a contractual service provider.

As it can be argued the intervention of civil society in the public domain is a type of social politics. There is a common interest of the state and the civil society. Hence, both are working together in cooperation. However, in the post-liberalization phase in India, interaction between these two sectors has increased. The Indian state is performing various specific functions which can very closely involve and impact the civil society. It guarantees democratic rights to its citizens; provides legitimacy to all civil society functions; acts as a funder for civil society and regulates the civil society organizations in India.

The Government of India's National Policy on the Voluntary Sector, 2006

envisages encouraging an independent, creative and effective voluntary sector. However, the government assesses their suitability, capability and experience, and evaluates their performance continuously. The government of India has emerged as one of the primary sources of funding for the civil society organizations. The significance of the government as a funder is swelling especially in the context of the rapid withdrawal of the foreign donor funding for the civil society organizations. Beside this, the Indian State has increased interactions with the civil society in the context of policy-formulation. For instance, the United Progressive Alliance (UPA) government had set up the National Advisory Council (NAC) in 2004 as an interface with civil society. The NAC provided policy and legislative inputs to the government with special focus on social policy and the rights of the disadvantaged groups. It also reviewed the flagship programmes of the government and suggested measures to address any constraints in their implementation and delivery. Programmes like MGNREGA are significantly influenced by the NAC.

4.4.4 CIVIL SOCIETY IN PAKISTAN

Civil society in Pakistan is characterized by hybrid forms, multiple inheritances, and the unresolved struggle between the practices and values of pre-capitalist society and new modes of social life, between authoritarian legacies, and democratic aspirations. Some social forms such as councils of elders, neighbourhood associations, and shrines continue to exist from previous phases of society. Besides, many new groups have been created through the development of capitalism. Such are the dynamics of an evolving civil society, caught between a dying social order and the birth pangs of a new one. At present 45,000 non-profit organizations are active in Pakistan. As the Asian Development Bank (ADB) observes, this sector engages in a diverse set of activities, ranging from religious education to sports activities, from performing religious rites to lobbying for civic amenities, and from running neighbourhood vocational centres to national human rights advocacy organizations. At least 46 per cent of Pakistan's non-profit organizations are active in education sector, 18 per cent organizations in advocacy; 8 per cent organizations in social services, 6 per cent in health sector and 5 per cent organizations in religious activities. Civil society organizations can be registered under six laws: the Societies Act (1860), Companies

Ordinance (1984), the Trust Act (1882), the Charitable Endowments Act (1890), the Co-operative Act (1925) and the Voluntary Social Welfare Agencies (Registration and Control) Ordinance (1961).

In pre-British period, civil society activities in the area comprising modern-day Pakistan were motivated primarily by religious beliefs and political strategy. Hindu concepts, such as daana (giving) and seva (service) and the Islamic practices of zakat (offering to the poor) and khairat (charity) and haqooq-ul-bad (human rights), laid the foundation for voluntary activities. Followers of a mystic branch of Islam, the Sufis, established khanqahs (monasteries) and madrasahs (religious schools) in South Punjab and Sindh in the 11th century. In the political arena, the Mughal rulers sought to inculcate loyalty among the population by undertaking social welfare activities. Wealthy families, motivated equally by religious and political ends, also funded charitable activities. During the British period, foreign missionaries founded schools and convents in Punjab, Sindh, and the North-West Frontier Province (NWFP). These included the Edwardes Church Mission School of Peshawar (1855), Jesus and Mary Convent of Sialkot (1858), and the St. Joseph's Convent of Karachi. The missions also established hospitals, dispensaries, orphanages, hostels, infirmaries, and seminaries. Domestic religious movements also contributed to social welfare. Several Zoroastrian schools, still considered among Pakistan's most prestigious, were established in Karachi. These included the B.V.S. Parsi School and the Mama Parsi Girls School. Social agenda of the Brahma Samaj movement was adopted by the colonial government, which banned sati (widow burning) and implemented the Widow Remarriage Act (1856).

