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GUIDELINES FOR SUBMISSION OF MANUSCRIPTS

Original papers that fall within the scope of the Journal shall be submitted by e-mail. An Abstract of the article in about 150 words must accompany the papers. The length of research papers shall be between 5000 and 7000 words. However, short notes, perspectives and lengthy papers will be published if the contents could justify.

1. The paper may be composed in MS-Words format, Times New Roman font with heading in Font Size 14 and the remaining text in the font size 12 with 1.5 spacing.

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3. Spelling should follow the British pattern: e.g. 'colour', NOT 'color'.

4. Quotations should be placed in double quotation marks. Long quotes of above 4 (four) lines should be indented in single space.

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Ambassador T P Srinivasan

Distinguished Vice-Chancellor, Ambassador Veena Sikri, Ambassador Amitava Tripathi. Prof. Mohanan Pillai, Ambassador I.P.Khosla (in the audience), Distinguished Professors and Scholars, Ladies and Gentlemen,

Allow me to pay a tribute to Ambassador Madanjeet Singh, whose vision and magnanimity have led to the establishment of the UNESCO Madanjeet Singh Institute of South Asia Regional Cooperation. This Institute is the best memorial for a noble soul who saw himself as a South Asian and worked tirelessly to achieve regional integration in South Asia.

I am grateful to the Pondicherry University and Prof. Mohanan Pillai for inviting me again, this time in my capacity as the Executive Head of the Kerala State Higher Education Council. It was to the Vice-Chancellor of this University, Prof.Tareen, that I turned when I needed an eminent person to head a committee on a new higher education policy. I hope to work with this University in the future also in our quest for excellence in education.

I have very little hands on experience of South Asia, although in pursuit of India's diplomatic interests in the United Nations and elsewhere, our neighbourhood, both South Asia and South East Asia have been uppermost in my mind. The only SAARC country I served in is Bhutan. That was long time ago, in 1971, when the Himalayan Kingdom was making the first tentative steps in the international community. Though India itself promoted Bhutan's membership of the United Nations, it was obvious even then that Bhutan's aspirations went beyond a close relationship with India and it was keen to be integrated with the international community. The countries in the region were not even thinking of a regional organization at that time. All of them sought international linkages not only to assert their sovereignty, but also to seek international assistance for development. None of them wanted to put all their eggs in the Indian basket. India loomed large in South Asia and its neighbours, much smaller and weaker, could not but look at the map of the region without awe and suspicion.

Whenever I ponder over our neighbourhood, I remember an old Polish joke of cold war vintage, the days of the Soviet Union. Some Polish students in a primary school asked their teacher who the best friends of Poland were. The teacher promptly said that the US, the UK,

India and Canada were the friends of Poland. The students were surprised and they asked: "How about the Soviet Union?" "Ah the Soviet Union! It is a brother, not a friend", she said confidently. "But what is the difference between a friend and a brother?" they asked. "Friends, we can choose, brothers we cannot!", she said vehemently. Neighbours are the same. We cannot choose our neighbours. They are a reality we have to contend with for good or for bad. Sadly, though, neighbours, like brothers, close their eyes to the reality and seek comfort and security outside their closest circles.

South Asia is a region in which the imperatives of cooperation have been evident for a long time. Apart from geography, the countries have historic, cultural and linguistic links. But the idea of regional cooperation came to South Asia, much after many other regions had benefitted from regional arrangements. We did not have to go as far as Europe to find a model. It was right there in South East Asia, which had forged an arrangement successfully even though Indo-China was out of it at that time. India itself was hesitant initially because it realized that there was the danger of its neighbours engaging in collective bargaining to extract concessions for their bigger neighbor. India had also guessed, rightly, that Pakistan would use any regional organization to raise bilateral issues.

In the last 25 years, India's worst fears have been proved right and at a time when the world is adopting a multilateral regional approach to development, SAARC is still groping in the dark for an effective formula for regional cooperation. More often than not, SAARC is plagued by tensions of various kinds. The primary reason for lack of progress is that SAARC is not multilateral in the real sense of the term. Bilateralism is disguised as multilateralism in SAARC. It often reflects the sum total of India's bilateral relations with the members of SAARC. India is more comfortable with bilateral give and take rather than demands disguised as resolutions for the good of the organization and the world. The other members too find bilateral approaches more effective in meeting their development needs, including transit and trade. The unique geographical position of India and its rapid economic growth makes India a crucial actor in SAARC. As a result, the fortunes of SAARC keep shifting and turning in keeping with ups and downs in bilateral relations. There have been occasions when even convening of meetings became difficult on account of complications in bilateral relations, a phenomenon that rarely happens in other multilateral organisations.

India's differences with Pakistan and some of the other neighbours precede the creation of SAARC and these have not been alleviated, as they should have, in the atmosphere generated by the regional organization. This itself has detracted from the viability of SAARC as a catalyst of peace. In fact, the other countries in the group tend to blame India and Pakistan for the failure of SAARC. Maldives and Bhutan have referred in the past to fractious and quarrelsome neighbours being unable to build a community of cooperation. The conferences and their decisions have remained on paper and summits remembered only as photo opportunities. The dilemma of SAARC is that solution of bilateral problems is necessary to

build a regional organization and only an effective regional organization can make the member countries confident enough to rise above bilateral disputes.

The rise of China is not without its impact on SAARC. Although China is an observer in the organization and aspires to be a full member, it has systematically cultivated member states to make them more and more dependent on China rather than on a regional structure. This has also resulted in reducing the influence of India in the region and accentuated the tendency of the smaller countries to seek solutions to their economic and development needs outside the SAARC region.

Instead of recounting the well known impediments in the growth of SAARC as a regional organization, this conference should focus on greater connectivity and regional integration in South Asia. Such connectivity and integration will take place only if the imperatives of cooperation far outweigh the benefits that accrue to the region by divisions within and playing into the hands of external powers. An interesting phenomenon we see abroad is encouraging in this context. South Asians in general tend to flock together in the US, the UK and other immigrant countries and they do not shy away from being characterized as Indians as long as they get certain benefits. Pakistanis and Bangladeshis run "Indian" restaurants abroad as the brand is advantageous to them. South Asian organizations like the South Asian Journalists Association in the US consist mostly of Indians, but the very fact that they represent the region has given them greater acceptability. Many Indians abroad believe in the kind of vision that Ambassador Madanjeet Singh had of a South Asian identity. A movement for regional integration can grow abroad wield its influence in the region.

India's hesitations about SAARC has not diminished in the last 25 years, but India alone can breathe new life into SAARC to make it strong enough to resist external pressures. The key is acquisition of greater economic and military strength by India. The neighbouring countries, particularly Pakistan should also see the benefits of a regional strategy. Pakistan's policy of exporting terrorism and confrontation must change.

The participation in this conference is truly impressive. Rarely does one see so many diplomats, scholars and others who understand South Asia very well. I am sure such a conclave cannot be in vain. I wish you success in your deliberations and gladly inaugurate this international conference.

Thank you.

Greater Connectivity and Regional Integration in South Asia*

Ambassador Amitava Tripathi

Madam Vice-Chancellor, Ambassador IP Khosla, Ambassador T P Srinivasan, Ambassador Veena Sikri, Professor Mohanan Pillai, Director UMISARC, Distinguished Delegates from SAARC Member States, Ladies and Gentlemen,

I am grateful to the Madanjeet Singh Institute of South Asia Regional Cooperation of the Pondicherry University for asking me to deliver the keynote address at the Conference on "Greater Connectivity and Regional Integration in South Asia", this morning. As you may know, UMISARC is the product of a commendable collaboration between the University of Pondicherry and the South Asia Foundation started by the late Ambassador, Madanjeet Singh. It subsequently secured the sponsorship of UNESCO, the world's premier educational and cultural body, with which Ambassador Singh had enjoyed a lifelong association. Indeed, a great part of Ambassador Singh's remarkable, colourful and event-filled career was devoted to the cause of promoting cooperation among the richly diverse but often contentious peoples of South Asia. Not surprisingly, therefore, the UMISARC, which is in some ways his brain child, is today one of the foremost centres in South Asia dedicated to promoting studies on the countries of the region as well as their close neighbors. I further understand that since 2008 the Centre has been supporting scholars from each of the eight member countries of SAARC to pursue the university's UGC approved Post- Graduate Program in South Asian Studies.

In the course of the next three days, you will be listening to an impressive group of academics, former and current diplomats and regional experts on various aspects of the Conference' s highly relevant theme. Hopefully, the outcome of their well-considered deliberations will provide a blue print for accelerating the process of integration in our region. In my own presentation, I simply intend to set the backdrop of the discourse and touch upon the challenges that SAARC must overcome to ensure its successful transformation from the declaratory to the implementation stage as was announced as far back as the 12th Summit in Islamabad in 2004.

In their contribution to the publication, "SAARC: Building Bridges in the South Asian Region", brought out in 2011 by the Foundation for Peace and Sustainable Development, Dr. Pankaj Bhan and Dr. R.N. Srivastava have rightly identified the foundation of SAARC in December 1985 as being a direct outcome of the developmental process of South-South cooperation in the second half of the Twentieth Century. Faced with adverse terms of trade and

scarcity and high cost of financial resources offered by the industrialized West, the newly decolonized countries of Asia, Africa and the Caribbean as well as the older decolonized countries of Latin America were obliged to form themselves into international and regional groupings focusing on their common political and economic concerns, often at variance with those of the developed world. Such cooperative efforts led to the formation of both global/trans-regional bodies like the NAM, the UNCTAD and the Group of 77 on the one hand and regional organizations like the ASEAN, the SAARC and later the Andean Community, MERCOSUR, and the CARICOM on the other. The remarkable European experiment at regional integration that transformed the European Coal and Steel Community of the early 1950s to the present day European Union has been the obvious role model for many developing countries desperately seeking an end to the centuries' old animosities that continue to cleave their own regions and in finding workable developmental strategies for meeting the needs of their teeming millions.

Following the end of the Cold War and the demise of the Soviet Union in the early 1990s, the concept of globalization came to dominate the discourse of economic development. However, the triumphal Western proponents of globalization were the ones to draw up the blue print of the process that included, inter alia, bringing down of tariff and non-tariff barriers, liberalizing domestic exchange controls, freeing of domestic labour markets, the general opening up of the national economies to external trade and investment including capital movements, and above all providing a level playing field to both domestic and foreign investors. After the excitement over the early gains died down, the developing countries realized that notwithstanding some of the obvious benefits of globalization process they were often ill prepared to deal with the consequences of dramatically reduced domestic controls that gave a field day to foreign speculators and that the resultant, near unmanageable currency fluctuations were disrupting their economies and giving rise to severe social tensions.

The Bretton Woods Institutions like the IMF and the World Bank did offer to help out the beleaguered developing countries but on conditionalities that often did not appear to be in the latter's national interest. This led to a number of sovereign debt defaults and, in the words of the Nobel Laureate Joseph Stiglitz, to the all-round discrediting of the IMF's "one size fits all" solution for global economic ills.

At the same time, the Doha round of trade liberalization talks under the auspices of the WTO started to run aground, especially after the Cancun Meet in 2003, on account of sharp differences over agricultural subsidies, market access, intellectual property rights etc, between the developed and the developing worlds. These difficulties were further exacerbated by the USA's ill -conceived War on Terror following the Twin Tower bombing of 9/11/2001, the subprime mortgage crises of 2007-09, and the sovereign debt crisis affecting a number of EU countries thereafter. The developments added a sense of urgency to the cooperative efforts of regional organisations.

Indeed the rapid succession of crises during the opening decade of the Twenty First Century, a period colourfully described by the Economistas "the decade from hell", revealed severe systemic flaws in the West's ability to direct all by itself the future economic destiny of the world. The same period, however, witnessed a new buoyancy in the emerging market economies, foremost among whom were China and India, though several others like Brazil, Russia, South Africa, Egypt, Indonesia, Turkey etc, all achieved significant growth rates. In our SAARC region, most countries barring Nepal caught up in domestic turmoil, saw commendable economic growth, collectively reaching 6% per annum until last year's downturn. The consequent shift in the global economic and political centres of gravity from the Atlantic to the Western Pacific and the Indian Ocean Regions has brought Asia once again back to the world's centre stage, a position it had last enjoyed in the early 18th century, according to the late Cambridge economist Angus Madison.

With a combined land mass of 5.12 million square kilometers, a total population of over 1.65 billion, more than 50% of whom are under the age of 25, and an aggregate GDP of $5.5 trillion in PPP terms, the eight member SAARC grouping is currently poised to play a critical role in the new Asian Century, provided, of course, it does not get perennially distracted by problems of poor domestic governance, sporadic outbursts of ethnic, communal and sectarian conflicts, and unresolved border issues that are primarily the legacies of its colonial past. The fact that India overwhelmingly dominates the SAARC region and, thanks to its central location, alone has common land/sea borders with six of the seven other members places it in an unquestionable leadership role. Unfortunately, however, given the problems enumerated above, India also often becomes the inevitable target for real and imagined differences with its SAARC neighbours. In particular, the single biggest obstacle to SAARC's efficacy as a regional body now almost 28 years into its existence, has been the frequent standoffs between its two largest members, India and Pakistan, which between them control 80% of its land area, over 85% of its population, and over 90% of its GDP. With the western military presence, expected to be sharply curtailed in Afghanistan by the end of 2014, the dangers of this newest of SAARC members, already a victim of endless strife for the past 34 years, becoming an active centre of competition, if not of conflict, between India and Pakistan remains a distinct possibility. Such an unfortunate development certainly does not augur well for the future of SAARC. Indeed, SAARC has been a living proof of how bad politics can drive out good economics and prevent much-needed social change, thus consigning hundreds of millions of the region's poor to endless and needless suffering.

It is true, of course, that in terms of institution building, SAARC has made commendable progress in the nearly three decades of its existence. The formal adoption of the SAARC charter in December 1985, the development of an elaborate five-tiered governmental mechanism for proposing, adopting, implementing and monitoring SAARC decisions, the establishment of a permanent SAARC Secretariat in Kathmandu in 1987 for coordinating the activities of various SAARC bodies, the identifying of eleven core areas of cooperation under

the Integrated Program of Action, the setting up of as many as ten Regional Centres spread across the SAARC region, and the successful holding of seventeen 17 SAARC summits make impressive reading. SAARC's ability to attract international attention is clear from the fact that no less than eight major countries besides the EU have sought and secured international observer status of the regional body since 2007. And yet, a full seven years after the promulgation of the SAARC Free Trade Area, SAFTA, in 2006, the centre piece of all SAARC accomplishments, intra-regional trade, still accounts today for less than 5% of the aggregate global trade of the SAARC member countries. This compares rather poorly with the EU's achievement of 67%, the NAFTA's 40% and the ASEAN's 26%. The reality of as many as five of the eight member SAARC being LDCs, three of them are landlocked, and two of them are Island Nations continue to be significant impediments to economic integration. The narrow basket of goods and services that many of the SAARC members can offer to one another as well as the absence of complementarities, are also serious drags on developing an effective trade regime, notwithstanding significant cuts and even outright abolition of numerous tariff lines, for the LDC members, by India and Pakistan in recent years.

It was as early as the Ninth Male Summit of 1997 that the SAARC Member States acknowledged that the inadequacy of intra-regional communications facilities was coming in the way of closer economic cooperation. The Eleventh Summit at Kathmandu also emphasized the need for collective efforts in upgrading transport linkages. To realize the immense intra-regional potential for trade and tourism a SAARC Regional Multimodal Transport Study was undertaken with ADB aid. Finally, at the Sixteenth SAARC summit in Thimpu, the leaders recognised the centrality of connectivity to deepen and consolidate regional integration and declared 2010-20 as the "Decade of Intra-regional Connectivity in SAARC". This initiative was supplemented by bilateral efforts on the part of India, Pakistan and Bangladesh to restore and improve road and rail links among themselves in identified sectors. Again at the Seventeenth Summit in the Maldives the SAARC leaders committed themselves to finalizing the conclusion of a SAARC Regional Railway Agreement and a Motor Vehicles' Agreement, besides completing preparatory work on cargo and passenger ferry services between India, Sri Lanka and the Maldives prior to the Eighteenth Summit expected to be held in Kathmandu this year. It is imperative that these efforts in furthering SAARC linkages are pursued vigorously for early implementation.

The various speakers at this Conference will no doubt address different aspects of road, rail, air, riverine, maritime and perhaps even electronic connectivity over the next three days. Promotion of trade, transit and tourism is critical to SAARC becoming a living reality. Indeed, our collective objective in this Conference should be to urge the conversion of SAARC borders into becoming bridges of friendship instead of remaining barriers of suspicion. The future of 1.65 billion members of humanity depends on how successful we are in bringing about the transformation of SAARC from being a wary neighbourhood to a genuine brotherhood. Thank you.

India and Regional Economic Integration in South Asia: A Critical Analysis

Sailaja Gullapalli

Abstract

Regional Economic Agreements have brought about an innovative change in the realms of international economics. These have been alternative arrangements towards achieving prosperity and development in various regions of the world. As of today, more than two thirds of the nations of the world are into some regional agreement or the other and are reaping enormous financial benefits out of these. India too for long has confined itself into a closed economy and its economic liberalisation in the early 1990s totally turned around its economic prospects for the better. But the region, South Asia, as whole, remains woefully underdeveloped rendering it as one of the most backward regions of the world. For South Asia to become a predominant force, all the nations in the region have to forge meaningful relations. India, with its rising economic capacity, should constructively contribute to this. This paper deals with the problems India faces and its sluggish response to many of the developments in the region. India needs to redefine its foreign (economic) policy to bring about positive changes in its domestic and regional realm.

Introduction

Almost two decades ago, India unveiled its 'Look East Policy' to enhance its trade and commercial relations with the countries of the South East Asian Region. Infact, it vigorously pursued its entry into the regional group and by December 2012, it did achieve much progress by taking the economic relations to further levels. From being a sectoral dialogue partner to forging free-trade agreement, India has come a long way in the pursuit of its economic interests.

The same conviction does not seem to apply when we talk about our relations with our immediate neighbours. Since the inception of the South Asian Association for Regional Cooperation (SAARC) in 1985, this regional group has hardly made the progress to the levels it was required to reach. India did not rigorously pursue its economic interests with the region, perhaps owing to its compulsions in the political arena. It is often said that where politics fails,

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economics makes its way to success. Even the warring European nations have made much progress in this area and today the result is much visible, making it the largest regional grouping spanning the whole of Europe. What ails our sub-continent with much closer cultural and social similarities? The answers are not much difficult to find. SAARC has always been a hostage to the India-Pakistan conflict over Kashmir. The coverage of the SAARC meetings highlights the Indo-Pak issues to such an extent that it completely overshadows the presence of the Heads of the Member States of the organisation.

While much has been often said about the bilateral issue hijacking the SAARC meetings, it is also important for us, as a nation, to introspect our own approach and contribution to the functioning of the SAARC and its economic interests. India is often seen as a hegemonic power by its neighbours. At the same time, the proximity to this regional power has often made these geographically petite nations balancing their own interests so as not to earn the displeasure of the former. But of late, the latent apprehensions have often resulted in many a failing deals with India and their inching towards another regional power, China. This is a matter of concern as India, with its hostile neighbours, cannot afford to strike a discordant note with its smaller neighbours.

India and its neighbours have forged a Free-Trade Agreement in 2006 resulting in South Asia Free Trade Agreement (SAFTA). The free trade agreements in other parts of the world have comparatively brought about much regional development but this is not the case with the SAARC region. There are certain inevitable conflicts that have hindered the smooth economic relations of the member states. Some of the issues that have come into prominence are incomplete forging of water treaties between India and Bangladesh; Nepal's displeasure over India's political stance in its internal matters; Sri Lanka's close links with China over the construction of Hambantota port; Maldives' cancellation of airport deal with the business group GMR; and the issue of Pakistan's refusal to grant India the Most Favoured Nation status. These failed deals are not only lost opportunities for India that aspires to be a regional economic power but are issues that are likely to trigger various conflicts. India shares a much better rapport with Bhutan and Afghanistan that found its entry later into the organisation and the paper does not deal with these two countries.

Regional Economic Integration

The end of the Cold War paved way for the termination of bloc politics between the US and the erstwhile USSR. At the same time, it also raised many a complex issue leading to a wide range of new conflicts, apprehensions, regional and local conflicts, poverty, environmental degradation and other similar issues. In order to avoid these bickering conflicts and concentrate on the welfare measures for people, various nations have especially taken to the route of forging meaningful alliances with their erstwhile competitors so as to achieve common goals. Alagappa describes this regionalism as "sustained co-operation, formal or

informal, among governments, non-government organisations or the private sector in three or more contiguous countries for mutual gains" (Alagappa 1994:158). Regional economic integration offers better scope to avoid mutual conflicts and allows the nations to follow a system wherein their divergences are cleared through a regional method and manage their affairs in much cordial manner. It is often perceived as an effective substitute to manage local conflicts, and as a platform that enables one to find more compatible solutions to regional problems. The resurgent wave of regionalism in the late 1980s or early 1990s, as opposed to the beginning phase in 1950s, has been much more effective in managing the affairs of the nations. The reasons are plenty but the most dominant factor has been the breakdown or rather the ineffective functioning of the international organisations that hardly brought about economic gains to the much needed developing nations. Therefore, these nations found it easier to forge relations either with their affluent neighbours or with the like-minded neighbours to exchange their views and reap mutual economic benefits.

The regional organisations are necessarily created by states and the members pursue their common goals collectively through mutual agreements. The members' consent is necessary for any regional action or decision. The states, in order to achieve regional co-operation and development, endorse collective decision-making and the result is an outcome of the combined efforts of the regional actors. Undoubtedly, the regional platform offers scope to further trade interests and open access to business opportunities and flourishing markets and facilitates investment on a much larger scale. It also facilitates multilateral rule making or rule changing, creating a favourable political setting or legal framework at a bilateral or regional level, resolution of disputes, and creation of innovatory agreements, conventions and treaties (Bulajic 1997: 9-10). Precisely these trade blocs are, for the developing countries, the easiest way to development, while at the same time offering solutions to their longstanding regional peace and security problems. Regionalism is thus characterised by politico-economic objectives.

Regional Economic Cooperation in South Asia

Of all the regional groupings, South Asia presents the most complex picture and as has already been mentioned in the introductory paragraph, inspite of many commonalities, the economic cooperation in the region has been excruciatingly slow and dispiriting. The prime reasons responsible for such state of affairs is that the region is heavily weighed down by regional conflicts and apprehensions. The SAARC has come into existence in 1985 but has lost out on many economically rewarding openings and opportunities. Thus it lags behind in its goals inspite of 27 years of its existence. The most menacing feature has been its poverty and the resultant inequality that afflicts almost 400 million people in the region. South Asia's high and growing inequality may itself act as a brake on future growth and poverty reduction (Devarajan et al 2006: 3574-75). The political reasons continue to cloud the reason and wisdom among them; inspite of the alliance, these conflicts are looming large over the efforts towards

regional cooperation. The intra-regional trade between the member countries remain negligible even in absolute terms…restricted by numerous quantitative and administrative measures. This can be called inverse regionalism (Lahiri 1998: 1126-27). As Roy points out, the region has over one-fifths of world population and a combined gross national income of $ 3 trillion but provides for only 1% of world production. Despite geographic proximity, trade and weak transit links, infrastructure difficulties, high tariffs and non-tariff barriers have hampered the investment prospects (Roy 2005:6).

The establishing of South Asia Preferential Trade Agreement in 1993 (first round of talks in 1995) and the much awaited South Asia free Trade Agreement in 2006 have had little impact on the region. The inclusion of Afghanistan was a positive step as it needs clear cut policies and funding to cope with its war-torn economy and move towards reconstruction. To sum up,

> "almost inexorably, South Asian nations, despite their apparent adherence to the ideal of nonalignment, have pursued extremely disconsonant foreign policies. Consequently, the major global powers have played their roles in aggravating the intra-regional cleavages of South Asia. Finally, India's overwhelming regional preponderance creates certain basic insecurities and sharp differences between India and its neighbourhood. All these aspects have created a multitude of problems for the South Asian region. These problems collectively boil down to a crisis of legitimacy, welfare, and order in the affected area" (Arvind 2008: 340).

The examples and experiences from other parts of the world prove that cooperation is more a result of political will; infact, with so much socio-cultural similarities, the nations of South Asian region, if they intend, have much to rejoice as there are more convergent factors than the divergent ones.

Many developing countries like Mexico have developed because of their economic cooperation with the US and Canada through NAFTA; so did the newly joined nations like Latvia in the European Union. The presence of bigger players/members acts as a stimulant to take the bloc forward towards development. In the South Asian region, India undoubtedly has an overwhelming presence. It has, compared to its counterparts, much better capacity to invest and facilitate trade and technology transactions. Regrettably, the obstinate conflicts which have been the result of the past, hang heavily on the heads of the member nations including India. Coupled with the emerging problems, these have ensured that the region does not make progress to the levels it was expected to reach. India's policies have left many of its counterparts fuming and view it as a hegemonic state. Of late, the smaller states have been inching closer to China, the biggest nation in the Asian region for trade and commercial transactions. India has lost out to China in some of its economic deals. There is another danger lurking around, that is, the influence of China on the smaller nations which, in the long term,

could prove very costly for India. The following paragraphs focus on India's economic relations with its smaller neighbours and what India needs to do to regain their confidence, without which regional progress is impossible.

India and its Approach

In August 1947, India attained independence and announced to the world 'Non-Alignment' as its foreign policy. A bold step indeed in the era of compelling regional strategic blocs forged by the US and erstwhile USSR. Eventually its non-violent approach to independence won much appreciation around the world and several smaller nations adopted the same to gain their independence. India was perceived as an undoubted leader of the Third World, where it could guide its members and others seeking its help. It eventually forged close relations with the USSR. In the 1960s, it turned the offer of the South East Asian nations to enroll itself as a member of the regional group. Its liberalization in the early 1990s saw its emergence as a rising economic power and it left no stone unturned to get closer to the US in the post- Cold War era. All along its cold shoulder to the neighbouring nations has been quite apparent. The Chinese aggression in 1962 instilled in India apprehensions about China. It continues to this day. Its fears, no doubt, are justifiable. The increasing influence of China in the region through its economic aid, infrastructure development and setting up of industries has refueled its apprehensions.

At the same time, India's own capacity and respect in the region has been unparalleled. It has wielded considerable influence and has gone forth in helping its neighbours- be it in their times of political crisis, economic downturn or natural calamities; it did help them through financial aid and assistance. At the same time, India's approach has been rather laidback. This could be a result of its perception that the region needs its help come what may and they have nowhere to turn to. The neighbours, nevertheless, have been seeking its assistance for the sake of maintaining the regional equilibrium. With its resource capacity and capability and higher technology and knowledge, India could be a front-runner in assisting its neighbours in their development process. The more prosperous our neighbourhood becomes, the better the opportunities for us to invest and seek returns thereof. Perhaps India has failed to perceive their ambitions and aspirations to become prosperous. They too are sovereign nations and aspire, like any other country, to achieve considerable progress and development and provide their population the much needed better living standards. Much of the South Asian region is plagued with poverty, underdevelopment, higher levels of maternal and infant mortality and undernourished population. It is, therefore, natural that the nations of the region aspire to achieve prosperity to mitigate the ailing problems.

In the absence of India's unwillingness to aid these countries in different ways, most of these nations have been seeking the assistance of and are helped by China, which has a booming economy and whose economic expansion is well known around the world. Many of

the contracts relating to infrastructure and other industrial development issues are now being ably tackled by China in the sub-continent. Need we say that this is creating ripples of insecurity among the Indian government and bureaucratic circles? Has China succeeded in cashing on the aspirations of these neighbours? Have we failed to keep up our dominance in the region? Is India indifferent to the desperate bid of its neighbours' impending sense of progress? Some of the recent developments in the region stand testimony to India's apathy and neglect of its relations with the smaller countries. It ended up in many failed deals, giving leverage to China to expand its economic influence, which if ignored, is likely to escalate into political and strategic influence and finally lead to conflicts that would destabilize the already fragile peaceful conditions in the region. The following is the summary account of some of the missed opportunities for India. The scenario would have been different had India shown some political willingness and interest to undertake development-related steps in the region.

The South Asian region have lucrative business opportunities to those who are willing to invest and are ready to expand trade and business relations in the region. While India has been not so interested in these development plans, China has been encashing these opportunities. At the same time, their trade relations with most of the South Asian nations are more or less equal. Infact India and China have witnessed an increased level of bilateral trade and commerce inspite of border and territorial disputes. Some of the thorny issues include the following:

India and Sri Lanka

One of the recent contentious issues has been the development of Hambantota Port by the Chinese in Sri Lanka. The Hambantota Port, a centre point of tourism and bustling business centre, and also the dream project of the Sri Lankan President Mahinda Rajapaksa, is being hailed as the largest port in Sri Lanka, overtaking even the Colombo Port. It is the world's first in-built harbour across the busiest East-West shipping lanes. China has undertaken its construction with its aid, loan and technology. The harbour is 16m deep and can lodge four medium-sized general cargo ships with space for 18 ships, to be upgraded to accommodate 33 ships in future. For constructing this, China gave aid amounting to $360 million and an additional $808 million as loan for the construction of the second phase. Also an amount of $176 million has been allocated to install LPG, aviation and bunkering tanks. Other facilities in the pipeline are railway line, oil and gas pipelines, facilities for containers, transit warehouses, rest and crew change, and ship repair facilities. The construction of this port has fuelled Indian apprehensions regarding the provision of access to and presence of China so close to its maritime boundaries and also the creation of a Chinese Naval Base in future. Quelling the Indian suspicions, the Sri Lankan government agreed India's request to open up a Consulate in November 2010 in the region giving a signal of its assigning importance to India, besides asserting its right to approach other countries for development and commercial interests. This was done to counter any effort of the Chinese to interfere in the strategic affairs. India has, by

waking up late, undertaken the reconstruction work in the tsunami damaged Southern railway corridor from Galle to Matara; renovating the Palaly Airport and is developing the Kankesanthurai Harbour, to further its regional and domestic business interests and trade and commerce. It is to be noted that India was offered the construction of the Hambantota port long ago but upon its unwillingness/refusal to do so, the opportunity was grasped in quick succession by China. There have been vehement denials by China as to its strategic interest in the region and by Sri Lanka reiterating its commercial intentions in developing the project. Nonetheless, it remains a thorn according to the Indian perception. To quote the words of former diplomat, M.K.Bhadrakumar,

> "too many people in our strategic community seem not to care that Sri Lanka first offered the Hambantota port for development to India. New Delhi thumbed its nose at it, whereupon Colombo turned to Beijing for help. We seemed to have forgotten that Sri Lanka was a sovereign country and wanted to exploit its unique factors to its advantage for economic development. We are no one to dictate whether it needs such modern facilities at Hambantota or has any right to make the port an important transportation hub in the Indian Ocean. At any rate, we have nothing to fear about Sri Lanka becoming a pearl in a Chinese string, as there are very few people on this planet who treasure their autonomy of thinking and action as the Sinhalese do — and to boot, they are first-rate practitioners of the art of diplomacy" (*The Hindu*, 2 November, 2009).

Most of the experts attribute India's apprehensions to its own apathy and neglect. The recent Resolution against Sri Lanka by the international community and to a great extent supported by the domestic political party in Tamil Nadu put India in a much embarrassing position with regard to its neighbour. India maintains its stand of not interfering in the internal matters of its neighbour and the issues that arise from the strife that engulfed the latter. India needs to tread cautiously so as not to displease its own internal political class as well as Sri Lanka.

India and Bangladesh

The most important issues of commercial and resource management interests between India and Bangladesh include the treaties on river water sharing agreements. The issue of Teesta River water sharing had almost sailed through but was marred by the internal political bickering in India. This could have resulted in assuring Bangladesh 48 per cent of the river waters and India, 52 per cent after leaving aside a certain amount at the Teesta Barrage. The West Bengal Chief Minister's apprehension was that it would seriously affect the agrarian economy of northern Bengal. But the reasons are more obvious, for her resentment at not being consulted by the Centre on this issue before the visit to Bangladesh. Inspite of the embarrassment, India managed to clench the deal and agreed on signing an interim agreement

for a 15 year period on sharing of the water from the rivers Teesta and Feni. The use of Chittagong and Mongla seaports was also discussed during the summit meeting of the leaders. The Bangladeshi officials reiterated that they have more to offer in terms of trade than just Jamdani sarees and Hilsa fish. This comes in the wake of unsettled land transit issues like opening up of road and rail links to India's Northeast region. The trade routes have Integrated Check Posts and 60% of Bangladesh's exports to India passes through the Benapole (Bangladesh side)-Petrapole (India side) check point. Bangladesh is keen on opening up other routes and expressed its frustration in the following words: "There is a problem of mindset.. At the senior, political level, we have very good relations and things are sorted out. But when it gets down to the level of customs functionaries at the trading posts, they say they haven't received the written order" a Bangladesh diplomatic official said. Another contentious issue has been the Bangladesh Standards and Testing Institution (BSTI) certification which is yet to be accepted by the Indian traders.

Though Bangladesh is keen on making its presence visible in India, the banking transactions pose a major challenge. It is irked that it has been bracketed along with Pakistan in terms of security and the risks associated. These are irritants, which, if ignored, are likely to tilt Bangladesh's trade towards China in the future.

The trade deficit between India and Bangladesh more than doubled in just five years, reflecting a widening economic imbalance between the two countries. The gap, which was $1,998.58 million in fiscal 2006-07, reached $4,057 million in 2010-11, as per the Bangladesh Bank and Export Promotion Bureau data. India is yet to address the issue of non-tariff barriers apart from accepting the certification of Bangladesh standards and Testing Institute (BSTI) for solving the Bangladeshi exporters' problems. Further, Bangladesh is keen on opening transit routes to Nepal and Bhutan via India; it also wants to invest in infrastructure development, which would provide a win-win situation for both the countries. As was admitted by the Bangladesh Commerce Minister, Ghulam Muhammed Quader, Bangladesh is flooded by much cheaper goods and items from China and expressed hope that India would surpass it (Interview with Bangladesh Commerce Minister, see References). The Indian apprehensions include illegal migrant population apart from Bangladesh territory being used as safe havens by the insurgent groups.

India and Maldives

The India-Maldives relations have been experiencing their lowest phase diplomatically. India's business and infrastructure development group GMR won the contract for Ibrahim Nasir International Airport in 2010 for upgrading, maintaining and operating the airport. Maldives shares its closest relations with India historically and India too has been reciprocating its goodwill and respect for the atoll nation. The GMR began the $511 million joint venture with Malaysia Airports Holding Bhd to build the Male international airport, making it one of

the biggest investment ventures in the island nation. The cancellation of the airport deal comes as a bitter shock as the Maldives government termed it as involving legal, technical and economic issues that are unacceptable to it. The move is basically that of undoing the deals undertaken by the previous regime Nasheed government by the present regime under Waheed. The issue is more an internal political move of Maldives. The case was appealed in a court of Singapore but the ruling went in favour of Maldives and against GMR.

Leaving aside the technical and financial aspects of the project, the dispute led to a diplomatic row and the aid to Maldives by India is being reconsidered. Further, the visa rules have also been tightened from the Indian side. One can also see the wide spread anti-India sentiments being voiced by groups like Adhalaath, a radical Islamic Party. They had even voiced their opinion of handing over the contract to China and forging deeper relations with China as a future strategic partner. China too has maritime linkages with Maldives and somehow coincides with India's fear of being encircled by China's 'String of Pearls' buildup. China's relations with Eastern Africa and Southeast Asia and its dependence on them for energy supplies ensure its good relations with Maldives. China also opened an embassy in Male in 2011 and constitute the majority of tourists visiting Maldives. It is developing infrastructure in the Ihavandhoo, Marao and Maarandhoo islands of Maldives. As an expert observes, it is not without reasons that the current dispensation in Male holds the view that "it will be to the detriment of the Maldives to not engage with China (Manoharan T, see References)."

India and Pakistan

The most problematic bilateral relationship among the South Asian countries is shared by India and Pakistan. The problem has its roots since the partition of the country. Kashmir remains the focal point between the two sides and all the issues are inextricably linked to this issue. Of late, in the economic arena, the most contentious issue has been the granting of Most Favoured Nation status to India by Pakistan. The two countries bestowed this status on each other soon after the partition till 1965. India renewed this status for Pakistan in 1996 unilaterally but the same has not been reciprocated by Pakistan. The very fact that regional trade offers much better opportunities has been well absorbed by a panel of economists in Pakistan. Their report on the medium-term development imperatives and strategy for Pakistan, which they were requested to undertake by the Planning Commission, related to building up and strengthening ties. They observed that the relations could be improved "through considering first granting India MFN basis and abandoning the positive list approach, easing visa processing to facilitate freer movement of people, an institutional arrangement for banks… opening up of new transportation routes… better information exchange, reduction in NTBs [non-tariff barriers], and creating an enabling environment for investment in joint ventures" (Anita Joshua, *Frontline*, 2011). This view was echoed by the Pakistani businessmen and Pakistan is looking at the options of working on it and granting the status on India at the earliest and also sorting out the issue of non-tariff barriers.

However, the Indian side has not been much optimistic as they opine that the vested interests in Pakistan would not allow it to happen and do not want to progress on this issue. Joshua also points out to the opportunities that are galore in the trade of electricity between the two countries. "The two sides decided to set up a group of experts to examine the feasibility, scope and modalities of such trading. Another group of experts will examine a similar proposal for trade in petroleum products including building cross-border pipelines and the use of the road/rail route including the Munabao-Khokrapar route for this purpose. A third new proposal pertains to trade in Bt cotton seeds that would help Pakistani farmers and the textile industry raise cotton yields and ensure better cotton security" (Anita Joshua, *Frontline*, 2011). Efforts are on to discuss the full operation of the Integrated Check Posts on the Wagah border. The other issues that would smoothen out the trade movement include the full-body scanners for the trucks, cold storage facilities and warehouses. The restrictive visa regime has been a persistent issue and needs to be upgraded and liberalized for the businessmen as per their long standing demand. They are also exploring trade opportunities in energy resources, railways and banking sectors (*Dawn*, see URL References). According to the Ministry of Commerce and Industry, Government of India, the two sides have been consistently cooperating to work out better opportunities for future trading arrangements (*Ministry of Commerce, Government of India*).

Inspite of all the rhetoric, India needs to stand up to the best of its capacity to engage Pakistan in its business relations. It is to be noted that China, a close ally of Pakistan, stands a much better chance to gain enormously in economic terms. Further, the strategic cooperation between China and Pakistan is an issue to watch out for, especially near the strategic border areas. India, in its relations with Pakistan, has to stand guard against the influence of China on the latter; also the extremist wings are unwilling to give concessions to India and in a way, do not desire peaceful relations among these hostile neighbours. Further, India's role in the post-conflict situation in Afghanistan has invited apprehensions within Pakistan as it perceives the former as disturbing the regional stability. The situation, as of today, remains quite uncertain as there arises the question of security in Afghanistan after the foreign troops withdraw from its territory. In this case too, India needs to approach the issue guardedly to maintain regional balance and stability.

India and Nepal

India and Nepal are closest in terms of all perspectives- historical, economic and social. India has had cordial relations with Nepal's monarchy all along and could be termed as one of the best bilateral partnerships India has ever entered into. But the trading relations, of late, have been dwindling for various reasons. India offers huge market potential and access. Nepal has been rather slow to tap these opportunities. Credit, finance and export incentives as also investment are some of the issues Nepal needs to clear. Infact, the South Asia Watch on Trade, Economics and Environment (SAWTEE) study identifies many an issue related to trade and investment. The Government of India and Nepal revised their Treaty of Trade in 2009 to

facilitate trading opportunities (EXIM). As per the data and information posted on the website of the Indian Embassy in Nepal,

> "Indian firms are the biggest investors in Nepal, accounting for 47.5% of total FDI proposals approved foreign direct investment of IRs 42.53 billion (approx. US $ 448 million) and 23.7% of total 2108 FDI proposals approved ventures with foreign investment. Indian ventures in Nepal are engaged in manufacturing, services (banking, insurance, dry port, education and telecom), power sector and tourism industries. Government of India is providing assistance for development of cross-border trade related infrastructure. It includes upgradation of four major custom checkpoints at Birgunj-Raxaul, Biratnagar-Jogbani, Bhairahawa-Sunauli and Nepalgunj-Rupediya to international standards; upgrading approach highways to the border on the Indian side; upgrading and expanding the road network in the Terai region of Nepal; and, broad gauging and extending rail links to Nepal" (Indian Embassy Statement, Nepal).

If India fails to tap the economic potential Nepal offers, it would, to say again, lose out to the bigger player, China, in the region. China too has easy access to Nepal due to geographical proximity and considering its economic expansion, is likely to flood the Nepalese market to the core. Another challenge India has to face is the hostile political perception of India's role in the region in general and Nepal in particular. The changing political equations and the regime change have been rather volatile and work against India's interests. Nepal, being so close to India, could be persuaded to change its perceptions and work for better regional cooperation.

Conclusion

India is hailed as one of the fastest emerging economies and as a market full of opportunities and access. India earned this after much hard work and after years of apathy and laidback approach. It is high time we need to drive away not only the negative perceptions but also earn for ourselves a reputation for our commitment and integrity. India, given its capacity as a soft power, needs to re-orient its foreign and economic policies so as to compete in its race towards being a predominant economic power. Merely seeking a permanent membership of the UN Security Council based on few achievements do not augur well for India. In itself, it has been facing many a challenge like poverty, malnutrition, higher mortality rates and also alarmingly volatile law and order problems. India needs to introspect before seeing itself as an emerging superpower. A nation that claims for itself such higher credibility needs, firstly, to set in order its own house and neighbourhood before seeking credible endorsements from across the world. We need not be aggressive but act according to the principles of Panchsheel and Non-Alignment so as to forge fruitful relations with one and all in the region and beyond. It needs to shelve its superior status and guide its smaller neighbours with its utmost capacity. The tag of being termed as hegemonic is extremely burdensome and weighs heavily on its

future potential. The choices are for India to make in the long-term interests of its domestic and regional concerns.

References:

Arvind Adityaraj (2008): "The Prospects of Economic Integration of South Asia with Regard to Intra-Regional Conflicts and Tension", *International Journal of South Asian Studies*, Vol.1,No.2, July-December, p.340.

Alagappa, M (1994): "Regionalism and Security", in Andrew Mack and John Ravenhill (ed.), *Pacific Co-operation: Building Economic and Security Regimes in the Asia-pacific Region*, Allen and Unwin, Canberra, p.158

Anita, Joshua (2011): "Ignorance Rules", *Frontline*, Volume 28, Issue, 24, November 19-December 02.

Anita, Joshua (2011): "Timeline set for Pakistan granting MFN status to India", *The Hindu*, April 30.

Devarajan, Shantayanan, and Ijaz Nabi (2006): Economic Growth in South Asia: Promising, Unequalising, Sustainable? *Economic and Political Weekly*, 19 August, pp.3574-75.

Manoharan, T (n.d.): "Maldives: GMR, Nexbis and the Tale of Two Ousters", *http://www.ipcs.org/article/south-asia/maldives-gmr-nexbis-and-the-tale-of-two-ousters-3785.html* (Institute of Peace and Conflict Studies)

Radoslav, Bulajic (1997): "Global and Regional Trade and Co-operation - Key tasks of Today's Diplomacy", *Review of International Affairs*, vol.58, 15 July-15 August, pp.9-10.

Roy, Jayanta (2005): *South Asian Regional Trade Agreements: Perspectives, Issues and Options*, 2005, p.6. Draft Paper Presented at an International Round Table on The WTO at 10 Years-The Regional Challenge to Multilateralism, *URL:http://mba.tuck.dartmouth.edu/cib/news/itr_2005_pdf/Roy.pdf*

Lahiri, Sajal (1998): "Controversy: Regionalism versus Multilateralism", *The Economic Journal,* 108 (July 1998), pp.1126-27, as cited in Wolfgang-Peter Zingel, on the economics of regional cooperation in South Asia *URL:http://www.sai.uni-heidelberg.de/abt/intwep/zingel/praha98.htm*

The Hindu, 2nd November, 2009

Interview with Bangladesh Commerce Minister Ghulam Muhammed Quader (2012): "Bangladesh flooded with Chinese Products - India to pip China as our Largest Trade Partner", *Business Standard*, 4th October.

http://dawn.com/2012/09/22/pakistan-india-sign-three-trade-agreements/

http://commerce.nic.in/trade/international_ta_current_details.asp

http://www.eximguru.com/exim/trade-agreement/india-nepal-trade.aspx

http://www.indianembassy.org.np/trade-and-commerce.php

India's Merchandise Trade with SAARC Countries: Problems and Prospects

Surinder Kumar Singla

Abstract

In recent years, the growth of regional trade blocs has been one of the major developments in international relations. Virtually all countries are members of a regional bloc, and many belong to more than one. The South Asian countries have also taken the step towards that by forming the South Asian Association for Regional Cooperation (SAARC) in 1985. Though more than two and a half decades have passed India's trade with SAARC countries have remained at a low level. The share of SAARC countries in India's global trade accounted for merely 2.55 per cent in 2009-10. Moreover, the recent financial crisis also negatively affected their trade relations. Hence, there is a need of such a policy framework that can deal with all the problems relating to India's trade with SAARC countries. Keeping all these aspects, an attempt has been made in the present study to analyse the growth and structure of India's merchandise trade with SAARC countries. The various trends and changes in India's foreign trade with SAARC as a single unit and with individual member countries of SAARC have been analysed over the period from 2000-01 to 2009-10.

Key Words: Merchandise Trade, SAARC, SAFTA.

Introduction

Regional economic cooperation has been found to be an important engine of growth by developing countries all over the world. Developing countries in Southeast Asia, Latin America, Southern Africa have launched programmes aiming at regional economic integration (RIS 1990). The growth of regional trade blocs has been seen as one of the major developments in international relations in recent yeaRs.Virtually all countries are members of a bloc, and many belong to more than one. In fact, it is argued that trade liberalisation and regional economic integration can help a region to increase intra-regional trade by exploring the size of the market. This may in turn yield efficiency and bring benefits not only by exploration of economies of scale but also by dynamic and upward shifts in production function. By exposure to a regional market, previously shattered domestic firms become more competitive and gain the confidence to enter into global competition. Driven towards integration by the pressure of economic interest of the region, seven South Asian countries - Bangladesh, Bhutan, India,

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Maldives, Nepal, Pakistan and Sri Lanka- formed the South Asian Association for Regional Cooperation (SAARC) in 1985. Later on, in 2007, Afghanistan became the eighth member of SAARC (Ali and Talukder 2009). Recognising the need for trade and investment flows in the process of regional economic integration, SAARC member countries formed SAARC Preferential Trading Arrangement (SAPTA) in 1993. The decision to transform SAPTA into South Asian Free Trade Area (SAFTA) was made in 2004 but it got implemented in 2006 (Ratna and Sidhu 2008). This agreement has come in the wake of a bilateral FTA agreement between India and Sri Lanka in 1998 that became operational in 2000. Besides Sri Lanka, India has bilateral Free Trade Agreements (FTAs) with two more South Asian nations namely Bhutan and Nepal.

Though SAARC has already celebrated its silver jubilee in 2010, its achievements have been considered very insignificant and the level of intra-regional trade among SAARC countries is still very low. With the present low level of intra-regional trade and the perceived competitiveness among the SAARC countries, a question has arisen whether regionalism would benefit the countries of this region. Moreover, India is the biggest economy of the region and plays a crucial role for strengthening intra-SAARC trade. But from the literature review (i.e. Venkatasubbulu 1996; Batra 2005; Rahman et al. 2006; Baysan et al. 2006; Newfermer and Pierola 2007; Das 2007; Ratna and Sidhu 2008; Banik and Gilbert 2008 etc.), it is realised that India's trade with SAARC countries remained well below the potential level. Hence, it is important to examine the problems and future prospects of India's trade with SAARC countries. The present study has attempted to analyse the same.

The study has been divided into six sections. After the brief introduction in the first section, the second section outlines the general approach and methodology used for the study. The third section provides a historical background of SAARC and highlights the evolution of SAPTA and SAFTA. Section four examines the various trends in growth, direction and composition of India's merchandise trade with SAARC countries. Section five includes conclusions and policy implications of the study.