The British government created a legal framework for civil society organizations. The Societies Registration Act (1860) provided legal status for nongovernmental organizations (NGOs). The Religious Endowment Act (1863) and the Trust Act (1882) regulated trust activity and shifted management of trusts from government to trustees. These laws allowed the government to monitor civil society activities while alleviating its social welfare burden. The creation of a legal framework, combined with mass mobilization under the nationalist movement, sharply increased the number of civil society organizations in Pakistan. The most significant civil society movement of the 20th century was led by Khudai Khidmatgar (Servants of

God), a non-violent Pashtun movement against the British rule. This movement had promoted religious harmony and social reform. Many welfare organizations were also created under the umbrella of the Khudai Khidmatgar movement.

In the post-colonial period, immediately following independence, Pakistani civil society helped to accommodate the massive migration of refugees from India. New dispensaries, maternity homes, infirmaries, and general hospitals were established, and doctors and paramedical staff delivered free medical care. The Girl Guides, Red Cross, and National Guard worked to reduce poverty and unemployment. In the ensuing years, civil society's focus shifted from emergency medical care to permanent resettlement of the refugees. The Family Welfare Cooperative Housing Society Lahore and the Social Welfare Society Lahore provided housing. Other challenges included poverty reduction, education, health care, women's issues, and population control.

Women played a pivotal role in civil society in the early years of Pakistan's independence. In 1948, Begum Rana Liaqat Ali Khan established the Women's Volunteer Service for Refugee Rehabilitation and the All Pakistan Women's Association (APWA), which worked on longer-term issues and continues to operate today as an umbrella organization. Begum Rana also founded the Pakistan Women's National Guides and the Pakistan Women's Naval Reserves in 1949. Begum Jehan Ara Shah Nawaz established the United Front for Women's Rights and the Pakistan Family Planning Association in 1953. The government was generally supportive of civil society, particularly of service-delivery NGOs. The National Council of Social Welfare was established in 1958 to fund organizations; coordinate welfare responsibilities among government departments; and promote NGOs working in remote, deprived areas. The National Council of Social Welfare later became an advisory body and its mandate was assumed by the Directorate General of Social Welfare.

However, the Voluntary Social Welfare Agencies Registration and Control Ordinance (1961) made registration mandatory for social welfare agencies and a system of closely controlled local governments was established under the banner "Basic Democracy." The United Front for Women's Rights, the first NGO advocating

women's rights exclusively, was banned under martial law. Zulfikar Ali Bhutto, who served as President from 1971–1973 and as Prime Minister from 1973–1977, nationalized schools and colleges run by voluntary organizations. During this period, several women's organizations were founded, such as Shirkatgah (1975), Pakistan Women's Lawyers Association (1980), and the Women's Action Forum (1981). New service-delivery organizations, such as SOS Children's Village and the Adult Basic Education Society, were also established.

The CSOs have continued to flourish in Pakistan. The funding from the government and international development partners has also increased. Throughout the 1990s, the government established semi-autonomous grant-making foundations, such as the Sindh Education Foundation and the Pakistan Poverty Alleviation Fund. In 1990, the United States Agency for International Development (USAID) provided an endowment fund to create the Trust for Voluntary Organizations. In 1992, the government launched the Social Action Programme to improve social service delivery. The Social Action Programme provided substantial project funding for CSOs. Several government-initiated rural support programmes modeled upon AKRSP were also established, including the Sarhad Rural Support Programme in the NWFP, the Punjab Rural Support Programme, and the Balochistan Rural Support Programme. Although, there is less financial transparency among CSOs in Pakistan, yet they have promoted values such as tolerance, human rights, and gender equity. The Asian Development Bank⁹ in its report on the civil Society in Pakistan has described the following role being played by the civil society:-

- Charity Volunteerism: Tradition of charity volunteerism has traditionally been a deep-rooted impulse, encouraged primarily by the religious obligation of helping the poor and the needy. During the colonial period, prominent philanthropists established educational and healthcare charities that were open to all regardless of caste, creed or colour. They left behind a legacy that was to guide and inspire many a future philanthropist and volunteer. Charity organizations that were set up in Pakistan after partition drew on the historical tradition of providing relief to the needy. While such charity organizations have rendered invaluable services to the poorest of the poor, they have remained dominated by their founding fathers. They are characterised by

informal structures and a lack of internal democracy and accountability.

- **Promotion of Human Rights and Tolerance:** Human rights groups developed and functioned in Pakistan throughout the darkest years of political and social repression. These organizations have performed the role of defending and promoting human rights and social justice, often in the face of state-sponsored bigotry and fanaticism. They have consistently opposed state legislation that discriminated against women and minorities. CSOs have repeatedly exposed serious human rights violations such as extra-judicial killings, torture by state agencies, honour killings and bonded labour sanctified by centuries-old feudal and tribal systems. Amid the rising crescendo of jingoism, citizen groups such as Pakistan Peace Coalition, Joint Action Committee, Pakistan-India Peoples' Forum for Peace & Democracy and the Liberal Forum have openly advocated non-proliferation and détente between India and Pakistan. CSOs respect fundamental human rights. They have enjoyed the support of the English press in articulating their agenda and getting their points of view across to the government and the public.
- **Promotion of Sustainable Development:** Development-oriented NGOs are also raising the issue of economic development and poverty reduction. They have consistently addressed the needs of marginalized communities. Many of them have opposed the diversion of scarce state resources towards conventional and nuclear defence regimes at the expense of human development. CSOs argue in favour of the sustainable use of natural resources.
- **Violence and Militancy:** Some civil society organization comprising religious seminaries, however, has invariably backed jingoistic and chauvinistic ideologies. Run mostly by religio-political parties, many of these seminaries have served as training centres for militants. The curriculum they teach tends to inculcate male chauvinism, intolerance and violence in young minds. Similarly, jirgas in the North West Frontier Province and the Federally Administered Tribal Areas often condone violence, honour killings and gender discrimination in the name of familial honour and traditions. Violence is also prevalent among student wings of political and ethnic groups of all denominations.

In brief, civil society in Pakistan has evolved under the shadow of frequent military interventions and a debt-ridden and elitist state system. It has played an important role in creating awareness on issues such as human and legal rights, women's role in development, and over-population. For women and minorities that have borne the brunt of religious bigotry and social repression, civil society came as a silver lining in dark, gloomy clouds. Advocacy groups have consistently campaigned for repealing discriminatory laws and reforming the electoral process. Civil Society's efforts gave an impetus to the government's slowly growing commitments towards greater gender equality, culminating in Pakistan ratifying the UN Convention on the Elimination of All Forms of Oppression Against Women in 1996. The efforts of human rights advocates have led judicial institutions to consider the plight of rape victims, for example, and take their claims seriously. They have thus become more responsive to citizens than in the past. Today, the number of women organizing at grassroots level and establishing linkages with other institutions is remarkable, even though their impact at wider societal level is not so visible.

4.4.5 CIVIL SOCIETY IN BANGLADESH

At present, Bangladesh civil society is comprised of 26,000 registered organizations. A series of natural disasters and political upheavals have provided the impetus for the development non-government organization (NGO) sectors in Bangladesh. In 1943, a famine took more than 3 million lives, and in 1970, a typhoon killed more than 500,000. After making his fortune in the coal trading business, Ranada Prasad Shaha built the Kumudini Hospital to offer free medical care and treatment to people from all walks of life, fulfilling its founder's childhood dream. In 1947, R.P. Shaha placed all his companies and businesses in a trust, with a view to use all their proceeds for public welfare. The Kumudini Welfare Trust began its operations in March, 1947 and offered free quality health care, and increasing access to education and employment opportunities for rural populations, especially women and girls. Between 1947 and 1970, village-based cooperatives were replaced with union-based multipurpose cooperative societies. During this period, some large cooperative enterprises such as the National Industrial Society, National Fishermen Society, Sugarcane Grower's

Federation, and transport cooperatives were established. In 1955, the State Bank began to make agricultural loans to cooperatives. In 1956, the Bangladesh Academy for Rural Development (BARD) was established at Comilla and the “Comilla Cooperative Model” was launched in 1959.