General Approach and Methodology

In the present study, various trends and changes in India's foreign trade with SAARC as a single unit and with individual member countries of SAARC have been analysed over the period 2000-01 to 2009-10. Further, to know the impact of SAFTA on India's trade with SAARC, the analysis has also been made on two different sub-periods via 2000-01 to 2004-05 (i.e. pre-SAFTA period) and 2005-06 to 2009-10 (i.e. post-SAFTA period).[1] An attempt has been made to present a complete picture of India's foreign trade with SAARC member countries. The analysis made is of comparative nature in the sense that the trade with SAARC as a single unit has been examined and compared vis-à-vis the overall foreign trade of India. In order to make it more comprehensive and manageable, the time-series information regarding

the overall foreign trade of India, trade with SAARC as a unit and with individual SAARC countries has been presented simultaneously in tabular forms in relation to exports, imports and balance of trade, etc. The data has been collected mainly from Monthly Statistics of Foreign Trade of India, Directorate General of Commercial Intelligence and Statistics (DGCI&S), Kolkata; COMTRADE Database, UN Commodity Trade Statistics, United Nations Organisation (UNO); and Handbook of Statistics on Indian Economy, Reserve Bank of India (RBI), Mumbai. The growth rates of India's exports and imports with the world and SAARC have been computed at constant prices of 2000-01 by using the following equation of exponential curve:

$$Y = ab^x$$

Where 'a' and 'b' are parameters, 'Y' is dependent variable, and 'x' is time variable.

Historical Background of SAARC, SAPTA and SAFTA

The establishment of SAARC in 1985 was an attempt to reverse the conflicting tendencies of the post-independence era (Kumar 2009). SAARC was formed with the collaboration of seven member countries, namely Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka, with the vision of welfare enhancement and opportunity to realise the full potential of the region. The Dhaka Declaration of the thirteenth SAARC Summit in November 2005 included Afghanistan in the forum as its eighth member country (Chowdhury 2005). In fact, the move towards regional cooperation was initiated by Ziaur Rahman in Bangladesh and taken up by young leaders like Rajiv Gandhi in India and Benazir Bhutto in Pakistan. Following that proposal, Foreign Secretaries of seven South Asian countries met for the first time in Colombo in April 1981. That meeting was followed by the foreign ministers' meeting in New Delhi in August 1983 and they adopted the declaration on South Asian Regional Cooperation (SARC) formally launching the Integrated Programme of Action (IPA) in five areas of cooperation namely Agriculture, Rural Development, Telecommunications, Meteorology, Health and Public Activities. Finally, a charter was adopted in Dhaka meeting on December 7-8, 1985 to formally establish SAARC. This meeting is subsequently known as the first SAARC summit (Abdin 2009). Till now sixteen SAARC summits have been completed.

From SAARC to SAPTA

At the seventh SAARC summit in Dhaka, held from April 10-11, 1993, the heads of the seven founder member countries agreed to establish the SAARC Preferential Trading Arrangement (SAPTA) to promote and sustain mutual trade and economic cooperation among them. In the eighth SAARC summit held in New Delhi on May 2-4, 1995, the SAPTA agreement was discussed in depth. Importance was given to technical meetings and the finalisation of all necessary modalities so that SAPTA could start its journey by the end of

1995. Indeed, SAPTA entered into force on December 7, 1995. The agreement reflected the desire of member countries to promote and sustain mutual trade and economic cooperation within the SAARC region through the exchange of concessions (Abdin 2009).

From SAPTA to SAFTA

In 1995, the sixteenth session of the Council of Ministers (New Delhi, December 18-19) agreed on the need to strive for the realisation of SAFTA and to this end an Inter-Governmental Expert Group (IGEG) was set up in 1996 to identify the necessary steps for progressing to a free trade area. The tenth SAARC summit (Colombo, July 29-31, 1998) decided to set up a Committee of Experts (COE) to draft a comprehensive treaty framework for creating a free trade area within the region, taking into consideration the asymmetries in development within the region and bearing in mind the need to fix realistic and achievable targets. The agreement on South Asian Free Trade Area (SAFTA), drafted by the COE, was signed on January 6, 2004 during the twelfth SAARC summit in Islamabad. The agreement entered into force on January 1, 2006 (EXIM 2008). However, there was a delay in the commencement of trade liberalisation programme due to procedural requirements for ratification of the agreement. It was, therefore, agreed that tariff reduction programme would commence on July 1, 2006. The Agreement provides for Special and Differential Treatment (S&DT) for the LDCs (e.g. Bangladesh, Bhutan, Maldives and Nepal) in various forms. The Agreement provides member countries to maintain sensitive lists, consisting of items which are not subject to tariff reduction. Only three countries namely Bangladesh, India and Nepal maintain different sensitive lists for LDCs and Non-LDCs. Besides, the LDCs maintain longer sensitive lists than the Non-LDCs due to the S&DT provisions. The Sensitive Lists are subject to review after every four years or earlier with a view to reduce the number of items which are to be traded freely among the SAARC countries. However, in SAFTA, the present size of sensitive list is much larger than any successful regional trading agreement (RTA). At present, the size of India's sensitive list is 744 items which can restrict all trade of Bangladesh and Maldives to India (Ratna and Sidhu 2008). At the fourteenth SAARC summit, the Prime Minister of India announced the reduction in the size of India's sensitive list for LDC's. And, hence, Bangladesh and Maldives would be the major beneficiary of this move to get duty free access to the Indian market.

India's Trade with SAARC Countries

This section analysis various trends in growth, direction and composition of India's trade with SAARC member countries during 2000-01 to 2009-10.

Trends in Growth of India's Trade with SAARC

Since 1991, India adopted the policies of Liberalisation, Privatisation and Globalisation (LPG), which strengthened India's trade ties in the world economy and augmented its merchandise trade by a great amount. In fact, during the nineties, the government of India made special efforts for the expansion of merchandise trade (Singla and Singh, 2008). These efforts continued even during the first decade of the new millennium. The result of these efforts is that India's overall merchandise exports increased from Rs.203571 crores in 2000-01 to Rs.845534 crores in 2009-10. A similar trend was seen in case of SAARC countries. During the whole study period, India's exports to SAARC region increased continuously and successive yearly values turned out to be higher than that of the proceeding year Rs. The value of India's exports to the SAARC region increased substantially from Rs.8929 crore in 2000-01 to Rs.39646 crore in 2009-10. This rise in exports was seen due to the increasing number of mutual trade related agreements among SAARC member countries. Further, during the pre-SAFTA period (i.e. 2000-01 to 2004-05), the annual average of India's exports to SAARC region remained Rs.14522 crore, which shot up to Rs.34205 crore during the post-SAFTA period (i.e. 2005-06 to 2009-10). Thus, at current prices, India's exports to SAARC countries increased rapidly during the post-SAFTA period. Country-wise analysis shows that during 2000-01 to 2009-10, the values of exports remained depressed in the case of Afghanistan, Bhutan and Maldives as their annual average share in India's total exports to SAARC remained very low (i.e. 2.99 per cent, 1.21 per cent and 1.14 per cent respectively). On the other hand, during the same period, the annual average share of Bangladesh and Sri Lanka remained quite impressive (i.e. 35.86 per cent and 31.28 per cent respectively). These two countries constituted 67.14 per cent share in India's total exports to SAARC. The share of Nepal and Pakistan also remained healthy during 2000-01 to 2009-10 (i.e. 14.42 per cent and 13.11 per cent respectively). Further, the two sub-periods reflect that during the post-SAFTA period, the share of Afghanistan, Bhutan, Nepal and Pakistan improved; the share of Bangladesh and Sri Lanka declined; and the share of Maldives remained constant (Table 1).

The value of India's overall imports increased continuously from Rs.230873 crores in 2000-01 to 1374436 crores in 2008-09 and then declined to Rs.1363736 crores in 2009-10. India's imports from the SAARC region increased steadily from Rs.2250 crores in 2000-01 to Rs.8501 crores in 2007-08 (except the year 2002-03). But, since 2007-08, it declined continuously and reached Rs.7837 crores in 2009-10. This may be due to the effect of global financial crisis in the world market. Though India's imports from SAARC region declined during the last two years of the study period, its annual average value remained higher in the post-SAFTA period (i.e. Rs.7536 crores) than that of pre-SAFTA period (i.e. Rs.3073 crores). During 2000-01 to 2009-10, the annual average share of Nepal and Sri Lanka in India's total imports from the region remained quite high (i.e. 37.19 per cent and 24.83 per cent respectively), These two countries constituted 62.02 per cent share of India's total imports from the SAARC region. As was the case of India's exports to SAARC region, the share of

Afghanistan, Bhutan and Maldives in India's imports from SAARC remained very low (i.e. 4.86 per cent, 7.13 per cent and 0.13 per cent respectively), whereas, the share of Bangladesh and Pakistan remained healthy (i.e. 12.38 per cent and 13.47 per cent respectively). Further, during the post-SAFTA period, the annual average share of all the countries (except Nepal) improved than their share during pre-SAFTA period (Table 2).

Table 1: India's Overall Exports and Exports to SAARC Countries (Rs.Crore)

	Years	Overall	SAARC	Afghanistan	Bangladesh	Bhutan	Maldives	Nepal	Pakistan	Sri Lanka
	2000-01	203571	8929 (100.00)	118 (1.32)	4272 (47.84)	5 (0.06)	112 (1.26)	643 (7.21)	854 (9.56)	2924 (32.75)
	2001-02	209018	9779 (100.00)	116 (1.19)	4780 (48.88)	36 (0.37)	128 (1.31)	1023 (10.46)	687 (7.02)	3009 (30.77)
	2002-03	255137	13478 (100.00)	294 (2.18)	5691 (42.23)	189 (1.40)	153 (1.13)	1696 (12.58)	998 (7.40)	4457 (33.07)
	2003-04	293367	19729 (100.00)	668 (3.39)	7999 (40.54)	411 (2.08)	195 (0.99)	3076 (15.59)	1319 (6.68)	6062 (30.73)
	2004-05	375340	20696 (100.00)	743 (3.59)	7329 (35.41)	380 (1.84)	214 (1.03)	3339 (16.13)	2341 (11.31)	6350 (30.68)
	2005-06	456418	24561 (100.00)	632 (2.57)	7369 (30.00)	439 (1.79)	299 (1.22)	3807 (15.50)	3051 (12.42)	8964 (36.50)
	2006-07	571779	29274 (100.00)	822 (2.81)	7366 (25.16)	260 (0.89)	311 (1.06)	4201 (14.35)	6107 (20.86)	10206 (34.86)
	2007-08	655864	38720 (100.00)	1002 (2.59)	11743 (30.33)	349 (0.90)	361 (0.93)	6063 (15.66)	7827 (20.22)	11374 (29.38)
	2008-09	840755	38823 (100.00)	1823 (4.70)	11317 (29.15)	509 (1.31)	590 (1.52)	7156 (18.43)	6532 (16.83)	10895 (28.06)
	2009-10	845534	39646 (100.00)	2204 (5.56)	11501 (29.01)	561 (1.41)	378 (0.95)	7251 (18.29)	7461 (18.82)	10290 (25.95)
Annual Average	2000-01 to 2004-05	267287	14522 (100.00)	388 (2.33)	6014 (42.98)	204 (1.15)	160 (1.14)	1955 (12.39)	1240 (8.40)	4560 (31.60)
	2005-06 to 2009-10	674070	34205 (100.00)	1297 (3.64)	9859 (28.73)	424 (1.26)	388 (1.14)	5696 (16.45)	6196 (17.83)	10346 (30.95)
	2000-01 to 2009-10	470678	24363 (100.00)	842 (2.99)	7937 (35.86)	314 (1.21)	274 (1.14)	3826 (14.42)	3718 (13.11)	7453 (31.28)

Note: Figures in brackets show percentage share in India's total exports to SAARC.
Source: DGCI&S Data, Government of India.

Table 2: India's Overall Imports and Imports from SAARC Countries (Rs.Crore)

Years		Overall	SAARC	Afghanistan	Bangladesh	Bhutan	Maldives	Nepal	Pakistan	Sri Lanka
2000-01		230873	2250 (100.00)	121 (5.40)	368 (16.35)	96 (4.28)	1 (0.04)	1165 (51.79)	292 (13.00)	206 (9.14)
2001-02		245200	2809 (100.00)	84 (2.97)	282 (10.04)	114 (4.06)	2 (0.07)	1698 (60.43)	309 (10.99)	321 (11.44)
2002-03		297206	2567 (100.00)	89 (3.48)	300 (11.70)	156 (6.06)	2 (0.06)	1364 (53.12)	217 (8.46)	440 (17.12)
2003-04		359108	3259 (100.00)	186 (5.71)	357 (10.94)	241 (7.38)	2 (0.05)	1314 (40.33)	265 (8.13)	895 (27.45)
2004-05		501065	4481 (100.00)	211 (4.71)	267 (5.95)	319 (7.12)	3 (0.06)	1554 (34.68)	427 (9.52)	1700 (37.95)
2005-06		660409	6257 (100.00)	259 (4.13)	562 (8.99)	393 (6.28)	9 (0.14)	1682 (26.88)	795 (12.70)	2558 (40.88)
2006-07		840506	6821 (100.00)	156 (2.29)	1034 (15.16)	640 (9.38)	14 (0.20)	1385 (20.30)	1463 (21.45)	2130 (31.22)
2007-08		1012312	8501 (100.00)	440 (5.17)	1035 (12.17)	783 (9.21)	17 (0.20)	2527 (29.73)	1159 (13.63)	2541 (29.89)
2008-09		1374436	8264 (100.00)	592 (7.17)	1418 (17.16)	688 (8.32)	18 (0.22)	2256 (27.29)	1668 (20.19)	1624 (19.65)
2009-10		1363736	7837 (100.00)	590 (7.53)	1205 (15.38)	723 (9.23)	17 (0.22)	2146 (27.39)	1305 (16.65)	1850 (23.61)
Annual Average	2000-01 to 2004-05	326690	3073 (100.00)	138 (4.46)	315 (11.00)	185 (5.78)	2 (0.06)	1419 (48.07)	302 (10.02)	712 (20.62)
	2005-06 to 2009-10	1050280	7536 (100.00)	407 (5.26)	1051 (13.77)	645 (8.48)	15 (0.19)	1999 (26.32)	1278 (16.92)	2140 (29.05)
	2000-01 to 2009-10	688485	5305 (100.00)	273 (4.86)	683 (12.38)	415 (7.13)	8 (0.13)	1709 (37.19)	790 (13.47)	1426 (24.83)

Note: Figures in brackets show percentage share in India's total imports from SAARC.

Source: DGCI&S Data, Government of India.

The spectre of deficit in balance of trade always looms large over the Indian economy. Since independence, during most of the years, India experienced adverse balance of trade. India's adverse balance of trade increased continuously from Rs.27302 crore in 2000-01 to Rs.533680 crore in 2008-09, though it declined to Rs.518202 crore in 2009-10. However, in the case of SAARC region, India experienced positive balance of trade with SAARC. It increased

continuously from Rs.6679 crore in 2000-01 to Rs.31809 crore in 2009-10 (except the year 2004-05). Further, during the post-SAFTA period, the annual average value of India's positive balance of trade with SAARC (i.e. Rs.26669 crore) remained higher than that of pre-SAFTA period (i.e. 11449 crore). Within the SAARC region, during 2000-01 to 2009-10, the annual average value of India's balance of trade remained positive for all the countries except Bhutan. A similar trend was found during post SAFTA period where annual average values of India's balance of trade with all SAARC countries (except Bhutan) increased significantly than that of pre-SAFTA period. In fact, India's overall balance of trade with Bhutan turned to be negative since 2006 due to heavy imports of electricity from Tala Hydroelectric Project in Bhutan. However, without electricity, India's balance of trade with Bhutan also remained positive (Table 3).

Table 3: India's Balance of Trade with SAARC Countries (Rs.Crore)

Years		Overall	SAARC	Afghanistan	Bangladesh	Bhutan	Maldives	Nepal	Pakistan	Sri Lanka
2000-01		-27302	6679	-3	3904	-91	112	-522	561	2719
2001-02		-36182	6969	33	4498	-78	126	-675	378	2688
2002-03		-42069	10911	205	5391	33	151	332	781	4018
2003-04		-65741	16470	482	7642	171	193	1761	1054	5167
2004-05		-125725	16216	532	7062	61	211	1785	1914	4649
2005-06		-203991	18304	373	6806	46	290	2126	2256	6406
2006-07		-268727	22453	666	6332	-380	297	2817	4644	8077
2007-08		-356448	30219	562	10709	-434	344	3536	6669	8833
2008-09		-533680	30559	1231	9899	-179	572	4900	4864	9271
2009-10		-518202	31809	1613	10296	-162	361	5105	6156	8440
Annual Average	2000-01 to 2004-05	-59404	11449	250	5699	19	159	536	938	3848
	2005-06 to 2009-10	-376210	26669	889	8808	-222	373	3697	4918	8205
	2000-01 to 2009-10	-217807	19059	569	7254	-101	266	2117	2928	6027
Source: Computed from DGCI&S Data, Government of India.										

        In absolute terms, India's trade with SAARC countries grew substantially but it did not reveal the true picture of the growth of their mutual trade. For this, it becomes necessary to change these nominal prices into real prices (current values deflated by unit value indices),

which is done in Table 4. In real terms, India's overall imports grew at a higher rate than that of exports from 2000-01 to 2009-10. A similar trend can also be seen in the two sub-periods. But this trend reversed in the case of SAARC region where the growth rate of India's exports remained higher than that of her imports. During the period 2000-01 to 2009-10, the growth rate of India's exports to SAARC region was 9.87 per cent and that of India's imports from the SAARC region was 6.32 per cent. Further an interesting point that can be observed here is that during the post-SAFTA period the growth rate of both India's exports to and imports from SAARC region declined considerably than during pre-SAFTA period. In fact, this was the result of global slowdown which affected the growth of India's exports to and imports from SAARC region. A country-wise analysis shows that in the case of exports, the maximum growth rate was attained by Bhutan (34.41 per cent) followed by Afghanistan (25.91 per cent) and Pakistan (24.59 per cent). Whereas in the case of imports, the maximum growth rate was attained by Maldives (30.94 per cent) followed by Sri Lanka (16.84 per cent) and Bhutan (16.17 per cent).

Table 4: Annual Percentage Compound Growth Rate of Exports and Imports: Overall v/s SAARC (With base year 2000-01)

	Years	Overall	SAARC	Afghanistan	Bangladesh	Bhutan	Maldives	Nepal	Pakistan	Sri Lanka
Exports	2000-01 to 2004-05	10.08	19.50	62.03	10.44	186.36	11.65	46.12	22.98	17.93
	2005-06 to 2009-10	6.16	2.21	25.54	3.03	1.41	0.91	8.33	8.70	-6.57
	2000-01 to 2009-10	9.72	9.87	25.91	2.55	34.41	8.51	18.99	24.59	8.04
Imports	2000-01 to 2004-05	10.93	6.53	10.66	-12.20	25.19	14.13	-5.58	-2.88	54.58
	2005-06 to 2009-10	10.70	-2.80	22.86	9.58	3.72	6.91	0.51	1.98	-16.85
	2000-01 to 2009-10	12.75	6.32	11.78	9.46	16.17	30.94	-3.81	14.39	16.84
	Source: Computed from DGCI&S Data, Government of India.									

Role of SAARC Countries in India's Global Trade

No doubt, the presence of SARRC member countries in India's global trade is still limited but it is very important to know where these economies stand in India's global trade. This can be examined via Table 5, which shows SAARC countries' share in India's global exports. Accompanied by a lot of variations, the share of the SAARC region in India's global exports increased slightly from 4.39 per cent in 2000-01 to 4.69 per cent in 2009-10. During the

same period, the annual average share of SAARC region in India's global exports remained at 5.18 per cent. Further, during the post-SAFTA period, the annual average share of the region in India's global exports (i.e. 5.07 per cent) remained less than that of the pre-SAFTA period (i.e. 5.43 per cent). A similar trend was seen in the case of Bangladesh, Bhutan and Sri Lanka, whereas the reverse trend was found in the case of Afghanistan, Nepal and Pakistan. The share of Maldives remained same in both the sub-periods. It is worth mentioning that during 2000-01 to 2009-10, the annual average share of only two countries, i.e. Bangladesh and Sri Lanka, is found to be above one per cent while all the other countries have very negligible share in India's global exports.

Table 5: Percentage Share of the SAARC Countries in India's Global Exports

	Years	SAARC	Afghanistan	Bangladesh	Bhutan	Maldives	Nepal	Pakistan	Sri Lanka
	2000-01	4.39	0.06	2.10	0.00	0.06	0.32	0.42	1.44
	2001-02	4.68	0.06	2.29	0.02	0.06	0.49	0.33	1.44
	2002-03	5.28	0.12	2.23	0.07	0.06	0.66	0.39	1.75
	2003-04	6.73	0.23	2.73	0.14	0.07	1.05	0.45	2.07
	2004-05	5.51	0.20	1.95	0.10	0.06	0.89	0.62	1.69
	2005-06	5.38	0.14	1.61	0.10	0.07	0.83	0.67	1.96
	2006-07	5.12	0.14	1.29	0.05	0.05	0.73	1.07	1.79
	2007-08	5.90	0.15	1.79	0.05	0.05	0.92	1.19	1.73
	2008-09	4.62	0.22	1.35	0.06	0.07	0.85	0.78	1.30
	2009-10	4.69	0.26	1.36	0.07	0.04	0.86	0.88	1.22
Annual Average	2000-01 to 2004-05	5.43	0.15	2.25	0.08	0.06	0.73	0.46	1.71
	2005-06 to 2009-10	5.07	0.19	1.46	0.06	0.06	0.85	0.92	1.53
	2000-01 to 2009-10	5.18	0.18	1.69	0.07	0.06	0.81	0.79	1.58
Source: Computed from DGCI&S Data, Government of India.									

Table 6 shows the percentage share of SAARC countries in India's global imports. As is clear from the table, during the whole study period, the share of the SAARC region in India's global imports remained even below one per cent (except the year 2001-02). Its annual average share, during the same period, was also found to be very low (i.e. 0.77 per cent). Further, during post-SAFTA period, the annual average share of share of SAARC region in India's

global imports (i.e. 0.72 per cent) was found to be less than that of the pre-SAFTA period (i.e. 0.94 per cent). Like in the whole region, the share of individual countries in India's global imports remained exceptionally low. Except Nepal, no country constitutes even 0.5 per cent of India's global imports. The annual average share of all the countries remained negligible. While comparing the annual average share of individual countries during pre- and post-SAFTA period, it was found that the share of only Pakistan improved; the share of Nepal and Sri Lanka declined; and the share of Afghanistan, Bangladesh, Bhutan and Maldives remained constant after the formation of SAFTA.

Table 6: Percentage Share of the SAARC Countries in India's Global Imports

	Years	SAARC	Afghanistan	Bangladesh	Bhutan	Maldives	Nepal	Pakistan	Sri Lanka
	2000-01	0.97	0.05	0.16	0.04	0.0004	0.50	0.13	0.09
	2001-02	1.15	0.03	0.11	0.05	0.001	0.69	0.13	0.13
	2002-03	0.86	0.03	0.10	0.05	0.001	0.46	0.07	0.15
	2003-04	0.91	0.05	0.10	0.07	0.000	0.37	0.07	0.25
	2004-05	0.89	0.04	0.05	0.06	0.001	0.31	0.09	0.34
	2005-06	0.95	0.04	0.09	0.06	0.001	0.25	0.12	0.39
	2006-07	0.81	0.02	0.12	0.08	0.002	0.16	0.17	0.25
	2007-08	0.84	0.04	0.10	0.08	0.002	0.25	0.11	0.25
	2008-09	0.60	0.04	0.10	0.05	0.001	0.16	0.12	0.12
	2009-10	0.57	0.04	0.09	0.05	0.001	0.16	0.10	0.14
Annual Average	2000-01 to 2004-05	0.94	0.04	0.10	0.06	0.001	0.43	0.09	0.22
	2005-06 to 2009-10	0.72	0.04	0.10	0.06	0.001	0.19	0.12	0.20
	2000-01 to 2009-10	0.77	0.04	0.10	0.06	0.001	0.25	0.11	0.21
Source: Computed from DGCI&S Data, Government of India.									

Thus, it can be said that the SAARC region constituted a marginal share of India's global trade. The basic reason behind this was the trade restriction measures adopted by the various member countries. For example, in SAFTA, the present size of the sensitive list is much larger than any successful RTA. It is worth mentioning that India's negative list in context of SAFTA is larger than that of some of its bilateral free trade agreements, and almost

four times as large as its latest offer in the negotiation for a free trade area with the Association of Southeast Asian Nations (ASEAN). Furthermore, India subjects 15 out of Sri Lanka's top 20 exports to either a tariff rate quota (meaning the tariff preferences applies only up to a pre-specified quantity of imports) or negative list (Baysan et al. 2006). Similarly, out of 319 items on which Sri Lanka offered concessions of zero duty to India, only three items are actually exported to Sri Lanka (Weerakoon 2001).

Table 7 shows India's share in the global trade of SAARC countries in 2009. As is clear, India constituted 85.42 per cent share of Bhutan's global trade followed by Nepal (58.07 per cent) and Sri Lanka (12.20 per cent). A similar trend was seen in the case of exports and imports. The only exception was in imports where the third spot was taken by Afghanistan replacing Sri Lanka. Here, it is interesting to note that besides the formation of SAFTA, India had bilateral Free Trade Agreements (FTAs) with Bhutan, Nepal and Sri Lanka, and that was one of the reasons why India had a big share in their global trade. Further, Nepal and Bhutan both are landlocked countries and bordering India. The literature suggests that in such cases the neighbours are the most important natural trading partners and one would need to assume that it would not only be the tariff preferences that make India the principal trade partner of Nepal and Bhutan but also the geographical proximity (Ratna and Sidhu 2008). However, the trade data illustrates the fact that the reverse trend is also true i.e. among the SAARC member countries Nepal is the largest exporter to India. Similarly, the share of Sri Lanka (which is a small island country) in India's trade with SAARC member countries has also grown after bilateral free trade agreement (see Tables 1 & 2). Therefore, one would be inclined to argue that tariff concessions indeed play a significant role in determining the trade flows, even for a landlocked or small island neighbouring country.

Table 7: Percentage Share of India in SAARC Countries' Global Trade (In 2009)

Countries	Exports	Imports	Total
Afghanistan	3.18	18.84	4.87
Bangladesh*	13.24	3.98	9.29
Bhutan	77.84	93.50	85.42
Maldives**	10.42	1.55	9.68
Nepal	56.79	63.52	58.07
Pakistan	3.42	1.34	2.68
Sri Lanka	17.96	4.56	12.20
*Figures are for year 2007 ** Figures are for year 2008			
Source: Computed from COMTRADE Database, UNO.			

Pattern and Structure of India's Trade with SAARC

The usefulness of foreign trade depends upon the structure and pattern of trade which is determined by the nature of commodities exported and imported by a country (Brar, 1996). The structure of Indo-SAARC trade also exhibited some changes over the period of time. Table 8 shows percentage share of selected commodities in India's total exports to SAARC. The share of selected commodities in India's total exports to SAARC increased continuously from 52.44 per cent in 2000-01 to 70.28 per cent in 2007-08, but then declined to 60.64 per cent in 2009-10. During 2000-01 to 2009-10, the annual average share of selected commodities remained 60.83 per cent. During the post-SAFTA period, this share increased to 64.54 per cent from 57.12 per cent of pre-SAFTA period. Moreover, from 2000-01 to 2009-10, among the selected commodities, the annual average share remained maximum for mineral fuels & oils (i.e. 13.67 per cent) followed by cotton (i.e. 10.08 per cent) and vehicles other than railway (i.e. 7.32 per cent). The analysis of pre- and post-SAFTA period reflects that during the latter period the share of four commodities, i.e. mineral fuels & oils, organic chemicals, edible vegetables and man-made filaments improved while the share of the remaining six commodities showed a declining trend.

Table 8: Percentage Share of Selected Commodities in India's Total Exports to SAARC Countries

Commodity	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	Annual Average		
											2000-01 to 2004-05	2005-06 to 2009-10	2000-01 to 2009-10
1.Mineral fuels & oils	1.90	2.71	11.18	11.89	15.41	21.21	19.21	21.96	18.42	12.83	8.62	18.73	13.67
2.Cotton	14.92	11.38	8.38	9.14	7.42	8.44	9.37	13.46	7.89	10.44	10.25	9.92	10.08
3.Vehicles other than railway	8.03	7.49	7.83	6.90	8.04	8.01	7.72	5.38	5.97	7.84	7.66	6.98	7.32
4.Cereals	5.26	6.53	9.73	11.79	11.12	6.04	3.41	8.80	3.71	2.16	8.89	4.82	6.86
5.Organic chemicals	3.26	2.36	2.99	3.50	5.92	4.99	5.39	5.98	5.17	5.00	3.61	5.30	4.45
6.Iron & steel	4.26	3.77	6.29	6.34	3.81	5.27	4.21	3.88	4.90	5.29	4.89	4.71	4.80
7.Edible vegetables	4.04	3.42	2.41	3.15	3.70	4.40	3.27	2.54	3.95	4.71	3.34	3.77	3.56
8.Nuclear reactors & boilers	5.43	5.73	3.90	4.38	3.74	3.17	2.66	2.64	3.89	3.15	4.64	3.10	3.87
9.Sugars & sugar confectionery	4.03	7.46	5.66	2.38	0.49	1.59	8.30	3.97	3.78	0.21	4.00	3.57	3.79
10.Man-made filaments	1.32	1.06	1.13	1.15	1.49	1.43	1.15	1.68	4.88	9.01	1.23	3.63	2.43
Total	**52.44**	**51.90**	**59.50**	**60.63**	**61.13**	**64.54**	**64.69**	**70.28**	**62.57**	**60.64**	**57.12**	**64.54**	**60.83**
Source: Computed from DGCI&S Data, Government of India.													

Table 9: Percentage Share of Selected Commodities in India's Total Imports from SAARC Countries

Commodity	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	Annual Average 2000-01 to 2004-05	Annual Average 2005-06 to 2009-10	Annual Average 2000-01 to 2009-10
1.Animal or vegetable fats & oils	11.20	18.39	8.36	3.90	4.00	15.94	11.52	10.60	1.09	0.15	9.17	7.86	8.51
2.Edible fruit and nuts	10.26	7.05	5.30	6.67	6.51	5.50	7.37	5.99	8.38	8.65	7.16	7.18	7.17
3.Inorganic chemicals	6.48	4.83	6.45	6.74	3.65	3.94	3.94	2.02	4.44	2.41	5.63	3.35	4.49
4.Mineral fuels & oils	5.11	1.55	3.05	0.27	0.17	0.00	8.44	3.71	9.83	1.46	2.03	4.69	3.36
5.Coffee & tea	4.91	7.01	8.55	5.17	5.54	4.04	2.96	4.22	4.69	5.65	6.24	4.31	5.28
6.Copper and articles thereof	4.55	8.95	4.97	13.60	14.44	12.79	10.93	6.15	2.61	4.31	9.30	7.36	8.33
7.Other vegetable textile fibres	3.95	3.91	5.72	4.65	2.38	2.91	3.07	2.84	2.25	3.90	4.12	2.99	3.56
8.Plastic and articles thereof	2.48	2.80	4.46	4.06	5.31	3.70	2.29	3.25	3.58	4.29	3.82	3.42	3.62
9.Iron and steel	3.13	2.53	7.94	8.31	8.64	4.43	3.83	7.65	9.68	10.91	6.11	7.30	6.70
10.Electrical machinery & equipment	0.67	0.69	1.22	3.25	3.71	2.45	4.02	2.92	2.29	2.11	1.91	2.76	2.34
Total	**52.73**	**57.73**	**56.01**	**56.63**	**54.35**	**55.72**	**58.37**	**49.35**	**48.83**	**43.84**	**55.49**	**51.22**	**53.36**
Source: Computed from DGCI&S Data, Government of India.													

Table 9 shows the share of selected commodities in India's total imports from SAARC region. The total share of selected commodities decreased from 52.73 per cent in 2000-01 to 43.84 per cent in 2009-10. However, during the study period, it fluctuated sharply and hovered between 43.84 per cent and 58.37 per cent. From 2000-01 to 2009-10, the annual average share of selected commodities remained 53.36 per cent. Further, the annual average share of these commodities remained lower in the post-SAFTA period (i.e. 51.22 per cent) than that of pre-SAFTA period (i.e. 55.49 per cent). During 2000-01 to 2009-10, among the selected commodities, the annual average share was remained maximum for animal or vegetable fats or oils (i.e. 8.51 per cent) followed by edible fruit & nuts (i.e. 7.17 per cent) and inorganic chemicals (i.e. 4.49 per cent). Further, the analysis of pre- and post-SAFTA period shows that during the latter period the share of four commodities (i.e. edible fruit & nuts; mineral fuels & oils; iron & steel; and electrical machinery & equipment) improved, while the share of the remaining six commodities showed a declining trend.

Table 10 shows the top five commodities of India's exports to and imports from individual SAARC member countries in 2009-10. It is apparent from the table that these

commodities cover major share of India's total trade with these countries. India's exports of selected five commodities to Pakistan cover maximum share (i.e. 71.15 per cent) followed by

Table 10: Percentage Share of Top Five Commodities in India's Total Exports to and Imports from Individual SAARC Countries (In 2009-10)

Countries	Exports	Imports
Afghanistan	Man-made filaments (44.78); Pharmaceutical products (8.84); Rubber and articles thereof (6.21); Electrical machinery & equipment (5.04); Dairy produce, birds' eggs & natural honey (5.04)	Edible fruit & nuts (69.18); Lac, gums and other vegetable saps (20.05); Edible vegetables (7.35); Coffee & tea (3.00); Oil seeds and Fruits (0.34)
Bangladesh	Cotton (18.58); Edible vegetables (10.32); Vehicles other than railway (10.04); Residues & waste from the food industries (8.18); Iron & steel (5.49)	Other vegetable & textile fibres (21.77); Other made up textile articles (19.99); Fish & crustaceans (9.95); Salt, sulphur, earths & stone (7.84); Copper and articles thereof (4.53)
Bhutan	Vehicles other than railway (26.41); Mineral fuels & oils (19.35); Nuclear reactors & boilers (9.18); Iron & steel (8.05); Electrical machinery & equipment (7.57)	Iron & steel (60.94); Copper and articles thereof (15.68); Inorganic chemicals (11.70); Plastic (3.91); Wood and articles of wood (3.81)
Maldives	Cereals (11.74); Salt, sulphur, earths & stone (11.37); Pharmaceutical products (7.34); Plastic (6.59); Sugars and sugar confectionery (4.98)	Iron & steel (60.62); Copper and articles thereof (23.49); Aluminium and articles thereof (7.58); Nuclear reactors & boilers (4.21); Miscellaneous goods (2.30)
Nepal	Mineral fuels & oils (22.55); Iron & steel (11.27); Vehicles other than railway (9.43); Nuclear reactors & boilers (5.93); Salt, sulphur, earths & stone (5.87)	Iron & steel (16.72); Plastic (11.51); Man-made staple fibres (9.29); Coffee & tea (7.44); Beverages, spirits and vinegar (4.83)
Pakistan	Man-made filaments (26.90); Organic chemicals (19.63); Cotton (15.19); Residues & waste from the food industries (5.57); Edible vegetables (3.86)	Organic chemicals (16.95); Edible fruit & nuts (16.86); Salt, sulphur, earths & stone (15.51); Cotton (14.19); Lead and articles thereof (5.80)
Sri Lanka	Mineral fuels & oils (25.77); Vehicles other than railway (10.69); Cotton (7.02); Pharmaceutical products (4.60); Iron & steel (4.16)	Coffee & tea (13.64); Residues & waste from the food industries (12.49); Rubber and articles thereof (11.44); Ships & boats (9.83); Electrical machinery & equipment (7.33)

Note: Figures in brackets show percentage share in India's total trade with the country concerned.
Source: Computed from DGCI&S Data, Government of India.

Bhutan (70.56 per cent) and Afghanistan (69.91 per cent). On the other side, India's imports of selected five commodities from Afghanistan covers almost 100 per cent share (i.e. 99.93 per cent) followed by Maldives (98.20 per cent) and Bhutan (96.02 per cent). It is also worth mentioning that the items exported by India to individual SAARC member countries are different than the items which are imported to India from them. However, there are certain sectors where the two-way trade is taking place (e.g. iron & steel; organic chemicals; and cotton). This scenario can be best explained by the fact that each country is exporting to the other a specialised product (at different 6 or 8 digit HS level). This may also mean that the industries in these countries are also in a process of establishing a backward and forward linkage amongst themselves. But still, the number of such commodities is very low. In one way this explains that there is an existence of some complementarity between India and other SAARC nations but still it is not fully exploited. Lastly, the table also suggests that most of the commodities traded by India with SAARC nations belong either to primary product or to natural resource based products. Hence, India's trade basket with SAARC countries is still very limited.

Conclusions and Policy Recommendations

In order to make SAARC a meaningful coalition and a strong economic block, substantial progress towards its economic integration is very important. SAARC countries, as geographically proximate neighbours need to take advantage of their close proximity to increase their trade flows. But, India, being the largest country of the block, plays a limited role in the global trade of member countries (except a few). Though India's trade with SAARC member countries has increased during the last decade it is still lower than the required level. On the basis of the above analysis, the following conclusions can be drawn:

➢ Though absolute values of India's exports and imports with SAARC countries increased rapidly, the growth rate of both exports and imports had a dip during the last few years (mainly after the formation of SAFTA). However, one reason of this dip in trade was global financial crisis which had slowed down the growth of India's global trade. Thus, it will be wrong to say that the formation of SAFTA is worth-less. In fact, this is a positive step towards the strengthening of merchandise trade among member countries.

➢ India experienced positive balance of trade with SAARC when compared to its overall negative balance of trade. Except Bhutan, India's balance of trade with all SAARC member countries remained positive. India's balance of trade with Bhutan remained negative mainly due to heavy imports of electricity from Tala Hydroelectric Project in Bhutan.

> During the study period, the SAARC region constituted only 2.55 per cent share of India's global trade. On the other side, India is playing a dominating role in SAARC member countries' global trade e.g. it constitute 85.42 per cent share of Bhutan's global trade followed by Nepal (58.07 per cent) and Sri Lanka (12.20 per cent). It is worth mentioning that besides the formation of SAFTA among the SAARC countries, India has bilateral Free Trade Agreements (FTAs) with these three countries and that is the major reason of India's growing share in these countries' global trade. Hence, it can be concluded that in South Asia these bilateral Free Trade Agreements (FTAs) are playing a dominating role in trade than SAFTA.

> Commodity composition of India's trade with SAARC nations reveals that most of the commodities belong either to primary products or to natural resource based products. Further, it has also been found that there exist some complementarity between India and other SAARC nations but these are still unexploited.

Since India, is the largest economy in SAARC, its role is widely regarded as crucial in determining the effectiveness of SAFTA and therefore, it will have to play a pro-active and leading role in drawing the future agenda or the road map of SAFTA. In this regard, the following actions, if taken by India and all other member of SAARC, would give a much needed boost to intra-regional trade under SAFTA:

> As is clear from the above discussion, the SAARC region constituted only 2.55 per cent share of India's global trade. Efforts should be made to enhance their mutual trade by the way of liberalisation. The currently prescribed long time frame for tariff liberalisation needs to be shortened, implying advancement in the tariff liberalisation schedule.

> In SAFTA, the present size of the sensitive list is much larger than any successful RTA. To facilitate the intra-regional trade and investment flows, it is important that the size of the sensitive list of each SAFTA member needs to be reduced drastically.

> India's trade basket with SAARC countries is still very limited and restricted mainly to primary products and natural resource based products. Hence, there is an immense need to diversify this trade basket.

> And lastly, in South Asia, political distrust, especially between India and Pakistan, has blocked trade in the past and remains a potent deterrent to trade. India has granted MFN status to Pakistan. Pakistan has not, however, granted MFN status to India on a reciprocal basis. Pakistan argues that if it grants MFN status to India, Indian goods will flood Pakistan's market. Pakistan also cites its adverse balance of trade as a reason for refusing MFN status to India. But, according to Batra (2005), although the import of

high value-added goods such as textiles, machinery, engineering goods, pharmaceuticals, iron and steel products, automobiles, and chemicals are likely to increase Pakistan's trade deficit with India, it is less likely to have an impact on the country's overall trade balance, mainly because it already imports these commodities from other countries at higher costs than it would pay for similar goods from India. Enhanced trade with India may, therefore, result only in cost savings for Pakistan. India's trading status with Pakistan is a critical issue for SAFTA's operation, and will need to be resolved in a way consistent with WTO requirements.

To make SAFTA a successful regional block, efforts made by India alone will not be sufficient and a collective developmental goal would need to be set up by all the SAARC member countries. A comprehensive action plan, therefore, is needed to make SAFTA a meaningful and effective regional trading block.

Notes

1. The period taken up for the study has been divided into two sub-periods: Pre-SAFTA Period (2000-01 to 2004-05) and Post-SAFTA Period (2005-06 to 2009-10) for the comparison purpose. However, this purpose could not be fully realised because, during the second sub-period, India's trade relations with SAARC countries were clouded by the 2008 World Financial Crisis. In fact, the deceleration in the growth rates in developed countries due to financial crisis has major impact on the emerging economies like India. It is worth mentioning that during the crisis period India's performance in international trade remained quite poor, as in 2009 the growth rates of her global exports and imports remained negative (i.e. -0.65 per cent and -4.09 per cent). No doubt, this financial crisis has also affected the growth of India's merchandise trade with SAARC countries. Hence, if the growth rates of India's trade with SAARC countries do not improve during the post-SAFTA period, then it can not be concluded that the formation of SAFTA is worth-less. In fact, this is positive step towards the strengthening of merchandise trade among member countries. Thus, though financial crisis in the world economy has reduced the significance of the comparison of pre- and post-SAFTA period, even then some interesting results can be drawn by using this division of the study period.

References

Abdin, M.J. (2009): "An Analysis of SAFTA in the Context of Bangladesh", *Working Paper 6/09*, Bangladesh Development Research Centre U.S.A.

Ali, E. and Talukder, D.K. (2008): "Preferential Trade among the SAARC Countries: Prospects and Challenges of Regional Integration in South Asia", *Journal of Administration and Governance*, Vol.4, No.1, pp.47-59.

Banik, N. and Gilbert, J. (2008): "Regional Integration and Trade Costs in South Asia", *Working Paper 127/08,* Asian Development Bank Institute, Tokyo.

Batra, A. (2005): "India", in Nathan Associates Inc. (eds.) *South Asian Free Trade Area: Opportunities and Challenges*, United States Agency for International Development, Washington, D.C.

Baysan, T., Panagariya, A. and Pitigala, N. (2006): "Preferential Trading in South Asia", *World Bank Policy Research Working Paper 3813*, The World Bank, Washington D.C.

Brar, J.S. (1996): *India and European Union: Issues in Economic Relations*, Vision & Venture, New Delhi.

Das, D.K. (2007): "South Asian Free Trade Agreement: Prospects of Shallow Regional Integration", *CSGR Working Paper 218/07*, University of Warwick, Coventry.

EXIM (2008): "SAARC: An Emerging Trade Block", *EXIM Occasional Paper 123/08*, Export-Import Bank of India, Mumbai

Kumar, R. (2009): "SAARC: Changing Realities, Opportunities and Challenges", *D.I.E. Discussion Paper 11/09,* German Development Institute, Bonn.

Rahman, M., Shadat, W.B. and Das N.C. (2006): "What does Regional Trade in South Asia Reveal about Future Trade Integration? Some Empirical Evidence", *World Bank Policy Research Working Paper 3497,* The World Bank, Washington D.C.

Ratna, R.S. and Sidhu, G. (2008): *Making SAFTA a Success: The Role of India*, CUTS Centre for International Trade, Economics and Environment, Jaipur.

RIS (1990): *Economic Cooperation in the SAARC Region: Potential, Constraints and Policies*, Research and Information System for the Non-Aligned and Other Developing Countries, New Delhi.

Singla, S.K. and Singh, K. (2008): "India and China: Growing Trade Ties in New Era", *Third Concept-An International Journal of Ideas*, Vol.22, No.255, pp.11-20.

Venkatasubbulu, T. (1996): *India's Trade with SAARC Countries*, Discovery Publishing House, New Delhi.

Weerakoon, D. (2001): "Indo-Sri Lanka Free Trade Agreement: How Free is it?", *Economic and Political Weekly*, Vol.36, No.8, pp.627-629.

Track-I and Regional Co-Operation: A SAARC Perspective

Neelam Choudhary

Abstract

In the realm of regionalism, every state actor everywhere is busy finalizing the seal of approval for moving up on the ladder of regional integration. The present paper assesses Track One or official diplomacy in SAARC with regard to its contribution towards regional cooperation. It concludes, inter alia that in all the summits, the officials have rendered an account of their achievements by designating years, decades or signing declarations. But non-performance of the organization and non-transfer of benefits to the masses due to unchanged realities that lie behind the façade of the highest level meetings or tête-à-têtes between two most (ir)responsible heads on the sidelines of the summit, many a time are getting more than the required media attention.

Introduction

In the realm of regionalism, every state actor everywhere is busy finalizing the seal of approval for moving up the ladder of regional integration. But exceptions like SAARC have been able to achieve a fat lot. The present paper assesses Track one or official diplomacy in SAARC with regard to its contribution towards regional cooperation.

Track One Diplomacy

To explain the bare bones of official diplomacy, the following lines by Jos Havermans can be quoted: "Track One diplomacy is about men in suits posing before squads of photographers before they disappear behind closed doors for discrete talks. It is also about encoded telexes and email-messages sent back and forth between embassies and government headquarters, evoking a world ruled by formal gentlemen-like codes, imperturbably exposed at press conferences and cocktail parties."[1] The interactions of high-level policy makers or "track-one" diplomacy is known to engage official representatives for resolution of conflicts and promotion of peace between parties in conflict (USIP 2003).

Track I diplomacy has many weapons at its disposal. Measures such as good offices, fact-finding missions, facilitation etc. are non-coercive in nature whereas power-mediation, sanctions etc. involve coercion (Reimann). Despite the entry of different tracks in the field of diplomacy, track one still has a decisive role.[2]

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Such a high level meeting between the Heads of state is referred to as summit diplomacy or summitry. The word summit was introduced into international parlance by Winston Churchill in 1950 (Melissen).

From the very beginning, traditional diplomacy has been effective in restoring peace. An example is the formation of UN (IMTD 2005).

In spite of its weaknesses, Track One actors have become more receptive to peace building, conflict prevention, early warning and similar concepts.[3]

Limitations of Track One

Track One diplomacy does have its weaknesses. Official diplomacy (known as track one in conflict-resolution terminology) is oriented to a "carrot and stick" policy and to the short-term results achieved through military pressure. It does not take into consideration the nature of conflict, where perceptual, social-psychological, and spiritual dimensions are core, rather than peripheral, concerns (Botcharova).

As observed by Lederach, "The immediacy of hatred and prejudice…. require approaches to its transformation ….rooted in social-psychological and spiritual dimensions that traditionally have been seen as either irrelevant to or outside the competency of international diplomacy" (Lederach 1993).[4]

As Richmond (2008: 1) puts it, the treatment of peace by the official diplomats has only one facet, power of states. However, In recent years, conflict prevention is again on the top agenda of policy makers (IMTD 2005)

Official Diplomacy: SAARC

South Asia overwhelming with sorrow, despair, fear and failure was not always surrounded by speculation of the degree we observe today. There is a surfeit of works done on the intra-regional trade having gone from strength to strength in the pre- SAARC period.

Survey of relevant literature in this regard (e.g. Sawhney and Kumar) shows that the three largest South Asian countries had a common market until 1947 after which the integration loosened owing to post-independence conflicts. Intra-regional trade went from 19% (1948) to 4% (1960) to as low as 2% in 1970 (Pursell and Pitigala 2001). Efforts to establish SAARC (Khan 1999:490) meant to restore pre-independence ties.

After glancing one's eyes over the landscape of regionalism, one finds that SAARC was not an early bird to catch the worm of regionalism:

"It is ironical that a region which was in the forefront of Afro-Asian solidarity, NAM and the IOZP should lag behind in planning cooperation at the regional level" (Rao 2000:31-41).

As Das (2007) puts it, during the three waves of regionalism in the global economy, this country group remained passive during the first and minimally active in the second. This sub-group was regarded as laggards in this respect, but it participated in the third wave of regionalism.