In 1971, the independence war resulted in about 3 million deaths and a similar number of refugees fleeing Bangladesh for India. In 1974, famine killed another 3 million. Floods and droughts destroyed, on average, 1.7 million tons of food crops per year in the 1970s, and 1.46 million tons per year throughout the 1980s. The civil society response to these events was phenomenal. In 1972, Fazle Hasan Abed founded the Bangladesh Rural Advancement Committee (BRAC) to resettle returning refugees who had fled to India during the independence war. Agricultural cooperatives and agri-development organizations formed a consultative group called the Agricultural Development Association of Bangladesh, which later transformed itself into the Association of Development Agencies in Bangladesh (ADAB). Among the cooperatives operating in the country are the Milk Producers’ Cooperative Union, Cooperative Bank, and Didar Cooperative. Over time, NGOs increasingly shifted the thrust of their work toward social and economic development of vulnerable groups. Moving beyond relief and rehabilitation, new organizations emerged to undertake work in the delivery of services, particularly in the fields of health and education. In 1987, the Association for Social Advancement (ASA) was established to serve the less fortunate and in need. Civil society has raised the issue of environmental conservation, gender equity, trafficking of women and children, good governance, and aid conditionality.

Besides, civil society is also working to promote the people’s welfare through grassroots initiatives and development programmes. Since Bangladesh is a country with large numbers underemployed and unemployed, civil society has offered much-needed job opportunities, stimulating small enterprise development, and inspiring and equipping people from a traditionally agricultural society to pursue non-farm livelihoods. It is playing an indispensable role in partnering with international development partners to bring precious resources to the country during times of devastation, and implementing health education and literacy programmes. Bangladesh civil society is also participating in grassroots legal reform to target and empower

the most vulnerable portions of the population. As a result of the legal vacuum in which vulnerable groups are unable to enforce their rights, civil society has taken on an increasingly broad role in addressing legal and political issues beyond their traditional focus, such as strengthening economic and social programmes. Evidence of civil society participation in judicial and legal reform in Bangladesh is growing. On a local level, it is partnering with bilateral aid agencies, such as the United States Agency for International Development to strengthen traditional dispute resolution and mediation procedures in rural villages. Organizations such as the Bangladesh Environmental Lawyers Association (BELA) and Bangladesh Legal Aid and Services Trust (BLAST) are working to expand public interest litigation, in part by providing greater representation for poor people, and bringing them to light in both the public and private sectors. Additionally, public interest litigation work done by BLAST has resulted in victories in the Supreme Court of Bangladesh against the police for illegal detentions, abuse, and corruption.

In the past years, civil society organization has also emerged as service provider. The anti-corruption group, Transparency International-Bangladesh (TI-Bangladesh), has observed that some of the civil society organization in Bangladesh have moved away from the values of volunteerism and self-less service to the poor and needy people. Civil society organizations in Bangladesh lack of financial sustainability and adequate infrastructure. There is a shortage of efficient employees and high employee attrition. Moreover, there is an undue interference and control by the Government. Process for releasing of funds is also lengthy. It is also facing religious conservatism, militancy, terrorism and political pressure.

4.4.6 CIVIL SOCIETY IN SRI LANKA

The civil society in Sri Lanka includes at least 50,000 registered and unregistered organizations. The main categories of civil society organizations operating in Sri Lanka are: INGOs involved in humanitarian and post-conflict activities, INGOs and domestic civil society organizations involved in advocacy, domestic organizations involved with poverty alleviation in conjunction with government programmes and local organizations involved in grassroots.

In the beginning, the civil society organizations in Sri Lanka were ecumenical

organizations. These were affiliated to the 19th century Christian missions. For example, the Ceylon Bible Society was established in 1812, the Christian Literature Society of Ceylon in 1858, and the Young Men's Christian Association in 1882. In 1880, the American Theosophists Helena Blavatsky and Henry S. Olcott established the Buddhist Theosophical Society, which in turn bore offshoots such as the Women's Education Society (1889), the Mahabodhi Society (1891) and the Young Men's Buddhist Association (1898). Notable among the voluntary organizations spawned by the nationalist movement were the Ceylon Women's Union (1904), which aimed to raise the status of women, and the Ceylon Social Reform Society (1905), which sought to defend the country's cultural values. In 1906, the Temple Development Societies and Death Donation Societies were supplemented by the Thrift and Credit Co-operative Societies, established under the Co-operative Societies Ordinance. In 1940, the Consumer Co-operative Societies were set up. The women's movement for suffrage gave rise to the Lanka Mahila Samiti (Women's Association), which was established in 1931 to raise women's social, health, and economic standards. These were complemented after 1940 by government promoted rural development societies and other CBOs.