The Asian Relations Conference in New Delhi in April 1947, the Baguio Conference in the Philippines in May 1950, and the Colombo Powers Conference in April 1954 (Khan et al 2007) were important steps towards SAARC. However, the real difference was made with the then president of Bangladesh Zia ur-Rehman's sharing of his paper on South Asia with other South Asian Heads in November 1980 (Khan et al. 2007).[5]

The adoption of Declaration on South Asian Regional Co-operation and launching of Integrated Program of Action (IPA) took place in the maiden meeting of South Asian foreign ministers in New Delhi in Aug. 1983. (Centre for non-proliferation studies 2007). In the Dhaka meeting, the acronym was changed from SARC (South Asian regional Cooperation) to SAARC (Chakraborti 2010:243).

At its creation, the founding members of SAARC had a functional, intergovernmental, step-by-step approach to regional cooperation (Bailes et al. 2007).

The IPA is a key component of the SAARC process. Originally, the South Asian countries were required to cooperate in nine non-controversial areas under the aegis of SAARC (Ratna and Sidhu). Over the years, IPA has undergone several changes, including in the number of its activities.

Milestones Covered: SAPTA & SAFTA

SAPTA

When did South Asians buck their ideas up towards SAPTA? One view is that the regionalism of economies through the creation of new trade blocs (NAFTA, APEC) and the deepening of the existing ones (EU) raised the fears of protectionism among the SAARC countries. The decreasing prospects of ODA from OECD and the protectionist and non-protectionist barriers on the region's exports to the OECD added urgency to the idea of creating a preferential trading regime in the region[6]. It was the seventh SAARC summit which marked the birth of a preferential trading arrangement in South Asia. Under it, the member states were to cooperate through exchange of concessions. [7]

SAFTA

The 9th and 10th SAARC summits were the incremental steps to the signing of a Free Trade Agreement. But it actually got signed in the 12th SAARC summit in Islamabad in January 2004. It was to become effective w.e.f. January 01, 2006, though the tariff liberalisation started from July 01, 2006.[8]

In the journey of SAARC, SAFTA is the highest level of integration reached so far. It is comprehensive in nature and is an improvement over its predecessor in more ways than one. Apart from other provisions, those like non-applicability of anti-dumping duty and safeguard clause against an LDC (provided its total exports do not exceed more than 5% of the recipient country's imports)[9] show that SAPTA had its limitations.

Summit Diplomacy in SAARC

The formation of SAARC was a landmark step that was to develop a congenial environment through summit diplomacy where all nations could interact peacefully with each other, cultivate sustainable peace and promote mutual economic well being by harnessing available resources in the region through the process of economic integration (Shamsuddoha) It is stated in the Charter (Article III) that the Heads of State or Government "shall meet once a year or more often as and when considered necessary by the Member States". However, so far, these were rarely held annually. No doubt, they were effective in breaking the diplomatic ice.[10]

Main issues discussed in the summits

After going through the summit documents of seventeen summits, one comes across the following main issues that were discussed:

- Importance of summits in fulfilling the objectives of SAARC charter.
- Goal of SAARC.
- Regional cooperation.
- Efforts and attitude towards people to people contact.
- Monitoring the progress in IPA.
- General appraisal of SAARC activities.
- Steps towards meeting the needs of children.
- Steps to improve the status of girl child and women.
- Issue of terrorism.

- Poverty alleviation.

- Special concessions to LDCs.

- Enhancing communication linkages.

- Sub-regional cooperation.

- Relation with other organizations

Conventions/agreements signed

- SAARC regional convention on suppression of terrorism (1987).

- SAARC convention on Narcotic drugs (1990).

- SAARC convention on combating and prevention of trafficking in women and children for prostitution (2002).

- Convention on promotion of welfare of children (2002).

- Additional protocol on terrorism (2004).

- SAARC convention on mutual assistance on criminal matters (2008).

Agreements

- Agreement on establishing the SAARC food Security reserve (1987)

- Agreement on SAFTA (2004)

- Agreement for establishing of SAARC Arbitration Council (2005)

- SAARC limited multilateral agreement on avoidance of double taxation and mutual administrative assistance in tax matters (2005)

- SAARC agreement on mutual administrative assistance in customs matters (2005).

- Agreement on establishing the SAARC Food Bank (2007)

- Agreement on establishment of South Asia Regional Standards Organization (SARSO 2008).

- Agreement for establishment of South Asian University (SAU 2007) (home page SAARC, accessed July 8, 2011)

Assessing the contribution of official SAARC to regional cooperation

In the official circles, the commonly held view is that with the signing of SAPTA and SAFTA, all the fears, mistrust and distrust among SAARC people shall go out of the window and the miraculous SAFTA shall help in restitution of Intra-SAARC trade to pre-SAARC golden period. The following literature is supportive of this optimism:

Sharma (2010) states that SAFTA has been targeted to the break high walls of barriers. The South Asian Regional Standards Organization (SARSO) is one such step cited by him.

The prospective changes in trade relations of SAARC members have also been discussed by Sobhan who dwells more on the shared ethnic and other links between South Asians, historical in nature and still continuing (Sobhan 1998:5).[11]

In the recently held 5th SAFTA Ministerial Council meeting (June, 2011), some of the important decisions include pruning the sensitive list as much as possible and advising the members to follow GATS plus provisions in trade in services.

Many fateful events have taken place under the aegis of SAARC. Not all summits were however equally important as far as taking steps towards regional cooperation is concerned. Recently, SAARC Development Fund (SDF) has proved to be a success story. Under it, the South Asian nations have been cooperating in a number of projects. [13]

To encourage media and the flow of information and ideas among South Asian people, SAARC has taken many steps. Some important steps include the SAARC Audio-Visual Exchange (SAVE) program (1987), SAIC and SAARC Information Centre (SIC) (Source: Pradhan and Liyanage)

Two SAARC intergovernmental decisions that will have an impact on democracy in development in South Asia are the agreement to adopt the SAARC Social Charter (SSC), signed in January 2004, and the agreement to establish the South Asian University, signed at the 14th SAARC Summit in April 2007 (IDEA 2009).

A glimpse of SAARC declarations also shows that the leaders of South Asia have been committed towards the issue of women's empowerment in letter and spirit. A big leap forward was taken when a concerted effort was begun with support from SAARC leadership to bring into SAARC processes the poor home-based women workers in all member countries. In the largely 'invisible' lives and labour of the poor home-based workers in South Asia there is so much potential for the region. Home-based workers refers to the general category of workers who carry out remunerative work within their homes or in the neighbourhood. In the year 2000, South Asian government representatives and home-based workers and their organizations came

together in Kathmandu and unanimously supported the 'Kathmandu Declaration'. The Kathmandu Declaration recommended the formulation of a national policy and urged SAARC to address the issues of home-based workers in the region and take measures to enable them to deal with the risks and opportunities of globalization. This process evolved further in 2007 at a South Asian Regional Conference where women workers from India, Pakistan, Nepal, Bangladesh and India came together. Prime Minister Manmohan Singh inaugurated this conference. In 2008, an official SAARC meeting on home-based workers recognized HomeNet South Asia as the agency to coordinate home-based workers in countries of the region. It went further and asked SEWA and HomeNet South Asia to work towards eliminating poverty in the region through empowering women. …In this overall context, the Self Employed Women's Association and Home Net South Asia (HNSA) have been awarded a project by the SAARC Development Fund to carry out the mission of women's empowerment in this region by targeting poor/marginalized home-based women workers from the informal sector of all SAARC member states, except India. A business organization for this purpose called SABAH, SAARC Business Association of Home-based Workers, was accepted as a common brand for all countries. So it is not difficult to envisage a common 'Made in SAARC' brand soon emerging, with product tags proudly stating this byline. (Sharma)

Recently, in the SAARC countries about 19 categories of people have been exempted from requirement to have visa and the visa regime has been liberalized for people belonging to few categories (Jagran Post 2011).

Pre summit meetings

Many scholars have given no less importance to the meetings in which steps are taken to facilitate. These are usually named as pre-summit meetings. [14] The recent summits have shown a glimpse of many ministerial meetings before the Heads' meet.

Informal retreats

The SAARC leaders have a bee in their bonnet about continuing to resolve their conflicts through sidelines of the summit meetings.

It has taken place especially when there has been absence of formal interaction between Heads (Patnaik 2006)[15]. The practice of hosting a Retreat was a good opportunity for a collective informal meeting among those attending. The Fourth Summit (in 1988, talks between Benazir Bhutto and Rajiv Gandhi on the sidelines of the Islamabad SAARC summit) led later to the non-attack of nuclear installations agreement between India and Pakistan.[16] The meeting of the Indian and Pakistani prime ministers at the 1990 Malé SAARC summit meeting made several breakthroughs in the form of: (*a*) the revival of the Indo-Pakistani hotline, (*b*) the establishment of working groups as precursors for the composite dialogue, and (*c*) Pakistan's

agreement to adopt an 'integrated' approach to bilateral relations instead of focusing only on Kashmir.[17] The Twelfth Summit at Islamabad in 2004 led to the resumption of the Comprehensive Dialogue between Pakistan and India.[18] So the SAARC forums, though informally, have been providing a forum for talks between the leaders and representatives of India and Pakistan. Such talks have often helped in decreasing the tension between the two countries. The Prime Ministers from India and Pakistan meeting on the sidelines of the SAARC Summit in Thimpu. Dr. Manmohan Singh of India and Yousuf Raza Gilani of Pakistani met for about an hour and their discussion was followed by a meeting of foreign ministers from both countries. The conclusion of these successive meetings was an informal agreement to resume the process of composite dialogue to address various bilateral issues, including the Kashmir dispute and cross-border terrorism. The composite dialogues have faced hiccups due to allegations of cross-border terrorism, and therefore they have been discontinued since the 2008 terrorist attacks in Mumbai (Ahmad). Dr. Manmohan Singh had also significant bilateral engagements on April 30, 2010 with His Majesty Jigme Khesar Namgyel Wangchuck, King of Bhutan and His Majesty Jigme Singye Wangchuck, the Fourth Druk Gyalpo of Bhutan. Issues of bilateral, regional and multi-lateral interests were discussed. The Indian Prime Minister also met his Bhutanese counterpart Lyonchhen Jigmi Y. Thinley. The two leaders exchanged views and held discussions on bilateral relations and economic cooperation as well as regional and international issues. They recalled the strong historical ties of friendship and understanding that exist between the two countries. The Implementation Agreements for Punatsangchhu –II and Mangdechhu Hydro Electric Projects (HEPs) were signed by the Minister of Economic Affairs of Bhutan Lyonpo Khandu Wangchuk and the External Affairs Minister of India Shri S.M. Krishna, in the presence of the Prime Ministers of India and Bhutan. The two Prime Ministers laid the Foundation Stones for these two HEPs, as well as for the Project 'Bhutan Institute of Medical Sciences (BIMS)'. The two prime ministers also launched the Project Implementation Document for the ICT Project "Chipen Rigphel – Enabling A Society, Empowering A Nation" (Total Solutions Project).(The Embassy, India-Bhutan relations) main now finish). Keeping these developments in mind, SAARC's contribution towards peace in the region, even though informally, should be acknowledged and encouraged.[19]

Says Dahal: "The void created by the repudiation of "contentious bilateral issues" in the inter-governmental deliberation of SAARC has been filled by the "informal bilateral talk" during retreat of summit leaders and rationalization of free wheeling trade and commerce for the harmony of interests."

A regional institution such as SAARC thus provides additional potential for unofficial regional security discussions to filter into official thinking and institutional structures.(Kaye, 2007). Some observers have noted that such outcomes probably may not have materialized in the absence of SAARC Summits (Desai 2010).

In a book, Budania states how these private talks have contributed to the edification of the organization's performance, as far as conflict prevention and management are concerned.

> "Logically, it should have helped in evolving common outlook on questions of peace, disarmament and development and strong links in trade and commerce" (Budania 2000:96).

Near summit diplomacy

During the first half of the 20th century, diplomacy was still the conduct of relations between states by specialised agents: the diplomats. The handling of diplomatic relations was exclusively the business of the Ministry of Foreign Affairs, and political authorities seldom took part in it. The growing complexity of international relations has led to the participation of specialists from other ministries (trade, finances, agriculture, transports, communications, health etc.) in their management. At the beginning such specialists were still attached as experts to delegations composed of foreign ministry diplomats, but increasingly they became delegates in their own right and later were entrusted with autonomous missions which led their ministries to set up services specialising in external relations (Kappeler). This changing trend of ministers other than foreign ministers of different states also interacting between themselves is referred to as "near-summit" diplomacy or "ministerial" diplomacy.[20]

The Rawalpindi resolution on children of South Asia, 1996, the common position of SAARC Environment ministers on climate change in 1998,the declaration of SAARC commerce ministers on the occasion of the second ministerial conference of the WTO in 1998 , Islamabad Declaration on Health and Population (July 2005), the Colombo statement on children of south Asia (Colombo, 10 July 2009), SAARC ministerial declaration on Cooperation in Combating Terrorism and SAARC Ministerial Statement on Global Economic Crisis are examples of near summit diplomacy in SAARC.

Conclusion

After perusing the SAARC documents, it seems that SAARC nations left no stone unturned in taking timely steps towards region building. SAARC might have set a good example and acted as an archetype for the potential regional arrangements in this and other parts of the globe had the leaders been as committed to implementation as to declarations. This realization came only in recent summits and hence the move from 'declarations to implementation'. So the buck stops here. The traffic of conventions, declarations and agreements is building up. But that they have actually translated into reality and fulfillment of objectives of SAARC charter is still questionable on more scores than one. Till something concrete is done to offset the negative political economy of the region, all steps toward regional cooperation remain meaningless.

Notes

1. Power for Peace **'**Track One: Governments' Part II 'Cases' People *building peace* (European platform for conflict prevention and transformation).

2. Ibid.

3. Ibid.

4. Cited in Botchrova.

5. A detailed account of the evolution of SAARC has been given by Iqbal . In fact, as he observes, the evolution passed through four phases that include: Conception (1977-80) The Meeting of Foreign Secretaries (1981-83), The Meeting of Foreign Ministers (1983- 85), and The Summits (1985-2004).

6. Ratna and Sidhu

7. Rao 2000:31-41.

8. See note 6.

9. Khan et al., 2007.

10. Ahmad

11. Baral 2006.

12. Sharma 2010.

13. Thimphu Declaration.

14. cited in 'excerpted from' Jean-Robert Leguey-Feilleux (2009) ed. The Dynamics of Diplomacy, Lynne Rienner Publishers.

15. Quoted in Pande, Savita (2007): "SAARC and Terrorism in South Asia", in Iqbal Ahmed Sardagi, S.K. Sahai and R.N. Srivastava (eds.), *SAARC: the Road Ahead,* Foundation for Peace and Sustainable Development, New Delhi, p.298

16. Banerjee

17. Bailes et al 2007.

18. Banerjee

19. Ibid

20. See note 14

References

Ahmad, Zahid Shahab (2010): "SAARC for peace in South Asia: Some insights", *Insight on conflict, Peace Direct* July 7.

Bailes, John Gooneratne, Mavara Inayat, Jamshed Ayaz Khan and Swaran Singh (2007): "Regionalism and Security building", *Regionalism in South Asian Diplomacy*, *SIPRI Policy Paper No. 15*, Stockholm International Peace Research Institute, Sweden.

Banerjee, Dipankar (n.d.): *SAARC - Helping neither to Integrate nor Look East,* Institute of Peace and Conflict Studies.

Baral, Lok Raj (2006): "Cooperation with Realism: The Future of South Asian Regionalism", *South Asian Survey* Viol.13, No.2, pp.265-75.

Botcharova, Olga (n.d.): "Implementation of Track Two Diplomacy: Developing a Model of Forgiveness*"* in Raymond G.. Helmick, S.J., & Rodney L. Petersen (ed*.) Forgiveness And Reconciliation Religion, Public Policy & Conflict 'Transformation,* Templeton Foundation Press, Philadelphia & London.

Budania, Rajpal (2000): "SAARC: Issues of Cooperation and security", in B.C. Upreti (ed.) *SAARC: Dynamics of Regional Cooperation in South Asia, Vol.I Nature, Scope and Perceptions,* Kalinga Publications, New Delhi, p.96.

Centre for Nonproliferation Studies (2007): *Inventory of International Nonproliferation Organizations and Regimes*.

Chakraborti, Tridib (2010): "Charting out the SAARC Destiny: Perambulating its Way Forward", *World Focus special Issue 'Revisioning SAARC',* Vol.31, No.7, p.243.

Dahal,Dev Raj (n.d.): *Track II Diplomacy in South Asia Limits and Possibilities for Regional Cooperation*.

Das, Dilip K (2007): *South Asian Free Trade Agreement: Prospects for Shallow Regional Integration*.

Desai, V. V. (2010): "The Political Economy of Regional Cooperation in South Asia", *ADB Working Paper Series on Regional Economic Integration,* No.54, July.

Institute for Multi-Track Diplomacy (2005): *Occasional Paper Number 16*, April.

Iqbal, Muhammad Jamshed (n.d.): *SAARC: Origin, Growth, Potential and Achievements*.

Kappeler, Dietriech (n.d.): "Recent Developments and Future of Diplomacy", *2ⁿᵈ Lecture on Diplomacy*.

Kaye, Dalia Dassa (2007): *Talking to the Enemy: Track Two Diplomacy in the Middle East and South Asia*.

Khan, S. M. (1999): "South Asian Association for Regional Cooperation", *Journal of Asian Economics*, Vol.10, No.3, pp.489-95.

Khan, shaheen. Rafi, Faisal Haq Shaheen, Moeed Yusuf and Aska Tanveer (eds.) (2007): *Regional integration, trade And conflict in South Asia, S*ustainable Development Policy Institute, Islamabad, Pakistan.

Lederach, John Paul (1993): *Pacifism in Contemporary Conflict: A Christian Perspective*, paper commissioned by the U.S. Institute of Peace, p.ii

Melissen, Jan (n.d.): "Summit Diplomacy Coming of Age", *Clingendael Discussion Papers in Diplomacy,* Netherlands Institute of International Relations.

Patnaik, Jagadish. K (2006): "Regionalism and the SAARC: A Case of Fractured Functionalism", in P.V. Rao (ed.) *Regional Cooperation in Indian Ocean: Trends and Perspectives,* South Asian Publishers, New Delhi, pp.198-9.

Power for Peace 'Track One: Governments' Part II 'Cases' *People building peace.*

Pradhan, Kishor and Harsha Liyanage (2010): "South Asian Association for Regional Cooperation", *Digital Review of Asia Pacific 2009–2010.*

Pursell, G. and N. Pitigala (2001): *Trade Agreements in the South Asia Region*, The World Bank, Washington DC.

Rao, P.V. (2000): "Globalisation and Regional Cooperation: The South Asian Experience", in B.C. Upreti (ed.) *SAARC: Dynamics of Regional Cooperation in South Asia, Vol.I Nature, Scope and Perceptions,* Kalinga Publications, New Delhi, pp.31-41.

Ratna, R. S and Geetu Sidhu (n.d.): *Making SAFTA a Success: The Role of India*.

Reimann, Cordula (n.d.): A*ssessing the State-of-the-Art in Conflict Transformation –Reflections from a Theoretical Perspective*, Berghof Research Center for Constructive Conflict Management.

Jagran Post. (2011): "SAARC revisits Visa Exemption Scheme" Posted on: 09 Feb 2011.

Sawhney, Aparna and Rajiv Kumar (n.d.): *Why SAFTA?*

Shamsuddoha,(n.d.): "Visa Free South Asia: Towards a People's SAARC"

Sharma, Sheel Kant (n.d.): *Regional Perspectives*. Swedish South Asian Studies Network.

Sharma, Sheel Kant (2010): "South Asian Regionalism: Prospects and Challenges" Address (by Secretary General, SAARC) at Indian Council of World Affairs Sapru House, New Delhi,14 September.

Sixteenth SAARC Summit (2010): "Towards a Green and Happy South Asia", *Thimphu Silver Jubilee Declaration,* 28-29 April

United States Institute of Peace (2003): *Simulation on The Use of Force in Chechnya: An Exploration through Track-Two Diplomacy*, October.

e-Governance in South Asia: An assessment of G2C and G2B Aspects of Key Ministry Websites of SAARC Countries

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Abstract

The purpose of this research is to assess the Government-to-Citizen (G2C) and Government-to-Business (G2B) aspects of key ministry websites of SAARC members using Gartner's e-governance maturity model. This is a descriptive study using passive primary data collected through structured observation of the websites of education, health, commerce, external affairs and tourism ministries of SAARC members. The observation was carried out using a scale constructed from Gartner's model and an e-governance solutions overview provided by International Institute for Communication and Development (IICD). It was found out that G2C e-governance was more prevalent than G2B. The ministry of health was the most popular e-governance initiative among the five key ministries identified for the study. Bangladesh and Bhutan shared the honour with the highest e-governance score. The findings will help to assess the level of maturity of e-governance websites. It will also help to benchmark the different government websites against the best practices.

Key words: e-governance, e-governance maturity model, ministry websites, SAARC.

Introduction

Rapid and revolutionary changes in Information and Communication Technologies (ICTs) have created an increasingly information-centric global economy, where knowledge has become a key factor in competitiveness. The challenge for many governments today is to provide opportunities for citizens and businesses to actively participate in the global knowledge-based economy. E-governance is believed to play a fundamental role towards this end (World Bank 2004).

The three main target groups that can be distinguished in e-governance concepts are Government, Citizens and Businesses. The external strategic objectives focus on citizens and businesses (including special interest groups and non-governmental organizations) and the

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internal objectives focus on government itself. Abbreviations such as G2C (Government-to-Citizen), G2B (Government-to-Business) and G2G (Government-to-Government) are used, like in e-Commerce, to denote which of the main groups are interacting.

The purpose of this research is to study the state of e-governance in South Asia by assessing the G2C and G2B aspects of key ministry websites of South Asian Association for Regional Cooperation (SAARC) member countries – India, Pakistan, Sri Lanka, Bangladesh, Nepal, Bhutan, Maldives and Afghanistan. The approach involves applying an e-governance model developed by Gartner (2000) and an e-governance solutions overview provided by International Institute for Communication and Development (IICD, 2001) in order to develop an evaluation matrix to assess the G2C and G2B websites. The findings of the study contribute to a better understanding of the e-governance initiatives in South Asia. Interestingly, countries such as Bangladesh and Bhutan demonstrate higher e-governance maturity when compared to other SAARC members.

Conceptual Background

Since e-governance is still evolving, there are varying definitions of it (United Nations 2003; Borras 2003), each emphasising the importance of citizens and government interaction using various means (Caldow 1999). For instance, some apply e-governance in the context of e-commerce, while others use it to describe the online relationship between governments and citizens. Here are some popular definitions of e-governance:

E-governance is defined as the application of electronic means in the interaction between government and citizens and government and businesses, as well as in internal government operations to simplify and improve democratic, government and business aspects of governance (IICD 2001).

E-governance can be defined as the sum of all electronic communication between government and enterprises and citizens. It is a technology-enabled, sector-wide, cultural, organizational and business transformation program (Markus *et al*. 2001)

E-governance is an internet-driven activity that improves citizen access to government information, services and expertise to ensure citizen participation in, and satisfaction with the government process (UNDPEPA 2002).

E-governance refers to the use of ICTs to improve the efficiency, effectiveness, transparency and accountability of government. E-governance can be seen simply as moving citizen services online, but in its broadest sense it refers to the technology-enabled transformation of government (World Bank 2004).

In short, e-government is about changing how governments work, share information and deliver services to external and internal clients. It harnesses ICTs to transform relationships with citizens and businesses, and between arms of the government. E-governance usually describes relationships across three modalities:

1. Government to Citizen (G2C): deals with the relationship between government and citizens. G2C allows citizens to access government information and services instantly, conveniently, from everywhere, by use of multiple channels.

2. Government to Business (G2B): consists of e-interactions between government and the private sector. The opportunity to conduct online transactions with government reduces red tape and simplifies regulatory processes, therefore helping businesses to become more competitive.

3. Government to Government (G2G): Governments depend on other levels of government within the state to effectively deliver services and allocate responsibilities. In promoting citizen-centric service, a single access point to government is the ultimate goal, for which cooperation among different governmental departments and agencies is necessary. G2G facilitates the sharing of databases, resources and capabilities, enhancing the efficiency and effectiveness of processes.

Benefits of e-governance include reduced corruption, increased transparency, greater convenience, higher revenues, and lower costs (World Bank 2004). E-governance is governments' best hope to reduce costs, whilst promoting economic development, increasing transparency in government, improving service delivery and public administration, and facilitating the advancement of an information society. The impact of e-government at the broadest level is simply better government by enabling better policy outcomes, higher quality services, greater engagement with citizens and improving other key outputs (OECD 2003). There are many substantial benefits of e-Government initiatives including, improving efficiency by reducing the time spent upon manual tasks, providing rapid online responses, and improvements in organisational competitiveness within public sector organisations (Yttersad *et al*., 1996). Furthermore, it helps in building and strengthening trust between governments and citizens (OECD 2003).

The level of sophistication of e-governance varies considerably across countries (UN 2000). As a result, it becomes important to evaluate the government websites and assess the e-governance levels so as to benchmark the e-governance websites and their capabilities (Misra and Anjali 2002; Choudrie *et al.* 2004). There is no agreement yet in the literature regarding the number of phases/levels in which e-government should go through from its immaturity to maturity stage (Irani, *et al*. 2006). Ghasemzadeh and Safari (2002) have described a 5-stage e-governance maturity model suggested by the United Nations (2002). The stages are *emerging*, *enhanced*, *interactive*, *transactional* and *seamless*. In the *emerging* stage, government web

presence is established through a few independent official sites. In the *enhanced* stage, the information on the websites becomes more dynamic through regular updates. In the *interactive* stage, users can download forms, contact with officials and make appointments and requests. In the *transactional* stage, users can actually pay for services online. The final *seamless* stage is characterized by a total integration of e-functions and services across administrative and departmental boundaries.

Gartner, an international consultancy firm, has formulated a four-phase e-governance model (Gartner 2000). It demonstrates the progression of e-governance in the connected environment and identifies strategy and other factors that contribute to success in each phase. For the purpose of this study, this model is preferred since it depicts a logical and gradual progression to subsequent phases. According to Gartner, e-governance will mature according to the following four phases, namely, information, interaction, transaction and transformation as shown in the following figure.

Figure 1: E-Governance Maturity Model
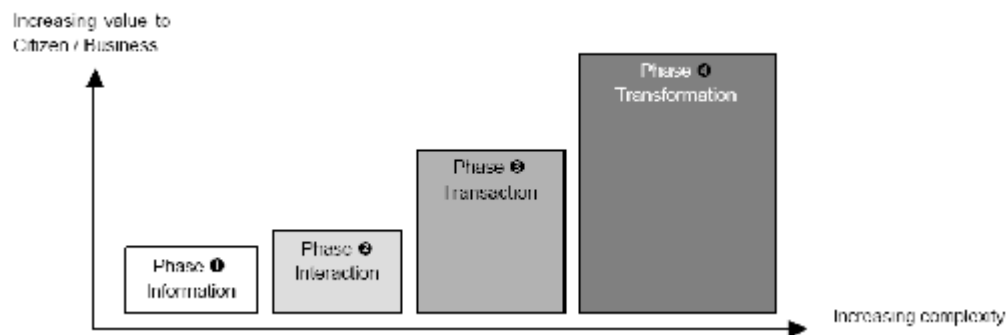
Source: Gartner 2000

In the *information phase*, e-governance means being present on the web and providing the external public (G2C and G2B) with relevant information. The format of the early e-governance websites is similar to that of a brochure or leaflet. The value to the public is that government information is publicly accessible; processes are described and thus become more transparent.

In the *interaction phase,* the interaction between government and the public (G2C and G2B) is stimulated through various applications. People can ask questions via e-mail, use search engines for information and are able to download all sorts of forms and documents. These functionalities save time. The bottom line is that more efficiency and effectiveness is achieved because a large part of the intake process is done online. However, one still has to go

to the office to finalise the transaction, by paying a fee, handing over evidence or signing papers. The use of electronic communications tools speed up the government processes.

With the *transaction phase,* the complexity of the technology increases, but customer (G2C and G2B) value will also be higher. Complete transactions can be done without going to an office. Examples of online services are filing income tax, filing property tax, extending/renewing licenses, visa and passports and online voting. This phase is complex because of security and personalization issues – for example, digital (electronic) signatures are necessary to enable legal transfer of services. On the business side, the government is starting with e-procurement applications. The bottom line is that now the complete process is online, including payments, digital signatures and so on. This saves time, paper and money.

The *transformation phase* is when all information systems are integrated and the public can get G2C and G2B services at one (virtual) counter. One single point of contact for all services is the ultimate goal. The complex aspect in reaching this goal is mainly on the internal side, for instance, the necessity to drastically change culture, processes and responsibilities within the government institution. In this phase, cost savings, efficiency and customer satisfaction can reach the highest possible levels.

Research Problem

The aim of this research is to assess the Government-to-Citizen (G2C) and Government-to-Business (G2B) aspects of key ministry websites of SAARC members using Gartner's (2000) e-governance maturity model. This assessment is used to compare the e-governance websites of SAARC member countries. The research scope is confined to the G2B and G2C aspects of e-governance.

This research has certain limitations. First of all, it is specific to a region (SAARC). Secondly, the consistency of the e-governance websites in different browsers was not studied. All the observations were made using Microsoft Explorer (version 7) browser. Thirdly, this study assessed the relative maturity of a website. Criteria that contribute to e-governance effectiveness such as quality of content might have been ignored in the process. Finally, internal interactions (such as G2G) have not been included in the scope of the study.

Research Methodology

This is a descriptive study using passive primary data collected through structured observation method. Observational studies can provide rich data and insights into the nature of the phenomena observed. The data obtained through observation of events as they normally occur are generally more reliable and free from respondent bias (Sekaran 2003). This study assesses the G2C and G2B aspects of key ministry websites (namely, education, health,

commerce, external affairs and tourism ministries) of SAARC countries using a scale constructed from Gartner's (2000) model and an e-governance solutions overview provided by International Institute for Communication and Development (IICD 2001). Gartner's model delineates the four phases of e-governance and IICD's overview describes the e-governance solutions that typically characterize the four phases of e-governance. The objects of observation were the key ministry websites of SAARC countries.

To record the data collected through observation method, a structured data entry table was designed. Each cell in the table represents a dichotomous scale measurement describing the presence or the absence of a particular indicator (that is, G2C or G2B e-governance solution). The following table shows the G2C and G2B indicators across the four phases of e-governance.

Table 1: G2C and G2B Indicators across the Four Phases of e-Governance

Model	Phase-1 (*Information*)	Phase-2 (*Interaction*)	Phase-3 (*Transaction*)	Phase-4 (*Transformation*)
G2C	• Information/ news for citizens • Laws, rules and regulations • Contact persons and details	• Downloading forms • Submitting forms • E-mail / Notifications	• Personal accounts • Online renewal • Online payments (taxes)	• Personalised website with integrated personal account for all services
G2B	• Information for businesses/ institutions • Contact persons and details • Laws, rules and regulations	• Downloading forms • Submitting forms • E-mail / Notifications	• License applications and renewals • Online payment (taxes) • Online procurement	• Personalised website with integrated business account for all services

To underscore the sophistication and superiority of e-governance solutions in the advanced phases (that is, when compared to the previous phases), weights were assigned to the score. For example, weight one for phase-one, two for phase-two, three for phase-three and four for phase-four. The indicators across all the sites were then grouped in order to arrive at ministry-wise scores and also country-wise G2C and G2B e-governance scores. This gives scope to compare and contrast the e-governance scores among the SAARC countries.

Findings and Discussion of Results

The passive primary data collected through observation of e-governance websites was tabulated. The tabulated data as shown in Table 2 revealed interesting findings. Among the SAARC countries, Bangladesh (score – 120) and Bhutan (score – 120) had the highest e-governance scores, followed by India (score – 114).

Table 2: G2C and G2B e-Governance Scores of SAARC Countries

	Health		Education		External Affairs		Commerce		Tourism		e-Gov score		Total score
	G2C	G2B	G2C	G2B	G2C	G2B	G2C	G2B	G2C	G2B	G2C	G2B	
India	9	9	12	12	18	18	9	9	9	9	57	57	114
Pakistan	9	9	12	9	5	5	15	12	9	9	50	44	94
Sri Lanka	15	9	12	9	12	9	5	5	7	7	51	39	90
Bangladesh	12	9	15	9	15	9	12	9	15	15	69	51	120
Nepal	12	12	12	9	12	12	7	7	12	9	55	49	104
Bhutan	18	18	9	9	12	12	12	12	9	9	60	60	120
Maldives	9	9	9	9	9	9	-	-	9	9	36	36	72
Afghanistan	15	12	12	7	7	5	15	12	-	-	49	36	85
Total score	99	87	93	73	90	79	75	66	70	67	427	372	799
Ministry score	186		166		169		141		137				

The following tables 3-10 represent the country-wise e-governance scores for each of the SAARC countries. Table 3 shows the phase-wise G2C and G2B scores for India. As can be inferred from the table, the ministries of health and external affairs exhibit phase-three (transaction phase) features while the other ministry websites showed less maturity and sophistication. When compared with the popular perception of India being an Information Technology (IT) superpower, these findings are disappointing. G2C and G2B e-governance scores are equal for the ministries considered for this study.

Table 3: Phase-wise G2C and G2B e-Governance Scores of India

Ministry	Model	Phase-1 (1x) (Information)	Phase-2 (2x) (Interaction)	Phase-3 (3x) (Transaction)	Phase-4 (4x) (Transformation)
Health	G2C	3	6	-	-
	G2B	3	6	-	-
Education	G2C	3	6	3	-
	G2B	3	6	3	-
External Affairs	G2C	3	6	9	-
	G2B	3	6	9	-
Commerce	G2C	3	6	-	-
	G2B	3	6	-	-
Tourism	G2C	3	6	-	-
	G2B	3	6	-	-

Table 4 shows the phase-wise G2C and G2B scores for Pakistan. As can be inferred from the table, the ministry of commerce exhibits phase-three (transaction phase) features while the other ministry websites showed less maturity and sophistication. Also it indicates a more citizen-centric, rather than business-centric e-governance progress as the G2C score was higher than G2B score.

Table 4: Phase-wise G2C and G2B e-Governance Scores of Pakistan

Ministry	Model	Phase-1 (1x) (Information)	Phase-2 (2x) (Interaction)	Phase-3 (3x) (Transaction)	Phase-4 (4x) (Transformation)
Health	G2C	3	6	-	-
	G2B	3	6	-	-
Education	G2C	3	6	3	-
	G2B	3	6	-	-
External Affairs	G2C	3	2	-	-
	G2B	3	2	-	-
Commerce	G2C	3	6	6	-
	G2B	3	6	3	-
Tourism	G2C	3	6	-	-
	G2B	3	6	-	-

Table 5 shows the phase-wise G2C and G2B scores for Sri Lanka which had the third lowest e-governance score among SAARC countries. Like Pakistan, the scores indicate a more citizen-centric, rather than business-centric e-governance progress since the G2C score was higher than G2B score. As can be inferred from the table, the G2C e-governance initiatives of the ministries of health, education and external affairs exhibit phase-three (transaction phase) features while the other ministry websites showed less maturity and sophistication.

Table 5: Phase-wise G2C and G2B e-Governance Scores of Sri Lanka

Ministry	Model	Phase-1 (1x) (Information)	Phase-2 (2x) (Interaction)	Phase-3 (3x) (Transaction)	Phase-4 (4x) (Transformation)
Health	G2C	3	6	6	-
	G2B	3	6	-	-
Education	G2C	3	6	3	-
	G2B	3	6	-	-
External Affairs	G2C	3	6	3	-
	G2B	3	6	-	-
Commerce	G2C	3	2	-	-
	G2B	3	4	-	-
Tourism	G2C	3	4	-	-
	G2B	3	4	-	-

Table 6: Phase-wise G2C and G2B e-governance scores of Bangladesh

Ministry	Model	Phase-1 (1x) (Information)	Phase-2 (2x) (Interaction)	Phase-3 (3x) (Transaction)	Phase-4 (4x) (Transformation)
Health	G2C	3	6	3	-
	G2B	3	6	-	-
Education	G2C	3	6	6	-
	G2B	3	6	-	-
External Affairs	G2C	3	6	6	-
	G2B	3	6	-	-
Commerce	G2C	3	6	3	-
	G2B	3	6	-	-
Tourism	G2C	3	6	6	-
	G2B	3	6	6	-

Table 6 shows the phase-wise G2C and G2B scores for Bangladesh. The ministry of tourism exhibits phase-three (transaction phase) G2C and G2B features while the other ministry websites showed less maturity and sophistication. While the tourism ministry ranked the lowest in the consolidated, region-wise score, it ranked the highest for Bangladesh thus setting a benchmark for others to follow. Bangladesh also shares the honours with Bhutan as SAARC's leader in e-governance. Also it indicates a more citizen-centric (G2C), rather than business-centric (G2B) e-governance progress.

Table 7 shows the phase-wise G2C and G2B scores for Nepal. The ministries of health and external affairs exhibit phase-three (transaction phase) features while the other ministry websites show less maturity and sophistication. This is in tandem with the region-wise finding as these two ministries had the highest e-governance scores. G2C score is moderately higher than G2B score.

Table 7: Phase-wise G2C and G2B e-governance scores of Nepal

Ministry	Model	Phase-1 (1x) (Information)	Phase-2 (2x) (Interaction)	Phase-3 (3x) (Transaction)	Phase-4 (4x) (Transformation)
Health	G2C	3	6	3	-
	G2B	3	6	3	-
Education	G2C	3	6	3	-
	G2B	3	6	-	-
External Affairs	G2C	3	6	3	-
	G2B	3	6	3	-
Commerce	G2C	3	4	-	-
	G2B	3	4	-	-
Tourism	G2C	3	6	3	-
	G2B	3	6	-	-

Table 8 shows the phase-wise G2C and G2B scores for Bhutan. The ministry of health exhibits strong phase-three (transaction phase) features in comparison to other ministry websites. Bhutan shares the honours with Bangladesh as SAARC's leader in e-governance. This is a commendable position considering its demographics and socio-economic influence in the region. Also it indicates a well-balanced progress in e-governance through equal G2C and G2B scores.

Table 8: Phase-wise G2C and G2B e-governance scores of Bhutan

Ministry	Model	Phase-1 (1x) (Information)	Phase-2 (2x) (Interaction)	Phase-3 (3x) (Transaction)	Phase-4 (4x) (Transformation)
Health	G2C	3	6	9	-
	G2B	3	6	9	-
Education	G2C	3	6	-	-
	G2B	3	6	-	-
External Affairs	G2C	3	6	3	-
	G2B	3	6	3	-
Commerce	G2C	3	6	3	-
	G2B	3	6	3	-
Tourism	G2C	3	6	-	-
	G2B	3	6	-	-

Table 9 shows the phase-wise G2C and G2B scores for Maldives. As can be inferred from the table, all the ministries considered for the study have phase-one and phase-two e-governance websites with equal G2C and G2B scores, thus indicating the need to mature. Incidentally, Maldives had the lowest e-governance score in the SAARC region. The ministry of commerce (trade) is conspicuous by its absence as the web pages did not open during the period of this study.

Table 9: Phase-wise G2C and G2B e-Governance Scores of Maldives

Ministry	Model	Phase-1 (1x) (Information)	Phase-2 (2x) (Interaction)	Phase-3 (3x) (Transaction)	Phase-4 (4x) (Transformation)
Health	G2C	3	6	-	-
	G2B	3	6	-	-
Education	G2C	3	6	-	-
	G2B	3	6	-	-
External Affairs	G2C	3	6	-	-
	G2B	3	6	-	-
Commerce	G2C	-	-	-	-
	G2B	-	-	-	-
Tourism	G2C	3	6	-	-
	G2B	3	6	-	-

Table 10 shows the phase-wise G2C and G2B scores for Afghanistan which had the second lowest e-governance score in the SAARC region. As can be inferred from the table, the ministries of health and commerce exhibit phase-three (transaction phase) features while the other ministry websites show less maturity and sophistication. Also it indicates a more citizen-centric, rather than business-centric e-governance progress as the G2C score was higher than G2B score. The ministry of tourism is conspicuous by its absence due to obvious reasons such as terrorist threat to national security.

Table 10: Phase-wise G2C and G2B e-Governance Scores of Afghanistan

Ministry	Model	Phase-1 (1x) (Information)	Phase-2 (2x) (Interaction)	Phase-3 (3x) (Transaction)	Phase-4 (4x) (Transformation)
Health	G2C	3	6	6	-
	G2B	3	6	3	-
Education	G2C	3	6	3	-
	G2B	3	4	-	-
External Affairs	G2C	3	4	-	-
	G2B	3	2	-	-
Commerce	G2C	3	6	6	-
	G2B	3	6	3	-
Tourism	G2C	-	-	-	-
	G2B	-	-	-	-

Conclusion

This study has performed an assessment of G2C and G2B aspects of key ministry e-governance websites of SAARC countries. The overall impression is that G2C is more prevalent than G2B. The most mature e-governance initiative (among the five key ministries identified for the study purpose) has been in the Ministry of Health. This is an encouraging sign for a region of the world that is quite large and heavily populated and delivery of quality health care –related information is a challenge because of the socio-economic disparity. The least e-governance initiative has been in the Ministry of Tourism. This may be explained by the presence of strong private rather than public (that is, the government) players dominating the tourism industry. As a result, the role of the Ministry of Tourism website is relegated to more of information sharing and destination promotion. The SAARC countries with the highest e-governance score were Bangladesh and Bhutan while Maldives and Afghanistan had the lowest e-governance scores.

The findings of the study will help governments to assess the level of maturity of their websites and identify the progression points of e-governance. It will also help to compare the different government websites and draw from each other's best practices. Future directions for research may include a comprehensive study of the websites of all the ministries since this study had considered only a sample of five key ministries of the government. Moreover, as e-governance matures, the performance and service quality aspects may be assessed. Another interesting research problem would be to identify the determinants of e-governance maturity.

References

Al-Kibsi, G, de Boer, K, Mourshed, M and Rea, N (2001): "Putting Citizens Online not in Line", *The McKinsley Quarterly*, Vol.2, pp.65-73.

Baum, C and Maio, D (2000): *Gartner's Four Phases of E-Government Model*, Gartner's group.

Borras, J (2003): *E-Government Challenges and Perspectives: The UK Perspective,* Office of the E-Envoy.

Caldow, J (1999): *The Quest for Electronic Government: Defining a Vision*. Institute for Electronic Government, IBM Corporation.

Choudrie, J, Ghinea, G, and Weerakkody, V (2004): Evaluating global e-Government sites: A view using web diagnostic tools, *Electronic Journal of e-Government*, Vol.2, No.2, pp.105-14.

Ghasemzadeh, F, and Safari, H (2002): *E-Government Maturity Level: A study about Iran,* Proceedings of the EurAsia Information and Communication Technologies Conference, Shiraz-Iran

International Institute for Communication and Development (IICD) (2001): *E-governance and Developing Countries: Introduction and examples.*

Irani, Zahir, Al-Sebie, Madi, and Elliman, Tony (2006): "Transaction stage of e-government systems: Identification of its location and importance", *Proceedings of the 39th Annual International Conference on System Sciences*, Hawaii.

Markus, G, Brend, S and Joachim, S (2001): *Integrating e-Government infrastructures through secure XML documents containers*, Proceedings of the 34th International Conference on System Science, Hawaii

Misra, D C and Anjali, D (2002): E-Government Maturity Models, *Electronics and information planning*, Vol.29, pp.6-7.

Sekaran, U. (2003): *Research methods for business: a skill-building approach*, John Wiley & Sons, Singapore, pp.250.

Organization for Economic Cooperation and Development (OECD) (2003): *The E-Government Imperative: Main Findings,* Available at: *http://www.oecd.org/dataoecd/60/60/2502539.pdf*

United Nations (UN) – Division for public economics and public administration (2000): *Benchmarking e-Government: A global perspective – assessing the UN member states.*

United Nations (UN) (2003): *World Public Sector Report 2003: E-Government at the Crossroads.*

World Bank – Poverty reduction and economic management network (2004): *Building Blocks of e-Government*: *Lessons from developing countries,* p.91.

Yttersad, P. Akselsen, S., Svendsen, G., and Watson, R. (1996): "Teledemocracy: Using Information Technology to Enhance Political Work", *MIS Quarterly*, Vol.20, No.3.

Local Democracy in Sri Lanka: An Overview

V Suresh & K Ramesh

Abstract

Local self-government and decentralization of governance functions, as used in certain countries, ostensibly have their origins in US terminology and tradition. In certain other countries, local self-government has been too closely equated with just local government and decentralization with enabling the latter and not really local 'self-government'. In fact that decentralization decision-making ensures the well-being of all of those who are likely to be affected by such decisions is now well known. The rationale of this premise is derived from the democratic imperative that all those whose interests are affected by decisions ought to take part in the decision-making process. When everybody takes part in the decision-making process, self- interest is supposed to guide them to arrive at decisions that are consistent with everybody's good. This logic provides the theoretical basis for the evolution of decentralized political institutions which are looked up on as institutions that promote decentralized decision-making.

Key Words: Decentralization, Decision-making, Democracy, Political Institutions, Rationale

Introduction

Local government reorganization has been almost ubiquitous in developed countries in the last decades. Local authorities have been restructured, the relationships between central and local government have been reshaped, and new local government acts have been passed in a number of countries. Basically, this is a response to the expansion of governmental intervention in the society. The ideological premises underlying these processes are complex and manifold. Partly, they refer to the traditional values of local self-government, with an accent on autonomy, participation and efficiency. Partly, they refer to fundamental requirements of central steering in the contemporary state; rule of law, geographical redistribution, and macroeconomic steering. This variegated set of values and requirements has to be given space in the local government institution. This is why the process of reorganization cannot be subsumed under a dichotomy of centralization and decentralization. Local government in advanced democracies is too complex to be accommodated by such a simple formula, requiring a redefinition of its role in society.

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In recent years, there has been a dramatic flowering of decentralization initiatives among the developing countries of Asia. The range and diversity of these initiatives is quite impressive, reflecting the different historical, cultural and political conditions of these various countries. At the same time, there are many common threads and features running through the different systems that are beginning to emerge. It is worthwhile examining the theoretical underpinnings of decentralization, the origins of the various systems, their common and distinctive features, and their effectiveness in providing meaningful citizen involvement in the local governance process and the future directions in which decentralized governance systems should move. The South Asian Association for Regional Cooperation (SAARC) is a manifestation of the determination of the people of South Asia to work together towards finding solutions to their common problems in a spirit of friendship, trust and understanding and to create an order based on mutual respect, equity and shared benefits. The primary objective of the Association is the acceleration of the process of economic and social development in member status, through collective action in agreed areas of co-operation. Decentralization of administration had been the main objective of administrative reforms in Sri Lanka since independence in 1948. The four types of local authorities, viz., the District Development Council (DDCs), the Municipal Council (MCs), Urban Council (UCs) or Town Councils (TCs), and Village Councils (VCs) created by the national legislature were responsible for selected services and amenities in their respective areas. The thirteenth amendment to the Constitution brought a major change in Sri Lanka's system of governance by providing the devolution of power to a second tier of governance in the country at the provincial level. The present paper examines the structure and functions of local governments in Sri Lanka (Aziz and Arnold 1996).

Demography

Sri Lanka is an island situated close to the southeastern tip of the Indian subcontinent. It has a land area of 62,337 square kilometers. About 75 per cent of the land comprises broad lowland plains. The hilly area is in the centre and has been the feeder area for all rivers that flow to the Indian Ocean in a radial formation. The island receives rain from southwest and northeast monsoons and thunderstorms. The population is around 18.3 million with an annual population growth rate of 1.1 per cent. Fifty seven per cent is concentrated in less than 25 per cent of the total land area. About 52 per cent live in the western, central and southern provinces.

Methodology

The literature available in the form of laws, policy statements of government manuals, circulars and official reports have been examined for this study. The Pradeshiya Sabha (PS) Act, examined in the light of the debate in parliament at the presentation of the PS Bill, provides an insight into the political thinking underlined in the adoption of this innovative law

designed to obtain people participation in both administrative, development, and the statutory provisions made therein.