In the post-independence period, there was a gradual increase in the number of civil society organizations. They spread out from the densely populated, more urbanized southwest of the country to the rural hinterland. The Department of Rural Development was active in promoting village rural development societies for voluntary self-help work. On its initiative, several international nongovernmental organizations (INGOs), notably Service Civil International, were introduced to Sri Lanka. The involvement of civil society in human rights activism commenced in the aftermath of the 1971 insurrection by radical, mainly rural underprivileged, youth with the formation of the Civil Rights Movement to campaign for the release of incarcerated insurgents. Many of the civil society organizations formed in this period had roots in left-wing political activism. In the late 1970s, the liberalization of the economy and the relaxation of exchange controls and travel restrictions as well as the increased flow of foreign assistance resulted in the rapid growth of the NGO sector, in numbers and activities, which became more diversified. As a consequence of their proliferation, their socio-political impact increased correspondingly. This process was

accelerated due to the outbreak of the civil conflict in 1983. Issues of human rights took on a new importance. It increased with the outbreak of a second insurrection in the south of the country. Civil society organizations were affected as they came under attack from the southern insurgents. Many of them were forced to stop their activities. The women's movement became particularly active in this period, launching a number of initiatives to protect human rights. As a consequence of its intervention in political affairs, civil society activism became a subject of controversy in Sri Lanka.

In its aftermath, new emergency regulations regarding the registration of civil society organizations were issued under the Public Security Ordinance. Subsequently, the government recognized the work done by civil society, but insisted on greater accountability and transparency on the part of the organizations. The change of government in 1994 led to a diffusion of tension between state and civil society. Civil society personnel were recruited by the government for its peace programmes. In the wake of the destruction caused by the tsunami in 2004, there was a rapid increase in the activities of civil society. The scale of the disaster, in which nearly 40,000 Sri Lankans died, found the government unprepared. The gap was filled by civil society organizations, through which most of foreign aid was channelled. With the end of the civil conflict in 2009, civil society found itself facing the task of rebuilding the North and East and rehabilitating the people of the area, many traumatized by the intense fighting.

In brief, it can be argued that at present most of the Sri Lankan civil society organizations are concerned about the poverty alleviation and sustainable development; environmental conservation and green technologies; health and sanitation; education and training activities; rehabilitation and reforms; human rights and issues of peace; conflict-related trauma and rehabilitation; disaster management; rural development; development of slum communities; development of social infrastructure; organizing credit and services; building and sustaining community leadership; cultural politics and rights; research and publication; evangelization; women's issues and empowerment; and rights of children. Nevertheless, the Sri Lankan civil society is primarily known for the promotion and protection of political rights. Their impact has been high through lobbying and advocacy on human rights and pluralism. A major challenge faced by civil society today is their reliance on overseas funding.

The proliferation of civil society organizations involved in the 2004 tsunami relief efforts caused unease in the political sphere of the country as much of the foreign aid received was channelled through NGOs rather than through the government. Antagonism between government and civil society increased in the final phase of the civil conflict. In 2008, a Parliament Committee was appointed to investigate the operations of the civil society organizations and their impact on sovereignty and national security. Government suspicions about the civil society sector were aggravated after the conflict ended in 2009 as some international advocacy groups lobbied against Sri Lanka in international fora.

4.4.7 CIVIL SOCIETY IN NEPAL

The Nepalese civil society is comprised of 60,000 registered and unregistered organizations. At least 2,200 local organizations are members of the NGO Federation of Nepal (NFN), a national umbrella organization of NGOs. Of 2,000 politically active NGOs, about 1,800 of them are aligned with the Communist Party of Nepal and the rest are aligned with the Nepali Congress. Many NGOs are functioning as partner organizations of political parties. Civil society organizations in Nepal can be broadly classified into three groups: national NGOs; district and village-based NGOs; and local self-help groups.

As compared to other South Asian countries, Nepalese civil society organizations have a relatively short history. Until 1990, the Panchayat regime (1961–1990) exercised tight control over society. The Social Services National Coordination Council regulated and supervised the NGOs, while the Social Welfare National Coordination Council (SWNCC) handled majority of the funding agencies. The Queen was the chairperson, and the presence of international NGOs (INGOs) in Nepal was regulated from the Royal Palace. During this period, it was illegal for anyone to engage in development activities in Nepal without the Government's permission. Under the Panchayat regime, the number of NGOs grew slowly from 10 in 1960 to 37 in 1987. Two significant changes in regulating on NGOs and funding agencies occurred after the overthrow of the Panchayat regime and the establishment of parliamentary democracy in 1990. First, the SWNCC was reorganized into the Social Welfare Council (SWC), which became a government agency under the

Ministry for the Social Sector, chaired by its minister. The SWC is composed of representatives from ministries and other government agencies. Second, funding regulations were changed. For 40 years before the 1991 Constitution, foreign assistance to Nepal had to flow through the Government's consolidated fund. This provided the Government with information on foreign assistance and a large measure of control over such assistance. Due to these changes, the number of NGOs operating in Nepal has increased dramatically to about 60,000 today.

Generally, the objectives of civil society organizations in Nepal, as described by the Asian Development Bank, are social reform and citizens' awareness building. Their main activities include:

- Conducting literacy, post-literacy, and out-of-school education programmes;
- publishing learning materials;
- organizing savings and credit groups;
- promoting financial intermediation;
- developing income-generating programmes for poor people through skills training;
- building capacity of local organizations;
- running seminars for awareness-building among communities;
- monitoring grassroots organizations and service organizations;
- providing services;
- promoting advocacy;
- mobilizing communities;
- holding training workshops; and
- conducting research and evaluation of development programmes.

Civil society organizations are also working increasingly in the areas of poverty reduction; agriculture; irrigation; water; sanitation; population and family planning; heritage preservation, protection, and promotion; gender mainstreaming; human rights; peace initiatives; conflict management; and infrastructure and development.

Many domestic organizations operate multidimensional activities, not limiting themselves to a particular sector. This is partly due to an integrated development approach. This is a reflection of development funding possibilities. Many organizations have included income generation or savings and credit components in their programmes to promote community participation and sustainability. Several NGOs focus on human rights and gender and development issues. While NGOs generally have been successful in highlighting such issues, cultural or traditional resistance remains regarding equal inheritance rights for daughters or with respect to domestic violence against women. The INGOs are focused on health services, community development, and children welfare. However, few NGOs are active players in sectors such as environment, youth services, and HIV/AIDS and drug control.

4.4.8 CIVIL SOCIETY IN BHUTAN

The civil society organizations in Bhutan have existed for many years as community associations and organizations, forming an integral part of the traditional Bhutanese society. Volunteerism in Bhutan is deeply grounded in its traditional belief systems and community practices. It gives emphasis on the principles of national self-reliance, community participation, and social cohesion. Due to difficult living conditions and small population size, Bhutanese society depended very much on helping each other. In 1961 the First Five Year Plan was started in Bhutan. Government provided money and material, while people in their respective districts and blocks contributed labour for a variety of projects, such as schools, health centres, and irrigation channels. New and more modern types of associations and organizations have also come into existence in various groups of communities. Most have been formed by educated people and, unlike the traditional associations that operate on the basis of unwritten customary rules and norms, most of these new associations and organizations are governed by written rules and regulations. The first such association was the National Youth Association of Bhutan, formed by a group of young civil servants in 1973. This association was intended specifically to provide weekend radio broadcast in English. It became part of the Department of Information and Broadcasting in 1979 and later evolved into the present Bhutan Broadcasting Service. It has played the following role in the country:-