Political Structure of National Government

Sri Lanka gained independence from the British in 1948 and has a democratic system of government. It is governed under a unitary system of Constitution and is a republic. The legislative power of the people rests with the Parliament whose members are elected on a political party basis, while the President who exercises the executive power is elected from the total electorate. Judicial power is exercised by the Parliament through courts and other tribunals. Although for sovereignty purposes the Parliament is exercising judicial power over the Supreme Court, the Court of Appeal and other Courts are free from outside interventions and maintain judicial independence. The Constitution has been promulgated thrice: in 1946, 1972 and 1978. The thirteenth amendment to the Constitution in1987 has special relevance to power sharing between the central government and other levels of government within the system of republican governance. Under these amendments, subjects and functions in the purview of central and provincial governments have been identified in three scheduled lists: those of the central government, those of the provincial government and powers concurrent among central and provincial governments. The central government can set national policies on all subjects and functions and has the power to approve legislation on the concurrent list of subject areas that have been listed as provincial subjects in the scheduled list. The provincial governor of each province is responsible for the execution of policies and statutes made by the provincial council on devolved subjects, through the board of provincial ministers. A provincial public service has been constituted for each province to support the executive. Except for the policies on the form, structure and constitution of local authorities and the national policy-making related to local government, all other activities inclusive of operations, supervision of management, including the power to dissolve a local authority, come under the purview of a provincial council (Radhika 1992; Committee Report 1995).

Historical Background of Local Government

Local government has a long history, extending to the period of Sinhalese kings dating back to the fourth century. The oldest chronicle of Sri Lanka, Mahawansa (sixth century) mentions that local administration was carried out by the Nagara Guttika (City Mayor). Village level organizations called Gram Sabhas functioned under village leaders who enjoyed powers to administer local affairs and also perform judicial functions such as dealing with petty offences and reconciling disputes. The Gram Sabhas (GS) were mainly agriculture oriented and were not directed by the Centre. The British abolished the Gam Sabhas in 1818 withdrawing the self-government element in Sri Lankan villages. However, the British resurrected it in some way by the introduction of the Irrigation Ordinance in 1856, which entrusted the village communities to take certain actions related to irrigation and cultivation. The local government

system in Sri Lanka was greatly influenced by the British during their colonial rule, particularly during the latter part of the British rule (from 1865 to 1948). Important landmarks in local governance under the British can be summarily stated as follows:

- Establishment of municipal councils for the cities of Colombo and Kandy in 1865 and for Galle in 1866;

- Reconstitution of village committees by the Village Committees Ordinance in 1871;

- Establishment of sanitary boards for small towns in 1892;

- Establishment of urban councils in 1939; and

- Establishment of town councils in 1946.

The village committees functioned as legal entities served by village leaders on a voluntary basis. During the period 1940-1980 the term village committee was changed to village council. The powers and functions of village councils were transferred to newly constituted district development councils in 1980. However, these new councils did not last long due to the inherent defects in the system that distanced the people from the administration which necessitated the establishment of Pradeshiya Sabhas. The current organizational structure in local governance consists of three legal instruments: the Municipal Council Ordinance, the Urban Council Ordinance and the Pradeshiya Sabhas Act. The establishment of 257 Pradeshiya Sabhas in 1987 marked an extensive attempt of decentralization. In 1996, one more Pradeshiya Sabha was added bringing the total number of Pradeshiya Sabhas to 258. Under the constitutional amendment, it was expected that the provinces would prepare and pass statutes to legally transfer the official activities of the local authorities (De Silva 1993; Pradeshiya Sabha Act 1987).

Local Government Categories and Hierarchies

The central government decides on the structure of a local authority and demarcates it after a public hearing where the electorate, other parties and organizations are invited to participate. Local governments used to be divided into wards. Wards have been discontinued under the new proportional system. To create, reconstitute or upgrade a local authority, the minister in charge of local government appoints a committee that is generally headed by an officer of the rank of provincial commissioner of local government or a divisional secretary. The committee also recommends the number of elected members the local authority should have. On receipt of the committee's report, the minister decides whether to reject or accept the recommendations of the committee. While normally committee recommendations have been accepted in total, there have been cases where these were changed due to political considerations, particularly when geographical areas had to be carved out from adjacent local authorities. However, even in such cases special attention was given to the organizational and

financial sustainability of the proposed Local Authority (LA). Local authority elections are held under the Local Authority Elections Ordinance. The district secretaries conduct elections in their capacity as Election Officers in the districts. Their duties are limited to the preparation and certification of electoral registers and the conduct of the poll. The Commissioner of Elections gazettes the list of candidates and gives all necessary directions to the Election Officers on the conduct of the poll. The Commission of Election also decides the number of seats each party will get based on the election results. One important feature in local authority elections is the regulation that 40 per cent of the candidates on the nomination list should be between 18 and 35 years of age, which gives an opportunity for youth representation in local authority administration. The Chairman or Mayor is nominated by respective political parties or independent groups, which does not seem to be very democratic. However, the democratic means of elections of heads of local authorities that was in vogue created problems of local administration. One of the main issues arising was the distant relationship maintained by the Chairmen/Mayors with the membership, affecting the functioning of the local authorities in a democratic manner. There have been cases where members and councilors revolted against such relationships with the heads of local authorities, causing embarrassment to political parties. On the other hand, some argue that over-dependence of local authority heads on members or councilors would create situations that are more damaging to their general administration. The composition of a local council is based on the total population of a local authority area and not on a ward basis. This has certain advantages as well as disadvantages. It permits members/councilors to pay attention to the local authority as a whole rather than to a ward that consists only of a few settlements with a small population. When the ward-based election system was in vogue, the services rendered or infrastructures constructed were generally of a small size due to the fact that these needs were generally limited to a smaller geographical area. Instead of such limitations, the members and councilors are now in a position to look at a broader spectrum and a larger geographical area, since they have to look up to and depend on a larger population for victory at elections. Since the electoral system is proportional, it permits an elector to give his/her preference to a political party or an independent group. And elected members have no allegiance to the micro level. Moreover, under the previous composition, minorities including small political parties were finding it difficult to be elected due to limitations in the number of electors in each ward. Such opportunity makes the minority members and councilors concentrate on their block vote by developing the areas occupied by such minorities, whether on the basis of political party, religion, race, caste or occupation. Hence, minorities have gained from the new electoral system.

The financial position of local authorities is not so sound to plan services for a larger geographical area as this involves large investments. This has become more apparent in urban local authorities where the urban poor, living in shanties and squatter settlements, do not pay any rates. Therefore, in some local authorities, they were not given the same service compared to the ratepayers. In an electoral system that requires coverage of a larger area, more money is

needed to contest elections and hence poor elements could not be adequately represented. Therefore, such people had to suffer for want of proper representation. It is sufficient to note that in the Colombo municipality area, 42 per cent of the total population are living in under-served or low income settlements, but they are not represented accordingly. Lack of representation of poverty-stricken population in the composition of local authority membership has affected even the composition of committees, especially that of the municipal councils. The law provides for appointment of various committees to assist the administration of local authorities. Since political input has been uppermost in the minds of the politicians in power at municipal councils, adequate representation has not been the case in sect oral committees, even though the opposition groups or members deserved representation. Therefore, the difficulties faced by the poorer groups have increased. In case of the PS, the law provides for the appointment of committees. These could include residents of the areas. While appointment of these committees is rare, even in cases where committees were appointed, the opportunities given to the political opponents and the disadvantaged groups were minimal.

The administrative structure is similar in all local authorities, although the designations are different. The municipal councils are headed by Mayors along with deputy Mayors, members of the councils, making policy and policy implementation decisions. The Mayor is the Chief Executive and is assisted by the municipal Commissioner, who is a senior public official. There are several departments under the administration of a municipal Commissioner, depending on size, complexity, staff availability and resources of the municipality. For instance, the Colombo municipality has several departments under the Commissioner, headed by a secretary, a chief engineer, an internal auditor, a veterinary surgeon, a chief medical officer of health and an assessor with sub units in each department. This structure is not in place in many other local authorities, although there are some counterparts to those officials in other municipal councils (Amarasinghe 1994; Namasivayam 1950).

Functions of Local governments

Section 40 of the Municipal Council Ordinance lists the general powers of municipal councils. These are generally routine administrative powers, such as recruitment of officials, acquisition of assets, licensing, instituting legal actions, budgeting and supplementary budgeting. Since municipal councils have to be careful about unauthorized constructions in their area of authority, one important power given to the municipal councils is the power to demolish unauthorized buildings. Municipal councils provide public infrastructure services and are authorized to acquire lands for public purposes. The general duties of the municipal councils are more important for the well-being of the public. At the same time these duties also serve as performance indicators of municipal councils, assisting the public to consider election of members for a second time. The duties as stated in section 46 are as follows:

- Maintaining and clearing of all public streets and open spaces vested in the council or committed to its management;

- Enforcing the proper maintenance, cleaning and repairing of all private streets;

- Supervising and providing growth and development by planning and widening of streets, reservation of open spaces and

- execution of public improvements;

- Abating all nuisances;

- Establishing and maintaining public utilities for the welfare, comfort and convenience of the public; and Promoting public health, welfare and the development of sanitation and amenities.

Law gives extensive powers to local authorities to meet their responsibilities. This includes making it mandatory for the police to help local authorities in enforcing their regulations. A majority of municipal council functions, such as health and sanitation activities, solid waste disposal, greening of the areas under their control and development of parks, could all be categorized as environmental activities. By law, provision has been made to appoint a committee of councilors for the purpose of preparing schemes regarding maintenance of residential premises and for making recommendations on the payment of incentives to qualified occupiers of residences. This is an opportunity to prove the capacity to create participation of the public in maintaining higher standards of environment. Of course, one disheartening feature is that often such schemes or incentives are not made available to the public. Although laws have given vast amounts of power to create a sustainable and habitable environment in urban areas, it is found that the development processes have not been that effectively executed. For instance, the vast heaps of garbage on roadsides in Colombo, squalor in slum shanties and conditions of market places are good indicators of mismanagement in municipal councils.

Another important power in the hands of municipal councils is market facilitation and regulation in their areas of authority. While municipal councils can facilitate economic development using these powers in theory, most municipal councils have not been able to take advantage of these regulations or have failed to facilitate or regulate economic activities. If one roams around in any city one will find that most of the solid waste in cities originates from the market places that are expected to be supervised by the municipal councils or urban committees. Furthermore, the powers given to medical and health officers to inspect important places of business, especially hotels and restaurants are not exercised regularly, causing hardships to the consumers. The municipal magistrate system that permits trying offenders under 30 different laws could be used to maintain order, discipline, health and the environment. In addition the municipal councils are permitted to borrow for development activities, acquisition of lands, plant, machinery and equipment. Of course, there are certain limitations

placed for certain transactions such as issue of debentures, housing bonds etc. Besides, the activities of local authorities are audited by the auditor general. This has a salutary effect on somewhat reasonable maintenance of accounts. However, there have been instances of gross violation of financial regulations (irregular awards of contracts etc.) that have even been reflected at the level of the parliamentary Public Accounts Committee. One weakness has been the general delay in such exposures due to the general weaknesses in government auditing. This is a common feature not only with respect to local authorities, but also in the case of other government departments and corporations. One important revenue-generating method in municipal councils has been the regular revision of rates. Generally rates are revised every five years. Complaints have been made of unreasonable increases in municipal council rates. On the other hand, complaints are also made to the effect that some local authorities do not revise the rates by given time periods. Another observation is that some central politicians try to influence the rate revision process for their political gain, irrespective of the effects on local authorities' finance. The powers of urban councils are enumerated in a separate ordinance: the Urban Council Ordinance. Their general powers and duties are not very different from the municipal councils. The vested assets of urban councils show some similarity to municipal councils, since parks, open spaces, gardens, canals, public markets and public buildings within the urban council areas become the property of urban councils. The duties of urban councils as given in section 35 of the ordinance are almost similar to the corresponding section of the municipal council ordinance. The main functions of the urban councils, like those of the municipal councils are environmental in nature. Besides, urban councils, like municipal councils, are authorized to maintain and regulate markets. Pradeshiya Sabhas enjoy powers similar to municipal and urban councils with regard to routine administration of their areas. In Pradeshiya Sabhas, the focus is on thoroughfares, public health and market places and thus, the focus on services and environment has not changed. However, due to lack of finances, these functions and services have not been sufficiently undertaken in many Pradeshiya Sabhas. When both ordinances were promulgated, the central government was to supervise the functioning of local authorities. However, with the 13th Amendment to the Constitution, this power has been transferred to the provincial councils. Similarly, processes of inquiry and oversight of local authorities have been transferred to provincial councils. These powers have granted provincial councils to check the excesses of individual municipal and urban councils, where mayors and chairmen considered themselves above the law as elected representatives of the people. Political parties have taken a keen interest in local authority elections, injecting politics in the decision making of the development process. One negative impact of such behavior at the local authority level is the neglect of development needs when the management of local authority is in the hands of the people who do not have the same political affiliation. As noted, this is particularly of concern in Pradeshiya Sabhas. This situation has degraded the standards at the local level. Although such criticisms can be leveled against local authority administrations, on the whole, the concept 'think and act locally' at the local authority level has not been shelved (Lailan 1979; Urban Councils Ordinance and Amendment 1987).

Local Government Finance

The three local authority legislations provide for the creation of a municipal fund, a local fund and a PS fund for the municipal councils, the urban councils and the PS respectively. Besides, these legislations empower local authorities to take necessary action to ensure that revenue generation takes place according to the wishes of the local authorities. Although the wording may differ, generally the following sources could be considered as the base of the below-mentioned funds:

- All rates, taxes, duties, fees and other charges levied by the council;

- All fines levied and penalties received under the authority of the Municipal Council Ordinance or under any enactments specified in section 163 or in respect of any offenses to which the President extends the jurisdiction of the municipal magistrate;

- All sums realized by sales, leases or other transaction of the municipal council;

- All revenue derived by the municipal council from any property vested in the municipal council or by the administration of any public service;

- All sums and all revenues regularly appropriated or transferred to the municipal council by Parliament;

- All grants allocated to the municipal council; and

- All sums otherwise accruing to the municipal council in the course of the exercise of its powers and duties (Godfrey 1992).

Personnel System in Local Government

In the past, the civil service was divided into two cadres: the public service and the local government service for which civil servants were separately recruited and trained. The Public Service Commission and the local government commission oversaw both services. Although officially both services were considered equal, the public service was seen as superior to the local government service, particularly with regard to clerical, supervisory staff and technical grades. With the amalgamation of the local government service, this situation changed. The administrative service officials in the local government services were absorbed into the Sri Lanka Administrative Service. After implementation of the Thirteenth Amendment to the Constitution, local government was automatically subjected to the provincial council and civil servants of local authorities automatically became officers of the provincial public service. As such they were subjected to the provincial Public Service Commission authority and became transferable between local authorities. Hence, rules and regulations applicable to the provincial Public Service Commission are applicable to local authority employees as well. Of course, with the amalgamation of services, there have been discrepancies in certain grades-especially in

technical grades - as far as service conditions and other perks are concerned. Resulting from the fact that all recurrent establishment costs are borne from allocations made by the Finance Commission under block grants, the provincial councils, and through them local authorities, are forced to decide on cadres, job description and recruitment procedures as dictated by the Centre. Generally, civil servants for all-island services are recruited by the central government, whereas the provincial Public Service Commission takes responsibility in recruiting civil servants for other services. The induction training for all island services is undertaken by the Centre while others are mostly trained on the job. Some provincial council, such as those of the central and northwestern provinces, has their own training centers for local government employees. There are other central organizations, such as the Sri Lanka Institute of Development Administration, that undertake training. In the Ministry of Local Government, the Local Government Management Unit assists provincial councils with training civil servants. Since foreign training is a centrally reserved subject, the line ministry has a hold on the training of local authority officials. The World Bank-assisted Municipal Management Programme has been responsible for giving many training opportunities to well-performing local authorities, their officials and political heads (Neil 1992; Nanayakkara 1992).

Central Government-Local Government Links

The constitutional provisions under item Four of list One of the Ninth Schedule give a clear indication on the autonomous nature of local authorities. The national government agrees on a national local government policy and determines the form, structure and constitution of local authorities. The supervision of the management of local authorities is the responsibility of the provincial councils. This demarcation of power and authority, although clear, is not totally adhered to between the Centre and the provincial councils, due to other legal provisions. For example, under the Municipal Council Ordinance (Section 11), Urban Council Ordinance (Section 10) and the PS Act (Section 5), the central minister is authorized to curtail or extend the term of office of the members of these local authorities by one year. This authority has been exercised by the minister of local government on several occasions in the past and his authority has not been challenged so far. Under the Constitution, the President appoints the Governor and the Chief Secretary of the Province. In addition, most of the key officials such as secretaries of provincial ministries and provincial Commissioners are seconded from the Centre to the provincial public service. Thus, not only local authorities but also provincial councils heavily depend on resources provided by the Centre. The total establishment cost, including the remuneration of local elected officials, is borne by Finance Commission Grants, disbursed through provincial councils. The Central Salaries and Cadre Committee is responsible for the re-enrolment of local government staff and their salaries. However, this authority of the Salaries and Cadre Committee, to determine the vacancies of local authorities has created enormous problems. From the government's point of view this kind of action is necessary to restrict uncontrolled recruitment. Moreover, the central government is under constant pressure to reduce public and local government service cadres. Therefore, the Salaries and Cadres

Committee has restricted its work to determine the salary of local authorities in keeping with national policies. The Commissioner of Elections conducts local government elections and maintains the appointment of membership in local authorities. However, throughout history, the national political parties have been influencing the process by making national political issues the mainstay of canvassing votes for local authorities' election. Moreover, in addition to their own electorate and the provincial councils, local authorities are answerable to Parliament through the auditor general and the Public Accounts Committee. This is particularly so for funds made available to local authorities by the Parliament through the provincial councils. The power to take action against the local authority's management is provided in local government laws. For example, the power to remove the Chairperson or Mayor after due inquiry is referred to in Section 277 of the Municipal Ordinance, Section 184 of the Urban Council Ordinance and Section 185 of the Pradeshiya Sabhas Act. The grounds for action under these sections are incompetence, mismanagement, default of performance, refusal or neglect to comply with provisions of law and only few business transactions (Provincial Council Act 1987; Suriyakumaran, Local Government Management Unit 1996).

The process of dissolution of a local authority has to be done through a legally accepted procedure. Basically, the Minister (in the provincial council) should be satisfied that sufficient proof is available to take action against the local authority on the above counts. He has to appoint a retired judicial officer to report to him within three months on the allegations made against the local council. However, although local authorities are supposed to be democratic administrative units, they are not fully autonomous. Provincial councils can pass powers, functions and responsibilities on to local authorities under various statutes but cannot reduce constitutionality powers of local authorities. More powers could be granted to local authorities if necessary; the provincial councils of northwestern Province and Central Province have already been given additional powers to local authorities engaged in development activities in their respective areas.

Role of Public Participation

One of the main objectives of establishing local authorities is to give the public more opportunities to participate in the decision making process regarding the management and development of their respective council areas. For instance, the preamble to the Pradeshiya Sabhas Act states that: "legislation is enacted with a view to provide greater opportunities for the people to participate effectively in the decision making process relating to administrative and development activities at a local level". Although there is provision in the local authority laws to appoint committees and facilitate peoples' participation, this provision has not been used meaningfully in the past.

Conclusion

The local government system in Sri Lanka has been well established for a long period of time. However, due to operational requirements, local governments are, to a large extent dependent on and influenced by provincial councils and the central government, through cadres, finances and legal provisions to take action against local authority administration. Notwithstanding these facts, one important feature remains apparent: the democratic nature of elections in local authorities. The attempts to further strengthen local authority administration will depend on the availability of resources to upgrade planning skills in local authorities, the strengthening of their organizational structure, proper direction of networks, procedures and human resources development, better coordination at the grass-roots and provincial level and enhancing revenue generation to make local authorities more self-sustaining. Law that benefits all people is the seeming solution for the effectiveness of decentralization of power and its success. The more the involvement of local bodies in policy making-implementation process the greater will be the results. This requires the pinnacle authority to stop the old practice of inclusive-exclusive methodology in the same context and needs to adopt the longer participation of local bodies at every step of policy making and implementation. Therefore if more people participation is encouraged, grass root democracy will be strengthened. This will undoubtedly lead to the metamorphosis of the society and eventually give the true meaning of the concept of 'decentralization'.

References

Abdul, Aziz and David D Arnold (1996): *Decentralized governance in Asian Countries*, Sage Publications, New Delhi.

Amarasinghe, A L (1994): *Human Resource Development: Towards Decentralization.*

Central Bank of Sri Lanka (1996): *Socio-Economic Data.*

Central Bank Restructuring of Sri Lanka (1996): *Annual Report*.

Committee Report on of Administrative System in Sri Lanka, 1995

Constitution of the Democratic Socialist Republic of Sri Lanka, 1991

Coomaraswamy, Radhika (1992): "Devolution, the Law and Judicial Construction", *CRDS Monograph Series 4*.

De Silva, K M (1993): *History of Ceylon*, University of Ceylon.

Fernando, Neil (1992): "Training for Decentralized Administration under Devolution", *CRDS Monograph Series 5*.

Gunatilleke, Godfrey (1992): "Development Planning under Devolution", *CRDS Monograph Series 3*.

Lailan, G. R. T. (1979): *Local Government and Decentralization in Sri Lanka*.

Local Government Management Unit (1996): *Training Modules on Legal Aspects*.

Municipal Councils Ordinance and Amendment Act, 1987

Namasivayam, S (1950): "The Legislatures of Ceylon 1928-1948", *Faber and Faber*.

Nanayakkara, V.K (1992): "Environmental Management under Devolution", *CRDS Monograph Series 7*.

Operation of the Provincial Council in Sri Lanka, 1996

Pradeshiya Sabha Act No. 15, 1987

Provincial Council Act No. 42, 1987

Suriyakumaran C (n.d): "Regional Planning Design in Sri Lanka and the Institutional and Procedural Arrangements", University of Sri Jayewardenepura, University of Ruhuna in Association with CRDS.

Urban Councils Ordinance and Amendments, 1987.

The Indian Origin Tamils in Sri Lanka: A Study of their Socio-Economic-Political Plight

Navaneeta Deori

Abstract

In the heart of Sri Lanka reside the Indian origin Tamils, also called the Up-country Tamils or Malaiyaha Tamils1. The Indian origin Tamils are ethnically Dravidian Hindus speaking Tamil language; but for various reasons can be termed as being different from the Sri Lankan Tamils. They are mostly labourers living in the tea plantations, living lives of drudgery with low wages and poor educational and health care facilities. To add to their misery, they were not granted citizenship of Sri Lanka for almost four decades depriving them of their civil liberties. It was with the help of the trade unions and their political affiliations, that hike in wages and final attainment of citizenship became possible. This paper shall explore the socio-economic and political conditions of this group of people since Sri Lanka's independence. Hence the paper is an account of the travails they have under gone in the past and their persistent demand towards a better standard of living.

Key Words: Sri Lanka, Indian Tamils, Tea Plantations, Citizenship, Political Parties, Trade Unions.

Introduction

Sri Lanka is a small island nation edged into the southern part of India. For three decades, Sri Lanka was known to the world as a country which experienced protracted ethnic conflict. Within the Tamil community in Sri Lanka, the focus is given to the militant group called the Liberation of Tigers of Tamil Eelam (LTTE), who on behalf of the Sri Lankan Tamils, tried to militarily defeat the Government of Sri Lanka. The fight between the parties ended in 2009 after the defeat of the LTTE in the Eelam War IV. There is another group of Tamil people who came to the island as indentured labourers during British colonialism from Madras Presidency and are popularly known as the Indian origin Tamils. Their arrival to the island is recent when compared to the Sri Lankan Tamils of the Jaffna Province. More than 85% of these Indian Tamils work as daily wage labourers in the tea plantations. They have been a part of the plantations for more than one hundred and fifty years. Since they continued to stay in the plantations, their customs and traditions remained unchanged and hence are similar to the South Indian Tamils. At the same time, they also have been able to forge a separate ethnic identity from that of the Sri Lankan Tamils. Though the basic features of ethnicity between the

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two groups are same i.e. they both are Dravidian in origin, mainly Hindus who speak the Tamil language, the Indian Tamils have formed their unique identity geographically, by being assimilated completely to the plantation system. The needs and the aspirations of the Indian Tamils are entirely different from the Sri Lankan Tamils who aspired to have an independent state called the 'Tamil Eelam', while the Indian Tamils demand has been essentially for the fulfilment of their basic needs of daily life. They have had to struggle for their fundamental rights and improvement in socio-economic conditions and the trade unions and political parties representing the Indian Tamils acted as catalyst to achieve these aspirations. The strategy that is implemented by the Indian Tamil leaders for accomplishing their demands is through peaceful demonstrations rather than use of force. Thus, the Indian origin Tamils have tried to assert that they are different from the Sri Lankan Tamils as they do not aim for a separate state.

The people of Sri Lanka can be broadly divided into the Sinhalese, the Tamils and the Moors. The Sinhalese constitute are 74 per cent of the total population, the Tamils 18 per cent and the Moors (Sri Lankan Muslims) 7 per cent. The Burghers (people of mixed Sri Lankan and European ancestry) comprise of an insignificant 0.3 percent of the total population. The Tamils can be divided into two groups, the Sri Lankan Tamils and the Indian origin Tamils. The Sri Lankan Tamils are basically from the Jaffna peninsula i.e. the Northern Province belonging from the Vellalar caste. Some other groups of Tamils of different castes who had migrated to the coastal areas in the Eastern Province are also called as Sri Lankan Tamils.

Sinhalese nationalists claim that British colonialism disrupted their idyllic society and that the Indian origin Tamils (also called as the Plantation Tamils), as part of this colonial system, threatened Sinhalese society (Peebles Patrick 2001:20). The Sinhalese in comparison to the Indian origin Tamils call themselves as '*Bhumiputra*' and the Indian Tamils as aliens. Because of cultural differences, the Sinhalese felt the Indian Tamils to be intruders on their land. The British planters brought the Indian Tamils to the island due to the unwillingness of the Sinhalese people to work as manual labourers in the plantations.

According to the 1981 census, around 78 percent of Indian origin Tamils are settled in the plantation sector and they consist of 6.41 percent of the total population (Chandrabose 2004: 54). The tea plantations are centrally located in the picturesque hill districts of Nuwara Eliya, Kandy, Matale, Badulla, Ratnapura and Kegalle. The largest population of Indian Tamils is in the district of Nuwara Eliya with 52.95 per cent (370,747), next is Badulla with 16.27 percent (126,056) and the other districts of Ratnapura, Kandy, Matale and Kegalle constitute 10.08 per cent, 9.08 per cent, 9.08 per cent and 6.93 per cent respectively (Chandrabose 2004:57). In the district of Colombo, the Indian Tamil population comprise 6.93 percent of its total population. In addition, there are clusters of internally migrated people from this community in the North Eastern Tamil districts of Mannar, Vavuniya, Batticaloa and Mullaitivu (Sinnathampy and Vijesandiram 2006:75). Most of the tea regions lie within the Wet Zone, but there are few estates in the Uva Basin and around its margins, which lie within

the Dry Zone (Johnson and Scrivenor 1981:89). According to the Preliminary Release of the Census of Population and Housing Survey-2001, the estimated total estate (also called plantation) population in that year in Sri Lanka was 900,713 of which 88.4 percent were Indian Tamils (Sinnathampy and Vijesandiram 2006:75). Since more than 90 percent of this population is of Indian Tamil origin, the plantations can be called as the homeland of the Indian origin Tamils.

The Historical Background of Indian Origin Tamil Community

The flow of Indian labourers to Sri Lanka began with the establishment of the coffee plantations in the 1830s. If landlessness and a willingness to work for wages were lacking in Sri Lanka, both were common in the neighbouring sub-continent of India (Driesen 1998:20). The six enormous districts of Madras Presidency were overpopulated and there was tremendous scarcity of land. The Indian labourers of the Madras Presidency migrated because they were landless and extremely poor. In the social hierarchy, they were from the lowest caste. They were the 'Untouchables' from Paraiyan, Pallan and Chakkiliyan castes. Their lot was pitiful, and when a demand for labour opened up in nearby Ceylon in the 1830s, they were willing to embark upon the hazardous journey to the estates (Tinker 1977:6). They came to work as indentured labourers in the plantations of Sri Lanka for better earnings, so that they could purchase property, settle debts and improve their living standards. A significant number of these Tamil immigrants also found employment as unskilled and semi-skilled workers in the urban sector, especially in Colombo, in the harbour, railways, road construction, sewage and sanitary services, as well as numerous sundry occupations such as tailors, barbers, and rickshaw pullers (Samarasinghe 1983:157).

Initially, only male labourers came to the island and they were recruited under the Kangany system. According to the Labour Commission of 1908, the Kangany system was purely patriarchal in its origin and principles (quoted from Jayaraman 1975:57). The Kangany system was headed by a man (usually from an upper caste) who was called a Kangany and he acted as a guardian of the naïve labourers. He took the responsibility of recruiting labourers in the plantations. The plantation owners gave the wages of the labourers to the kangany under whom they worked. He was the middleman between the plantation management and the labourers. Thus the labourers were directly dependent on the Kangany for their wages. Again in times of crisis, the labourers asked loans from the Kangany and he in return charged them high interest. As such, they were at the mercy of the whims and fancies of the Kangany. With passage of time, the British plantation owners shifted from coffee plantation to tea since in those days coffee was not profitable in the international market. However the Kangany system continued to exploit the poor labourers.

In the pre-independence period of Sri Lanka, Indian Tamil worker constituted about one-sixth of the total population. In July 1931 elections, there were 1,00,574 Indian Tamils who

were registered as voters and constituted 21 percent of the adult Indian population. The Soulbury Commission arrived in Ceylon (Sri Lanka) in 1944 to discuss about the constitutional reforms regarding the citizenship questions of the Indians living in the country. The Commission declared that the future government of Ceylon would determine the conditions under which the inhabitants of Ceylon may acquire franchise. Soon after Sri Lanka's independence, the government disqualified the Indian Tamils as citizens. After enjoying franchise rights in the elections of 1931, 1936 and 1947, virtually all of them were deprived of citizenship rights soon after Ceylon became independent (Phadnis1967:75). The denial of right to citizenship resulted in political and economic deprivation and also social discrimination and this was the beginning of their prolonged multiple struggles for their survival in the plantations.

Socio-Economic Conditions of the Indian origin Tamil Community

Sri Lanka has a high standard of human development compared to the rest of South Asia. Immediately after independence, the country continued with steady economic growth. This was in contrast to other newly formed nations who were unable to administer their recently acquired freedom. Sri Lanka was sufficiently able to invest in social welfare. But the fruits of social welfare and development did not reach the Indian Tamil labourers. They were deprived of welfare development activities and did not have any access to education too. They lagged behind in comparison to the urban or rural population of Sri Lanka. Till the late 1980s, there were hardly any graduates among the Indian Tamils. According to the Census of Population and Housing, 2001, the literacy rate of the Indian Tamils was 75.1 per cent which is much lower than the national average of 91.1 per cent. However, there is a small group of Indian Tamils that acquired university degrees and entered into various professions. With greater awareness as a result of external interventions from various foreign NGOs, they have realised the importance of education.

The health conditions in the estates are deplorable. Most of the estates do not have adequate medical facilities. It is in contrast the rest of the country, which has an extensive health care facility system. From the 1970's onwards, there was improvement in health facilities which became possible since most of these projects were funded by the foreign donors. The health standards of the Indian origin Tamils are a great deal lower than the Sinhalese population. For example, 37 percent of estate children are stunted compared to 14 per cent of rural children; and 48 percent of estate mothers have low body mass index (BMI) compared with 23 per cent of rural mothers (DHS 2000); (Sri Lanka Poverty Assessment 2007:xvii).

According to the Department of Census and Statistics (2004), poverty head count index for estate in 2002 was 30 per cent of the total population compared to all island figures of 22.7 (Aheeyar 2007:7). The plantation Tamils do not have access to various basic amenities directly affecting their quality of life. In comparison to urban and rural sectors of the country, the estate

sectors have poor access to safe drinking water, sanitation facilities and access to electricity. One of the most serious issue is that about 27.7 per cent of the estate households have no toilet facilities compared to all the island figures of 6.1 per cent of the households without latrines(Aheeyar 2007:8).

During the colonial period, the payment of wages to the labourers was the responsibility of the Kangany. Partial payment of wages was done in the form of rice. In 1941, the monthly wages of the Indian Tamil labourers were between Rs. 25 to Rs. 35. The labour force included both men and women. Women workers plucked the tea leaves and worked longer hours than men. But the wages were not the same as women got lower wages than men. It is only from 1986 onwards that both men and women had the same fixed monthly minimum wages. This was possible with the help of trade unions-cum- political party, the Ceylon Working Congress (CWC). The CWC formed an alliance with UNP government (1977 to 1994) and during this time the plantation workers were able to receive hike in daily wages. Presently the plantation workers receive a daily wage of just Rs. 285 ($US 2.58) and an incentive allowance of Rs. 125 depending on their attendance and productivity quotas (Wijesiriwardena 2011). This incentive barely reaches the labourers. Leaders like Mano Ganeshan from the Democratic People's Front (DPF), along with the workers demanded for a daily wage of Rs. 500 and Rs. 250 as allowance. Since the wages are too meagre, the workers are barely able to manage two meals a day for a decent life. The lower wage as well as their addiction to alcoholism are reasons for high poverty among plantation workers.

The plantation labourers continue to live in barrack-like lines. Each room consists of a floor space of 12 feet by 10 feet and the height is not more than 8 feet. It has a small window and a verandah. In earlier times four to five labourers lived in such line rooms and now in each line-room a single-family is accommodated. The living conditions are unhygienic and congested. Hence they are prone to diseases like diarrhea and dysentery, general dropsy and debility, fevers, anchylotomiases, bronchitis and pneumonia. Under the social welfare programmes, new housing schemes introduced and they were constructed around the estates, near the Sinhalese villages. These houses are made so that there are reduced tensions between the Sinhalese and the Indian Tamil workers. On the contrary, the Indian Tamil families become targets when there are ethnic riots.

The wide socio-economic disparity between Indian origin Tamil workers in the estates and that of the others residing in the urban and rural sector reflects the utter negligence on the part of the government of Sri Lanka. The Human Resource Development Trust under the Ministry of Plantation Industries, implements social welfare programmes in the estates. The Ministry of Estate Infrastructure (EI) established in 1997 worked on the improvement of Electrification, Schools, Hospitals, Post offices, Housing and community centres. Another Ministry of Community Development was set up in 2001 by the United National Front government to address the problems of the plantation people. The other factor that has led to

improvements in welfare standards of the plantation sector is the influx of more resources through foreign funded projects (Bastian1990:352). Between 1978 and 1990, UNICEF provided support for the construction and upgrading of crèches, the development of water sanitation schemes, immunisation programmes, and maternal and infant health care (Little 1999:243). UNFPA worked between 1974 and 1988 on a range of health activities and various IRDP projects were concentrated on housing and water supply schemes (Little1999:243). There were also various international Non-Governmental Organisations working in the plantations. These NGO projects were funded mainly by the World University Services of Canada (WUSC), CARE International and the Sri Lanka Canada Development Fund (SLCDF) (Sinnathamby and Vijesandiran 2004:78). These projects focused on improving the education in the estates, bringing vocational training for women and other community based programmes.

However the Indian Tamils in the plantations have not been able to gain full benefit from these numerous social development programmes. The plantation community has been a major victim in terms of the following problems it faces: (i) the home environment does not stimulate academic as well as economic achievements, (ii) the 'endemic' plantation environment isolates them from the overall economic development process of the country, (iii) education facilities provided are not academically, physically, and mentally stimulating for them to reach the standard of life enjoyed by other communities, (iv) lack of employment possibilities after education leads them to lose interest in further educational attainments, (v) lack of family support and financial hardships, and (vi) problems in identity formation (Sinnathamby and Vijesandiran 2004:78). The socio economic development of the Tamil labourers will be possible only when the government genuinely believes that their intervention is required for the welfare programmes.

Socio-Cultural Activities of the Indian origin Tamils in Sri Lanka

The majority of Indian origin Tamils lives in the plantations isolated from the rest of Sri Lanka. The cultural practices are inherited from their ancestors who migrated from Madras Presidency. The socio-cultural activities and their pattern of life have remained unchanged over the years. Their culture resembles South Indian Tamil traditions and rituals, especially in the case of kinship and marriage. In most cases of marriage, there are cross-cousins marriages and in some cases uncle-niece marriages. There are hardly any inter-caste marriages in the estates and the caste system is followed rigidly. Young girls are married off to families within the same estates or a nearby estate. The plantation management uses the system of arranged marriages involving families in different estates to maintain labour mobility in the system as a whole (Philips 2005:133).

The festivals celebrated by the Indian origin Tamils are the Hindu festivals of Kaaman Koothu, Deepavali, Pongal, Vael, Shivarathri and Navarathri, similar the South Indian Tamils. The gods worshipped by the Indian origin Tamils are non-sanskritic meat eating deities who are

subordinate to the main Hindu Gods. They worship Lord Murugan or Skanda whose famous shrine is located at Kataragama in southern Sri Lanka. Religious worship and rituals embody the concerns and anxieties of workers who live and work under adverse conditions (Philips 2005:115).

The caste system in the plantation is a continuation of the caste system in South Indian villages. This was perpetuated mostly by the Kanganies who belonged to the non Brahman caste, but they were not untouchables. While being recruited, the Indian Tamil workers continued to be subjugated under the Kangany who showed his dominance as some one who was higher in caste. The South Indian village tradition further remained in the plantations also.

The Indian Origin Tamils in the estates have a dominant patriarchal society. Women have equal share of work like that of male workers yet they are regarded as inferior in all spheres of social life. Men work in factories and women are involved in tea plucking. The daily work of men finishes by 1.30 p.m. in the afternoon whereas that of the female workers starts early in the morning and only finishes in the late afternoon. Almost 90 percent of the women are illiterate and hardly participate in political affairs of the plantations even though they comprise 50 percent of the workforce. On most occasions, the husband takes the wages of the woman worker. Besides, women are usually victims of domestic violence. There are many instances where women workers on the plantations are used, against their own wishes, for the sexual gratification of men at all levels-the management, the Kangani and even workers (Kurien 1998:85). The Indian Tamil male workers are addicted to liquor. Alcohol is easily available in the plantations and is one of the reasons for increased domestic violence and poor economic conditions.

The Citizenship Issue of the Indian Origin Tamils

The Indian origin Tamils of the plantations had a long struggle for the attainment of citizenship rights. A majority of them remained an ethnic minority without political recognition. The Soulbury Commission entrusted the Ceylon (Sri Lanka) Government with power to decide the citizenship question of the Indian Tamils and laid down the Ceylon Citizenship Act No. 18, on 15th November 1948. It created two categories of citizens – either by the Right of descent or by virtue of registration. A person might acquire citizenship by descent of his father, or his paternal grandfather or paternal great grandfather who was born in Ceylon (Section 4 (1 and 2)) (Dubey 1995:38). The Citizenship Act was discreetly formulated so that it excluded majority of the people of Indian origin, despite the fact that they were born in Sri Lanka. The only alternative was to seek Ceylon Citizenship through domicile, the procedure for which was specified under the Indian and Pakistani Residents (Citizenship) Act of 1949 (Phadnis 1967:373). Under the Indian and Pakistani Act of 1949, an applicant had to prove that he was an Indian or Pakistani Resident in Ceylon and that he had 'an uninterrupted residence' (absence on one occasion not exceeding more than a year in duration) in Ceylon of

10 years (Phadnis 1967:373). This meant that the Indian Tamils had to apply as foreigners who wanted to become citizens of Sri Lanka. There was widespread protest from the leadership of Ceylon Indian Congress (CIC) who represented the Indian Tamils. However much later in 1951, the Indian Tamils applied for citizenship under this Act. Since the application was in English, the Indian Tamils who were mostly illiterate failed to fulfil the citizenship requirements. There were 825,000 Indians applying for registration under this provision and only 134,000 persons were eventually granted Ceylon Citizens.

In 1964, Sri Lanka's 'stateless' population amounted to about 10 per cent of the island's total population. In October 1964, the Prime Minister of India and Sri Lanka in the presence of legal experts and politicians from both sides signed an agreement to end the statelessness of about 950,000 stateless persons. The Indo-Ceylon agreement of 1964 (Shastri-Sirimavo Pact) agreed to grant 300,000 persons and their natural increase, Sri Lankan citizenship and 525,000 persons and their natural increase would be given Indian citizenship. The status of 150,000 stateless persons would be decided later. Henceforth the repatriation of people who were granted Indian citizenship started. The negotiations did not include any representative from the Indian Tamils of the Estates. They were only calculated in numerical forms and how they could be immediately repatriated to India.

With the defeat of Mrs. Bandaranaike's party, Sri Lanka Freedom Party (SLFP), in the 1965 election, the whole responsibility to implement the Pact came under the UNP government led by Mr. Dudley Senanayake. The government was formed in alliance with the Federal party and the Tamil Congress along with the support of the trade unions from the Estates. The Indo-Ceylon Agreement (Implementation) Act No. 14 of 1967 (came into force on 5.6.1967) while giving legal recognition to the Indo-Ceylon Agreement of 1964 provided that four persons would be granted Sri Lanka citizenship for every seven persons admitted to Indian citizenship although the Agreement had envisaged the granting of Sri Lanka citizens in proportion to the actual number of persons repatriated to India (Vije 1987:25). The Act did not provide for any compulsory repatriation. On 24th April 1968 a public notice was issued by the Sri Lankan Government to apply for citizenship either in India or Sri Lanka under the Agreement of 1964. According to the estimate of the Ceylon Worker's Congress, about 4,00,000 persons applied for Indian citizenship and about 7,00,000 persons for the citizenship of Sri Lanka (Chattopadyaya 1979:261). During Mrs. Bandaranaike government of 1970 and 1974 and the Jayewardene government of 1980, some amendments to the Indo-Ceylon Agreement (Implementation) Act were made. Even then, proper implementation of the Act was not done due to various clauses and conditions that were mentioned in the agreement. By 1986, there were still 500,000 stateless persons remaining in Sri Lanka. The Ceylon Workers Congress demanded immediate solution to the problem of statelessness and started campaigning against the government in a peaceful and non-violent manner. The Ceylon Worker's Congress (CWC) further raised the issue of citizenship of the Indian origin Tamils in the Parliament. They consistently demanded for Sri Lankan citizenship to the Indian Tamils stateless persons. It was with the help of the

CWC that the Indian Tamils finally gained Sri Lankan citizenship. In 2003, the Grant of Citizenship to Persons of Indian Origin Act, No 35, was passed unanimously in the Parliament led by the UNP Government (Suryanarayan 2010). This conferred Sri Lankan citizenship to the Indian passport holders of Indian Tamils and their natural increase. But this provision was extended to the Indian Tamil refugees residing in various camps of India. This population was 28,500 approximately. On 2007, 26th May, the Sri Lankan government passed a legislation, which ended the 'statelessness' of these Indian Tamil refugees.

The Role of the Political Parties

The Indian origin Tamils because of being 'stateless' lacked political power. They remained voiceless and unheard by the Government. Their only ray of hope was the Ceylon Workers Congress (CWC), who represented their plights and their aspirations in the parliament. The strikes or protests that were organised by CWC in the plantations were called 'prayer campaigns' where in Indian Tamil labourers missed a day's work and spent the whole day in praying as a silent protest in order to increase their wages. The CWC led by Mr. S. Thondaman shifted its political alliance from one Sinhalese political party to another. During the 1950s the CWC was hostile towards UNP as they initiated the Citizenship Act of 1949 (Little 1999:64). Later, in 1960s it again shifted it alliance to the Sri Lanka Freedom Party (SLFP), in which the CWC leader was nominated as the member of the Parliament. Mrs Bandaranaika had an Agreement with the Prime Minister of India in 1964, which attempted to repatriate the stateless workers of the plantations. Since Mr. Thondaman was representing majority of the Indian Tamils he opposed the Agreement. When Mrs. Bandaranaike came to power again in 1970, she did not nominate Mr. Thondaman in the Parliament.

The relationship between the political representatives of the Indian Tamils and the Sri Lankan Tamils were not cordial. When the Indian Tamils were being disenfranchised under the Ceylon (Parliamentary Election) Amendment Act No. 48 of 1949 the Sri Lankan Tamil leader Mr. G.G. Ponambalam of the Tamil Congress instead of refusing to be a part of the ministry, joined the ruling United National Party. He did not have any sympathy towards the Indian Tamils as they had common descendents. In 1949, the Federal Party, a faction of the Tamil Congress was formed under Mr. Chelvanayakam. The political parties formed by the Sri Lankan Tamils always demanded in Parliament a federated state, whereas the trade unions representing the Indian Tamil plantation did not have such ambitions. The estate Tamils, situated as they are in the middle of the Sinhala country and with neither vote nor citizenship, showed little interest in this issue raised by the Federal Party (Daniel 1997:114).

The Constitution of 1972, meeting the demands articulated in the report of the All Ceylon Buddhist Congress (ACBC) of the 1950s, instituted Buddhism as the foremost religion in the country (Sabaratnam 2001:198). The constitution gave the Sinhala language as the preeminent position which meant that Sinhala language is used for all administrative purpose

even in the Tamil dominated areas. These and other provisions in the Constitution brought together three Tamil parties, the Tamil Congress, the Federal Party (FP) and the Ceylon Workers Congress to form the Tamil United Front (TUF) in 1972 (Thondaman 1994:262). Soon the TUF under the leadership of FP adopted the Eelam Resolution (the struggle for sovereign and free Tamil nation) at the Vaddukkoddai convention of May 1976 and also changed the party's name to Tamil United Liberation Front (TULF). But Mr.Thondaman was not supportive of the idea for a separate homeland for the Tamils and dissociated himself from the TULF.

The parliamentary election of 1977 was a political revival in the history of the Indian origin Tamil community of Sri Lanka. It was for the first time after 1947 that an Indian Tamil political party Ceylon Worker's Congress (CWC) contested the election and its president S. Thondaman was elected as a Minister in the Parliament. The CWC politically allied with the ruling UNP government. Mr. S. Thondaman was in control of 200,000 votes in the plantation areas (Kurien, Jenny and Waters 1984:88). In the presidential elections, the UNP won due to the bulk of the votes it received from the plantation regions. The Indian Tamils voted as per instructions of the trade unions and gave its support to UNP. The inclusion of Mr. Thondaman in the Cabinet also made the CWC support anti-working class and anti-democratic legislations (Kurien, Bourne and Waters 1984:89). He campaigned with great patience, from within the UNP government between 1977 and 1988, to complete the process begun in 1964 and 1974 of bringing an end to statelessness among the workers in his community (De Silva1998:295). Another result of the CWC agitation was the enactment of an Act called the Grant of Citizenship to Stateless Persons Act No. 5 of 1986 in February, in order to grant Sri Lankan citizenship to a residual population of Indian Tamils whose fate was not decided by the Sirimavo-Shastri Pact (Bastian 1990:339). But this procedure of granting citizenship consumed a lot of time. However the main strategy of the CWC political party was to provide security to Indian origin Tamils by granting citizenship to maximum of its brethren and mobilize them as a political force. The total number of registered Indian Tamil voters at the time of the 1988 presidential elections was 356,000, which is about 3.8 percent of the electorate (Bastian 1990:342). Mr. Premadasa from the UNP was elected as the President of Sri Lanka. In the general elections of 1989, the CWC contested the elections under the UNP ticket. The popularity of CWC was reduced, as was evident in the 1989 elections. According to Sunil Bastian these discrepancies must have occurred because the CWC political party was contesting under the UNP ticket, which meant that it did not represent the ethnic identity of the Indian Tamils, which the party did earlier. As a result the voters were not enthusiastic to vote for the party.

The UNP was defeated in the 1994 general elections by the SLFP-led People's Alliance (PA) although the party performed well in the Central and Uva provinces, where it benefited from its alliance with the CWC (Sahadevan 2003:1999). But at the time of the presidential election in November 1994, the CWC instead supported a PA candidate. The CWC had certain differences with the UNP. One of the reasons for dissatisfaction of CWC was for not providing

improved housing facilities on estates and garden plots to estate occupants, welfare payments and educational facilities (Jayasuriya2005:43). The CWC decided to support the People's Alliance (PA) headed by Chandrika Bandaranaike Kumaratunga because the Party aimed to introduce a new administration, which would solve the ethnic conflict, and it also assured to look upon the problems of the plantation workers. The CWC, for more than three decades was the only representative of the Indian origin Tamils. With the split in the party and the formation of the political party, the Up-Country People's Front (UCPF) brought divisions in the Indian Tamil votes. The UCPF leader Periyasamy Chandrasekharan contested the electoral polls and won one seat out of seven seats from the Nuwara Eliya district. The CWC won only three seats. Mr. S. Thondaman, the President of CWC became the rural Development Minister. There were two major changes in the political trend of Sri Lanka. The government was showing interest in solving permanently the 'Tamil Question' that destabilized the country for almost two decades. Second, it has relied on the minority politics to strengthen its position at the centre. The CWC which aims to bring about socio-economic development of the Indian Tamils in the estates, once again demanded the new SLFP government to improve the housing facilities in the estates and to give guarantee to the workers of 25 days of work.