- **Place for Public Participation:** The civil society organizations have provided people with opportunities to participate in taking decisions related to different activities. These associations are an extension of the traditional associations.
- **Link between Government and People:** Most of the civil society associations act as links between the government and the people. For example, the Bhutan Chamber of Commerce and Industry, the Association of Bhutanese Tour Operators, and the Construction Association of Bhutan negotiate issues of interest to the business community in Bhutan.
- **Promotion of Gender Equality:** Civil society is working towards the promotion of gender equality and helping the women to develop skills to earn incomes. In this context, the National Women's Association of Bhutan is the main organization.
- **Economic Development, Environmental and Cultural Preservation:** In addition to acting as a mechanism or space for public participation in decision-making, civil society in Bhutan plays an important role in economic development and the environmental and cultural preservation of the country. Many communities have constructed farm and feeder roads on their own. This has provided them access to markets and other social services, such as schools and hospitals. Reliance on traditional norms in the allocation and management of communal pastures and the use of water have ensured efficient and sustainable utilization of resources. These practices are of paramount importance to the government's environmental policy. By assuring fair and just access to common properties, they prevent conflicts within the community. The role of associations and communities in the maintenance of monasteries and in the organization of religious ceremonies and traditional games are critical to sustaining Bhutan's rich cultural heritage and tradition. It has enabled successful implementation of projects and programmes initiated by the communities themselves, but also enabled the cost-effective implementation of several government-funded projects and programmes in many parts of the country. Its role in the maintenance of development projects continues to be an important factor in promoting the policy of sustainable development in the country.

4.4.9 CIVIL SOCIETY IN MALDIVES

At present, in the highly politicized environment in the Maldives, civil society has an important role in promoting transparency, accountability, the rule of law and other aspects of good governance. Civil society organizations are also often the channel through which marginalized groups can make their voices heard. They are also an essential means, not only of protecting and promoting civil, political, social and economic rights, but in promoting social cohesion and peaceful means in resolving conflicts in an increasingly tense political context. There are over 1800 registered civil society organizations across the Maldives. The focus areas of NGOs are diverse. The civil society is working in more than 25 different thematic areas. Civil society is contributing to the development of a participatory and democratic culture through capacity building activities and engaging in partnerships with local governments and community-level organizations. Thus, civil society organizations are focusing on the areas of human rights, good governance, women's empowerment and youth development. Civil society is also lobbying for the policy-formulation to deal with climate change.

4.4.10 LET US SUM UP

In nutshell, civil society has made a positive contribution in the South Asian countries. In pre-colonial, colonial and post-colonial period, it has struggled to bring the various social, economic and political changes in the society. It has act as a watchdog against violation of human rights and governing deficiencies. It has emerged as the main advocate of the weaker sections' perspectives and also as an agitator on behalf of aggrieved people. Civil society has also served as educator of citizens on their rights, entitlements and responsibilities. It is also a communicator between the government and the people. It is a mobilizer of public opinion about a particular policy of the government. In the globalized world, it is working as a service provider. Civil society is also providing the job opportunities to the people. It has helped the respective governments to improve the governance. Democratic institutions are getting strengthened in South Asian countries due to the efforts of civil society organizations. It has been observed that the role of the state is shrinking and role of civil society is expanding. The state is moving towards the role of facilitator, with limited arenas for

state action. The spaces being vacated by the state are being occupied by the market and large private organizations. Rapid technological changes and growth have had a deep impact on the societies and polities of South Asia. The growing power and impact of the media has become extremely significant in these countries. Politically, marginalized groups/communities are getting empowered through civil society movement such as the dalit movement and the women's movements.

4.4.11 EXERCISE

1. Define Civil Society and briefly discuss its role in the state and society.
2. Discuss how the nature and focus of Civil Society organizations changed in Indian in the post colonial period.
3. In the post liberalization era the civil society is being encouraged to take up responsibility for the development and welfare functions. Discuss its evolved role in the light of the above statement.
4. Identify the typical characteristics of Civil Society in Pakistan. Critically analyze the functioning of Civil Society in Pakistan.
5. Discuss how the civil society in Bangladesh has evolved over a period of time with special reference to its changing nature.
6. Briefly discuss the growth and development of civil society in Sri Lanka,

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