In the Parliamentary elections of 1999, the CWC under the banner of the National Union of Workers won six seats and the Up Country People's Front (UCPF) for its second attempt in the elections managed 2 seats in the Central province. The UCPF ideology did not match with the CWC. Its views were more radical and pro-LTTE. They wanted a union of all Tamils in Sri Lanka i.e. the Sri Lankan Tamils of the Northern and Eastern province with that of the Indian origin Tamils in the plantation system. The UCPF made an attempt to ally with the LTTE political party, Tamil National Alliance (TNA) during the elections. The 2001 general elections were held in December that resulted in the defeat of the People's Alliance. The UNP formed an electoral alliance with the SLMC, the CWC and the UCPF. Even the Tamil National Alliance supported the UNP. It formed a coalition government along with its allies, as it was able to secure a majority in the Parliament with 225 seats. The UNP, with its decisive victory in the Nuwara Eliya Electoral District, once again retained the Indian Tamil vote (Jayasuriya 2005:63). It had political support from both the CWC and the UCPF who were representing the Indian Tamils. In case of SLFP, it only managed to achieve 77 seats in the Parliament.

After the death of Mr. Thondaman, the CWC was headed by his son Arumugan Thondaman. In 2004, the party succeeded to win eight seats and it associated itself with United National Party (UNP). On the other hand from the UCPF, its leader Chandrasekharan was the sole candidate elected from the Nuwara-Eliya district. In the 2010 Parliamentary election, the CWC got four seats compared to eight in 2004. In the electoral politics of recent times, it is observed besides the CWC, which was once the sole representative of the Indian Tamils; there are other political parties also. Most of them are a faction of CWC. For example V K Vellaiyan and C V Velupillai formed the National Union of Workers (NUW) in 1960s after separating

itself from CWC. Similarly a former leader of CWC, Subbiah Sathasivam split from CWC and formed the Ceylon Workers United Front. Even parties like Workers Liberation Front were formed by Santhanam Arulsamy after its split from UCPF. Mano Ganesan is another MP elected from the UNP ticket belongs from the Democratic Peoples Front (DPF). Besides CWC, national parties like the UNP/UNF or the Tamil National Alliance have been successful to succeed elections from the plantation areas.

The Indian Tamils of Sri Lanka have made satisfactory progress in their endeavour for political integration. In the past the absence of citizenship was one of the major reasons for its lack of participation in the electoral politics. Nevertheless, its activities in the electoral politics as a minority who did not have any fundamental rights are quite appreciable. With the Amendment of the Act of 2003 it is hoped that the problem of stateless persons would come to an end and they would act as an important political force in the country's politics. The transitional phrase within the Indian Tamils has occurred as a result of the entry of the political leadership of this community into ruling regimes, greater access to legislative bodies, expansion of the access to political patronage, trade union action, increased investment in the sector, and a generation of a public opinion regarding the plight of this population both here and abroad (Bastian 1996:261).

Trade Unions Activities in the Plantation Region

The trade unions of the plantations are instrumental forces that aim to redress the socio-economic hardships of the Indian Tamil community. Throughout the years they try to improve the living conditions of the community by bringing their problems in to the government focus with the help of strikes and peaceful demonstrations. Although the basic issues like lack of proper housing facilities, sanitation, employment and other problems in education and health sector remain, since the time of independence there has been considerable development in the plantations. The trade unions have organized strikes and the people's participation in these strikes is extremely high. The CWC and the LJEW (Lanka Jathika Estates Union) are the two main trade unions that have largest memberships. LJEW and Jathika Sevaka Sangamaya (JSS) are under the control of the UNP and Sri Lanka Independent Trade Union Federation (SLITUF) is established by SLFP. Other trade unions are National Union of Workers (NUW), Ceylon Plantation Workers Union (CPWU), Lanka Estates Workers Union, United Plantation Workers Union (UPWU), Democratic Workers Union (DWC), New Red Flag Workers Union (NRFWU) and Ilankai Thilailalar Kazhagam (ITK). Most of these trade unions have their own political parties or are being controlled by national political parties. At the electoral level these political parties-cum-trade unions play a crucial role to gather maximum votes for their own political parties or to whom they may be allied to. These trade unions have organized many joint strikes and were successful to bring about political consciousness among the Indian Tamil workers. One reasons of support by the Indian Tamils for the trade unions was the fact that they also represented their ethnic identity. The Indian origin Tamils comprise of 80 percent of the

tea estates workers and it is their problems the trade unions strive to solve. Moreover, due to lack of citizenship the Indian Tamils relied on the trade unions, to improve their conditions and assist them in their struggles against state violence and discrimination.

The Joint Plantation Trade Union Committee (JPTUC), which comprises of 14 trade unions have successfully organized many strikes for the empowerment of the Indian Tamils workers. It has conducted large-scale strikes for increase in daily wages and the involvement of the workers was very active. Though the government from time to time increased the wages of government employees according to the increase in the cost of living (COL), this was not the case with Indian Tamil plantation workers. As a result the JPTUC launched strikes for these discriminatory policies. The pro-government trade unions also joined hands with JPTUC. There was tremendous support from the workers and in one such strike around 400,000 workers participated. With the reduction of subsidies in food commodities the Indian Tamils faced scarcity of food and the death rate increased due to poverty in the estates. Out of despair they came out to support these strikes. This also adversely affected the tea plantation economy. In the year 1984 the country lost Rs. 525 million per day and Rs. 450 million as foreign exchange as a result of the 1984 strike (Sahadevan 2003:205). In 2006 there were eighteen strikes, which involved 196,520 workers and 4,821,394 days of work was lost.

Strikes, Workers Involvement & Man-Days Lost 1996 - 2009

Table 1: Strikes, Workers Involvement & Man-Days Lost 1996 – 2009 (Plantations)

Year	Strikes	Workers Involved	Man-days Lost
1996	137	50,982	220,131
1997	78	27,382	100,104
1998	63	15,468	88,319
1999	42	16,018	41,195
2000	24	8,408	23,540
2001	31	26,069	32,548
2002	43	12,088	40,038
2003	45	17,779	45,421
2004	44	15,832	40,779
2005	17	4,283	8,370
2006	18	196,520	4,821,394
2007	8	1,468	5,489
2008	34	34,014	41,525
2009	2	300	300
Source: Dept. of Census and Statistics, Sri Lanka, Ministry of Finance and Planning 2010, http://www.statistics.gov.lk/			

The number of strikes shown against each year relates to the number of strikes that ended during the year. Strikes involving less than 5 workers or lasting less than one day are excluded from the statistics except in cases where, the aggregate number of man-days lost exceeds 50.

The trade unions in their joint efforts have always focused on the increase of the daily wage of the Indian Tamil workers in the Plantations. But there are other vital sectors that the trade unions and the state government should concentrate, which includes areas like education and health. It is a general notion that "the Sri Lanka Governments want to keep the future generation of estate labourers confined to tea and rubber estates. No attempt is made to provide employment training in alternate fields such as agriculture and animal husbandry. Areas where there is a concentration of upcountry Tamils are routinely excluded from Sri Lanka Government's development plans" (TamilNet 18th May 2003:1). The trade unions leader are often blamed that they are more interested to have a ministerial post through their trade unions-cum-political parties rather than having any genuine concern for the Indian Tamil workers in the plantations. Although the considerable increase in wages of the Indian Tamil workers have been due to the relentless efforts of the trade unions. The trade unions through political parties and their electoral politics should stress on the overall development of workers.

Conclusion

As the third largest ethnic group of Sri Lanka, the Indian origin Tamils have immensely contributed to the economic development of Sri Lanka, toiling as workers in the tea plantations. However, in the past, the community had underwent a state of 'statelessness', which was one of the main reasons of their indignity and ultimate ignorance by the Sri Lankan government. To make matters worse, Indian Tamils were often targets in ethnic riots due to their similarity of culture and race with the Sri Lankan Tamils. They have also been the subject of suspicion and the victim of attacks from the Sinhalese.

For a long time, the Indian Tamil workers demanded for a hike in their daily wage to Rs. 500 per day. The daily wage of the plantation workers have not increased as expected even though they have resorted to various means to display their dissent. The Indian Tamil workers continue to struggle in order to meet their daily cost-of-living requirements and they are trapped in the vicious circle of poverty. From May 2012 onwards the governments of President Mahinda Rajapakse have increased the prices of food commodities including flour which is the main staple of the Indian Tamils (Gunadasa 2012). This has further deteriorated the socio-economic status of the community.

The trade unions-cum-political parties have acted as a mediator between tea management and the estate workers, for redressing the grievances of the Indian Tamils. They have allied with national political parties. However political empowerment has not necessarily

brought about a better living. In the last decade there have been several instances when the Indian Tamils estate workers went on strikes for a higher wage, but still maintained a poverty-level daily wage. On 4 April 2013, the plantation unions signed a new pay agreement for two years with the plantation companies (Thevaraja and Sunil 2013).According to the agreement the basic daily wage of the plantation worker will rise from 380 to 450 yet this cannot be considered a generous deal since along with it comes in many terms and conditions.

The trade unions-cum-political parties of the plantations not always work for the interest of the estate workers but they follow a policy of appeasement for larger political support. During the election campaigns the political parties criticize the government for failing to increase the daily wage, however once they are elected the demands of the workers are unmet and unheard by them. One estate youth said: "We vote for our leaders in during the elections, and are forced to back them, but when we confront them about our demands, they ask, 'Who are you?' Our line rooms [homes] are 150 years old and we often experience house fires. If we are forced to vote for them again and again we have no way out." (Sunil 25 May 2012). Arumugam Thodaman, a third generation Indian Tamil political leader of the Ceylon Worker's Congress (CWC) and a Member of the Parliament elected from the Nuwara Eliya District, is a known for advocating the cause of the Indian Tamils. Paradoxically he also represents a district which has persistently higher poverty levels than others districts of the island. According to the Household Income and Expenditure Survey 2006-2007 (Department of Census and Statistics, Sri Lanka), poverty in Nuwara Eliya is the highest (33.8 percentage) among districts.

In the recent past, there have been construction of houses; even then almost 70% of the Indian Tamil workers live in the barrack-type tenements. They rely on common taps for water and have poor sanitation facilities. The Indian Tamils with regard to their political participation and other activities are greatly influenced by the trade unions. They usually resort to strikes and these result in loss of wages for that particular day. For an estate worker who can barely manage two meals a day with this income, a loss of day's pay has a tremendous impact in their daily livelihood. Moreover, since most of them are illiterate, the trade unions are seen to exploit the situation. Nevertheless the support base of the trade unions cum political parties was necessary for attaining citizenship rights for the Indian Tamils.

There are large number of unemployed youth in the plantations. They do not want to carry on with their traditional occupation of tea plucking. But they often come from poverty stricken families and their education is not sufficient to provide them with a respectable salaried job beyond the plantations. Moreover they are unable to cope with the challenges of the world that is completely unknown to them, since they have lived all their lives in the plantations. Perhaps the Indian origin Tamils in the tea plantations are embroiled in circumstances, much of which remain unchanged, since the British colonial times. The whole concept of cheap labour for profit in tea productivity is still obdurately followed by the

management and the government as well and hence, denying the Indian origin Tamils their basic rights for a decent livelihood. The political parties that represent the Indian Tamils should focus more on empowering the Indian Tamils by emphasising more on human development. The Sri Lankan government besides providing basic health care facilities in the plantations should also provide provisions for vocational trainings or alternative means of livelihood, so that the Indian Tamil youths can widen their scope of socio- economic opportunities.

Notes

1. literal meaning: people of the hill country

References

Aheeyar M.M.M. (2007): *Preliminary Investigation on the Issues Related to Poverty and Marginalisation of Estate Sector Communities in Badulla and Nuwara Eliya Districts: Final Report*, Practical Action Consulting, Colombo.

Bastian, Sunil (1990):"India Tamils-Emerging issues- A Draft", in Peter Schalk (ed.), *Lanka,* Sweden, Uppsala.

Census of Population and Housing (2001): "Literacy rates by district, sex and sector", Accessed 4 February 2007. *http://www.statistics.gov.lk/PopHouSat/PDF/Population/p9p10%20Literacy%20rates%20by%20district,%20sex%20and%20sector.pdf*

Chandrabose, A.S. (2004): "Demographic Profile of Sri Lanka" in P.P. Devaraj (ed.) *Rights and Power Sharing mechanism For Non territorial minority communities in Sri Lanka,* Colombo: Publisher-Fredrich Ebert Stiftung.

Daniel, Valentine E (1997): *Chapters in anthropology of violence: Sri Lankan Sinhalas and Tamils*, Oxford University Press, New Delhi

Department of Census and Statistics (2007): *Poverty in Sri Lanka*, Ministry of Finance and Planning, Colombo, Accessed 4 April 2012. *http://www.statistics.gov.lk/poverty/reportnew-Final.pdf*

Department of Labour (2010): *Sri Lanka*, Department of Census And Statistics- Accessed 4 July 2011. *http://www.statistics.gov.lk/*

Dubey, Ravi Kant (1995): *Indo-Sri Lankan relations with special reference to the Tamil problem*, Deep and Deep Publications, New Delhi.

Gunadasa Saman (2012): "Sri Lankan Government Imposes New Price Rises", Accessed 25 December 2012. *http://www.wsws.org/en/articles/2012/05/slec-m18.html*

Jayaraman, R (1975): *Caste continuities in Ceylon: A study of Social Structure of the Three Plantation,* Popular Prakashan, Bombay.

Jayasuriya, Laksiri (2005): *The Changing Face of Electoral Politics in Sri Lanka (1994-2004)*, Sarasavi Publishers, Nugegoda (Sri Lanka).

Jeyaraj, D.B.S. (2010): "Decline of Tamil representation outside the North and East", Accessed 4 January 2011. *http://dbsjeyaraj.com/dbsj/archives/1446*

Kurien, Rachel (1998): "Tamil Women on Sri Lankan Plantations: Labour Control and Patriarchy" in Shobita Jain and Rhoda Reddock (eds), *Women Plantation Workers: International experiences*, Oxford International Publishers Ltd, Oxford.

Lanka Business Online (10 July 2007): "Sri Lanka tea firms lose on wage hikes and strikes, Sri Lanka", Accessed 6 March 2007, *http://www.ibo.ik/fullstory.php?newsID=392900184_view=1&SEARCH_TERM=14*

Little, Angela W. (1999): *Labouring to Learn: Towards a political economy to plantation, people and education in Sri Lanka,* New York: St Martin's Press.

Nadesan, S. (1993): *A History of the Up-Country Tamil People in Sri Lanka*, A Nandalala Publication, Colombo.

Phadnis, Urmila (1967): "The 1964 Indo-Ceylonese Pact and the 'Stateless' Persons in Ceylon", *India Quarterly*, Vol.23, No.4, pp.362-407.

Philips, Amali (2005): "The Kinship, Marriage and Gender Experiences of Tamil Women in Sri Lanka's Tea Plantations", *Contributions to Indian Sociology*, Vol.39, No.1, pp.13-142

Sabaratnam, Lakshmanan (2001): *Ethnic Attachments in Sri Lanka: Social Change and cultural continuity*, Palgrave, New York.

Sahadevan, P. (2003): "The Other Tamils: Ethnicity and Identity of the Indian Tamils of Sri Lanka", in Bonita Aleaz, Lipi Ghosh and Achintya Kumar Dutta (eds.), *Ethnicity, Nations and Minorities: The South Asian Scenario*, Manak Publication Pvt. Ltd., New Delhi.

Samarasinghe, S.W.R.de A. (1988): "The Indian Tamil Plantation Workers in Sri Lanka: Welfare and Integration", in De Silva, K.M, (eds.) *Ethnic Conflict in Buddhist Societies: Sri Lanka, Thailand and Burma,* Pinter Publisher, London.

Sinnathamby M and Vijesandiran, S (2004): "Economic Dimensions for Non- Territorial Communities: The case study of the Plantation Tamils of Sri Lanka", in P.P. Devaraj (ed.) *Rights and Power Sharing mechanism For Non territorial minority communities in Sri Lanka,* Publisher-Fredrich Ebert Stiftung, Colombo.

Sri Lanka, (2007): *Poverty Assessment: Engendering Growth with Equity: Opportunities and Challenges,* Report No. 36568-LK, Poverty Reduction and Economic Management Sector Unit, South Asia Region, World Bank

Sunil W.A. (2012): "Sri Lanka: SEP holds Plantation Workers' Congress"*,* Accessed 25 December 2012, *http://www.wsws.org/en/articles/2012/05/slpl-m25.html*

Suryanarayan V (2010): "Indian Tamil Refugees in their Homeland", *Paper no. 3856,* Accessed 14 February 2011. *http://www.southasiaanalysis.org/%5Cpapers39%5Cpaper3856.html*

Tamilnet (2003): "Election alliances harmful to upcountry leadership-UPF", (18th May2003), Accessed 4 December 2006. *http://www.tamilnet.com/art.html?catid=13&artid90*

Thevaraja M. and W. A. Sunil (2013): "Sri Lankan Plantation Unions Sign Secret Wage Dea*l*", Accessed 17 April 2013, *http://www.wsws.org/en/articles/2013/04/16/sril-a16.html?view=print*

Thondaman, S (1994): *Life and Politics: An Autobiography, Vol. 2: My Life and Times,* Co-publishers, Colombo

Tinker, Hugh (1977): *The Banyan Tree: Overseas emigrates, From India, Pakistan and Bangladesh*, Oxford University Press, London.

Vasantahn M. and W.A. Sunil (2010): "Two Sri Lankan Opposition MPs Cross Over to Government", Accessed 25 December 2012, *http://www.wsws.org/en/articles/2010/08/slec-m19.html*

Vije, Mayan (1987): *Where serfdom Thrives: The Plantation Tamils of Sri Lanka*, Tamil Information and Research Unit, London.

Wickramasinghe Nira (2006): *Sri Lanka I the Modern Age: A history of contested identities*, Foundation Books, New Delhi.

Wijesiriwardena Panini (2011): "Sri Lankan Plantation Workers speak to WSWS", Accessed 4 July 2011, *http://wsws.org/articles/2011/may2011/slpl-m13.shtml*

Reproductive Health Scenario of Rural Women in Bangladesh: An Overview

Muhammad Mahmudur Rahman & Salma Mobarek

Abstract

The study was conducted in Barisal district of Bangladesh and three stage cluster sampling method was used for selecting respondents of the study. At the first stage, two upazila out of ten, from the district, were selected randomly. At the second stage, one Union Family Welfare Centre (UFWC) from each selected upazilas was chosen randomly. At the third stage, two villages: one nearby and another remote, were chosen from each selected UFWC. All the women who had given birth within a year or found pregnant at the time of data collection were considered the respondents of the study. The data was collected in March 2011. The total number of respondents was 260. The socio-economic characteristics of the respondents were measured in terms of age, education, occupation, landholding size, family size, affiliation with social institution etc.

Introduction

The health sector in Bangladesh has now achieved remarkable progress. It is painfully true that the reproductive health of women, particularly the rural women has remained till now a high- risk area and unsatisfactory. Bangladesh faces alarming obstruction in the path to the goals of reproduction health and rights. In the last decade, international, governmental and non-governmental organizations, human rights activists and individual researchers have been speaking about status and measures for reproductive rights (Hossain and Hassan 2006). The complications due to pregnancy and childbirth are still the leading causes of mortality and morbidity of the rural women. The insufficient health services available to women are evident from high maternal mortality. About 37-46 percent of deaths and 17-35 percent of sickness of rural women of reproductive ages are due to their knowledge and practice on safe motherhood (Koening et al. 1988). Most deliveries in Bangladesh take place at home by traditional birth attendants (TBAs) or family members. Untrained/medically non competent birth attendants' conduct about 85% of all deliveries (Barkat et al 1998).

Studies, which have explored traditional birth practices by TBAs in Bangladesh and elsewhere, have often found potentially harmful procedures including frequent vaginal

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examinations, exhortations to push during the first stage of labour, pulling and manipulation of the infant and forced delivery of the placenta (Goodburn et.al. 2000). Malnutrition, infection and high fertility put women at high risk during pregnancy and childbirth.

Rural women's and children's reproductive health have to be taken seriously and with due priority. Bangladesh will not achieve reproductive health goals unless there is a proper measure of the current circumstances of reproductive health and reproductive rights would be given special emphasis for any particular group, such as rural women.

Statement of the Problem

Since independence Bangladesh has given great importance to family planning in its five year plan. Improvement of safe motherhood has been given the highest priorities under the Health and Population Sector Programme. During the 1990s, there have been efforts to expand emergency obstetrical care facilities with the aim of increasing access to safe delivery services (Bangladesh Demographic and Health Survey 2000). Instead of these efforts, Bangladesh exhibited a low rate of antenatal care and extremely low rates of institutional delivery with skilled attendants. Up to now, the importance of the reproductive health in Bangladesh is reflected in the high maternal mortality rate which is 3.0 percent per thousand live births. One of the major causes of high maternal mortality is the lack of proper care at the time of delivery (Begum 2004). The utilization of safe motherhood services has not improved much. The findings of the study could be utilized for future advocacy for policy and programme changes. It will inspire rural women to receive access to reproductive health services.

Objectives

This study assessed the status of reproductive health in rural areas of Bangladesh.

The main objective of the study was to identify and determine the types of services available at the village level on women's reproductive health. The specific objectives were to

1. assess the awareness of the rural women about their reproductive health;
2. identify the services available in the rural areas;
3. analyse accessibility and ability of the rural women to get the services and support available at the field level.

Methodology

The study is mainly based on primary data and supported by secondary sources of information such as books, reports, journals and research paper. The methodology of data collection from primary sources is given below.

Study Area

Out of ten upazilas of Barisal district, two were selected and one union family welfare centre (UFWC) from each selected upazila was chosen randomly. Two villages of the each selected UFWC- one nearby and another comparatively at a distant place from the UFWC was chosen for collecting data from the rural women. All the women who had given birth within five years or pregnant at the time of survey were considered the respondent of the study. Data was collected in March 2011.

Data Collection and Instruments Use

A structured interview schedule was used to collect data from the village level respondents. A guideline was used for focus group discussion with the all married women of the selected villages including the respondents.

Findings of the Study

Routine Check up

All the respondents were asked whether they examined the position of foetus at the time of pregnancy. Out of 260 respondents 180 (69.23%) informed that they had checked it. Of them 50.55% examined it first time within 4-6 months, 32.78% within 3 months and 16.67% within 7-9 months. Apart from examination of the position of the foetus 30.00%, 15.55%, 12.22% and 4.44% of the respondents examined or monitored their weight, blood pressure, urine and blood respectively (Table 1).

Table 1: Duration of Pregnancy at the Time of First Checking

Duration (month)	Number of respondents	%	Types of examination	Number of respondent	%
1- 3	59	32.78	Weight	54	30.00
4 - 6	91	50.55	Blood Pressure	28	15.55
7 - 9	30	16.67	Urine	22	12.22
Total	180	100.00	Blood	8	4.44
Note: Percentage is calculated on 180 respondents who examined at the time of pregnancy.					

Majority of them (47.78%) were examined by the field workers of the Health/Family Planning Department at their own house or relatives' house, 26.11% at FWC, 14.44% at

Upazila Health Complex, 6.11% at doctor's chamber, 2.78% at clinics and 2.78% at Barisal Sadar Hospital.

Figure 1: Place of Examination
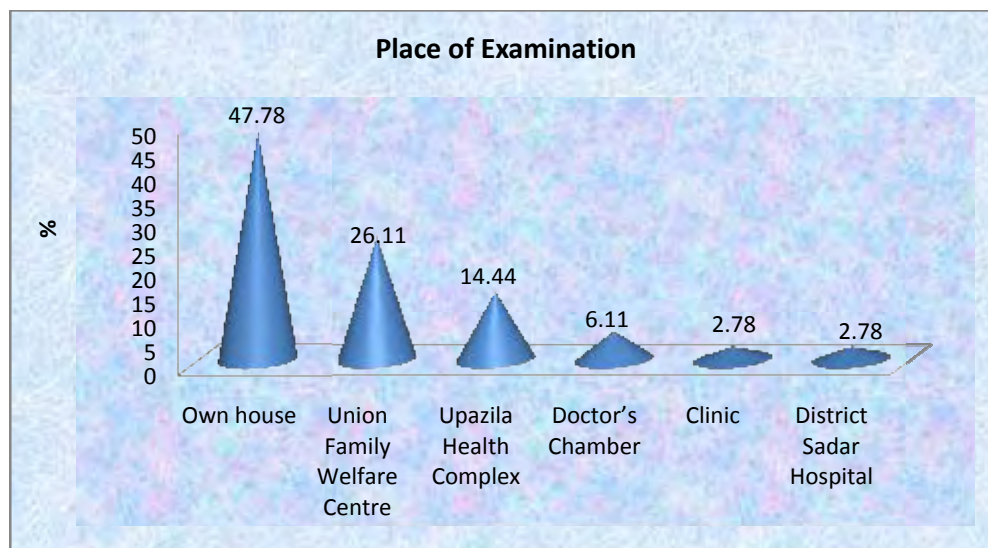
Problems Faced and Management

Respondents were asked to know about the types of problems faced by the respondents during their pregnancy period. Out of 260 respondents, 94 (36.15%) reported 10 types of problems. Problems mentioned by the respondents were weakness/anaemia (40.43%), loss of appetite (37.23%), pain at the lower abdomen (19.14%), swelling of leg/other part of body (8.51%), displacement of foetus (5.31%), problems of movement (3.19%), headache (3.19%), vomiting (2.12%), burning sensation in the urinary tract (2.12%) and jaundice (2.12%) .The respondents were asked where they got their treatment for their above problems. Highest number of the respondents (42.55%) managed the problems at their own house or relative's house with the help of field workers of the health or family planning departments and a large number (23.40%) went to homeopathy doctors at their chamber. Other places were Upazila Health Complex, Clinic, District Hospital, Village Doctor's Chamber and *Kobiraj's* house (Table 2).

Table 2: Problems Encountered during Pregnancy Period

Problems	Number of respondents	%	Place of management	Number of respondents	%
Loss of apatite	35	37.23	Own House/Relatives House	40	42.55
Weakness/Anaemia	38	40.43	Chamber of Homeopathy Doctor	22	23.40
Pain at the lower abdomen	18	19.14	Union Health Centre	13	13.83
Swelling of leg/body	8	8.51	Upazila Health Complex	6	6.38
Displacement of foetus	5	5.31	Clinic	5	5.32
Problems of movement	3	3.19	District Hospital	4	4.26
Headache	3	3.19	Doctors Chamber	2	2.13
Vomiting	2	2.12	Kabiraj's House	1	1.06
Burning sensation at urinary tract	2	2.12	Village Doctor's Chamber	1	1.06
Jaundice	**2**	**2.12**	**Total**	**94**	**100**
Note: Percentage is calculated on 94 who informed about facing the problem					

Knowledge about Health Care

Table 3: Knowledge on Health Care during Pregnancy

Measures	Number of respondents	%
Timely food intake	58	23.20
Taking more nutritious food	180	72.00
Taking rest after meal	191	76.40
Taking vaccines in time	40	16.00
Avoid of heavy work	170	68.00
Keeping body and cloth clean	43	17.20
Drinking sufficient water	9	3.60
Sufficient vegetable intake	11	4.40
Doctors advice should be taken	10	4.00
Careful movement	13	5.20

Assessment was made on the respondents' knowledge about the health measures during pregnancy period. A large number of respondents emphasised on proper nutritious food as the prime health measures (72.00%) and sufficient rest to be taken after meal (76.40%). Avoidance of heavy work and restricted movement was mentioned by 68.00%. Apart from these, 23.20% mentioned that food should be taken timely. Measures like keeping both clothes and body clean, vaccination and checking by the qualified doctors were specified by 17.20%, 16.00% and 4.00% respectively (Table 3).

Food Intake

Food intake during pregnancy is one of the most important measures for both the mother and foetus (Mannan 2008). So an attempt was made to assess the knowledge of mother about the types of food suggested during pregnancy and sources of getting this information. It was found that most of the respondents 254 (98%) received advice from different corners to take special food during pregnancy. More than half of them (55.51%) received the message from health workers, which was followed by the relatives/ neighbours (29.92%) and health inspector (22.50%) respectively (Table 4). Almost all of the respondents (96.45%) knew that sufficient amount of vegetables should be eaten during pregnancy period. Other foods like fruits, egg, milk, liver, small fish and meat were specified by 84.25%, 81.89%, 77.16%, 32.68%, 23.23% and 17.72% of the respondents respectively.

Table 4: Sources of Advice for Special Food & Types of food

Sources of advise	Number of respondents	%	Food	Number of respondents	%
Health Worker	141	55.51	Vegetables	245	96.45
Health Inspector	56	22.5	Fruits	214	84.25
Doctor	7	2.75	Egg	28	81.89
Medical Assistant	5	1.97	Milk	196	77.16
Family Planning Field Worker	5	1.97	Liver	83	32.68
Nurse	2	0.79	Small fish	56	23.23
NGO's Trained Birth Attendance	2	0.79	Meat	45	17.72
Traditional Birth Attendance	1	0.39	Pulse	7	2.75
Kabiraj	1	0.39	Iodized salt	2	0.79
Relatives/Neighbour	76	29.92	To drink more water	1	0.39
Note: Percentage is calculated on 254 respondents who received advises					

A few of them mentioned that pulses, iodized salt and sufficient amount of water should be taken (Table 4). To make an overview of knowledge of the respondents about benefits of taking special food during pregnancy, they were asked certain questions. Around three-fourths of them said that "mother and child both will remain healthy". Prevention of diseases of child, anaemia of mother and blindness of the child were mentioned respectively. Almost all the respondents (98.19%) said that along with special food, iron tablet/syrup should be taken during pregnancy. The above findings indicate that most of the respondents had a very good understanding about types of food that are suggested during pregnancy period and their benefit. They also knew that iron deficiency during pregnancy is common, so iron tablets should be taken at that stage.

Vaccination

Tetanus Toxic (TT) vaccine is one of the important measures to avoid occurrences of Tetanus. It was found that 80.38% of the respondents took TT vaccine. Of them three doses, two doses and one dose were taken by 11.48%, 74.64% and 13.88% respectively (Table 5). More than half of them (53.11%) vaccinated at their own house or a neighbour's house. Vaccine was taken by 27.85% at the Union Family Welfare Centre and 17.22% at Upazila Health Complex. Only three of them took vaccine at clinics and one at Sadar Hospital at the district headquarter (Table 5). The above findings show that Union Family Welfare Centre gives vaccination services to most of the cases either at their own house or at the centre.

Table 5: Doses of Vaccine and Place of Vaccination & Sources of Advice

Number of Dose	No. of res pondents	%	Place of vaccination	No. of res pondents	%	Sources of advice	No. of res pondents	%
First Dose	29	20.38	Relatives/Neighbour's/Own House	111	53.11	Health Worker	19	52.15
Second Dose	156	51.38	Union Family Welfare Centre	58	27.85	Relative/ Neighbour	57	27.27
Third Dose	12	8.62	Upazila Health Complex	36	17.22	Health Visitor	31	14.83
Do not take vaccination	51	19.62	Clinic	3	1.44	Family Planning	16	7.65
Total	**248**	**100**	District Sadar Hospital	1	0.48	Medical Assistant	4	1.91
			Total	**209**	**100**	Doctor	3	1.43
						Trained TBA of NGOs	2	0.96

The respondents were asked to disclose who suggested them to take vaccines. Majority of them received advice from extension workers of health or family planning department such as Health Worker (52.15%), Health Visitor (14.83%), Family Planning Worker (7.65%) and Medical Assistant (1.91%). However, 27.27% of the respondents got the advice from their relatives or neighbours (Table 5).

Delivery Practice

Almost all the respondents (99.62%) knew that hospital or clinic is the safe of place for delivery. Among them 51.92%, 43.85% and 13.85% mentioned District Hospital, Upazila Health Complex and Clinic as safe places for delivery. Some of the respondents gave more than one answer (Table 6). However, in practice, only 4.50% of them moved to the hospital or clinic for their delivery. Regarding delivery cases, the role of women in decision making is minimal (Akhter, et.al.1995). Majority of the respondents (55.62%) delivered at their parent's house and the rest (37.70%) delivered at their own house (Table 6). In most of the cases (77.53%) the delivery was attended by Traditional Birth Attendants and (TBA) only 11.24% by the Trained Birth Attendants. Apart from the Birth Attendant's relatives, nurses, doctors and health visitors attended (Table 6). Instrument use for disconnecting the placenta is one of the most important measures to avoid infection and tetanus. All the respondents knew that new blade should be used to disconnect the placenta. In practice 97.76% used new blade and only 1.68% used knife.

Table 6: Knowledge about Safe Place of Delivery

Safe delivery place	No. of respondents	%	Place of delivery	No. of respondents	%	Attendance	No. of respondents	%
District Hospital	135	51.92	Parent's house	99	55.62	Traditional Birth Attendance	138	55.62
Upazila Health Complex	114	43.85	Own house	66	37.7	Relatives	11	37.7
Clinic	36	13.85	Hospital	4	2.25	Trained Birth Attendant	20	2.25
Health Centre	16	6.15	Clinic	4	2.25	Nurse	5	2.25
Doctor's Chamber	15	5.77	House of nurse	4	2.25	Doctor	3	2.25
Shishu Mangal Centre	1	0.38	Relatives house	1	0.56	Health Visitor	1	0.56
Do not know	1	0.38	Total	178	100.00	Total	178	100.00

Delivery Problems and Care

An initiative was taken to enumerate types of problems faced by the respondents after delivery and measures taken to manage the problems. It was found that out of 178 respondents, 44 (48.46%) faced different types of problems after delivery of their last child. Around half of them (47.73%) suffered from pain at the lower abdomen. Problems like anaemia, weakness, excess bleeding and eclampsia were reported by 34.10%, 13.63%, 4.55%, 4.55% respondents respectively (Table 7). In most cases 19 (61.29%) of the respondents consulted Birth Attendants to solve the problems. Generally, the Birth Attendant helped them at their own or at a relative's house. Rest of the respondents consulted village doctor (16.13%), homeopathy doctor (12.90%) and qualified doctor (9.68%) at their chamber (Table 7).

Table 7: Complicacies Encountered after Delivery

Complicacy	Number of respondents	%	Facilitator	Own House	Relatives House	Chamber	Total
Pain at the lower abdomen	21	87.73	Birth Attendant	15	4	-	19 (61.29%)
Anaemia	15	34.10	Homeopathy Doctor	-	-	4	4 (12.90%)
Weakness	5	13.63	Qualified Doctor	-	-	3	3 (9.68%)
Became senseless	1	2.27	Village Doctor	-	-	5	5 (16.13%)
Vomiting	1	4.54	Total	15 (48.39%)	4 (12.90)	12 (38.71%)	31 (100.00)
Excess bleeding	2	2.27					
Aclemsia	2	4.55					
Note: Percentage has been calculated on 44 respondents who faced problems after							

Summary and Conclusion

The present study was made to assess the issues of women's reproductive health and services available at the village level. All the women who had given birth within five years or were pregnant during survey were the respondents of the study. Based on these above findings it could be recommended that appropriate reproductive laws and health care policies should be developed. Sexual and physical education should be incorporated at the high school level to provide proper knowledge of the reproductive function. The reach of skilled attendance should

be increased. Communities and families should be made aware of the signs of complications in labour and that all deliveries have risks. They should also be mobilised on the urgency of seeking immediate care for complicated labour. Appropriate, comprehensive special measures as well as balanced development policies and program should be taken by the Government, NGOs, International Organizations, Policy makers and services provider to increase their awareness on these issues and improve the health care services and facilities and ensure reproductive rights of women in rural Bangladesh.

References

Akhter H. H, et. Al. (1995): *Review o performance of Trained TBAs,* BIRPERHT, Dhaka.

Barkat A, et. al. (1998): *Knowledge, Attitude, Perceptions and Practices Relevant to the Utilisation of Emergency Obstetric Care Services in Bangladesh: A Formative Study*, UNICEF, Bangladesh, Dhaka.

Begum K (2004): "Prenatal Health and its Determinants in Rural Bangladesh", *Research Report,* Bangladesh Institute of Development Studies (BIDS), Dhaka.

Goodburn E. A et. al. (1994): *An Investigation into the Nature and Determinants of Maternal Morbidity Related to Delivery and the Puerperium in Rural Bangladesh*, BRAC, Dhaka.

Hossain, M and Hassan, K (2006): "Reproductive Rights and Decision Making: A Comparative Study in Urban and Rural Bangladesh", *The Journal of Social Science*, University of Dhaka.

Koening, M.A, et. al. (1988): "Maternal Mortality in Matlab, Bangladesh" 1976- 85" *Studies in Family planning,* Vol.19.

Maine D (1990): *Safe Motherhood Programmes: Issues and Options*, Columbia University Centre for Population and Family Health, New York.

Mannan M.A (2008): *Safe Motherhood and Status of Maternal Care Services in Bangladesh*, Community Development Library, Dhaka.

Streatfield et. al. (2003): *Health and Population Sector Program 1998-2003, Bangladesh Status of Performance Indicators*. ICDDRB, Dhaka.

Bangladesh Democracy and EU's Reflection

Gayatri Dhal & S Venkata Krishnan

Abstract

Democracy, as a political institution, has a long tradition. But the notions regarding its essence and grounds of its justification have been revised from time to time. Since the post Cold War, the global democratic surge has a strong claim to be the single most significant political development. In this process, South Asian countries are also not far from the picture. But the condition of Bangladesh is different. The people of Bangladesh are wondering where they are heading? The democratic system of that country is neither completely vibrant nor totally inactive. The position and standards of the democratic system is mostly fragile and vulnerable. Presence of radical cultural elements, military interference, human rights violations, corruption, poverty and unemployment are hindrances for Bangladesh's democracy. The requisites of sustenance and improvement of democracy are not solely possible by the current internal structures of Bangladesh. The European Union, a well known non-state actor, has been trying to establish itself as the most active supporter of the promotion, expansion and consolidation of democracy around the world including Bangladesh. In this background, this paper aims to study the overall democratic developments and various associated problems of Bangladesh and also analyze how EU's relations with that country stand out as an important factor in its democratic experiments. Moreover, it also tries to look how far this type of bilateralism of European Union will be useful to the South Asian region.

Introduction

Much has been discussed and debated about the merits and demerits of democracy and the democratization process. But the collapse of communist regimes in Eastern Europe and the end of the Cold War has regenerated debates about the conditions and the merits of democratization process, especially in Asia. By the end of the 20th century an increase in the number of democracies around world is another important reason for increasing the importance of democracy. In 1900, only ten countries were under the democratic system. By the mid-20th century the number increased to thirty and remained at that level for twenty five more years. By 2005 the number of democracies increased to 119 out of 190 countries of the world.

In spite of many social and economic problems South Asia constitutes the largest democratic region in the world. Taking competitive elections as an indicator for democracy, the figures for South Asia are impressive. Almost all the countries have a foot in the democratic

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process. In fact democracy in Bangladesh is quite different from the other countries of South Asia. It has swung between military and democratic rule. In the present political and social scenario, if we look at the political background of Bangladesh for making the prediction about the country's political future then we will get a doubtful picture about its sustainable democratic governance. In this context Rehman Sohan had interpreted "the character of the Bangladesh state as a society which is not so much over or misgoverned but it is barely governed at all"(Kashyap:2005). Since its beginning it has had a national constitution but has been unable to build up sustainable representative institutions which can provide a democratic form of government. Presence of radical cultural elements, military interference, human rights violations, corruption, poverty, unemployment, gender discrimination, and personality cult politics are some of the important factors for the obstacles of an active democracy and development in Bangladesh.

While majority of the countries converted themselves to democratic republics several faced problems to get attain this. They struggled to get a democratic government from the condition of political instability and democratic coup. Against this background, some advanced industrialized democracies, multilateral organizations and some of the individual countries have committed themselves to involve in democracy promotion process in the developing world. The European Union is no exception. In fact, EU has taken the first position among of any western states or international originations to write human rights, democracy, and rule of law into its agreements with external partners (Börzel & Risse 2004:1). The democracy promotion policy of EU has become an important feature of its foreign policy and it is backed up by considerable financial and human resources. So this paper will focus on an overview of condition of democracy in South Asian countries, state of democracy in Bangladesh, European Union's role in Bangladesh and implications for India.

Condition of democracy in South Asian countries

The last quarter of the twentieth century witnessed the greatest expansion of democracy in world history. Democratic governments occurred in many parts of Asia, Africa, Europe and in the former Soviet Union. By the end of the 20th century, democratization had become an important mark in international relations. The demise of the Soviet led communism and the globalization of the international economic system pushed forward the world from the past to a new era. The expansion of democracy has not only eradicated the political repression or conflict but, it gave chances to people to enjoy their freedom. Through this it was also hoped that the next century might be free from political rivalry and destruction than the previous centuries. That means the use and necessity of democratic government is going through a positive path. All the South Asian countries also experienced some patterns of the features of democratic government during their political evolution. Some of the recent political changes are showing and encouraging the sign of greater democratization among Southern Asian countries.

Afghanistan

Politics in Afghanistan has consisted of power struggles, bloody coups and unstable transfer of power. With the exception of a military junta, the country has been governed by nearly every system of the government over the past century, including monarchy, theocracy and being a republic as well as a communist state (Mullen 2008:2). Finally, the Bonn agreement in 2001 set out the framework for rebuilding the political institutions of the country and brought a way towards democratic transition. The agreement looked to promote and protect peace and security, acknowledged the rights of the citizens of Afghanistan, to bring a stable situation in unstable Afghanistan and to establish a broad-based, gender-sensitive, multi-ethnic and fully representative government in the country. Considering these points and with the help of the UN the country has been trying to establish permanent democratic institutions. Slowly, though with interruptions, the features of democratic governance are increasing day by day. Within one decade of these efforts, at least in rhetoric, the state has become a so called democratic country. But some issues like rising insecurity, a growing narcotics economy, corruption, human rights violations, and incapable government agencies are bringing down the political developments. So many steps remain for the government to become a fully operative democratic system and to be called as a democratic state (Shiri 2009).

Bangladesh

The political situation in Bangladesh in the recent past has raised doubts about the future course of democracy in the country. Bangladesh has witnessed several problems. However, due to lack of adequate facilities there hasn't been much discussion on major issues faced by Bangladesh over the years. Bangladesh achieved its independence in 1971 through a liberation struggle from Pakistan. It took birth with a dream to get freedom and democracy. Being oppressed, exploited and ruled by authoritarianism, the people of the country were eager to get freedom both in the cultural as well as in the political sphere. But after four decades it is still a question as to whether it has achieved its dream. Comparatively, now it is in a better position with respect to its cultural and decision making process. After a long time of authoritarian rule, the civilian authority is now in place. But the democratic culture has not yet fully developed. Though from the early 1990s, the nation has been able to bring a democratic order and smooth transition of power in a way to positive developments, some factors are present as challenges.

The country is going through many internal crises which could detract it from its long-term goals. Despite regular elections, questions of political legitimacy continue to haunt Bangladesh. Each *Jatiya Sangsad* election was followed by allegations of rigging, intimidations and other forms of electoral malpractice from the party that lost the poll (Datta 2004:65). The political process is ruled by narrow ownership and is controlled by the conflict between the two main parties, BNP and Awami League (AL), and mutual antagonism between their leaders,

with frequent recourse to violence (CSP:2007-2013). Instead of giving importance to the common people, they diluted their interests for their own benefits through their dynastic rule.

Bangladesh started its political history against authoritarian military and autocratic rule. But at present, in Bangladesh politics, one of the dominant groups is the military. In the recent past, it had remained behind the scene and backed a civilian care taker government (CTG) up to elections in 2008. The founder of this tradition of 'military regime' was Hussain Muhammad Ershad, who controlled Bangladesh politics till 1990. Particularly in the latter part of his regime the military as an institution started becoming unpopular as its leadership earned a status for being dishonest and dictatorial. In December 2008 elections, the Grand Alliance (Mohajote) won and H M Ershad has become a Member of Parliament once again. His re-entry into politics by forming a "Grand Alliance" against the BNP gives a disturbing picture about the restoration of the democratic governance in the country. The Bangladesh Prime Minister Sheikh Hasina mentioned that "Not only in Bangladesh, but in many other countries of the world it has been proved that without democracy a nation cannot achieve its cherished development. Again she told that Bangladesh could not attain its desired development yet as military and military-backed forces ruled the country frequently disregarding people's well being" (Hasina: 2009). That means it clearly shows that the political leaders of Bangladesh are interested for a democratic nation but frequent military intervention, either directly or indirectly, is causing problems in the path of development.

The legal system of the country is obsolete, inefficient and ineffective and delivery of justice takes a long time. Though political parties in their campaign always pleased to establish an independent judiciary coming to power they forget the issue. However, the military backed Caretaker Government planed for an independent judiciary from the executive branch of government (Jahan 2008:3). Still, it is not in a position to operate and deliver proper justice as a result of corrupt and less accountable judiciary.

In a democratic country, there should not be gender inequality in any of the spheres. But in Bangladesh, brutality and unfairness against women are serious problems. Low level of literacy, lesser political role, low labour participation and conservative practices like purdah system indicate that women face discrimination. Murder, rape, disfiguring attacks with acid and other acts of violence are increasing in the country. Bangladesh ranks second as a violator against women next to Pakistan and where rape victims were again victimized under the draconian Hudood Ordinances. Torture and dowry-related killings are considered as 'common' in Bangladesh. The report of South Asian Human Rights Violators Index-2005 has mentioned that "A total of 907 women were raped, of whom 126 were killed and 14 committed suicide after rape, and 382 women were tortured for dowry during 2005" (SAHRI 2005).

Corruption is another major problem in Bangladesh. According to the Corruption Perception Index (CPI) prepared by the Transparency International, in recent years, Bangladesh

is considered to be one of the top ten corrupt countries in the world (Monir 2008:1). In democracy parliament obtains a pivotal role in order to shed light on the demands of the people and to establish their rights. At the same time, it makes the political parties including the ruling party accountable and transparent to the citizens. However, in Bangladesh instead of becoming a supreme powerful institution, parliament remains inactive and ineffective to perform its proper role. A report by Transparency International Bangladesh (TIB) alleged that 97 percent of the parliament members are involved in "negative activities" (TIB: 2013). The supreme political institution in Bangladesh has now become an arena for feuding political parties in which they often charge each other with being corrupt.

Poverty is an issue in most of the South Asian countries and Bangladesh is one among them. 31.5% of the population lives below the poverty line (World Bank: 2010). It is considered as a poor, overpopulated, and inefficient political system, where 80 percent of the people live in rural areas, with 54 percent of them working in the agriculture sector (World Bank: 2013).Poverty has a strong direct link to education and employment and an indirect link to democracy. In Bangladesh, lack of education affects employment opportunities. Having a large untrained workforce greatly decreases the productivity and decreases the appeal for investments from foreign investors and thus impedes sustainable economic growth. Absence of productive activities coupled with huge population not only creates obstacles to economic growth, but also provides space to set narrow political objectives.

The Bangladesh constitution guarantees fundamental rights and civil liberties (Rounaq 2008:24). But in practice, some laws limit civil liberties for women, ethnic and religious minorities and often they face discrimination. The extrajudicial killings by law enforcement agencies of the government like Bangladesh Rifles (BDR) and Rapid Action Battalion (RAB) are examples of violation of human rights. In 2005, Bangladesh had the top number of peacetime extrajudicial executions in the hands of RAB and other security forces. They were guilty of killing 396 persons in custody including 340 persons in alleged "crossfire", executions (SAHRI 2006:16). Though the constitution guarantees freedom of association and assembly, these rights are frequently violated even by democratically elected governments. The patrician supported police crackdown on meetings, rallies and protest to rights are common in Bangladesh. From 2004 to 2006, several times police made mass arrests and took hundreds of innocent people into custody for weeks without trial. In 2004, police arrested nearly 15, 000 people from different party meetings and rallies. In 2006, at least a dozen local people, protesting the shortage of electricity at a remote rural area, Kansat, were killed by the police. The government has not brought anyone responsible for these killings to justice. The situation in emergency rule in 2007 was worse, where people lost their political and civil rights in many contexts. Political freedom is the most valuable element for the development of the individual's inner personality in the society. But on the basis of political freedom Bangladesh scores as one of the worst countries in the region. By definition, any care taker government must function within the sphere of the constitution and other laws to make possible and expedite the setting

up of a new government with the people's mandate. But in 2007, after taking power and following the imposition of a state emergency, there was severe curtailment of political freedom. The care-taker government banned all political activities like demonstrations, strikes and trade union activities and banned political discourses in print and electronic media. Moreover, minority rights violation is also a serious issue in Bangladesh. Tribal minorities in Bangladesh continued to be helpless, especially over land tenure, while the government has suspended the processing of land claim settlements in the Chittagong Hill Tracts (CHT). There are calls to implement the main features of the Chittagong Hill Tracts Peace Accord and for a functional land commission to resolve the issue (Amnesty International: 2013).

Thus Bangladesh's political set up, past and present, gives a general idea that there are many problems for its democracy and development. In this scenario, some international organizations are playing an important role to encourage further progress and development of a strong democracy in Bangladesh. The role of European Union is important, which is discussed in detail later. Here, suffice it to say that, the overall intention of EU with reference to Bangladesh is to help the government to get integrated into the world economy as a 'liberal democracy'.

Bhutan

Bhutan's path to democracy was a clear case of voluntarism – a situation whereby the leader, in this case the King, decided to give up his power irrespective of his social, economic or political position. "*There were no elite pacts, no traces of regime disunity, no economic crisis, no international pressure and no popular mobilization for democratic rights. The elements that normally contribute to the decline and fall of authoritarian rulers were absent in Bhutan. However, the king's own analysis of the situation led him to opt for change, believing that Bhutan's security in the world, its national integrity and enhanced gross national happiness must rest on the foundation of democratic government*" (Report 2011: 20). Despite these positive initiatives, the transition to democracy in Bhutan is an uphill task. The lack of an experienced political culture and rigid mindset make it difficult to accept and appreciate the virtues of democracy in the country.

India

India is the only country in South Asia, to a larger context, that has been able to consolidate and stabilize democratic institutions. Actions like reservation for minority and participation of women in the legislative bodies, space to protest against issues related to special economic zones and MNCs and appreciation and criticism of judicial activism are some of the important points that show the practical working of Indian democracy. Its democratic experiment is viewed as a successful model of the parliamentary system of government in a developing country. It is successfully combining democracy and development in a highly

diverse society and provides a powerful argument in favor of democracy. But at the same time we can also tell that in every sphere it has not been able to produce a vibrant and matured democracy, which can be claimed to be a successful democracy. There are both gains and failures in its working. It has also to improve backward and remote areas governance, transparency and accountability in administration and effective decentralization process in the country. But, comparatively it has gained and achieved more than other Southern Asian countries.

Maldives

Maldives is now experiencing political instability in its path to democracy. There were no political parties in the Maldives for long time. However, a new constitution came into effect and it had witnessed a transition to multi-party democracy towards the end of the year 2008.The elections brought Mohammed Nasheed to power and made Maumoon Abdul Gayoom, a long time ruler, exit from power. Immediately after elections, President Nasheed had acknowledged that he had not found any difficulty in running the country according to the constitution. That means the newly born democracy was moving in a slow way to achieve its aim. However, not all was free from controversy in the newly born democratic state. In 2012, then Vice-president Mohamed Waheed consolidated his position as president and ousted Mohamed Nasheed from the post of President. After the change of guard, apart from several other challenges like Islamic fundamentalism and global warming, that country has been struggling to establish a popularly elected democratic government.

Nepal

Nepal, the Himalayan country has been witnessing political instability for decades which has smothered the process of democratization. The ideological friction between liberalism of the democrats and authoritarianism of the monarchy combining with some conservative forces was an obstacle to the democratic process. An additional disabling factor for democracy was the Maoist insurgency. The character of Monarchy underwent a drastic transformation as a result of the 'palace massacre' in June 2001and was abolished in 2008 when Nepal was declared a Federal Democratic Republic. Equally Maoist movement has changed its nature and started to get dissolved in the process of democratization. But this period of transition still appears dubious, as a high degree of uncertainty prevails regarding the setting up of a constituent assembly for framing a constitution. Other factors like rural poverty, the growth difference between urban and rural areas, wide corruption, existing socioeconomic inequalities and the regrettable delivery services of public goods from the government are also some of the basic problems for achievement of a proper democracy in the country.

Pakistan

Democracy as a political system in Pakistan has been an elusive goal since 1947 (Din 2008:4). The redundant social system also poses serious problems and obstacles to operational democracy. From the day of the independence, the country has grown in an environment where the military and the intelligence services were more planned and developed than the political and democratic institutions. Long time military rule in the country blocked the development of tradition of constitutionalism and participatory governance in the country. The growth of military and Islamic extremists shifted the flow of ideas on the issues of national importance. It gave rise to religious and cultural intolerance and increased a high level of 'civil violence' which hampered the growth of democracy, constitutionalism and rule of law in the country.

The 'minimum appreciation of pluralism' is the beginning point, which makes more groups and individuals, to enter the political process through the democratic process and makes democratic institutions a viable one. Pakistan, so far has not been able to develop such kind of an environment on the politically operational level. The country's 'layer in layer' arrangements have to be eliminated to practice the democratic principles, institutions and processes in an effective manner.

Sri Lanka

Sri Lanka's political experience is quite different from other South Asian countries. While most of the countries of this region are suffering military coups, collapse of democratic order and many difficulties in the path of transition, its experiences of the working of the parliamentary democracy in post independence period is quite a successful one. It has an unbroken record of democracy, though the post independence parliamentary constitution has had gone to undergo the trauma of national emergencies and a transition to a semi-presidential-cum-parliamentary regime. But the acute ethnic problem in the country is one of the main problems that has threatened to destroy the territorial integrity of the country (Veena 2008: 235). The present situation in Sri Lanka is more critical. Enhancing democracy and human rights of Tamil minority, restoring law and order and finding lasting solution to the people's aspirations, are the fundamental issues and concerns that must be addressed as an urgent priority area.

Why Bangladesh?

Political developments in Southern Asian countries are different from country to another. Bangladesh is also going in its own way. But its experience shows different a picture when compared to other South Asian countries. It is a country which from birth itself has interested to achieve a democratic model of governance but some unusual factors are pulling it down. Moreover, according to the world freedom report Bangladesh is one of the two electoral

democracies from South Asia (freedom report 2013:29). But though democracy has been restored, it is still a fragile one and requires nurturing and consolidation in order to entrench itself. From the beginning, the constitution has given importance to all the essential features of democracy like equality before law, fundamental rights, freedom of speech and women's political participation. But history has shown it is fighting for democracy. The people of Bangladesh have repeatedly shown their desire for a functioning and legitimate representative democracy. This aspiration has been thwarted due to some issues which we have already discussed earlier. In spite of these problems, parliamentary government survives, and five national elections were held since 1991(Election Commission report). In a scenario, where 'Geoeconomics' is dominating the world, we have to give more importance to its democratic process. Then it will be useful for them and also neighbours. Given such a situation, the question arises whether a sustainable democracy is possible in Bangladesh. If yes, then there are certain issues that need to be seriously addressed. How to bring economic development and democratization simultaneously? And what is the role of the international community?

Role of European Union in Bangladesh

The European Union believes that democracy and human rights are universal values that should be vigorously promoted around the world (EU commission 2013). Its strategies and activities also have a key impact on its democracy-promotion policy of its internal and external relation. Since the beginning of the 1990s, the EU has increased its efforts in promoting democracy and human rights by introducing various related clauses in all its agreements with developing countries. Bangladesh can be seen as an important example of EU's democratization activities. EU is one of the key donors to Bangladesh and providing aid to several projects with huge money for different developmental aspects. Five key areas were identified for closer cooperation between EU and Bangladesh. Two of the important areas, which will have direct impact on democracy, are good governance and human rights.

The EU–Bangladesh relationship started in 1973, with a formal agreement. The EC-Bangladesh Commercial Co-operation Agreements signed in 1973 and 1976 were replaced by the new trade and co-operation agreement in 2001. These agreements made stronger and closer cooperation on a broad range of areas including political dialogue and further developing the relationship between them.

In 1993, the first EC-Bangladesh Country Strategy Paper (CSP) was published. This paper mainly focused on EC's development policy on poverty alleviation and food security in Bangladesh. In 1999, the second EC-Bangladesh Country Strategy Paper emphasized on direct poverty reduction policies. In 2002, another Country Strategy Paper was presented. The main priorities of CSP 2002 were to help the government with regard to the declining poverty list and contributing towards the country's incorporation into the world economy. "Strengthening pluralism, human rights, civil society and rule of law" were also among the other listed

priorities (country stagey paper 2002-2006). The CSP 2002 had clearly spelt out promoting democracy and human rights in general and improvement of the functions of the democratic institutions and promotion of the individual rights in particular. In terms of good governance, the EU's role in this CSP was poor. But in CSP 2007-2013, one of the focal areas is the good governance and human rights for promoting greater efficiency in the use of resources. EU is directly and indirectly helping Bangladesh in the promotion of becoming democracy.

In 'direct manner' it is involved in electoral process and funding of democratic institutions for capacity building up to local governance. The Election Commission report of Bangladesh says that "The European Union Election Observation Mission (EU EOM) has been present in Bangladesh since 7 November 2008 following an invitation from the Caretaker Government of the People's Republic of Bangladesh and the Bangladesh Election Commission" (Election Commission Report 2008). It arranged 150 observers from 27 EU Member States. The observers were doing duty throughout Bangladesh to examine and evaluate the electoral process in accordance with international standards for elections as well as laws for Bangladesh. Later the EUEOM published its preliminary result and conclusions about the Bangladesh Parliamentary Elections and assessed that so far, these elections have marked an important step in the restoration of democratic governance in Bangladesh. Chief Observer Alexander Graf Lambsdorff mentioned, "Bangladeshi people turned out to vote in large numbers, and were able to do so in a peaceful environment. Minor technical difficulties aside, professionalism, transparency and credibility were the hallmarks of this election. The result of the election appears to reflect the will of the people of Bangladesh…The high democratic standard set by this election must be sustained in the following days and weeks as the country returns to democratic governance…" (Election Commission Report 2008). The campaign peacefully restored some key rights like freedom of assembly, movement, association and expression. EU is also funding money for effective local governance in Bangladesh. It brings projects within the programmatic framework of the "Deepening Local Democracy and Scaling up Support for the MDGs" initiative. Both the organs of the local government like Union Parishad and Upazila Parisad are getting benefits through various ways.

In an 'indirect manner,' mostly the EU's role in Bangladesh is in its socio-economic development. In order to achieve sustainable democracy, the link between governance and MDGs are important. This has been recognized by the government and has identified governance as the priority in the Poverty Reduction Strategy Paper (PRSP) and has also mentioned some basic requirements of the poor. The main objective of the EC's governance strategy is strongly based on this priority area. It aimed at reduction of poverty and strengthening of democratic values and reinforcement of a more equitable society. In the field of poverty reduction, EU focused on direct intervention towards poverty reduction and employment creation for the poor. It gives importance to advancement of rural towns with the view of providing: a) decrease migration flows to large cities, improving in this way the living standards in these urban centers while creating job opportunities and preventing decline of the

living standards and the environment in rural towns; b) a positive global effect on national economic growth and social development. For doing this programme in more successful way EU has financed a Rural Town Study (CSP 2004-2006:28). The aim of the study is promotion of growth centers in the rural areas, as rural towns will play a crucial role in providing employment opportunities for a growing labour force that cannot be absorbed in agriculture. It is also considering some other aspects like rural town development, municipal administration, linkages with the hinterland, and environmental factors. The country strategy paper of 2004-2006 of both the partners mentioned that "The EC has engaged in supporting the development of cottage industries, such as presently piloted by some NGOs (e.g. BRAC) in an effort to create employment opportunities among the poorer section of society" (CSP 2004-2006: 28). The Adarsha Gram is another important project which is recognized and financed by Bangladesh government and the European Commission. It is an important contribution to the Government of Bangladesh's poverty alleviation program. The objectives of these projects are to focus on the acute underprivileged, the landless and homeless and offer them a home and community infrastructure. Access to useful skills, practical understanding and opportunity for capacity building is also provided to allow and develop their self-sufficiency.

Education is also a principal condition not only for combating poverty, but to improve people's social, cultural and economic situation and to strongly support democracy. In this way EC is supporting three sub-sectors in education (formal primary education, non-formal education and secondary education). Under this plan, the primary and secondary sub-sectors are complemented by the Erasmus Mundus programme, aimed at enhancing the capability of universities through the transfer of know-how and good practices from EU university partners. The report of EU project in Bangladesh says that, "There are approximately 19 million primary school aged children in Bangladesh – one of the largest student populations in a developing country. Around three million children (half of them girls) miss out on primary education as a result of poverty. Only an estimated 9.4 per cent of slum areas have primary schools within their reach". For this development, in total, the European Union donates about 130 million euros to hold primary education in Bangladesh. This includes 105 million euros, which is given to the Bangladesh government to support the formal education sector over seven years (2004 – 2010) and 27 million euros going to support non-formal schooling over four years (European Commission 2006-2010).

Bangladesh is a country where human rights are violated in many ways. Taking cognizance of this, the EU has committed to shape human rights protection in various forms. EU is funding for the improvement of the freedom of expression, support for the development of the marginalized people (Chittagong Hill Tracts) and for women's rights and to defend them from serious types of violations. The increasing demand for water and increasing number of conflicts over its alternative uses made water management a serious problem in Bangladesh. Moreover, the issue is more serious in CHT region. In this scenario, the water use and management linked to environmental protection, conservation and rehabilitation was one of the

aspects highlighted in the UNDP sponsored needs assessment mission in 1998. This issue was also recognized as an important issue by the contributors of the 14 grassroots workshop of the Environment Management Action Plan for CHT. In this situation, the EC has considered providing water resources development co-operation in the CHT area as a means to develop the social and economic potential of the region. It also gives importance to challenges like maternal and child health through various projects. By community's external cooperation instruments, the European commission provides financial assistance through various kinds of projects for promoting gender equality. With respect to gender equality, in 2006 the European Initiative for Development and Human Rights (EIDHER) and some ongoing projects focused on themes such as equal treatment and physical integrity of women, harmful practices such as genital mutilation and gender based violence in conflict zones. Focusing on this problem, in 2006 the commission has selected some funding projects in Bangladesh to defend women's human rights from serious types of violations (EUHR report 2007:36).

Moreover, in spite of the above agreements and relations, their relationship has more in economic dimensions. For Bangladesh, the EU represents the most important export market. The trade relationship with the EU is showing important changes in recent years. The EU is the second largest trading partner of Bangladesh as far as exports are concerned. It has unilaterally eliminated in 2001 tariff barriers for products originated in less developed countries through the Everything But Arms (EBA) agreement, which includes some agricultural products of the Least Developed country. This has created economic opportunities and political compulsions for Bangladesh, which EU can use in its mission for democracy, especially when the Bullet (military) challenges the Ballot (democratically elected government).

Conclusion

To sum up, it is clear that poverty, violations of human rights, corruption and lack of accountability on the part of government functionaries are the elements that have been instrumental to the process of weakening the democracy of Bangladesh. In order to overcome these problems, the role of EU is quite important and it acts 'directly' and 'indirectly' as an important actor in the promotion of democracy, human rights and good governance in Bangladesh. Its policies and development funds for the improvement of the democratization process of Bangladesh are appreciable ones. The main objectives of the European Union in Bangladesh are to promote democracy, good governance and poverty reduction. Apart from that, it further gives importance to developing the transport, agriculture, health and macroeconomic conditions of the country as its non-focal areas. The analysis of their county strategy papers shows that day by day their bilateral relationship is becoming closer and giving more importance to the direct development of its governmental system. The European Union's policies and programmes like Election Observation Mission, Development co-operation policy and EIDHER are for promoting and encouraging the Bangladesh government to take immediate steps for its problems. But by comparing its implementation and practice in other developing

countries, in Bangladesh, it is quite a long term process. So the EU should take some more steps by consulting Bangladesh which the latter has to use in an effective manner. India is ranked as the world's second most populous country and one of the highest rising economies. It is an emerging global power even if it maintains a steadfast commitment to national sovereignty and struggle with internal challenges. India, having a place in G-20 and being a candidate for a permanent member seat on the UN Security Council, has greater than before opportunities and responsibilities. In this situation, it needs good relations and support from its neighbours to act in the international arena. But unfortunately, it is having a highly unstable neighbourhood and critical national concerns. It faces several threats like terrorism, illegal border crossing and drug trafficking from fragile states. To create stability in the neighborhood, India has been playing an active role and trying to promote democratic stability in most of the South Asian countries including Bangladesh. The coordination between Bangladesh, the EU and India, particularly in the domain of democracy, will be helpful to construct interregionalism between SAARC and European Union.

References

Amir-ud-Din, Ra; Rashid, Abdul and Ahmad, Shabbir (2008): *Democracy, Inequality and Economic Development: The Case of Pakistan.*

Asian Centre for Human Rights (2008): "South Asian Human Rights Violators Index-2005", *SAHRI*, New Delhi

Asian Centre for Human Rights (2008): "South Asian Human Rights Violators Index-2006", *SAHRI,* New Delhi

Bangladesh election commission (n.d.): *http://www.ecs.gov.bd/English/MenuTemplate1.php?Parameter_MenuID =19&ByDate=0&Year=* accessed on 08.08.2013.

Bangladesh: Priorities for Agriculture and Rural Development, *http://web.worldbank.org/WBSITE/EXTERNAL /COUNTRIES/SOUTHASIAEXT/EXTSAREGTOPAGRI/0,,contentMDK:20273763~menuPK:548213~pagePK: 34004173~piPK:34003707~theSitePK:452766,00.html*, accessed on 10.08.2013.

Bhutan: Political Parties in a Democratic Culture and some Options for DIPD engagement, A scoping mission report. *http://www.dipd.dk/wp-content/uploads/2012/03/DIPD-MissionReport-Bhutan-Nov2011-final.pdf*, accessed on 08-07-2012

"Chittagong Hill Tracts: Bangladesh Urged To Respect Peace Accord", Amnesty International, *http://www.unpo. org/article/16064#sthash.Gb3Xvs9H.dpufhttp://www.unpo.org/article/16064*

European Commission: "Country Strategy Paper, Bangladesh 2002-2006", *http://eeas.europa.eu/bangladesh /csp/02_06_en.pdf*

_____ "Country Strategy Paper, Bangladesh 2007-2013", *http://eeas.europa.eu/bangladesh/csp/csp_07_13_en.pdf*

Datta, Sreeradha (2004): *Bangladesh: a fragile democracy*, Sipra publication, New Delhi.

Development and Co-operation Europeaid: EU Education Project in Bangladesh: *http://ec.europa.eu/europeaid/ multimedia/videos/bangladesheducation/bangladesh_education_en.htm.*

Development and co-Operation Europeaid: Human rights and democracy*, http://ec.europa.eu/europeaid/ what/human-rights/index_en.htm*, accessed on 06-04-2013

EU annual reports on Human Rights-2007 (2007): The report has been jointly prepared by The Presidency of the European Union, the European Commission, and the General Secretariat of the Council. *http://www.consilium. europa.eu/uedocs/cms_data/librairie/PDF/2007EN_EU_annual_report_on_human_ rights.pdf*

Freedom in the World 2013, selected data from Freedom House's annual survey of political rights and civil liberties. *http://www.freedomhouse.org/sites/default/files/ FIW%202013%20Booklet.pdf*

Jahan, Rounaq (2008): "The Challenges of Institutionalizing Democracy in Bangladesh", *ISAS Working Paper-* 39

Kashyap, Subash C (2000): *Institutions of Governance in South Asia*, Centre for Policy Research, New Delhi.

Kukreja Veena (2008): "Sri Lanka: to Federalize or Not to Federalize?", in Veena Kukreja and Mahendta Prasad Singh(eds) *Democracy, Development, and Discontent in South Asia*, Sage Publication.

Maldives's president consolidates power. *http://www.guardian.co.uk/ world/2012/apr/25/maldives-president-consolidates-power,* Accessed on 08.03.2013.

Mullen, Rani D (2008): "Democracy-Building at the Precipice in Afghanistan", *Taiwan Journal of Democracy*, Vol.4, and No.1, pp.55-83.

Monir, Nashid Rizwana, Sharif N. As-Saber: "*The Uncanny Relationship between Corruption and Democracy: the Bangladesh Experience*", *http://www.napsipag.org/pdf/nashid_rizwana_monir.pdf*

Peaceful parliamentary elections mark an important step in the restoration of democratic governance to Bangladesh. *http://eeas.europa.eu/eueom/pdf/missions/bangladeshpreliminarystatementfinalversion.pdf*

Shiri, Arif (2009): "Does Democracy have a future in Afghanistan?", *abulpress.org/my/spip.php?article4067*

Sheikh Hasina: Military Intervention Disrupts due Development of the Country, *the Asian Tribune*, Saturday 19 September. Accessed on 06-04-2013

Tanja A. Börzel and Thomas Risse, "One Size Fits All! EU Policies for the Promotion of Human Rights, Democracy and the Rule of Law", *Workshop on Democracy Promotion*, Oct. 4-5, 2004, Center for Development, Democracy, and the Rule of Law, Stanford University

The World Bank: Bangladesh, *http://data.worldbank.org/country/bangladesh,* accessed on 08.08.2013.

Transparency International Bangladesh, *http://www.ti-bangladesh.org/index.php/component/content/article/79-recentreports/786-faq-on-mp-study-english*. Accessed on 10-03-2013

Engaging Myanmar: Using the North-East India as a Crucible

Munmun Majumdar

Abstract

Myanmar is an important factor in India's 'Look-East policy'. Apart from serving as an economic gateway, Myanmar's proximity with both India and China endows it with great strategic significance for New Delhi. Therefore, even after years of opposition to Myanmar's Junta[1], a realist assessment and understanding of the geopolitical and economic context prompted India, to engage its eastern neighbor in a constructive policy and include it in the Look- East policy. The policy of looking east brought a direct interface between India's northeastern region and Myanmar, which shares a common land boundary. This paper will argue that India will have to be more proactive in engaging Myanmar in a constructive relation.

Key words: Look-East Policy, North-East India, Myanmar and Constructive Engagement**.**

The policy of looking east brought a direct interface for India's North-east with Myanmar. The North-eastern states that share its border with Myanmar are Arunachal Pradesh, Nagaland, Manipur and Mizoram.[2] And Myanmar's states that border India are Kachin, Sagaing and Chin. Myanmar is then geographically contiguous with parts of northeast India. The two are bound by religious, cultural and ethnic ties which go back two millennia. The terrain dividing the two countries is hostile and border facilities are poor. The building of walls along the Indo-Myanmar border will not only sever the age old ties of the people in the Indian side with communities across the border but will isolate these pockets from the rest of India with which it does not have adequate connectivity and at times no connectivity. As a matter of fact, some of these areas are not even connected with the state capitals. Therefore, severing the age old links with Myanmar without establishing links with the rest of India will be detrimental for the communities that live in the borders.

Presently it is being argued by certain scholars that North-east India must be allowed to revive its old historical, cultural and traditional ties with South East Asia, taking a cue from other significant trans-border linkages like that of Basque, Catalonia and Ireland, where the European Union allows "transnational politics of recognition", that empowers them from a marginalized existence in their own states.[3] Against the background of the long existing melange amongst the people of North-East India and Myanmar, there are plenty of incentives for using this region as a crucible to establish links with Southeast Asian neighbors.

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The North-east region has been battling insurgency movements with demands ranging from independence to autonomy. Since the beginning of these movements, ethnic ties and tribal linkages between the people on either side of the border have facilitated their movements and in finding safe haven[4] and often insurgent groups take refuge in Myanmar's soil.[5] Most of the insurgents are funded from the profit accrued from the drug trade that goes on unscrupulously. The challenges arising from the arms drugs nexus take the form of non-traditional security concerns namely the inflow of people from Myanmar who come to Mizoram as refugees and migrants in search of economic opportunities on the one hand and the inflow of narcotics and the spread of HIV/AIDS on the other. Therefore, to tackle the insurgency problem in the area, it is imperative for India to continue to engage Myanmar. Here again what has to be taken note of is that in seeking military cooperation to curb insurgency in India's northeast, it must not be overlooked that there are parts of Myanmar bordering India where the Myanmar government and the armed forces have little or no control. In addition, the lingering territorial dispute with China that continues to claim 90,000 square kilometers of Arunachal Pradesh (Southern Tibet in China's rhetoric) further adds to the volatility of the region. How New Delhi will respond to these challenges will be the real test of Indian diplomatic maturity.

The primary rationale of engaging Myanmar must be seen against the background of the dragon intensifying its relationship with Myanmar since the late 1980s.[6] India was uneasy about China's policy in Myanmar serving as the key to circumvent the Malacca dilemma as it were, its assistance in rebuilding roads, bridges and other infrastructure throughout Myanmar, making inroads into Myanmar and gaining credible access to its natural resources and markets, and its military bases in Myanmar close to India.[7] India perceived all of this as a threat since it feared that China would in the process gain easy access to India's North-East.[8] Again, Myanmar is also important in the context of energy requirements and also because of India's security interests in the Bay of Bengal and eastern Indian Ocean, including the security of the strategically vital Andaman and Nicobar Islands where the two closest Indian and Myanmar islands are barely 30 Km apart.

Relation between India and Myanmar had soured and it reached its nadir after the 1988 Peoples Uprising, when India became the first country to strongly disapprove of developments inside Myanmar. India supported the democratic forces extending all possible assistance in supporting the process of national reconciliation and in isolating the ruling military junta. Inspite of this, India was compelled to make a realist assessment of the geopolitical and economic circumstances and decided to place security and economic objectives ahead of political and human-rights considerations when dealing with Myanmar.[9] New Delhi's rationale in engaging with Nay pyi Taw has been convincingly logical. Internal and external considerations make it hard for India to avoid dealing with Myanmar with which India's North-East shares a porous 1643 Km long border.[10] Myanmar with its abundant oil, natural gas, coal, zinc, copper, precious stones, timber and hydropower, with some amount of uranium deposits as well makes it a very attractive destination for investment and trade. Myanmar is the only

Southeast Asian country that shares a land boundary with India and therefore, it serves as a gateway to the other 10 member states of the Association of South East Asian Nations (ASEAN). The 22 Km Siliguri strategic neck is the only corridor that connects the North-East to the rest of India. But connecting with Myanmar will amend this geopolitical reality. Using the Myanmar option to enter Southeast Asia would provide opportunities to India's landlocked North-East to be opened up to the outside. Besides, India's North-East could benefit from Myanmar's political and economic revitalization. In this way, the shift to transnational cooperation through the Look-East Policy will assist the region to come out of its state of remoteness, underdevelopment, and instability. Hence it was expected that geography would be used as an opportunity to translate into long-standing trade relations across land borders and the sea route. This should be seen along with the fact that a prosperous North-East India in turn could act as a shield against threats to the security of the country emanating from the eastern flank. Consequently, India could not afford to ignore its national interest and was compelled to take a holistic view of security. Therefore, despite enduring sympathies for Myanmar's pro-democracy stirrings since 1988, India was convinced that it must engage Myanmar for more than just strategic reasons. It is within this realist framework that the paper will seek to examine India's critical role in engaging Myanmar.

Though the Look-East Policy was launched in the early 1990s, the idea of inclusion of North- East development concerns as an important component of the Look East Policy came much later. While Northeast India was given a focal reference in its foreign policy, the repositioning of India's North-East in the Look East policy brings us to the question - what is so distinct about the new-found necessity of North-East looking east? One way of looking at it would be that New Delhi realized that the years of infrastructural and educational under-investment and neglect of the North-East that fuelled discontent could be resolved by opening commercial linkages with the ASEAN countries. Although the developmental discourse represented everything that was once considered detrimental to India's security, the argument which was being advanced was that an economically underdeveloped North-East is more prone to insurgency, political instability and external security threats. Hence, the prospect of countering challenges of insurgency and external vulnerability in the North-East by augmenting development and connecting it both with mainstream India and Southeast Asia was put forth. The skeptics however, continue to argue that smart border principles cannot be applied so long as the region remains unstable.

One of the chapters of *The North Eastern Region Vision 2020*, a document released on July 2, 2008 by the Prime Minister, identified various challenges as well as strategies required to bring about peace and prosperity in the North-Eastern region by 2020. The Vision 2020 stipulates "the LE (Look East) policy should be an important factor in promoting economic ties of the NER (North Eastern Region) States with its neighbors with a view to ending its economic isolation."[11]   Some scholars even argued that the future of North-East lay in its "political integration with India and economic integration with Southeast Asia."[12]

To sum it up, it was through the Look-East policy that a shift to transnational cooperation between India and Southeast Asia was envisaged. And in this, befriending Myanmar has to be seen from the prism of strategic and geopolitical reality that Myanmar is the only space connecting India to the rest of the ASEAN countries. India is already engaged in constructing linkages with Myanmar focusing primarily on five areas: capacity building of Myanmar in developmental areas, mutual trade, improving communication infrastructure for land and sea links between India's landlocked regions and Myanmar, defence cooperation and coordination, and regional cooperation. Let us then examine the consequences of such an engagement in terms of trade, and in developing connectivity.

Trade

While the geostrategic and economic stakes involved in the Indo-Burmese region may be underestimated, they are far from negligible. Subversion and terrorism, drugs and its nexus with crime and trans-border trade and economic links have to be seen in a historical and traditional context. Geographical proximity has translated into long standing trade relations across the land border. With the onset of the Look-East policy, formal trade between the two is said to have also expanded. The opening of the Moreh-Tamu cross border checkpoint between the Indian state of Manipur and Myanmar's Sagaing Division formally marked the legalization of the border trade between the two. Nonetheless, the lack of a memorandum of understanding between the designated banks on the two sides, the limited number of items on the trade lists, the fact that Indian goods are not able to compete with the cheap Chinese made goods, the problems of cross border insurgency, etc together have contributed to the thin trade traffic across the border with very little trade benefits for the North-Eastern states of India. As such, the volume of trans-border informal trade that has been going on for centuries surpasses the volume of formal trade that is being carried out.[13]

The Union Government will therefore, need to do a realistic assessment of the goods to be traded, address the major hurdles in trade between India and Myanmar, improve the border facility with Myanmar etc to truly benefit from the trade relations. Some of these issues causing bottlenecks have been taken up during Prime Minister Manmohan's visit to Myanmar. Even so, the measures adopted will need to be translated to action within a time bound framework or else it would strengthen the argument extended by scholars who critique the notion that opening up to Myanmar will benefit the North-East in the first place.[14]

Connectivity

Since road and communication constitute important elements of infrastructure in any country's economy, physically connecting the North-East to the business centres of Southeast Asia is extremely important. This was spelt out by the Indian External Affairs Minister Jaswant Singh, when he said that India requires an eastward access and it could not have this if it

distanced itself from Myanmar.[15] An important step was taken when the 160 kilometer long road was built to connect the border town of Tamu to Kalemyo and Kalewa closer to Mandalay, and the 225km Rih-Tiddim–Falem road to connect Champai in Mizoram to Rhi in Myanmar. Such collaborative arrangements were intended to lead to better connectivity, facilitate movement of goods and people and consequently liberate the North-East from its geographic isolation while Myanmar would stand to benefit from Indian investment in infrastructure.[16]

Similarly, the Kaladan Multi-Modal Transport Project holds out the prospect of an alternate outlet to the Bay of Bengal for India's northeast which will help to boost trade ties.[17] Although its completion is expected in 2013, logistical issues of river engineering like dredging, removal of rock outcrops, rapids, lack of navigation aids, etc., combined with environmental concerns, may delay the project and its resulting benefits. Talks are on for opening the historic Ledo road that once linked Assam and Yunnan through the Kachin hills in Myanmar. Again, India is guarded about the prospect of opening a direct route between its North-Eastern region and China, as it fears the consequence of easy flow of Chinese goods into the region.[18] Then again the much hyped Asian highway project connecting India with Singapore through Myanmar undoubtedly holds great potential but it would have to address issues of ecological security, terrorism and trafficking of drugs and narcotics. India will have to overcome the geographical constraints if it has to develop the East-west corridor at the pace at which the North-South commercial corridor, running along the Irrawady River connecting the Yunan borders to the Indian Ocean has developed. In the absence of an appropriate strategy, it would not be able to make much progress in that direction either. The prospects of opening up of the bus service from Imphal to Mandalay aimed at promoting trade as well as people to people contact is seen as a crucial component of development of the region. Therefore, what is certain is that India's desire and efforts to expand its outreach to South-East Asian nations embedded in the construction of Trans-Asian Highway and Trans-Asian Rail Network will remain unfulfilled without taking Myanmar into the loop. At the same time, precautions should be taken to ensure that the roads are not used to siphon off the rich natural resources, the abundant forest products, and water resource of North-East India. Nor should the roads be used for easy passage of insurgents, arms, drugs etc. Additionally these projects should not be promoted at the enormous cost of damaging the environment and without attending to other infrastructural issues.

While it is recognized that a meaningful cooperation with Southeast Asia is possible only when India establishes connectivity between its North-Eastern states with mainland Southeast Asia just beyond its borders, India's highest decision makers have so far made limited attempts to build and improve border roads. India's financial support for the construction of infrastructures in Myanmar, the development projects and investments in Myanmar has per se stressed on state sponsored infrastructure projects.[19] These projects are located in remote and under populated areas, thereby reducing their impact on the local Myanmar communities. The other factors that impede the integration of North-East India to the

dynamic economics of Southeast Asia range from non-existent infrastructure to non conducive investment opportunities within the region. As a result, India has failed to capitalize on its relations with Myanmar whether economic or strategic or in ensuring energy security. New Delhi's tall talk on promoting connectivity, trade, and investment links with Myanmar is therefore not in harmony with India's performance on the ground. Consequently, the question, often being asked in the North-East is that, is the Central Government doing as much necessary and quick enough not to miss the bus?

Options for India

It would do well to engage the North-Eastern states as a bridge, just as China has done in the Kunming initiative, to involve and take advantage of Yunnan's geographical location and of its cultural affinities with its neighbors across the border — and to restore Yunnan's historical role as a bridge to Southeast Asia and South Asia. In doing so, India can draw lessons from the Chinese experience in Yunnan in developing its North-East region; primarily in considering the significance of the non- traditional security risks. Furthermore, India can cultivate the similarlity in tradition, culture, between India's North-East and Myanmar into a soft power resource bank.[20] A good beginning in this direction would be to persuade the new government in Myanmar to allow greater people to people contacts between the two countries at the level of students, scholars and academic exchange. This could in turn lead to smarter interactions between the two paving the way for increase in trade, commerce and tourism[21] in the entire region and across international boundaries as well.

It is high time for India to draw on the advantages offered by the new international actors that have created special regional dynamics in which trans- border cooperation is a realistic possibility and constitutes new resource for development. While enhanced connectivity with Myanmar holds the key to transforming the socio-political and economic contours of the North-East India, this process will have to be complemented with efforts to prepare the region to face the transformation productively. Most importantly, the government has to make sure that the pattern of investment and development gives appropriate representation to all sections of the people and greater participation of the local people will have to be assured.[22] In addition, the North-Eastern states will have to be suitably equipped to operate within the neo-liberal parameters and enable the tribal societies to adopt the implementation of a market driven policy.[23] The state governments will require to initiate policies to facilitate creation of a culture conducive to the spirit of the new policies to augment the development of India's North-East by constructively engaging Myanmar through the Look-East Policy.

The North East Investment Opportunity Week organized at Guwahati in September 2008, The Asian car rally from Guwahati to Bangkok and a number of similar events have in the past sought to draw attention towards attracting foreign investors and also highlighted the strategic significance of Myanmar for India. The 12 Memorandums of Understanding (MoUs)

signed during the Indian Prime Minister's visit, in which development and connectivity were given special preference reflected the concern that better connectivity would lead to the establishment of greater access between the two. Similarly, agreements for cooperation between institutions of higher learning and among strategic studies thinks tanks are important steps in consolidating relations.

Regulations such as the Inner Line regulation of 1873 and the Restricted Area Permit (RAP) contradict the vision of opening up North-East India via the Look East Policy. Therefore, such regulations must be revoked to facilitate easy movement of people. Another dismal reminder of the centre treating the North-East as a fortress is that any visitor to the North-East possessing a prepaid subscriber identity module (sim) card that has been issued from anywhere in India but outside the North-East region cannot use that card to communicate with the rest of India during his stay in any part of North-East India. This kind of practice cannot continue if it seeks connectivity, efficient transmission of ideas and goods.

Presently, Myanmar is in the midst of wide ranging reforms launched since 2011. The reforms initiated in 2011 are now in their third phase, aimed to tackle graft and corruption, attract greater foreign direct investment, and strengthen Myanmar's participation in regional economic integration process. Although Myanmar's transformation is underway, reforms are far from complete. Concurrent with the process of transition there is also a great deal of uncertainty around Myanmar's future. And India will need to carefully assess the developments.

The decision of the Myanmar government to suspend the China sponsored Myitsone dam project indicated a strategic move adopted by the Thein Sein administration. In addition, the move also pointed towards a reinvention of the regime itself as a responsible government which listens more to the opposition, civil society organizations and environmentalists. Even as it validated that China no longer had the sole control over Myanmar,[24] it simultaneously demonstrated a dilution of the spirit of "paukphaw" (blood brothers) that China has often reiterated while emphasising its commitment towards Myanmar.[25] While this development has positive implication for India, at the same time India cannot afford to ignore the emerging strategic equation on its eastern borders with Myanmar's civilian President talking of multi strategic cooperation[26] in partnership with China.

One another development that India needs to watch carefully is how China is responding to the United States pragmatic engagement with Myanmar that has jeopardised China's sole privileged position in Myanmar. The Chinese Global Times voiced China's concern with the positive and concrete US response to President Thein Sein's moves to take Myanmar on the road to democracy and said that Secretary of State Hillary Clinton's visit had "undermined the Chinese wall in Myanmar." China has in the past successfully capitalized on opportunities to expand its influence while attempting to dilute America's influence in what it sees as its own backyard-the "Nanyang" (South Seas) and golden lands in Chinese folklore.

The reality however, is that Myanmar's geography dictates that it cannot get too close to the United States without raising concerns from its giant neighbour to the north. And this is where India matters.

The nascent military-to-military relation between the United States and Myanmar is another issue that has wider implications. The fact that China has adopted counter measures by stepping up its activities in Myanmar together with its assertive actions in the South China Sea goes to show that Beijing has interpreted the US moves as part of a wider US policy of containment of China's role in the region, and as also another example of US- led encirclement. This development towards strategic rivalry that could escalate into a dangerous confrontation has severe consequences that will undermine the environment that has been important for the Asian miracle. It also has an important bearing for India's policy towards Myanmar in the face of the possibility that Myanmar could become the next great theatre of competition between US and China for influence in Southeast Asia.

Questions are therefore raised as to what can be expected from Myanmar's leadership in the future? How important is the China factor in Myanmar that in turn will shape India's relation with Myanmar? Under the circumstances, what should be India's role towards Myanmar to build a constructive relation with Myanmar?

Conclusion

Strategically, Myanmar has been and will remain important for India especially in the context of India's North-East. It also holds key to economic and trade linkages with the South-East Asian markets. Hence, India opted for strategic engagement with Myanmar that can maximise its security and national interest and thereby highlighting Myanmar's strategic relevance to India's geopolitical agenda. It is in Myanmar that the sphere of influence of China and India overlap.[27] India's policy towards Myanmar has been very often dictated by the extant of China's activism[28] in Myanmar rather than by considering the merit of its engagement with Myanmar. This responsive policy has resulted in a lack of focussed long term goal. As for Myanmar, given its colonial traumatic legacies, it has never been enthusiastic about wholly embracing India's east ward expansion, and has done so only to the extent it suited its immediate interests and to adequately counterbalance pressure from China. It has been able to take advantage of the economic, security and geostrategic interests of both China and India in the country to achieve developmental and security goals. Although Myanmar's leaders are suspicious of Chinese influence over their country and reject outside interference in their domestic affairs, their concern for Chinese assistance remains supreme. As such they are aware that unlike India, China by virtue of its status has the power to grant them the security guarantee. Hence, it is unlikely that in a competition over resources or political influence between India and China, Myanmar would choose India. Nevertheless, India must recognise and draw lessons from the fact that Myanmar wants to avoid over-reliance on China. This is

evident from Myanmar's attempt to diversify its defence procurements and other investments in infrastructure of high relevance. Therefore, India should work out a concrete policy vision, such as strengthening the hands of democracy and work out a concrete policy vision that would ensure that Myanmar is less reliant on China. Clearly India's national interest is best served when there is a strong stable government in Myanmar that adopts equidistant relations with China and India and is able to fight against insurgencies that beleaguer both sides of the border. There is no doubt that Myanmar can attain some form of stability only when it is able to successfully address the ethnic question[29] and bring about immediate national reconciliation and democratization. This aspect is important especially because of the spill over of problems and the attended consequences it will have in the context of India's North-East which also faces similar problems.

It is high time for India to reassess and reinvigorate its Look-East Policy with a definite roadmap to include plans to promote soft power in the region, devise concrete strategy with actionable goals to open up its eastern frontiers. Accordingly, India will have to shed her image as an elephant which is wise but lumbering to take the lead and evolve proactive policies to influence regional developments in its favor instead of adopting a policy, which is more often than not, reactive to China's actions in Myanmar. India's policy of engaging Myanmar will need recalibration to an extent depending on the degree to which Myanmar will transform or even holds the promise of irreversible transforming. The current phase appears promising for both the countries and it would be in India's interest to protect its relationship with Myanmar because if Myanmar continues with its reforms and opens up, it will be a matter of time before it would develop into an energy and natural resource hub. Connecting the North-Eastern states of India through Myanmar to the rest of the ASEAN countries will enable the realisation of the objectives in crafting the Indian policy of engaging Myanmar through the Look-East policy. It would be in India's interest to read Myanmar in transition correctly and act accordingly. Responding to the needs of the time, India will have to adopt policies in working towards peace and development in the region by strengthening the existing trade and investment links, building agreements for greater connectivity with Myanmar and for development of areas, development of infrastructure along their shared border. Only then can an attempt at baiting the hook be made to use the North-East as a crucible and reap the benefits of the consequential transformation of the landlocked North-East to a land linked one.

Notes

1. The name of the country was changed from Burma to Myanmar in 1989. The period from 1988-2011, was marked by centralized military rule by decree. Since 2011 a series of democratic reforms have been undertaken.

2. Land border between Northeast states and neighbours are with Myanmar, China, Bangladesh, and Bhutan.

3. For detailed analysis, See Sanjib Baruah (2006): *Durable Disorder: Understanding the Politics of Northeast India,* Oxford University Press, New Delhi.

4. Subir Bhoumik (2005): "Guns, drugs and rebels," Seminar (New Delhi), no.550, June, *http://www.india-seminar.com/2005/550/550%20subir%20bhaumik.htm#top*   Oken Jeet Sandham (2010): "Myanmar based militant activities on rise in Indian side", 26 April, *<http://www.e-pao.net/GP.asp?SRC=11.260410.APR10 >*

5. Renaud Egreteau, Instability at the Gate: India's Troubled Northeast and its External Connections. CSH Occasional Paper 16. pp.120-34.

6. For a discussion of the Chinese involvement in Myanmar, William Ashton (1993): "Chinese Naval Base: Many Rumors, Few Facts," *Asia Pacific Defence Reporter*, June-July.

7. Robert Karniol (1992): "New Base is Boost to Naval Power," *Jane's Defence Weekly*, 12 September, p.31. Bertil Lintner (1998): "…But Stay on guard: India Keeps Up its Bengal Baywatch," *Far Eastern Economic Review*, 161, 29, p.21.

8. For an examination of the security dimension of the India-Myanmar relationship see Dominic J. Nardi (2008): "Cross-Border Chaos: A Critique of India's Attempt to Secure Its Northeat Tribal Areas through Cooperation with Myanmar," *SAIS Review* 28, 1, pp.161-71. P.Saikia (2009): "North-East India as a Factor in India's Diplomatic Engagement with Myanmar: Issues and Challenges," *Strategic Analysis,* 33, 6, pp.877-89.

9. Jürgen Haacke (2006): "Myanmar's foreign policy towards China and India", *Adelphi Series*, 46:381, pp. 34. For an analysis on the policy change of the 1990s, refer to Renaud Egreteau (2003): *Wooing the Generals: India's New Burma Policy,* Authorspress, New Delhi, and K. Yhome (2008*): Myanmar: Can the Generals resist Change?* Rupa &Co., New Delhi.

10. For an account of the Northeast ethnic/insurgency problem, see Renaud Egreteau (2006): "Instability at the Gate: India's Troubled North East and its External Connections" *CSH Occasional Paper No.16*, New Delhi.

11. Ministry of Development of North Eastern Region and North Eastern Council (2008): *North Eastern Region Vision 2020*, Agartala,13 May, p.271.

12. Jairam Ramesh (2005): "Northeast India in a New Asia", *Seminar 550,* June, pp.17-21.

13. M.P. Bezbarua (2007): "Indo-Myanmar Border Trade: the Stakes for North-East India', *Dialogue,* Vol.9, No. 1, p.2. See also Winston Set Aung (2011): "Informal Trade and Underground Economy in Myanmar: Costs and Benefits," *IRASEC Occasional Paper Observatory Series No.4*, Bangkok.

14. Asild Kolas and Camilla Buzzi (2010): "Northeast India and Myanmar: Looking East Towards a Dead –End?" in Dilip Gogoi (ed.,) *Beyond Borders Look East Policy and North East India*, DVS publishers, Guwahati.

15. Rakesh Sinha (2001): "World's biggest democracy gives a Valentine's Day gift to Myanmar junta", *Indian Express* (India), 15 February.

16. *Keynote address* of External Affairs Minister at the Institute for Security and International Studies (ISIS), Chulalongkorn University, on "India's Look East Policy: Implications for Thailand and South-East Asia"

17. *www.mdoner.gov.in/content/introduction-1*

18. Rajiv Sikri and Marie Lall (2007): "Whither India Myanmar Relations", *South Asia Analysis Group, Paper No.2341*, 22 August.

19. Embassy of India (Yangoon), *India-Myanmar Cooperation*, p.16.

20. Joseph Nye espoused soft power as the use of attraction persuasion in foreign policy and the appeal of a country based on its culture, values, beliefs, practices, policies and way of life.

21. Jarnail Singh (2009): Secretary of the ministry of Development of Northeast Region, in his speech to the three day conference organized by the Ministry and Indian Chamber of Commerce, Hanoi, 12 February. Available at: *<www.saigon-gdaily.com.vn/Business/2009/2/68535/>*

22. Munmun Majumdar (2008): "Northeast India As a gateway to India's Look East Policy", *International Journal of South Asian Studies,* Vol1, July-December, pp.401-2.

23. Author's conversation with retd. Prof A.K. Barua, North-Eastern Hill University, Shillong on 12 March 2013.

24. Ian Storey (2011): "Burma and China: The Beginning of the End of Business as Usual", China Brief XI, Issue 22 (30 November), pp. 13-17 < http://www.jamestown.org/programs/chinabrief/single/?tx_ttnews%5Btt_news%5D=38718&tx_ttnews%5BbackPid%5D=25&cHash=4eb55cda9bfa924d162c24686c90f2b9>.

25. See Maung Aung Myoe (2011): *In The Name of Pauk-Phaw: Myanmar's China Policy since 1948*, Institute of Southeast Asian Studies, Singapore.

26. President Thein Sein visited China in May 2011, within three months of coming to power. The Joint Statement between the Republic of the Union of Myanmar and The Peoples' Republic of China on: Establishing a Comprehensive Strategic Cooperative Partnership.

27. See Bertil Lintner (2012): *Great Game East: India, China, and the Struggle for Asia's Most Volatile Frontier*. Harper Collins, New Delhi. Thant Myint-U (2011): "Where China Meets India: Burma and the New Crossroads of Asia, Farrar, Straus &Giroux, New York.

28. Bertil Linter (1989): "Tugging the Tiger's Tail: India Concerned at Growing Sino-Burmese ties," *Far Eastern Economic Review,* 146, pp.19-20

29. See David I Steinberg (2011): "Myanmar's Perpetual Dilemma: Ethnicity in a Discipline-Flourishing Democracy", *Politics, Governance and Security Series - East West Centre Working Paper*, No 22, April.

IAEA Safeguards: Evolution and Current Status

Arun Vishwanathan

Abstract

This essay seeks to trace the evolution and current status of the safeguards system implemented by the International Atomic Energy Agency (IAEA). The article highlights the changes safeguards have undergone since the Agency's inception in 1957. Safeguards have struck a balance between the twin objectives - of facilitating the spread of nuclear technology for peaceful uses and verification of non-proliferation commitments of NPT state parties - that the IAEA was supposed to fulfil. While some changes in the safeguards took place as a response to the spread of civil nuclear technology, other changes have been a reaction to the challenges posed to the non-proliferation regime from the Iraqi and North Korean disclosures. The essay concludes with an assessment of the changes which took place with the coming of Additional Protocol and provides an assessment of the current status of the safeguards across the globe.

This essay seeks to study the evolution and current status of existing International Atomic Energy Agency (IAEA) safeguards system. To this end, it begins by tracing out the evolution of the IAEA and the manner in which nuclear safeguards have changed since the time the IAEA was set up in 1957. The change in the nature of Agency safeguards have either been a result of a general improvement in civil nuclear technology used by countries (which necessitates a corresponding improvement in safeguarding techniques) or as a response to the challenges posed to the Nuclear Non-Proliferation Treaty (NPT).

IAEA: Robin Hood to Sheriff[1]

The International Atomic Energy Agency's (IAEA) establishment in 1957 had its genesis in the 'Atoms for Peace' speech delivered by US President Dwight D. Eisenhower at the United Nations in 1953 (Eisenhower 1953:62-67). The Agency since its inception has had to balance dual and sometimes contradictory roles. These twin roles were firstly to promote peaceful uses of nuclear technology for uses like generation of power and secondly ensuring that nuclear technology was not used by any member state for military purposes. It is in fulfilling the second role that safeguards come in handy and assume an important role.

The IAEA's mandate thus from the very beginning has been to facilitate access to the peaceful benefits of nuclear technology while developing and implementing an international

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nuclear safeguards system which guards against diversion of nuclear technology and materials meant for peaceful uses to military applications like manufacturing nuclear weapons (Scheinman 2003:7). The Atoms for Peace initiative which led to the establishment of the IAEA, thus catalysed sharing and dissemination of nuclear know-how across the globe.

The fact that expansion of civil nuclear programmes and the dangers of proliferation of nuclear weapons share a close relationship is a well-known truth. In fact, Hannes Alven has very succinctly remarked that "the peaceful atom and the military atom are Siamese twins" (cited in Scheinman 2003:7). The safeguards system has thus proven to be an indispensable instrument for promoting nuclear non-proliferation and peaceful nuclear cooperation ever since the Agency was founded in 1957 (International Atomic Energy Agency 2005:5).

Under the auspices of the Treaty on the Non-proliferation of Nuclear Weapons (NPT), the IAEA has two major roles. The first role is to employ international nuclear safeguards, in accordance with Article III of the NPT. This is to verify the commitment to peaceful uses of nuclear technology assumed by non-nuclear-weapon state parties to the NPT. This role of the IAEA ensures that nuclear non-proliferation and peaceful uses of nuclear technology go hand in hand and the spread of nuclear energy or technology does not result in proliferation of nuclear weapons.

To prevent such possible diversion, the NPT has made it mandatory for all non-nuclear-weapon States (NNWS) parties to enter into comprehensive safeguards agreements (CSA) with the IAEA, thereby placing under safeguards all sources or special fissionable material (British American Security Information Council and Oxford Research Group 2005). Article III of the NPT states that all non-nuclear weapon states must "accept safeguards, as set forth in an agreement to be negotiated and concluded with the IAEA, for the exclusive purpose of verification of the fulfilment of its obligations assumed under [the NPT]…" (International Atomic Energy Agency 1970, Article III). The onus is thus placed on the Agency to provide credible assurance to the international community that the NNWS are not diverting nuclear material meant for peaceful uses to weapons-use.

The second major function of the IAEA is to promote peaceful uses of nuclear energy. This role flows out of Article IV of the NPT which is aimed at "the further development of the applications of nuclear energy for peaceful purposes, especially in the territories of non-nuclear-weapon states party to the Treaty, with due consideration to the needs of the developing areas of the world" (International Atomic Energy Agency 1970:Article IV).

The dual roles of promoting the peaceful use of nuclear energy and non-proliferation objectives are enshrined in Article II of the IAEA's Statute. In Article II, the Agency's objectives are formulated as to seek "to accelerate and enlarge the contribution of atomic energy to peace, health and prosperity throughout the world." Further, the IAEA's statute adds,

"so far as it is able, that assistance provided by it, … is not used in such a way as to further any military purpose" (International Atomic Energy Agency 1956:Article II). To this end, the IAEA supports research and development in the peaceful uses of nuclear energy, promotes scientific and technical exchange, provides technical assistance to its 155 member states, administers safeguards verification of nuclear materials, draws up and regularly updates standards for nuclear safety and radiation protection (Klerk 2001).

In addition to the above, the Agency also verifies compliance with regard to the five regional nuclear-weapon-free zone (NWFZ) treaties. It is important to note that all NWFZ member states are required to conclude comprehensive safeguards agreements. In addition, the states are also required to have in-force an Additional Protocol to their existing safeguard agreements so as to ensure the absence of possible undeclared material and activities.

The IAEA Safeguards System: The Evolutionary Phase

At the very outset, when IAEA safeguards system were being designed, many states including India viewed them as impinging upon state sovereignty and a tactic of developed states to deny technology to developing countries. A mistrust existed in governments with regard to the idea of international verification (Nehru 1961:191-95).[2] The task was made more difficult given the fact that nothing in the Agency's statute required a member state to accept safeguards on its nuclear activities or to implement IAEA safeguards on bilateral agreements. Thus, initially, the IAEA statute limited safeguards to three situations. First, where the Agency was the supplier or an intermediary; secondly, when a state unilaterally requested safeguards on its activities; and thirdly, when application of safeguards was requested by members to bilateral or multilateral agreement (Scheinman 2005:5).[3]

The speed at which the safeguards system grew were dictated by political and pragmatic considerations. Firstly, important member states, including the Soviet Union, saw no urgency in operationalising the provisions on safeguards mentioned in the IAEA statute thereby limiting the development of safeguards in the early years. The Soviets subsequently changed their stance and extended support to strengthened safeguards in 1963 (Fischer 1997, 249). The immediate need to put safeguards in place was triggered due to a Japanese request for IAEA assistance in procuring nuclear material for a research reactor in 1959 (Vishwanathan 2006).

As the Agency lacked any hands-on experience in implementing safeguards it chose to begin with small and simple facilities and incrementally move to larger and more complex ones as and when the need arose (Fischer 1997:40-67). As a result of this, the first model safeguards agreement developed by the IAEA, namely the INFCIRC/26-type safeguards, covered only research reactors upto 100 MWth. It is also important to note the fact that the civilian facilities in existence at that point in time were only of this size. The limited nature of the INFCIRC/26

safeguards was also the result of the lack of trust/acceptance on the part of member states with the idea of international verification of their facilities, material (Klerk 2001).

In 1964, the INFCIRC/26 was expanded in scope to cover large power reactors. This was followed by a completely revised safeguards document, INFCIRC/66 which was approved by the IAEA Board of Governors in 1965. The type-66 safeguards – as those modelled on the INFCIRC/66 were called - was revised subsequently to include other facilities in the civilian nuclear fuel cycle and by 1968 the 66-type safeguards covered all facilities except enrichment plants which were still limited in number (Klerk 2001). At this point in time, safeguards were applied on a facility-by-facility basis rather than to the state and its activities as a whole. They were thus called facility-specific safeguards (Scheinman 2005:5-6).

With the conclusion of the Nuclear Non-Proliferation Treaty (NPT) in 1968, international safeguards were strengthened and expanded. All non-nuclear-weapon state parties under the NPT were obligated to conclude a comprehensive safeguards agreement with the IAEA covering all of the state's peaceful nuclear activities, present and future, "with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices" (International Atomic Energy Agency 1970, Article III(1)) With the NPT coming into force, a safeguards committee (open to all member states of the Agency) was established by the Agency's Board of Governors to advise the IAEA on the contents of safeguards agreements to be concluded between non-nuclear-weapon states and the IAEA. The committee developed a document entitled "The Structure and Content of Agreements between the Agency and States Required in Connection with the Treaty on the Non-proliferation of Nuclear Weapon" which was approved in 1972 and became the model for comprehensive safeguards agreements we know as Agency Information Circular INFCIRC/153 (International Atomic Energy Agency 1972).[4] The 153-type safeguards are the basis for, and central to, the current safeguards system which are in force in a large majority of the safeguarded facilities across the globe.

A different set of benefits and responsibilities for the five nuclear weapon states (NWS) and the non-nuclear weapon states (NNWS) under the NPT also fashioned the evolution of the various types of safeguards. The nature of the NPT resulted in the IAEA following three types of safeguards templates.

The first is the **Voluntary Offer Agreement** (VOA) safeguards. All nuclear weapon states have concluded VOA safeguard agreements with the Agency. The IAEA implements VOA safeguards in some or all of the peaceful facilities of these states. Under the VOAs, facilities or nuclear material in facilities notified to the IAEA by the State concerned are offered for the application of safeguards. The Agency is benefited by implementing the VOAs safeguards as it gains experience in implementing safeguards in advanced facilities.

The second type of safeguards is the **153-type** safeguards. The Agency applies such safeguards in the case of non-nuclear weapon states. They are also known as **comprehensive or full-scope safeguards**. Under such an agreement, a State undertakes to accept safeguards on **all** nuclear material in **all** peaceful nuclear activities, within its territory, under its jurisdiction or carried out under its control anywhere (emphasis added). Nuclear material in such an agreement would include all fissile material that could be used in making nuclear weapons like Highly Enriched Uranium (HEU), Plutonium and Uranium-233. It would also include natural, low enriched and depleted uranium as well as thorium (International Atomic Energy Agency 1972, paragraph II). Under these safeguard agreements, the IAEA has the right and obligation to ensure that safeguards are applied on all such nuclear material and that the material is not diverted to weapons use (IAEA Department of Safeguards 2007:7).

Safeguarding activities under the 153-type comprise of three major elements. These are namely nuclear material accountancy, containment and surveillance measures and on-site inspections. Nuclear material accountancy primarily seeks to account the quantity - and the change if any - of fissile material in the facility. Containment and surveillance in essence uses physical measures like walls, seals, cameras etc, in an attempt to control the access and thereby preventing any diversion of fissile material to non-peaceful uses. The IAEA uses on-site inspections to verify whether all the fissile material declared by the agency exists in the facility and checks whether there has been any diversion to non-intended use either within or outside the facility (Klerk 2001:3).

An addition to the 153-type safeguards is the **small quantities protocol (SQP)**. States which have minimal or no nuclear activities - as part of their full-scope or comprehensive safeguards agreements - conclude a small quantities protocol (SQP). Similar to the evolution in other forms of safeguards, the SQP too has witnessed a change over time. As per the original draft of the SQP which was approved by the IAEA Board of Governors in 1974, the "implementation of most of the safeguards procedures in Part II of a comprehensive safeguards agreement are held in abeyance as long as certain criteria are met" (International Atomic Energy Agency 1974; International Atomic Energy Agency 2011:4). This was however modified in 2005, when the IAEA Board of Governors revised the standard text of the SQP. Most importantly, this changed the eligibility criteria, which meant that a state "with an existing or planned facility" could not enter into a SQP with the IAEA. Additionally, the provisions which were kept in abeyance in the original text of the SQP, like the requirement of the member state to provide the IAEA with an initial inventory report and secondly the Agency's right to carry out ad hoc and special inspections were no longer held in abeyance (International Atomic Energy Agency 1974; International Atomic Energy Agency 2006).

The third is the **66-type** safeguards (**facility/item specific safeguards**) which is applied only on specific material, facilities and other items which are placed under safeguards. These safeguards are based on the safeguards procedures approved by the IAEA Board of Governors and publicised via IAEA Information Circular INFCIRC/66/Rev.2 (International Atomic Energy Agency 1968). The IAEA implements 66-type agreements in the three states namely - India, Pakistan and Israel – all of whom are not party to the NPT.

Figure 1 below shows the number of facilities across the globe under various types of safeguards during 2012 (International Atomic Energy Agency 2012a:100).

Figure 1: Number of Facilities under different types of safeguards during 2012
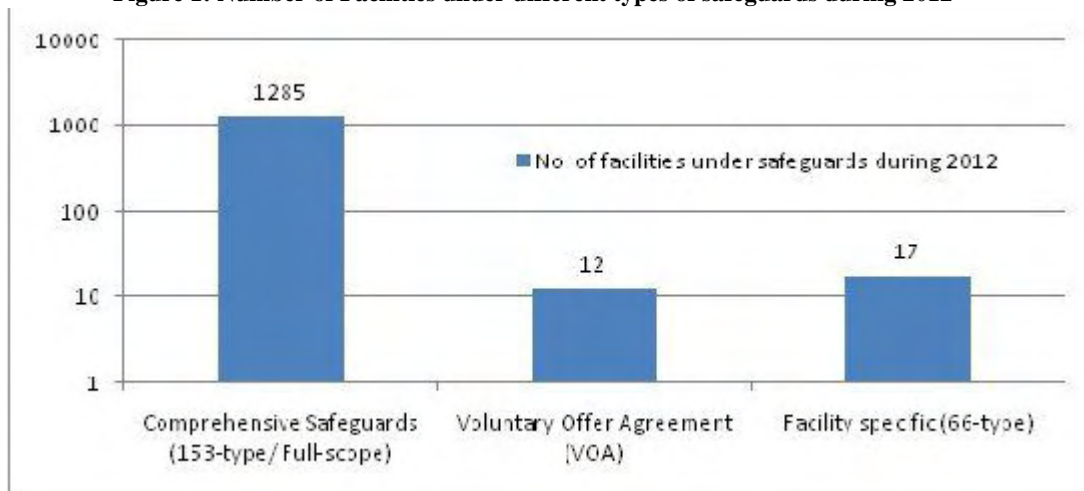
Source: IAEA Annual Report 2012, Annex: Table A5, p.100.

The Consolidation Phase

The major issue at hand immediately after the coming into force of the NPT was to ensure the participation of the "free-world advanced industrial non-nuclear weapon states in the NPT" (Scheinman 2005:6). As many of these countries were developing national nuclear industries they were concerned about the implication of comprehensive safeguards which were to be implemented only by non-nuclear weapon states. Thus, in order to meet their concerns the NPT affirmed the "inalienable right" to pursue peaceful use of nuclear energy (International Atomic Energy Agency 1970:Article IV).[5]

These states, unlike India, were ready to accept a treaty that distinguished between nuclear and non-nuclear weapon states in terms of their rights and responsibilities.[6] However,

these states were not willing to accept even for a limited time, the extension of such discrimination to the civil nuclear field. Thus, the non-nuclear-weapon states directed their energies at establishing a safeguards regime that reduced intrusion and gave NNWS maximum freedom to use nuclear technology for peaceful purposes while providing the necessary level of confidence regarding non-proliferation of the technology for military purposes.

A large number of these states were concerned about protecting their proprietary and commercial interests and limiting the intrusiveness of the on-site inspections. They were also concerned about the existing (facility-specific) system of safeguards as it allowed too much discretion on the part of the Agency, and was too liberal with regard to the frequency of inspection and too permissive in terms of scope of access provided to the inspectors in the safeguarded facilities (Scheinman 2005:8).

The North Korean and Iraqi Disclosures

The lacunae in the 153-type of safeguards came to light when the North Korean and the Iraqi cases came to light. It brought to fore the fact that these safeguards were capable of assuring *correctness* of the information provided by the states and not whether the information was *complete* in all respects.[7] The Iraqi inspections carried out in the wake of the 1991 Gulf War by the UNSCOM under the mandate of the UN Security Council Resolution 687 discovered "an extensive covert nuclear weapon program in addition to, and partly in proximity to, its open nuclear research activities that were under IAEA safeguards" (Herdman 1995: Foreword). The limitations of the comprehensive safeguards were underscored in this case as Iraq was able to misguide the Agency all these years despite being a party to the NPT and having in place comprehensive safeguards. The following year the IAEA also discovered North Korea had been withholding the extent of its fissile material production, in particular plutonium reprocessing activity, from the IAEA.

The Iraqi and the North Korean revelations severely undermined the effectiveness of the existing IAEA safeguards regime. This led the then-IAEA Director General Hans Blix to assess that the Agency needed expanded access to three items – information; physical access to the sites under safeguards; and wider access to the U.N. Security Council (Scheinman 2005: 12). The modification to the safeguards system were put in place based on these assumptions.

In response to the several difficult questions that arose as a result of the Iraqi and the North Korean disclosures, the Agency initiated a program to expand its verification and capabilities. The Board of Governors took a number of decisions that reaffirmed the requirement that safeguards should provide the *completeness* as well as the *correctness* of nuclear material declarations by states under comprehensive safeguards system.

These new measures were gradually put in place. The measures in the first phase, adopted by the Board of Governors in 1992, included a call for universal reporting system under which all parties were invited to voluntarily notify the IAEA about transfers of nuclear equipment and specified non-nuclear materials. The board hoped that the provision of such data on exports, imports, and the production of nuclear materials would help to create a "closed system" containing the global balancing of source materials. The board also affirmed the right of the IAEA to conduct special inspections with the full backing of the UNSC, should the Agency's request for a special inspection be denied (Zak 2002:18-20).

The first two requirements were to be implemented by the IAEA. The Agency took steps to shore up its detection capabilities, especially in case of undeclared nuclear installations. With regard to special inspections, the ball was in the Security Council's court. In January 1992, the Council issued a declaration stating that its members "regarded the proliferation of all weapons of mass destruction as constituting a threat to international peace and security," and noting that it would take "appropriate measures in the case of any violations notified to [it] by the IAEA" (United Nations Security Council 1993).

Strengthening of IAEA Safeguards

Though the right to conduct special inspections as well as other measures put in place were definitely a big step forward, the IAEA realised that it was not enough just to have these rights but not have any substantive facts to back them up with. As the Agency did not have any means to gather intelligence, it largely had to depend upon informal mechanisms or more importantly, upon its member states' national technical means (NTM).

The IAEA Board of Governors reaffirmed the right of special inspections and clarified that the right was not limited to activity at declared sites. What this meant for all practical purposes was that the right of inspections was extended to locations other than those declared to the Agency by the state concerned (Zak 2002:22–24). Touching upon the point of lack of intelligence gathering capabilities the Board also said in clear terms that a request for special inspections could be based upon credible information collected from sources such as national intelligence provided to the Agency by a state. Such a position clarified and laid out the situation under which a special inspection could be requested. Also it resulted in clarifying the section on special inspections under 153-type safeguards (International Atomic Energy Agency 1972:Paragraph II).[8]

Following the Iraqi and the North Korean disclosures, the Agency began to explore adoption of new kinds of technologies for inspection purposes. The first was satellite imagery and the second was environment sampling also known as high-performance trace analysis. In the North Korean case as well as the Iraqi case, satellite pictures provided by the United States to the IAEA were the basis for inspections conducted by the Agency. In the North Korean case,

satellite imagery provided by the US led to the discovery of two undeclared storage facilities and in the Iraqi case it led to the correct determination of the size of the Al-Tuwaitha nuclear site (Perricos 2001).

Environmental sampling is also a technique which has been employed by the Agency on a wide scale after the Iraqi and North Korean disclosures. Environmental sampling is based on the premise that nuclear activity like other industrial and manufacturing processes releases some process material into the environments. As nuclear material possess distinctive physical properties apart from being radioactive, it is possible to even detect minute emissions or losses during activity. This is extremely important for maintaining the safe operation of nuclear facilities (Pellaud and Hooper). However, the same fact can also be used to detect diversion of nuclear material and equipment for proscribed purposes. Samples of air, water, or even swabs taken from surfaces of nuclear plants or equipment can be analysed for radioactive traces (Fischer 1997:71–72). In the case of North Korea, such environmental sampling enabled the Agency to arrive at the conclusion that North Korea had not disclosed the correct amount of plutonium which had been separated.

The Agency has carried out field tests demonstrating the usefulness of environmental monitoring in 11 member states. The samples collected as part of such efforts have been distributed in specialized laboratories in the United States, the United Kingdom, Russia, Australia, Canada, Finland, and Hungary (Hooper 1995:17). The IAEA is working on a project called the "Novel Techniques and Instruments for Detection of Undeclared Nuclear Materials, Activities and Facilities." The project seeks to develop better techniques to detect activities associated with nuclear processes. Such techniques complement and at times supplement intelligence provided to the Agency by member states of any diversion or proscribed activity. Sampling of releases from the facility allows the Agency's inspectors to remotely monitor the occurrence of any prohibited activity. Laser-based methods have demonstrated real-time monitoring of atmospheric materials, on-site chemical analysis and the capability of detecting a previous exposure to ionising radiation (Khlebnikov, Parise, and Whichello 2008:1-2). The IAEA is also fielding such technologies at facilities which it is safeguarding in a manner whereby the collected data is transmitted to the Agency in an encrypted form at regular intervals.

Program 93+2

Since the North Korean and Iraqi disclosures, the Agency's focus shifted to early detection of undeclared activities. To this end, it mandated the Standing Advisory Group on Safeguards Implementation (SAGSI) to explore ways of enhancing the Agency's early detection abilities. This led to the IAEA Program (93+2). The program was called so because it was initiated in 1993 and was expected to conclude its work in two years in 1995, prior to the NPT Review and Extension Conference.

The program's aim was to strengthen and improve the cost-effectiveness of the IAEA safeguards system. As the Agency's Annual Report states, the aim of the program 93+2 was to "strengthen the safeguards system and in particular to develop its ability to detect and to have access to undeclared activities" (International Atomic Energy Agency 1997a:49). In contrast to the 153-type safeguards, the new safeguards system would seek to verify the absence of any undeclared nuclear activities and material **anywhere in the given state not just in the declared sites**. Program 93+2 sought an expanded declaration which would help the Agency to assess the completeness of the activities in a state. The program also sought to use environmental sampling and carry out special inspections to increase the assurance the IAEA could provide of the absence of any undeclared activity (Herdman 1995).

Under Program 93+2, two sets of measures were envisioned. One did not require any additional legal backing and were possible under the rubric of the framework of the 153-type safeguards which were in place. These tools had been available to the IAEA inspectors but had not been fully utilized (Vishwanathan 2006:2). Examples of such tools included providing advance design information to the IAEA of a new facility or changes, modifications to an existing facility; use of remote monitoring, environmental sampling and short-notice inspections in facilities already under safeguards. In addition, the Agency also decided to synergise the use of open source information with the declarations made by members in addition to request member states to voluntarily report imports and exports of nuclear material and equipment (Vishwanathan 2007:2).

Additional Protocol

The second set of changes envisioned under Program 93+2 required enhanced cooperation from the states as these measures fell outside the Agency's mandate as it existed. Thus, member states were required to approve such measures on an individual basis by signing an Additional Protocol. The Additional Protocol is "a voluntary agreement between a state and the International Atomic Energy Agency (IAEA) that is additional to an existing safeguards agreement and seeks to verify **both** the **correctness of declared** activities and materials and **absence of undeclared activities** and materials." (Emphasis added) The Model Additional Protocol (INFCIRC/540) was approved by the IAEA Board of Governors in May 1997.

In order to arrive at an assessment of the country's activities and in order to verify the correctness of the member state's declaration and the absence of any undeclared activities, the Additional Protocol required that member states provide additional information to the Agency. Such information included any exports the country undertakes both of nuclear and non-nuclear material. Secondly, it also required the country to provide details of existing stocks, exports and imports of uranium and thorium; as well as general description of all buildings on the safeguarded facility regardless of their use or contents. An Addition Protocol signatory was

also required to be submitted to the IAEA plans for a ten-year period which were relevant to the development of the nuclear fuel cycle.

In addition, the Additional Protocol also sought to expand the access of the Agency's inspectors so that they could verify the absence of undeclared material or activity even outside safeguarded facilities. Such access known as "Complementary Access" envisioned – on the IAEA Board's approval - location-specific environmental sampling and wide-area environmental sampling (Fischer 1997:72–73).

In other words, the Additional Protocol would act as a complementary legal document for states that already had a full-scope safeguards agreement with the IAEA. According to former IAEA chief Mohamed ElBaradei, the Additional Protocol was not intended for use as a stand-alone document, first, because "no state could adhere to the protocol unless it had previously concluded a safeguards agreement with the agency," and second, because "the protocol depended in many ways on the underlying safeguards agreement" (ElBaradei 1997:Attachment II).

The Additional Protocol is a bilateral agreement between member states and the IAEA and is not a multilateral treaty. Thus, every state must adopt the protocol unilaterally. In addition, there is neither a threshold – a minimal number of states required for the entry into force of the protocol – nor a timeframe within which INFCIRC/153 states must adopt the protocol.

Unilateral adoption has positive as well as negative implications. On the one hand, if a minimal number of states – or specific states – were required for the protocol to enter into force, the significance of individual states would expand, and the political pressure to join would be extensive. Each state would in essence hold a veto against the agreement's entry into force and could be expected to leverage the power to maximize political gains.

But the legal situation under the Additional Protocol is different. Because there is neither a minimal number of states nor a specific list of states needed to ratify the protocol. Each state must, as noted, adopt the protocol independently of other states. In other words, each state is responsible only for the entry into force of its own agreement. Consequently, the political pressure that states can impose upon one another to adopt the protocol is limited (International Atomic Energy Agency 2009).

Though targeted to be adopted by member states following the 153-type safeguards, the five nuclear weapon states as well as member states implementing facility-specific safeguards (International Atomic Energy Agency 1968) were also encouraged to adopt measures from the Additional Protocol which would strengthen international non-proliferation efforts (International Atomic Energy Agency 1997b:1–2). Figure 2 below depicts the increase in the

number of countries where additional protocol has entered into force between 1997 and 2013 (International Atomic Energy Agency 2012c:1-3).

Figure 2: Countries where Additional Protocols have entered into Force (1997-2013)
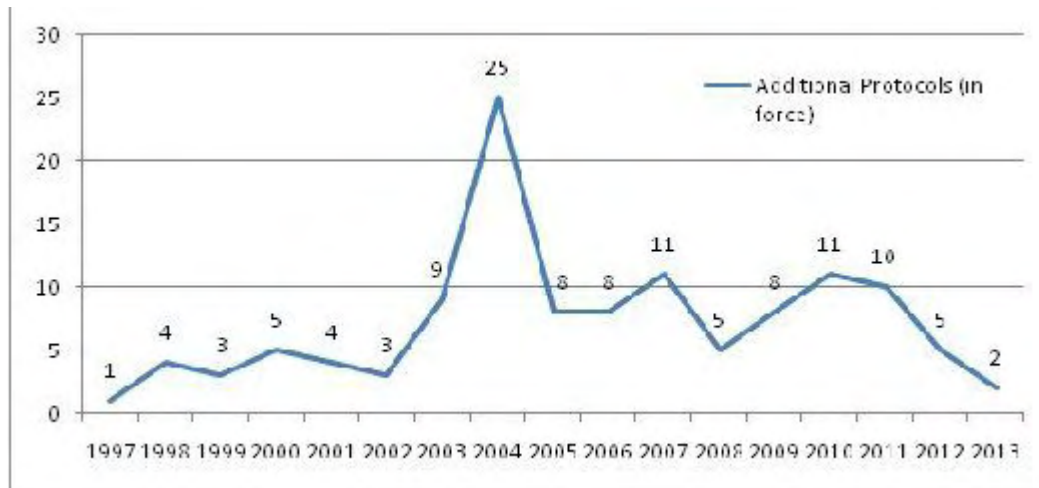
Source: IAEA Website

The approved Program 93+2, in both its parts, encompasses complementary activities vital to resolving questions about the ***correctness*** and ***completeness*** of the information provided in a state's declaration, as well as resolving inconsistencies relating to that information. As Chen Zak points out, the additional measures cover three fields which include expansion of the information states must provide IAEA with; expansion of access rights for the IAEA and its inspectors; and thirdly, streamlining of administrative procedures for effective implementation of safeguards.

Expansion of the information provided

The declarations that states are required to submit under Program 93+2 cover a much broader ambit as compared to those required under 153-type safeguards. The requirements go beyond declaring nuclear material and related activity. States implementing 153-type safeguards are required to submit a declaration covering only nuclear materials, associated processes (if contained nuclear materials need to be under safeguards), and nuclear facilities containing or expected to contain declared nuclear material.

However, under the changes carried out as part of the Program 93+2, states were expected to declare and identify all buildings on a particular site whether or not they were being

used for nuclear use. The expanded information, in conjunction with verification activities, were aimed at making the state's nuclear fuel cycle and associated activities more transparent.

The expanded declaration represents a significant additional commitment in other ways as well. Before the strengthening of the safeguards took place under Program 93+2, states implementing 153-type safeguards were permitted to carry out unsafeguarded military activities as long as such activities were not related to nuclear weapons. However, with the Program 93+2 coming into play, states had to file a complete declaration outlining their past, present and future nuclear related activities regardless of whether these activities were peaceful or military. In addition, states were required to provide IAEA inspectors with access in order to verify their declaration (Lu 1998:4).

Expansion of access rights

Under 153-type safeguards, the access rights for verification were restricted to the "strategic points" in declared facilities. The IAEA selects these points by examining the design information of declared sites (or, in certain cases, the facilities themselves) and then designating locations at which the agency can obtain and verify the information necessary for implementing its safeguards measures. A strategic point would be a place where measurements could be conducted and where containment and surveillance measures are executed (International Atomic Energy Agency 1997b:Article B III (a), (b)).

Under the Additional Protocol, the access provided to the Agency inspectors were expanded. This now included any place on a site which was safeguarded; uranium mines, uranium or thorium concentration/ processing plants as well as previously undeclared or decommissioned facilities (International Atomic Energy Agency 1997b, Article B III (a)).

In addition to expanding the access provided to the Agency's inspectors, the Additional Protocol also grants complementary access rights to the IAEA inspectors. This is to verify the **completeness** and **correctness** of states' declarations; a determination which the Agency is unable to make in states which do not have the Additional Protocol in force. Under complementary access, the inspectors have access to more locations pertaining to the nuclear fuel cycle and research locations not directly involving nuclear material; nuclear-related manufacturing locations as well as access to locations where imported equipment and material is stored. (International Atomic Energy Agency 1997b:Article B III (b))

In addition to expanding the overall access provided by the states to the inspectors, the Program 93+2 also streamlined no-notice inspections. Under such inspections, inspectors can arrive at the facility without advance notice. Such inspections are useful to effectively verify material flows at large facilities and to confirm the status of facilities which have been shut-

down or decommissioned as well as facilities which are under-construction. Such inspections are useful to verify that facilities are not used for clandestine or proscribed purposes.

However, given their intrusive nature, no-notice inspections are very rare and the Additional Protocol does not prescribe any specific provisions about such inspections. There are limitations imposed on the no-notice inspections which includes their limited access to strategic points in the facilities. Inspections conducted by the IAEA inspectors generally fall under the 'announced' inspections requiring 24-hour advance notice and short-notice inspections requiring 2-hour advance notice. However, under the Additional Protocol, inspections require advance notification and it allows for two-hour 'short' notice inspections.

Under Article B III (c) the Additional Protocol also grants the IAEA rights to conduct environmental sampling. Another method of environmental sampling has also been approved. This is wide-area environmental sampling, which is aimed at establishing whether nuclear activities are present at sites to which the IAEA did not previously have access rights. Although the Additional Protocol recognizes the right of the IAEA to deploy such monitoring in order to search for nuclear indications over extensive areas (in contrast to location-specific monitoring), wide-area environmental sampling would be implemented only when the efficacy of the technology is established and the board of governors approves the circumstances, details, and analytical method of the sampling. In any case, future wide-area environmental sampling would be implemented as part of the AP only after consultations with the state concerned (Zak 2002:15).

There is a slight difference in terms of the access the states are required to provide to the inspectors in cases of detection of undeclared material or activities; to assess completeness and correctness of declarations and thirdly, for carrying out environmental sampling. The Agency requires the states to provide access to the inspectors in case where they are conducting verifications to detect undeclared materials or activities. However, in the other two cases, some leeway is given to the state wherein it can satisy the Agency's requirements through some other means if it cannot provide the access requested by the IAEA's inspectors (Lu 1998:7–8).

Streamlining of administrative procedures

This includes, for example, procedural simplification for the designation of inspectors, and approval of multi-entry visas which are valid for at least one year since the date of issue. Multi-entry visas permit inspectors to enter a country without delay, thereby reducing the ability of the state to remove traces of illegitimate activity. Other measures adopted include the use of unattended, remote-monitoring equipment and new methods of communication between onsite inspectors and IAEA headquarters.

Conclusion

As outlined in the 2012 International Atomic Energy Agency safeguards statement, the Agency applies safeguards in 179 States. The 2012 safeguard statement mentions that in 2012 "a total of 183 767 significant quantities of nuclear material and 437 tonnes of heavy water are currently under safeguards." In 2012 alone, the IAEA has carried out 1962 inspections spread over 11,859 calendar-days. In terms of safeguards in place in various countries, 114 states have both comprehensive safeguards agreement (CSA) and additional protocols in force. In another 57 states, CSAs are in force without the additional protocol being in force. Three states, namely, India, Israel and Pakistan have entered into 66-type or facility specific safeguards agreements with the IAEA and these are currently in force in these countries. In addition, all the five nuclear weapon states voluntary offer agreements and additional protocols in force (International Atomic Energy Agency 2012b:1-3).

As seen from the above, the IAEA's task by way of applying nuclear safeguards in its member states is a large, crucial and complicated one. However, it is one that the Agency has been carrying out with a fair degree of success. However, if – despite the Fukushima scare – nuclear energy does witness a renaissance, it will translate into an exponential increase in the resources - both personnel and financial - that the Agency will have to employ into safeguarding these new facilities. Newer facilities and technological changes will mean new implementation of newer safeguard techniques by the IAEA.

In this context, one of the biggest stumbling blocks before the IAEA is budgetary. The increase in the Agency's membership (post Cold War) has resulted in an expansion of the safeguarding-related duties of the IAEA. This coupled with the fact that it is subject to Zero Real Growth since 1985 (like all United Nations organisations) means it has to take on the additional responsibilities with the same facilities at its disposal. Some member states see this as necessary to force the IAEA to prioritise its priorities. However, as Trevor Findlay points out, it could have an adverse impact too by possibly harming the Agency's capability to carry out critical parts of its important mandate (Findlay 2012:108, 110–112). Given the crucial tasks that the IAEA is mandated to carry out, placing unrealistic financial curbs on the international body, while at the same time burdening it with an ever expanding and complicated set of duties is unfair at best. Given the yeoman's service the IAEA has been silently carrying out to further international peace and security, the international community should give serious thought to how to enable the international body to effectively carry out its mandate.

Notes

1. Adapted from the title of Dr. C. Raja Mohan's article in the *Indian Express*, "Atomic Robin Hood, Nuclear Sheriff", Indian Express, October 10, 2005.

2. Nehru strongly attacked all attempts of setting up an international authority to regulate the development of nuclear energy, referring to such plans as "Atomic Colonialism."

3. As Lawrence Scheinman states, by the time the IAEA was established in 1957, the US had concluded nuclear cooperation agreements with more than twenty states and had included bilateral safeguards rights in all but one of those agreements, with the provision that safeguards responsibility could be transferred to an international agency once it was established. The exception was an agreement with the newly formed EURATOM, to which the US entrusted safeguards responsibility.

4. Though the nuclear-weapon-states were not obligated to submit to safeguards, they too eventually voluntarily submitted to IAEA safeguards in varying degrees. In the case of the US and the UK it was all civilian plants and only specific facilities in the case of France, China, and Russia.

5. This right was eenshrined under Article IV of the NPT.

6. This was partly because most of these states were already protected by security assurances provided by the US and were covered under the American nuclear umbrella and party because the nuclear-weapon-states too had undertaken in good faith to negotiate to work towards nuclear disarmament under Article VI of the NPT.

7. The precise language that the Agency uses in its annual Safeguards Implementation Report uses the format that "the IAEA concluded that during (year) that in the (x number of) states have safeguards agreements in force, nuclear material and other items placed under safeguards remained in peaceful nuclear activities or were otherwise adequately accounted for" and that the Agency "found no indication of diversion of nuclear material placed under safeguards, nor of misuse of facilities, equipment of non-nuclear material placed under safeguards"

8. This was the meaning of (INFCIRC/153 paragraph 73b) in providing for special inspections if the Agency considers that information made available by the state and obtained from routine inspections is not adequate for the Agency to ensure that safeguards will be applied "on all source or special fissionable material in all peaceful nuclear activities" in the state (INFCIRC.153, paragraph 2).

References

British American Security Information Council and Oxford Research Group (2005): *The Need to Strengthen IAEA Safeguards System,* British American Security Information Council and Oxford Research Group.

Eisenhower, Dwight D (1953): *Atoms for Peace Speech*, International Atomic Energy Agency.

ElBaradei, Mohamed (1997): *Interpretation by the Secretariat of the Relationship between the Protocol and the Safeguards Agreement, IAEA/GOV/2914*, International Atomic Energy Agency.

Findlay, Trevor (2012): *Unleashing the Nuclear Watchdog: Strengthening and Reform of the IAEA,* The Centre for International Governance Innovation, Ontario, Canada.

Fischer, David (1997): *History of the International Atomic Energy Agency: The First Forty Years*, International Atomic Energy Agency, Vienna.

——— (1996): "New Directions and Tools for Strengthening IAEA Safeguards", *The Nonproliferation Review 3,* Winter, pp.69-76.

Herdman, Roger C (1995): *Nuclear Safeguards and the International Atomic Energy Agency*, Office of Technology Assessment, U.S. GPO, Washington, DC.

Hooper, Richard (1995) "Strengthening IAEA Safeguards in an Era of Nuclear Cooperation", Arms *Control Today,* Vol.25, No.9, November, pp.14-18.

IAEA Department of Safeguards (2007): "IAEA Safeguards: Staying Ahead of the Game". International Atomic Energy Agency. *www.iaea.org/Publications/Booklets/Safeguards3/safeguards0707.pdf.*

International Atomic Energy Agency (1956): "Statute of the International Atomic Energy Agency", International Atomic Energy Agency, *http://www.iaea.org/About/about_statute.html.*

———— (1968): "The Agency's Safeguards System (1965, as Provisionally Extended in 1966 and 1968)", International Atomic Energy Agency. *http://www.iaea.org/Publications/Documents/Infcircs/Others/inf66r2.shtml.*

———— (1970): "The Treaty on the Non-Proliferation of Nuclear Weapons". International Atomic Energy Agency. *http://www.iaea.org/Publications/Documents/Infcircs/Others/infcirc140.pdf.*

———— (1972): "The Structure and Content of Agreements between the Agency and States Required in Connection with the NPT INFCIRC 153", International Atomic Energy Agency.

———— (1974): "The Standard Text of Safeguards Agreements in Connection with the NPT, GOV/INF/276", International Atomic Energy Agency.

———— (1997a): "IAEA 1997 Annual Report", International Atomic Energy Agency.

———— (1997b): "Model Protocol Additional to the Agreement(s) Between State(s) and the International Atomic Energy Agency for the Application of Safeguards, INFCIRC 540". International Atomic Energy Agency, *http://www.iaea.org/Publications/Documents/Infcircs/1997/infcirc540c.pdf.*

———— (2005): "Non-Proliferation of Nuclear Weapons & Nuclear Security: IAEA Safeguards Agreements and Additional Protocols", International Atomic Energy Agency, *http://www.iaea.org/Publications/Booklets/nuke.pdf.*

———— (2006): "The Standard Text of Safeguards Agreements in Connection with the NPT: Revision of the Standardized Text of the 'Small Quantities Protocol' GOV/INF/276/Mod.1/Corr.1", International Atomic Energy Agency.

———— (2009): "The Safeguards System of the International Atomic Energy Agency", International Atomic Energy Agency, http://www.iaea.org/OurWork/SV/Safeguards/documents/safeg_system.pdf.

_____ (2012a): "IAEA Annual Report 2012", International Atomic Energy Agency.

———— (2012b): "IAEA Safeguards Statement 2012", International Atomic Energy Agency.

_____ (2012c): "IAEA Conclusion of Additional Protocols", International Atomic Energy Agency.

Khlebnikov, Nikolai, David Parise, and Julian Whichello (2008): "Novel Technologies for the Detection of Undeclared Nuclear Activities", in *Falling Behind: International Scrutiny of the Peaceful Atom,* pp.71–83, Strategic Studies Institute of the US Army War College, Carlisle.

Klerk, Peter D (2001): "The Evolution of IAEA Safeguards." *presentation at the conference* organised by The Study Group on Peaceful Uses of Nuclear Energy and Non-Proliferation Policy, Tokyo, 1-5.

Lu, Ming-Shih (1998): "The IAEA Strengthened International Safeguards System", in The IAEA Strengthened International Safeguards System, Shanghai, China.

Nehru, Jawaharlal (1961): *India's Foreign Policy – Select Speeches*, *September 1946-April 1961,* Publications Division, Ministry of Information and Broadcasting, New Delhi.

Pellaud, Bruno, and Richard Hooper (1997): "IAEA Safeguards in the 1990s: Building from Experience", *IAEA Bulletin*, Vol.37, No.1, March.

Perricos, Dimitri (2001): "Understanding the Lessons of Nuclear Inspections and Monitoring in Iraq: A Ten-Year Review: Perricos", *http://isis-online.org/perricos.*

Preparatory Committee to the 2000 NPT Review Conference (2000): "2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons."

Scheinman, Lawrence (2005): *Cooperative Oversight of Dangerous Technologies: Lessons from the International Atomic Energy Agency Safeguards System*, Center for International and Security Studies at Maryland, Maryland.

——— (2005): "Shadow & Substance: Securing the Future of Atoms for Peace*", IAEA Bulletin,* Vol.45, No.2, pp.7–9.

United Nations Security Council (1993): "Provisional Verbatim Record of the 3046 Meeting". United Nations, *http://daccess-dds-ny.un.org/doc/UNDOC/PRO/N92/601/98/PDF/N9260198.pdf?OpenElement*.

Vishwanathan, Arun (2007): "Pugwash India Backgrounder I – IAEA Safeguards Regime" *Proliferation and Arms Control* Vol.4, No.2, March.

——— (2007): "Between Safeguards and Crossroads – India and the IAEA", *CBRN South Asia Brief 3*, Institute of Peace and Conflict Studies.

Zak, Chen (2002): *Iran's Nuclear Policy and the IAEA: An Evaluation of Program 93+2*, The Washington Institute for Near East Policy, Washington DC.

Conceits of Arab Spring: Democratization in the Arab World

V Bijukumar

Abstract

The democratic upsurge in the Arab world can be seen in the context of the growing realization of the West in the aftermath of the 9/11 incident that the fight against terrorism cannot succeed unless democratization takes place in the Arab world. The western perception that the spread of liberal democracy would defuse the tensions and conflicts and would uproot terrorist tendencies in authoritarian regimes of the Arab world. However, the imposition of democratization from outside would produce certain counterproductive tendencies that would not confine only to the Arab world but spill over to the entire world. Though the current waves of democratic protests give some positive signals to the spread of liberal democracy in the Arab world, its conceits would be pulling towards opposite direction. All efforts to bring down the authoritarian regimes and civil societal level mobilisation would be a fruitless exercise unless it would lead to genuine democratic consolidation.

The expression of Arab Spring refers to the revolutionary protests and democratic revolutions that took place in the Arab World and North Africa since 2010. The widespread protests in these countries saw the overthrowing of authoritarian regimes in some countries of the Arab world such as Tunisia, Egypt, Bahrain, Syria, Yemen, etc. These protests can be seen in the context of the failure of the authoritarian regimes to initiate political reforms internally. Secondly, in most of the Arab countries, individual regimes are rooted in their military and in the personality of the rulers. For a long time, Arab countries denied the freedom of speech, minority rights, freedom of belief and gender equality to its people. The first Arab Human Development Report of UNDP in 2002 highlighted that the Arab political systems "have not been opened up to all citizens" and that "political participation is less advanced in the Arab world than in other developing regions" (UNDP 2002). Moreover, the authoritarian regimes are denying free media and free opinion. At the societal level, there are serious ethnic, tribal, religious and sectoral divisions. The authoritarian regimes prevented the emergence of civil society organization and its activities in this region making a cause for the spread of democracy.

Arab Spring is the derivative of many 'revolutions' in the Islamic world similar to the Coloured Revolutions like Georgia's Rose Revolution (2003), Orange Revolution in Ukraine (2004), Purple Revolution in Iraq (2005), Lemon Revolution in Kyrgyzstan (2005), Ceder

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Revolution in Lebanon (2005) etc. All these revolutions are often described as the 'fourth wave of democratization". The current regime change is often described as the Jasmine Revolution. The Jasmine Revolution, in fact, refers to the rise of Zine El Abidine Ben Ali in Tunisia, a North African country in 1987 with the support of the U.S. and France. However, the authoritarian regimes ensured the suppression of civil society and media. As a result it witnessed the growing discontent due to unemployment, poverty, censorship, human rights violation etc. The African Centre for Strategic Studies in its special report views that "the issues motivating public anger in the Arab world – restricted civil liberties, corruption, widening disparities in wealth, lack of dignity, police impunity and sham election – echo loudly in Africa" (ACSS 2011:8).

The agents of change in the Arab spring vary. These include: modernizing agents, recidivist agents and blocking agents. The modernizing agents include nearly 90 million young Arabs under the age of thirty who are the worst victims of unemployment. In other words, these protests were contributed by growing discontent of the educated youth due to unemployment and poverty. It is reported that "youth unemployment averages 18 per cent in the Gulf, 23 per cent in the Levant (excluding Israel), 31 per cent in North Africa and 25 per cent in Egypt" (Geopolicity 2011:4). The recidivist agents include the re-emergence of tribal and sectarian rivals, ethnic, tribal and sectarian conflicts. Finally the blocking agents include the Arab cooperative structures notably the Gulf Cooperation Council.

The political economy of Arab Spring goes to the neoliberal policies adopted by the Arab authoritarian regimes since the 1980s. The authoritarian regimes which had close ties with the western powers implemented neoliberal economic reforms without bringing adequate change in the Arab world. In the age of neoliberalism, the state is giving way to the market. However, the market is not able to distribute goods to the people. The rising expectation of the youth and the incapability of the state to deliver resources generated some kind of despondency among them. As Pant observes "the Arab Uprising is the consequence of the structural crisis of the rentier state engaged with a neo-liberal regime implemented by the authoritarian rulers" (Pant 2013:33).

The first wave of current protest occurred in Tunisia, Egypt and Algeria. In the Northern African country of Tunisia, the twenty nine day long protest led to the overthrow of twenty three years rule of Zine El Abidine Ben Ali who finally fled to Saudi Arabia on 14th January 2011. The reasons for the movement involve growing unemployment and economic discontent, food inflation, corruption and lack of freedom of speech and expression. It began with the self-immolation of the 26 year old unemployed Mohamed Bouzazizi at Sidi Bouzid, a small town located in Central Tunisia on 17 December, 2010. Bouazizi, a vegetable vendor was humiliated by a police woman and died on 4 January 2011. Like many North African nations, Tunisia suffered from the 2008 global capitalist crises. In 2010, Tunisia ranked 184th out of the 196 countries assessed in Freedom House's annual 'Freedom of the Press' report. It was placed

near the bottom in the report on global internet freedom by Freedom House 2011. The consequence of the democratic protest was that Tunisia held elections for a Constituent Assembly on 23rd October, 2011.

In Egypt, the protest was against the wide spread corruption, brutality and political repression of President Mubarak who came into power in 1981 after the assassination of President Anwar Sadat. The democratic protest against dictatorship was accelerated by the rising economic inequality brought out by neo-liberalism. As Jayati Ghosh argues "the upsurge in Egypt is not simply about democracy versus dictatorship. It is also a revolt against a manifestly unjust economic order" (Ghosh 2011:30-31). While endorsing this view Pant observes that "in Egypt and Syria subsidies accounted for 1% of GDP which is going to be a fiscal problem with prices going up . . . with prices of food going up, the poorer segments experienced further margainlisation in the economy" (Pant 2013:36). The democratic protest witnessed the overthrow of Hosni Mubarak who was charged for killing protesters. President Hosni Mubarak was forced to resign on 11th February, 2011 after 18 days of massive protests, ending his thirty years of presidency. In the first democratic election after the overthrowing of Hosni Mubarak, the Muslim Brotherhood's candidate Mohamed Morsy was elected as the President of Egypt in June 2012. The Islamist candidate belonging to the Muslim Brotherhood secured 51.7 per cent of the vote, defeating Ahmed Shafiq who got 48.3 per cent vote. After the Arab Spring, Egypt witnessed massive riots and political and economic instability. In December 2012, the Islamist dominated Constituent Assembly finished the drafting of a new constitution.

In Jordan, protests began in January 2011 demanding bread and freedom and the resignation of the government. The protest first erupted in Dhiban, a town over unemployment and rising fuel as well as food prices. Later the protests spread all over the country especially to the capital city of Amman. The main demand of the protesters was the removal of Prime Minister Samir Rifa'I. Though, on 1 February, 2011, the King dismissed the Rifa's government, the protesters demanded constitutional amendments to curb the king's powers, eliminate corruption and improve living standards.

In Syria, street protests against the regime of Bashar-Al-Assad began on 16 March, 2011. Bashar-Al-Assad came to power in 1999 after the death of his father Al-Assad whose tenure witnessed suppression of democratic protest, human rights violation and rampant corruption. On 2nd October, 2011, Syrian dissidents formally established the National Council of Syria with a view to expel President Al-Assad's government.

In Libya, the anti-government protests began on 15 February 2011 which witnessed end of the more than four decade old rule of Muammar Qaddafi, the longest of any regime in the region. Libya was the first African country to become independent in 1951. In the 1969 Libyan revolution Qaddafi occupied power. In the initial years of his regime, Qaddafi

nationalized the country's oil wealth and energy resources with 44.3 billion barrels. On 20 October, 2011 Muammar Qaddafi was captured and killed by rebels in Sirte. The National Transitional Council took over Libya's administration and on 23rd October, 2011, the NTC officially declared Libya's liberation. The post Arab Spring witnessed instability in Libya leading towards the brutal killings of Christopher Steven, the U.S. Ambassador to Libya and three of his diplomatic staff in Benghazi who assisted the opposition forces in Libya in overthrowing Gaddafi.

In Yemen, President Ali Abdullah Saleh signed the GCC deal in Riyadh on 23rd November 2011 emphasizing his formal step down in February 2012. He was replaced by the previous Vice-President Hadi, was elected to preside an interim government in charge of leading the country through economic and political transition. Though, protests began in Oman in January 2011, they were brought under control. However, these made some impact on the regimes which brought mild social, economic and political reforms. In Sudan, President Omar – al- Bashir announced that he would not seek reelection in 2015.

Third Wave's Insulation in the Arab World

Though the Third 'Wave of democratization'[1] brought down regimes in Latin America, Eastern Europe and Africa, the Arab world was insulated from the waves of democracy. The third wave of democratization analyses reasons for persistence of undemocratic elements in Arabian country. It was found that the strong influence of authoritarianism prevents the values of liberal democracy in this region. Karatnycky, however, identified five factors that contributed to the weakness of democracy and freedom in large parts of the Muslim world. Firstly, lack of proper education and prosperity, secondly, "the cultural burden imposed by an interpretation of Islam that relegates women to second-class status", thirdly, "the longstanding Islamic tradition that merges rather than distinguished between the religious and the political", Fourthly, the income inequality created in many Islamic societies from oil and natural gas, emergence of the elite and impoverishment of masses; and finally, due to historical legacy. It is believed that "many of the Arab states remain rigid monarchies, with few features of broader consultation or democratization. These closed and highly unequal regimes have spawned significant political, economic and social resentment, upon which Islamist movements feed" (Karatnycky 2002:105-106).

The genesis of Islam's lukewarm attitude to liberal democracy perhaps located its attitude to Enlightenment modernity of the west. In a certain point of time, Islam was confronting with the western capitalist modernity as it denigrated the communal values enshrined by the Islamic religion (Bijukumar 2009:42-57). The antithetical attitude to liberal democracy lies in the fear that the western liberal democracy and institutions would create western values and attitudes. For instance, the wider perception is that the western idea of human rights would denigrate the belief system of the people in the Arab world. Another

reason for growing skepticism is that liberal democracy, is related to secular democracy. Along with the spread of liberal democracy secularism would spread in this region eroding the religious values. In short, many Arab countries feel that modernization means westernization.

Another reason for the third wave's insulation from the Arab world was the lack of a vibrant civil society which was suppressed by the authoritarian regimes. As Belling argues "the Middle East and North Africa lack the prerequisites of democratization. The lack of a strong civil society, a market driven economy, adequate income and literacy levels, democratic neighbours, and democratic culture explains the region's failure to democratize" (Belling 2004:141). Zakaria, however, interpreted democratic deficit in Arab countries in terms of the domestic factors. According to him, "the Arab world today is trapped between autocratic states and illiberal societies, neither of them fertile ground for liberal democracy" (Zakaria 2004:3). According to him, "the same patriarchal relations and values that prevail in the Arab family seem also to prevail at work, at school, and in religious, political and social organizations" (Zakaria 2004:7).

Internationally, the democratization in the Arab countries was prevented by the west for a long time. The west wanted to sustain authoritarian rule rather than democratic governments to serve its economic and strategic interests. The west was not much interested in democratization here because authoritarianism better served their interest in the region and in the global politics. Moreover, many efforts to democratize the Arab world were sabotaged by the west at various point of time. For instance, in 1992, the Algerian election and democratic government was sabotaged by the west.

From Anti-Imperialism to Authoritarianism

Initially many Arab rulers championed anti-imperialism, were sensitive to the poor and weak, adopted pro poor policies, and nationalized oil reserve in their countries. The Arab nationalism of the 1950s and 1960s turned to anti-imperialism in many of the Islamic countries. As a result, many countries succeeded in preventing the influence of western powers in this region. However, their anti-imperialist posture against an unequal global system gave an opportunity for reposing faith in the one party system. In course of time many regimes failed to initiate reforms within their country leading to the growth of discontent among the people. Some of the authoritarian regimes were conveniently used by the western powers to serve their strategic and economic interest. Since their interest was fully protected by autocratic regimes in the Arab world, the western powers did not initiate any kind of democratization fearing that it would replace friendly regimes with hostile political establishments through democratic elections. Arab nationalism and the emergence of progressive movements in the Arab world were often seriously watched by the west as the activities of communism. Any attempt at renaissance and modernization was considered a threat to the economic and strategic interests of the west. As a result, great malaise developed in the forms of corruption, socio-economic

inequality, control over media, suppression of civil society and democratic rights, etc. The Modernization Theory asserts that democracy is likely to emerge through economic development. The oil reserve in the Arab countries, however, did not bring much material prosperity to the people of the region. The process of economic reforms initiated in some of these countries was in fact benefited by the middle class.

Incompatibility vs. Exceptionalism

The relationship between Islam and liberal democracy is a much debated issue in democratic theory and global politics. Samuel Huntington, the chief exponent of the incompatibility thesis argued that the continued existence of authoritarianism in the Arab world is due to the reluctance of the Islamic countries to accept democratic values. He finds the incompatibility of Arab Islamic political culture with the universal values of democracy. According to him, some religions are prone to democratic values and some are not. He establishes a strong correlation between western Christianity and democracy. Christianity in general and Protestantism in particular are prone to liberal values as it is a critique of the centralized authority of Pope and believes in individual freedom and initiative. Protestantism based on individual self respect prepared a conducive atmosphere for the development of democracy. It is observed that "as an egalitarian religion profoundly opposed to hierarchy, Protestant Christianity would seem to enjoy a powerful affinity with democracy" (Woodberry and Shah 2004:47). Huntington argued that the religions such as Confucianism and Islam too are hostile to liberal democracy.

The argument often given by the west to the democratic deficit in the Arab World is the incompatibility between Islamic culture and liberal democracy. It is often argued that western liberal individualist ideals contradict the Islamic communitarian and traditional values (Huntington 1991). Huntington's thesis of 'clash of civilization' endorses the inherent incompatibility of Islam and liberal democracy. Huntington found the clash of civilization as the basic reason for the insulation of Arab world from democratization (Huntington 1993, 1996b). Liberal democracy and its values of Enlightenment such as tolerance, rationalism, human rights, etc. were often criticized as fostering individual values over community values. It is argued that Islam and democracy are inherently incompatible because Islam recognizes no division between religion and state. In Islam, the configuration of religion and politics and religion legitimizes political regimes thereby preventing democratic values. It is argued that Islamic societies lack core political values such as pluralism and individual rights (Inglehart and Norris 2003:63). The Islamic regimes often scuttle the scope for democratic upsurge, gender equality, pluralism, tolerance, etc. Islamic doctrines are internally non-liberal and find it difficult to accept liberal democracy. It is argued that communitarian values enshrined by Islam foster authoritarian regimes and prevents political liberalism. Islamic values such as *tawheed* (oneness of God), *Beda'a* (disguised innovation) go in the opposite direction of liberal democratic values. Further, the idea of *Ijma'a* that delegitmizes dissent and opposition and the

unequal status of women and non-Muslims in Islam discredit the values of liberal democracy. The fusion of religion and state in Islamic countries often legitimized the continued existence of authoritarian regimes. The incompatibility is based on Islam's belief in God's sovereignty over popular sovereignty, failure to accept diversity, lack of political pluralism, etc. Liberal democracy believes in absolute sovereignty of the people. The tension between democracy and Islam can be seen in the context of the contradiction between the absolute sovereignty of the people and the absolute authority of the God. While endorsing the incompatibility thesis, Lipset declared that Islam inherently exhibits an aversion to democracy because the mosque and the state are held in common terms (Lipset 1994:6).

The Middle East is an exceptional case and immune to democracy due to the alleged incompatibility of it political culture with the modern norms of democracy (Huntington 1991, 1993; Mirsky 1993; Lewis 1993; Paris 1993; Midlarsky 1998, Fukuyama 1993). Fukuyama argues that the universal recognition of liberal democracy is based on the notion that it "can rationally satisfy the human desire for recognition, through the granting of elementary rights of citizenship on a universal and equal basis" (Fukuyama 1993:6). Asef Bayat identified three factors that contributed to the "exceptionalist" conception. The first is the "continuing prevalence of Orientalist/essentialising thought in the West, particularly in the U.S., which seems to converge well with the interventionalist foreign policy objectives in the Middle East. The second element is the persistent authoritarian rule by the local regimes (e.g. the Shah's Iran, Saddam's Iraq, Saudi Arabia, Jordan, and Egypt), which have invariably been supported by many Western States, especially the USA. And the third factor has to do with the fact that within the Muslim region, there has been an emergence and expansion of Islamist movements that have often displayed socially-conservative and undemocratic dispositions" (Bayat 2007:7).

Islamic scholars and intellectuals time and again questioned the western theses of 'incompatibility' and 'exceptionalism' arguing that Islamic tenants are compatible with the ethos of liberal democracy and found no contradictions between these two (Zakaria 2004; Hasan 2007; Hudson 1991; Esposito 1994; Norton 1993; Richards 1993; Ibrahim 1993, Mernissi 1996). According to them, Islam possess certain democratic friendly values such as *shura* (Consultation), *ijtihad* (independent reasoning), *ijma* (consensus), racial equality, respect for social justice, concern for the needs of the poor and weak etc.. Further, the idea of *bay'a* (allegiance to a leader) is conducive to developing democratic obligation to the leader in a liberal democracy. The enlightenment rationalism and universalism is not contradicting the values of Islam; on the contrary they endorse democratic values. Islam, in most cases, is compatible with modernity and democracy. Islam can bring pluralism and Islamic values are comparable with plurality. The state-religion configuration is not a reason for the continued democratic deficit in this region. Secularism, in this context, can be seen as a sufficient condition for democracy, but not a necessary factor for democratic transition and consolidation. Zakaria views that Islam and democracy are not contradictory ideas, on the contrary he finds compatibility between these two (Zakaria 2004:7). The incompatibility thesis emerges out of

the western approach of equating Islam with irrationality. Mernissi, for instance, contends that "the incompatibility between Islam and the west has been promoted, since the fall of the communist camp, as the principal field of conflict and lurking danger in the next century" (Mernissi 1996:39).

The empirical studies in Zoya Hasan's edited volumes reaffirm the compatibility thesis. Taking democracy in the Muslim societies of Asia, the study focused on the liberal democratic experiments in Bangladesh, Indonesia, Malaysia, Pakistan, Turkey, etc. At the outset, these studies reject the western argument that Islam as a religion is not conducive to liberal democratic values. Hasan while critical of the incompatibility and exceptionalism thesis, argues that eighty five per cent of the world's Muslims are non-Arabs and over 70 per cent live in Asian states where liberal democracy is adopted. In the introduction, she writes that "the Asian experience suggests that democracy can indeed work in different settings. The success of India's democracy with a large Muslim population who are among its most enthusiastic participants show that it can work, provided there is an emphasis on pluralism and equality" (Hasan 2007:11). Moreover, she reiterates that "the main reason for the insistence that Islam and democracy are incompatible is, therefore, political and the fear that an Islamised political opposition would dominate the popular vote. In other words, the American urge for democracy in Muslim world is constrained by the equally strong urge to decide the outcome of vote before hand" (Hasan 2007:12).

In Bangladesh, democratization started in 1991 when President Hossain Muhammad Ershad lost power when he lost the support of the military. Democratic transition was followed by the emergence of party politics represented by two potential political parties such as the Awami League and the Bangladesh National Party. Indonesia is the largest Muslim country in the world where democratic transition took place in 1999. The democratic protests culminated with the victory of Megawati Sukarnoputri's Indonesian Democratic Party- Struggle.

9/11 and 'Fourth Wave of Democratization'

The 9/11 incident found place in the western literature as the "Fourth Wave of Democratization". Since the 9/11 incident there is a growing realization in the USA that the fight against terrorism would not succeed if democratic deficit continued to haunt the Arab world. The great realization was that the democratization process would help the interest of the U.S. in this region rather than the domestic development of individual countries. The U.S realised that that democratization is essential for its national security. Achieving stability, moving towards modernity, creating political pluralism and promoting free economic policies and free market the ways to bring these states under the control of the west. The authoritarian regimes, on the other hand, breed terrorism than democratic regimes allegiance to the west. In this context, the Bush Administration advocated democratization in the Arab world and the issue occupied centre stage in the U.S. agenda. Condoleezza Rice, US national security adviser,

asserted that "democratization or the march of freedom in the Muslim world is in the interest of the U.S. … Bahrain, Qatar and - to a certain extent – Jordan [have] several reformist elements. We want to be supportive of them" (Financial Times 2002). The United States Institute of Peace in its special Report on Islam and Democracy found that the lack of democracy in Muslim countries "has more to do with historical, political, cultural, and economic factors than with religious ones" (USIP 2002:1). The Report further emphasizes that "those countries that have weak civil society structures and authoritarian regimes are fertile ground for terrorists. If western countries want to suppress terror then they must foster civil society and support movements that bolster democratic trends within these repressive political systems" (USIP 2002:1). The Report foresees greater role for the U.S. in the democratization of the Arab world. It says: "the United States should: (a) increase substantially the amount of U.S. foreign assistance that is spent on promoting democracy in the Muslim world; (b) provide governments and key interest groups in Muslim societies with incentives to engage in democratic reforms: (c) take seriously the existing framework of multilateral agreements and treaties that bear on democratization, such as those in the field of human rights; and (d) promote regional accountability mechanisms" (USIP 2002:2).

The West sees civil society as the precondition for democratic transition in the Arab world. The western powers are engaging in funding of Civil Society Organizations in this region. In 2005, the UN created the United Nations Democracy Fund (UNDEF) to promote democracy, funding projects and strengthening democratic institutions and promoting human rights. In June 2011, the G8 meeting proclaimed to assist the Arab countries in their transition to free and democratic societies. Further, the multilateral banks and financial institutions offered their financial assistance to democratization in the Arab world. Since 9/11, the Bush doctrine occupied the centre stage in the American foreign policy. The Bush Administration viewed that the Islamic world hates the West in general and the U.S. in particular due to the latter's unflinching commitment to liberal democratic values. In this context, the U.S. interpreted that the attack on WTC was considered as an attack on the values of liberal democracy.

Civil Society and Democratization

Unlike the first and second waves, the major agent of democratization in the third wave was civil society. Civil society facilitated democratization in Latin America, Central and East Europe, East Asia and Sub-Saharan Africa. Civil society restrained the coercion of state power, facilitated the emergence of democratic forces fostering political pluralism and civic resistance to authoritarian regimes. The CSOs such as human rights activists, student groups, and professional association played a vital role in catalyzing democracy. In Latin American and countries such as the Philippines and South Korea, various organizations well mobilized against authoritarian regimes. In East Europe, the pressure for democratization came from various students, professionals, and church groups. In this context, it is pertinent to understand what

civil society is and what its attributes are. Civil society is often described as the catalyst for democratic transition and consolidation. Civil society consists of various forms of associations based on quality of 'civility'. Civility as an attribute of civil society implies "tolerance, the willingness of individuals to accept disparate political views and social attitudes; sometimes to accept the profoundly important ideas that there is no right answer" (Shils 1991:3). The attributes of civil society such as tolerance, accommodation, importance to dissent are prone to the values of liberal democracy. However, all associations and associational life are not based on civility. When the society is torn by various cleavages and conflicts, there is no scope for civility. Kean asserted that "democratization is neither the outright enemy nor the unconditional friend of state power. It requires the state to govern civil society neither too much nor too little, (because) while a more democratic order cannot be built through state power, it cannot be built without state power" (Keane 1988:23). Civil society does not exist in isolation but with the presence of the state and vibrant civil society and active state are the preconditions for democracy. It is argued that "civility may be learned in the school of civil society, but the lesson soon may be forgotten without an enforcing authority" (Norton 1993:215). Civil society is, thus, functioning side by side with political society, a set of legal order.

As stated earlier, one of the reasons for the continued democratic deficit in the Arab world was the lack of a strong and vibrant civil society. The reasons for the weak civil society vary and are multidimensional in nature. It is observed that the Arab state is a "cumulative variable composed of numerous subsidiary variables: bureaucratic administration, military force, financial resources, territorial integrity, ideological legitimacy, and perhaps others" (Anderson, 1987:14). However, in the recent past, there is a quantum jump in number of CSOs in Sudan, Bahrain, Yemen, Saudi Arabia and Kuwait.

For quite some time, UNDP, World Bank, and European Commission aided the CSOs in allocating funds to overthrow the regime. It is argued that "the U.S. Foundations like the Ford Foundation and National Endowments for Democracy run numerous grant competitions for Arab CSOs, rewarding them with liquid funds, training workshops, and exchange programs" (Yom 2005:17). Further it was revealed that "between 1991 and 2001, the U.S. Agency for International Development (USAID) allocated $ 150 million to projects classified as "Civil Society Strengthening" representing a lion's share of a $ 250 million MENA democracy promotion budget during the same time span. Since 2002, the State Department's Middle East Partnership Initiative has targeted Arab civil society through millions of dollars of direct financial assistance, as well as sponsorship of high level conference between leading CSOs and their state counterparts. Finally, the American reconstruction in Iraq is the most revealing indicator, through 2004, that USAID and its private partners had pledged over $ 730 million to rebirthing Iraqi associational life" (Yom 2005:17).

In the recent past, the western powers, international organizations and non-governmental organizations funded hundreds of projects to democratize the Arab world. It is

argued that "democracy promotion projects – broadly, those designed to enhance legislative, judicial, and civic responsibility – differed from most traditional service – delivery aid programs in their high grant component, the channeling of funds around the executive branch of government, and the output of ideas and information" (Carapico 2002:379). The Ford Foundation is funding and promoting universal democratic values. The U.S. is engaging in a number of initiatives to bring democratization in the Arab world such as the Middle East Free Trade Area, Initiative for the Greater Middle East and North Africa, Democracy Assistance Program for the Middle East, the Middle East Partnership Initiative, U.S. State Department's Office for Democracy, Human Rights and Labor, United States Agency for International Development (USAID), National Democratic Institute for International Affairs, etc. Behr and Siitonen see reasons for the current spurt of civil society in the Arab world. According to them, "first, the increasing inability of many Arab states to provide basic services for their growing populations had led to a proliferation of service NGOs and Islamic charities over the past two decades. These associations have come to provide a large array of services, from health care to education . . . second, civil society assistance has become a linchpin of international donor assistance and, since 9/11, has also translated into some pressure on incumbent governments to open up the space for civil society activism. Finally, rapid demographic growth and educational advancements produced a generation of educated youth professionals" (Behr and Siitonen 2013:12).

Role of Social Media

The social media played an important role in the democratic transitions in the Arab World. Mobilization through social networking such as Facebook, Twitter, You Tube, Blog, Text messages etc. gave a new direction to the democratic protest. There are a sizeable number of internet users in the Arab world. Arabic became the fastest growing language on Facebook. It was estimated that there are 17 million Facebook users in the Arab world which is larger than the number of newspaper subscribers. Networking, access to mobile phone, mobile telephony and the expansion of social media networking created a new space in the Arab world. The rapid growth of radio, mobile telephone, and the Internet speeded up the process of information. In the recent past, there is an intrusion of satellite television in the Arab society. As a result, the exposure to international culture and political trends among the youth generated a new lease of life. The middle class youth trained in American institutions such as Freedom House, the National Endowment for Democracy and the International Centre for Non-violent Conflict imbibed the values of American liberalism and got an exposure to the American style of democracy, human rights, etc. These added further impetus to the democratic protests in the Arab world.

The growing resentment of the people was expressed through social networking. Virtual communication enabled people to organize against authoritarian regimes and create a new solidarity. It often exposed the luxurious life style of the rulers. The protestors could

decide the course of action of the movement through social media. Bouazizi's self immolation captured space in Facebook, Twitter and YouTube (Howard 2011). The content of social media and communication networking generated a new subjective consciousness among the people in general and youth in particular and created conducive atmosphere for the movement.

Conceits of Arab Spring

Though Arab Spring brought regime changes and accelerated the process of democratization, one has to be aware of its emerging conceits. The developed countries such as the U. K., the USA and France, have some ulterior motives behind these protests. The democratic protests gave an opportunity for the developed countries in interfering in the domestic politics and economics of many of the Arab countries. The U.S. is showing much interest in the protests with financial assistance. The Obama Administration proposed $ 800 million aid for Arab Spring. Out of this $ 770 million was to establish a new "Middle East and North Africa Incentive Fund" which intended to provide incentive for long-term economic, political and trade reform to countries in transition and to countries that initiate economic reforms. Moreover, the U.S. is directly financing civil society groups, infiltrating the protest movements and manipulating national elections. The NATO's role in the course of the protests is visible in the form of destabilization of sovereign states through 'regime change'. In 2003, the U.S. attacked Iraq alleging that Iraq possessed weapons of mass destruction. By toppling the Saddam Regime, the western powers started the process of democratization.

The Arab Spring can be seen as a bourgeois revolution replacing one elite with other. The simmering discontent of the youth initially relates to unemployment and demand for bread. Later, it assumed a different turn. As Aijaz Ahmad rightly put it, "the shrinking feature of these developments in Tunisia and elsewhere is that while those suicides and early mass rallies had taken place on directly economic issues, that focus got diluted and was replaced with a different focus on dictatorship, regime corruption and suppression of human rights as soon as capital cities erupted into uprising and the leadership shifted from the immiserated strata to the metro-politan middle classes" (Ahamad 2011:20).

Ideally, democratization is internally driven and not an externally imposed one. The experiment of Arab Spring was often motivated by external forces than domestic requirements. Further, regime change would not bring democratic consolidation and substantial democracy in this region. The street protests and subsequent regime change cannot be translated into democratic change. This involves development of wider political culture, political institution and the deepening of democracy to the grass root level cutting across all socio-economic cleavages. It is argued that "poorly performing democracies need better, stronger, and more democratic institutions – political parties, parliaments, and local governments – linking citizens to one another and to the political process" (Diamond 2008:45).

The current spurt of democratic protest in the Arab would serve the economic and strategic needs of the west rather than leading towards democratic consolidation. In addition to push for neoliberal agenda in the Arab world through IMF and World Bank, the west is interested in controlling the oil reserve of the Arab world. Further the crisis in the Arabian countries leads to crisis in the oil sector and the falling of domestic production. Another conceit is that when the pro-democracy protests started gaining momentum, the authoritarian regimes in the Arab world started purchasing more arms from the U.S. involving multi-billion-dollar deals. Many experiments in the aftermath of the Arab Spring show that it would not lead to the consolidation of liberal democracy but reemergence of Islamic forces through democratic elections. Further, it is a common fact that the U.S. initiative for bringing democracy in the Arab world would produce some counterproductive trends. Islamic forces and anti-U.S. forces can come to political power through democratic election and it would go against the American interest.

In the post transition phase, the tensions between democracy and individual liberty lead to 'illiberal democracy'. In this context, it is argued that religion can play a decisive role in defining and imposing 'illiberalism' (Zakaria 1997, 2003). Zakaria is skeptical of the prospects of democratic change in Arab counties when he says that the regime change of one with the other will not produce genuine democratic process. In his opinion, "The Arab rulers of the Middle East are autocratic, corrupt, and heavy-handed. But they are still more liberal, tolerant, and pluralistic than those who would likely replace them. Elections in many Arab countries would produce politicians who espouse views that are closer to those of Osama bin Laden than those of Jordan's liberal monarch, King Abdullah" (Zakaria 2004:2). In Libya, for instance, the overthrow of the Gaddami regime lead towards civil war and gave an opportunity to extremists elements to penetrate. While Bahrain is witnessing the deepening of the divide between the country's Sunni minority and the Shiite majority, there is a sizeable penetration of Al-Qaeda elements in Yemen. The mushrooming of CSOs in this region is often a liability for democratic consolidation. Though many of the externally financed CSOs succeeded in bringing down authoritarian regimes, lack of democracy within the internal structure of most of CSOs is a great concern in the process of democratic consolidation.

The great realization of the west in the aftermath of the 9/11 that democracy can counteract terrorism in the Arab world is often interpreted in narrow terms. It is obvious that regime changes in the Arab world did not proceed by development of institutional structures. For deepening democracy, certain follow-up action such as constitutional democracy, guaranteeing democratic rights to people, strengthening civil society and associational life are needed. The present regime changes in the Arab world are not leading towards this direction. In a different way, Zakaria is cautioning about the possible fall out of regime changes in the Arab world. In his view, "although it is easy to impose elections on a country, it is more difficult to push constitutional liberalism on a society. The process of genuine liberalization and democratization, in which an election is only one step, is gradual and long term" (Zakaria

2004:18). Moreover, from the experiment of democratization in East Europe one can develop a systematic doubt about sustainability of democratic transition and subsequent consolidation in the Arab world. Diamond argued that post-communist East European states involved in the third wave of democratization as "pseudo democracies". According to him, though these states transformed their regimes from anti-democratic nations; they have established defective democracies that are not yet fully embedded (Diamond 1996). Though civil society was able to topple authoritarian regimes and contribute to democratic transitions in Arab, the post Arab Spring witnessed the weakening of civil society in the subsequent democratization. It is argued that "in the aftermath of the Arab Spring, the emergence of radical religious movements, growing societal divisions along tribal, ethnic and sectarian lines, and outbursts of mass violence, have highlighted the potential of (un)civil society to derail the fragile transition processes" (Behr and Siitonen 2013:4).

Conclusion

To conclude, democratic transition would not lead democratic consolidation in the absence of certain conducive factors. All efforts to bring down the authoritarian regimes and civil societal level mobilization would be a fruitless exercise unless it would lead to consolidation. Fukuyama identified four level on which democratic consolidation occurs – ideological level, institutional level, civil societal level, and cultural level (Fukuyama 1996:320). However, the emerging scenario in the Arab world is not conducive to democratic consolidation. The aspiration for democratization of the discontented youth may not be fulfilled only through regimes change but the policies and programmes of the democratic government after democratic transition. In the current situation, the emerging possibility is that Arab spring would lead to more external interference on domestic affairs, reemergence of Islamic groups through democratic means and the intensification of group rivalries based on ethnicity, religion, etc.

End Notes

1. Samuel Huntington described the spread of liberal democracy across the world as the 'waves of democratization'. According to him there are three waves of democratization– the First Wave (1828-1926), the Second Wave (1943-1964), and the Third Wave (since 1974). The first wave is the longest wave where several countries in Europe switched over to liberal democracy. During this phase, the social and economic modernization and the emergence of democratically committed middle class contributed to the spread of liberal democracy. The second wave is the short wave that began in the post Second World War. The significant factor that contributed to the third wave of democratization was the emergence of the U.S. as the hegemonic power in the global politics replacing Britain as the centre of capitalism. The U.S. effort to counter its rival communist bloc led by the Soviet Union and the former's foreign policy initiative to fulfill its economic and strategic interest in the world gave further boost to the democratization process. However, both the first and second waves witnessed reverse trends as many democracies reverted to authoritarian regimes. In the first wave, reversal trend witnessed during 1922-1942 as many dictatorial regimes restated in Europe. In the second wave reverse trends witnessed in the form of military coups in Turkey, Greece, Latin America, etc. The third wave began in Southern Europe in 1974 with the collapse of Portugal's fifteen year old dictatorship and it came to an end with the fall of the Berlin Wall in 1989 and the collapse of

Communism in Soviet Union and other East European countries. The third wave witnessed the spread of democracy in Greece, Spain, Argentina, Uruguay, Peru, Bolivia, Brazil, Poland, Czechoslovakia, Hungary, Rumania, and East Germany. It also brought democratic changes in Asian countries such as Thailand, Philippines, Korea, Taiwan, Mongolia, and Nepal. The third wave is often described by Huntington as "Catholic Wave" as number of catholic countries in Latin American Portugal, Spain, Greece, etc. adopted liberal democracy. It is to be noted that in early two waves of democratization, the Catholic Church was overtly favouring the continuation of authoritarian regimes as they acted as the major stumbling bloc to democratization and spread of liberal democratic values. However, during the third wave, democracy was adopted by Brazil in South America, Poland in Eastern Europe, Philippines and South Korea in East Asia and South Africa. see Huntington (1991); Huntington (1996a).

References

African Centre for Strategic Studies (2011): *ACSS Special Report No. 1: Africa and the Arab Spring: A New Era of Democratic Expectations,* November, ACSS, Washington, D. C.

Ahamad, Aijaz (2011): "Autumn of the Patriarchs", *Frontline*, February 25, pp.14-24.

Anderson, Lisa (1987): "The State in the Middle East and North Africa", Comparative Politics, Vol.20, No. 1, October, pp.1-18.

Bayat, Asef (2007): *Islam and Democracy: What is the Real Question?*, Amsterdam University Press, Amsterdam.

Behr, Timo and Aaretti Siitonen (2013), *Building Bridges or Digging Trenches?: Civil Society Engagement After the Arab Spring*, FIIA Working Paper, January, The Finnish Institute of International Affairs, Helsinki. Accessed from www.fiia.fi.   on 1 May, 2013.

Belling, Eva (2004): "The Robustness of Authoritarianism in the Middle East: Exceptionalism in Comparative Perspective", *Comparative Politics*, Vol. 36, No.2, January, pp.139-157.

Bijukumar, V. (2009): "Modernity, Liberal Democracy and Political Islam: A Critical Perspective", *International Journal of South Asian Studies*, Vol. 2, No. 1, January-June, pp.42-57.

Carapico, Sheila (2002): "Foreign Aid for Promoting Democracy in the Arab World", *Middle East Journal*, Vol. 56, No.3, Summer, pp.379-395.

Diamond, Larry (1996): "Towards Democratic Consolidation", in Larry Diamond and Marc F. Plattner (eds.), *The Global Resurgence of Democracy*, The Johns Hopkins University Press, Baltimore and London, pp.227-240.

Diamond, Larry (2008): "The Democratic Rollback: The Resurgence of the Predatory State", *Foreign Affairs*, Vol. 87, No.2, March-April, pp.36-48.

Esposito, John (1994): *Islam and Politics*, Syracuse, Syracuse University Press, New York.

Financial Times, 23rd September 2002.

Fukuyama, Francis (1992): *The End of History and the Lastman*, Free Press, New York.

Fukuyama, Francis (1993): "Capitalism and Democracy: The Missing Link", *Dialogue*, Vol. 100, No.2, pp.2-23.

Fukuyama, Francis (1996): "The Primacy of Culture", in Larry Diamond and Marc F. Plattner (eds.), *The Global Resurgence of Democracy*, The Johns Hopkins University Press, Baltimore and London, pp.320-327.

Geopolicity (2011): *Rethinking the Arab Spring of Roadmap for G20/UN Support?: Supporting Political. Security and Socio-economic Transition Across the Arab Realm*, October, Geopolicity Inc, Dubai.

Ghosh, Jayati (2011): "Economic Roots", *Frontline,* 2 February, pp.30-31.

Hasan, Zoya (2007): "Introduction", in Zoya Hasan (ed.), *Democracy in Muslim Societies: The Asian Experience*, Sage Publications, New Delhi, pp.11-45.

Howard, Philip N. et. al. (2011), *Opening Closed Regimes: What was the Role of Social Media During the Arab Spring?*, Working Paper 2011.1, Project on Information Technology & Political Islam. Accessed in www.PITPI.org.

Hudson, Michael C. (1991): "After the Gulf War: Prospects for Democratization in the Arab World", *Middle East Journal*, Vol. 115, No.3, pp.407-440.

Huntington, Samuel (1991): *The Third Wave: Democratization in the Late Twentieth Century*, University of Oklahoma Press, Norman.

Huntington, Samuel (1993): "The Clash of Civilizations?", *Foreign Affairs*, 72 Summer, pp.22-49.

Huntington, Samuel (1996 a): "Democracy's Third Wave", in Larry Diamond and Marc F. Plattner (eds.), *The Global Resurgence of Democracy*, The Johns Hopkins University Press, Baltimore and London, pp.3-23.

Huntington, Samuel (1996 b): *The Clash of Civilizations and the Remaking of World Order*, Penguin Books, London.

Ibrahim, Sad Eddin (1993): "Crises, Elites, and Democratization in the Arab World", *Middle East Journal*, Vol. 47, No.2, pp.292-305.

Inglehart, Ronald and Pippa Norris (2003): "The True Clash of Civilizations", *Foreign Policy*, No. 135, March-April, pp.63-70.

Karatnycky, Adrain (2002): "Muslim Countries and the Democracy Gap", *Journal of Democracy*, Vol. 13, No. 1, January, pp.99-112.

Keane, John (1988): *Democracy and Civil Society*, Verso, London.

Lewis, Bernard (1993), "Islam and Liberal Democracy", *The Atlantic Monthly*, Vol. 271, No.1, pp.89-94.

Lipset, Seymour (1994): "The Social Requisites of Democracy Revisited: 1993 Presidential Address", *American Sociological Review*, Vol. 59, No. 1, February, pp.1-22.

Mernissi, Fatema (1996): "Palace Fundamentalism and Liberal Democracy: Oil, Arms and Irrationality", in Cynthia Hewitt de Alcantara (ed.), *Social Futures, Global Visions*, Blackwell Publishers, Oxford, pp.39-53.

Midlarsky, Manus (1998): "Democracy and Islam: Implications for Civilizational Conflict and the Democratic Peace", *International Studies Quarterly*, Vol. 42, No.3, September, pp.485-511.

Mirsky, Yehuda (1993): "Democratic Politics, Democratic Culture", *Orbis*, Fall, pp.567-580.

Norton, Augustus Richard (1993): "The Future of Civil Society in the Middle East", *Middle East Journal*, Vol. 47, No. 2, Spring, pp.205-216.

Norton, Richard (1993): "The Future of Civil Society in the Middle East", *Middle East Journal*, Vol. 47, No.2, pp.205-216.

Pant, Girijesh (2013), "Political Economy of the Arab Uprising: State, Market and the Street", *Economic and Political Weekly*, Vol. XLVIII, No.16, April 20, pp.33-40.

Paris, Jonathan (1993): "When to Worry in the Middle East", *Orbis*, No. 37, pp.553-565.

Richards, Alan (1993): "Economic Imperatives and Political Systems", *Middle East Journal*, Vol. 47, No. 2, pp.217-227.

Shils, Edward (1991): "The Virtue of Civil Society", *Government and Opposition*, Vol. 26, Winter, No. 1, Winter, pp.3-20.

UNDP (2002): *Arab Human Development Report*, New York: United Nations Development Program, Chapter 7.

United States Institute of Peace (2002): *Special Report on Islam and Democracy*, September, USIP, Washington.

Woodberry, Robert D. and Timothy S. Shah (2004): "Christianity and Democracy: The Pioneering Protestants", *Journal of Democracy,* Vol. 15, No.2, April, pp.57-61.

Yom, Sean L. (2005): "Civil Society and Democratization in the Arab World", *Middle East Review of International Affairs*, Vol.9, No.4, December, pp.14-33.

Zakaria, Fareed (1997): "The Rise of Illiberal Democracy", *Foreign Affairs*, Vol.76, No.6, November – December, pp.22-43.

Zakaria, Fareed (2003): *The Future of Freedom: Illiberal Democracy at Home and Abroad*, W. W. Norton, New York.

Zakaria, Fareed (2004): "Islam, Democracy, and Constitutional Liberalism", *Political Science Quarterly*, Vol.119, No.1, Spring, pp.1-20.

The "Asian Values" Debate and Human Rights: Amartya Sen's Justification of Indian Particularity as the Universal Social Value in Relativity

Santosh C Saha

Abstract

This study argues that the vexing methodological problem in analyzing cultural relativity, connected to the practice and discourse about human rights, may conveniently be presented as indexicality, which enables us to use knowledge as evidence, arguing that once the standard for epistemic accessibility of evidence is reasonably set, knowledge meets the set standard. It allows the analysts to be free from anthropocentrism, which has little self-consciousness about the issue of territorial space. In his examination of methodological deficiencies in the cultural relativity theory, Amartya Sen considers both the level of actual and philosophical concepts, capturing the local meaning of cultural variations. His discourse about relativity in human rights is about a structure of constitutive rules in which people are not fully conscious of these dormant but influential rules, although they are in reality governed by the social and conceptual rules and beliefs that arise from the broad areas of philosophical traditions in normative social values. An economist turned philosopher by necessity, Sen considers typological knowledge a scale of forms that mirrors what already exists there, but is discovered now. The process of knowing in the scale actively participates in producing and transforming the worldview that the process constructs conceptually. Because epistemological cultural relativism argues that differences cannot ideally be resolved, I would argue that epistemological discourse could effectively maintain that some beliefs, including Indian Nyaya ethics, are better or worse in terms of justifiability. A prime argument of my essay is that the Western perspective contention that feeling and intuition are actually forms of reason can also be observed in Indian Nyaya (2nd B.C. to 14th centuries) philosophy as well. The Nyaya argues that evidence-based critical inquiry forms the basis of practical reason, which, Sen insists may lead to actualization of "comprehensive realized justice".

The "Problem"

Amartya Sen's philosophical logic seeks the meaning of impartiality in the light of the controversy over the cultural relativity theory.[1] Critics argue that he disproportionately defers to Indian philosophical traditions and *Nyaya*-guided methodological interpretations, interpreted as *pramnas,* being the reliable tools in finding appropriate means to gaining knowledge.

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The process is reinforced by direct *pratyakshya* that is non-verbal sensory understanding.[2] Critics, belonging to several disciplines, advance several points in their comments about Sen's use of ancient texts to justify Indian variety of social justice. First, it is alleged, Sen makes little distinction between *Nyaya* and *Niti*.[3] At this stage, it is possible to argue that Sen uses *Nyaya* mostly in terms of its logic, although he often conforms to the justice aspect of *Nyaya*, as he thinks of transcendence (above and beyond our world) of thought and belief in terms of a model paradigm, and not in familiar terms of legitimate social arrangements. He claims that the identification of the best model does not in itself informs us much about the full implication, such as how best two separated identities can be figured out. An appropriate way to go through many comparables, Sen's "orderings," is to search for transcendental justice, focusing on identifying just societal arrangements. He adds that a systematic theory of normative assessment need not take a "totalistic" form.[4] His preferred method relies on the *Nyaya*'s rhetorical debate for "the pursuit of world justice," which requires "institutional development."[5] V.K. Bharadwaja argues that by using "if" and "then," *Nyaya* constructs a dialogical discourse in which debaters can propose contradictory arguments in the form of syllogism. *Nyaya sutras* (rules) also express the need for rhetorical reasoning from accepted tenets like "if" and "then" formulations.[6] The philosopher Raghunatha also argues that the philosophers need to think about practical reasoning with the evidence-based inquiry, which is premised on the existence of a determinate and objective representational theory of knowledge.[7] Sen's assumption in incompleteness arises from unbridgeable gaps in information and judgmental differences, involving conflicting considerations that cannot be eliminated. Moreover, Indian society has never been a totalistic identity, because, the Indian worldview, as J.C. Heesterman, a professor of Indology, argues, is not only divided in Dumontian stable organic caste-based hierarchical social order, but also an inferior realm of the politico-economic social order.[8]

First, Ganeri, of Oxford, an Indianist having sound knowledge of Sanskrit, argues that the term "*Nyaya*" has several meanings; it denotes a school of philosophy committed to the evidence-based methods in inquiry, including observation, inference, and testimony in so far as they are grounded in verifiable trustworthiness. The word also signifies a particular five-step pattern of demonstrative reasoning. In a different way, Sen refers to "a set of heuristic principle" to guide practical reasoning.[9] It is in this third sense, Amartya Sen, in his *The Idea of Justice (2009),* uses *Nyaya*. The central notion throughout classical Indian epistemology[10] is the "knowledge source," *Pramana*, which is a process of veridical (true)-cognition generation. The Vedic Schools - *Mimansa*, *Vedanta*, and *Nyaya,* etc. - do distinguish knowledge as result and knowledge-producing process, but also view the concepts as linked to in that, no genuine knowledge source ever produces a false belief. Only pseudo-sources do. Being simply reliable does not explain source of knowledge. The concept of a knowledge source has truth logic, like knowledge in English.[11] This realization is absent from the criticisms of critics.

Second, Sen's critics argue that he makes only "sound bites" about the moral message derived from, among others, Kautilya's *Arthasastra* (Science of Wealth, 4th century B.C.), believed to have been the basis of Emperor Asoka's ethical foundation of an empire that was built on endless conquests of lands and people, including the "forest people." Sen is aware of the fact that like Machiavelli's (1469-1527) amoral *The Prince, Arthasastra* is crude political pragmatism, which is an instrumentalist tool (C. Pierce, 1998) even in science. He recalls that Plato and St. Augustine "also gave priority to social discipline." He writes, "classifications based on the substance of ideas are … radically different from those based on culture or religion."[12] Last, some argue that Sen's philosophical observation is "dejune," as his view of the sacred work, *Gita,* is unacceptable because he does not realize that the book is not "didactic."[13] In sum, Sen, it is alleged, makes use of *Nyaya* that cannot be applied to a land where political corruption, as in the leftist state of West Bengal, Sen's home state, is the order of day. By extension, critics would argue[14] that any defense of "Asian values" has little substantial merit.[15] Partly concurring with Ganeri,[16] it is possible to argue that Sen's debate is about methodology in the relativity theory, not a sweeping defense of Eastern morals and justice, relating to human rights. Ganeri argues that as a way out from the dilemma in relativity, analysts would do better by invoking the wider social meanings that indexical relations create as part of the discursive construction of culture, because they emerge within both local cultural practices and the broader context of discursive examination.[17] The idea is that invoking a particular linguistic symbol very often brings with it a perspective on the surrounding context, for example, calling the same piece of real estate the coast, the shore, or the beach, depending on the contextual frame within which the speech occurs.[18] This is the perspective nature of language symbols.[19] Thus, Sen explores the viability of indexicality as a concept, an expectation, and above all, a crucial cultural aspect that has semiotic (a study of signs) force. People see things, he insists, in terms of what they already know, but their knowledge grows by exposure to the current world when they perceive many signs that form propositions about the elements of their existing knowledge.

Nyaya usually tends toward the realist metaphysics, and anticipates many later European concerns with induction (probable reasoning, beyond what is formally contained) and nature of knowledge via testimony. Around 1200 A.D., the school of *Navya-Naya* (New Reason) was formed through the work of the logician Gangesa, and the school changed direction from epistemological to concerns that are more formal. It is possible to use the *Nyaya* concepts within a wholly individual framework.[20] With some caution, a typological approach is still valid.[21]

Problems in Relativity and Knowledge

Mostly framed around a relativist versus Universalist formulation, Sen observes that the "Asian values" debate oversimplifies the issues regarding the economic success in South East Asia and ignores the awareness of subtle shades of meaning of human rights in South East

Asia and South Asia. He insists that the specific cultural rules enhance multiple defensible principles and practices that have a legitimate universal appeal to the practices of human rights. In his evaluative assessment of justice, as reflected in his two essays, "Cultural Relativity and Asian Values" and "Elements of a Theory of Human Rights," as well as *The Idea of Justice* (2009), Sen observes two interconnected issues, influencing the human rights development in many cultures. Critics in India and abroad argue that Sen intrudes into an area in which he is philosophically ill equipped. First, in his analysis of "cultural relativity," do we observe an improved methodology that may enhance our existing knowledge about relativity? It can safely be affirmed that he rejects the presence of absolute framework of reference, because there is hardly any accepted frame of references in cultural relativity. Second, does he legitimately defend Indian variety of justice as given in the *Nyaya* philosophy and logic, which may become a relevant social platform in human rights, arising from both the state and social enterprises? What Sen suggests is that *Nyaya/Niti* epistemology focuses on common problems in ethics and spiritual beliefs and as such offers a common solution via reasoning.

The relativity theory is challenged on two counts. First, *Nyaya* rules favor objectivity in knowledge creation. Bimal Krishna Matilal (*The Navya-Nyaya Doctrine of Negation*, Harvard 1951) and Daniel Ingalls (*Materials for the Study of Navya Naya Logic*, Harvard 1951) make an improvement on philosopher Gangesa'a "objectivism" thesis that argues that an inference (complex deductive argument) in truth is not merely a matter of content, but of the existence of a fallacy in the reasoning.[22] Thus, the *Nyaya-Vaisheshika* School concentrates on our knowledge of objective reality, invoking perception, inference, analogy, and testimony that are four distinct ways of obtaining knowledge. Its purported method of dealing with cognitions may be elaborated. The inference that there is fire on the mountain is based on mistaking dust of smoke as proof, or "lucky guess."[23] Ganeri observes some problems in the objectivity thesis, because Gangesa does not offer a criterion, such as reliability, proper functioning or virtuousness. If concepts are response-dependent, and if responses are subject involving, and if they involve emotions and motivations, then it is a necessary linkage between applying the concepts in certain cases and undergoing that kind of realistic experience. Objectivity in cultural relativity is indeterminate and the cognition of reality may be subject to other factors. Thus, the *Navya Nyaya* or New Reason examines the relation between pervasion (spread throughout) and the relation of perversion with reality, formulating conditions that offer a new model to the reality construction of objectivism.[24] Sen argues ("Asian Values") that there has been continuous effort to reach objectivity in argumentation. In medieval India, Dara Shuko discussed philosophy in the Mogul court and Yasoviaya Gani (1624-1688), appealed to the venerable metaphor of the ocean and its wave to explain the relationship between the multiplicity of individuals and participation in a single unity.[25] Their common quest was for an inter-doctrinal balance and impartiality. As Sen suggests, relativity with is divisive sense was never ingrained in Indian psyche.

On subjectivity, the *Nyaya* logic advances some logical steps. As Heidegger suggests, Descartes' *ego cogito* is the metaphysics of subjectivity.[26] It is indeed subjectivity in the true sense, because subjectivity is also a condition of the possibility of objectivity in the sense of inter-subjectivity. What it constitutes are not subject-relative, but objective-universal and thus, objective-necessary. On the other hand, the Indian aspects in subjectivity need to be supplemented. First, no doubt, the *Nyaya* recognizes the inherent object-directedness of consciousness, but the intentional consciousness is reduced to one kind of objective property among others.[27] Whereas Indian logic accords primacy to the "pure subject" for whom the world is objective, Western thought accords primacy to the person who lives in this world of the community. Western thought constitutes historical subjectivity but needs transcendental observation, if relativity has to be overcome. Indian thought has the concept of *saksicaitanya* (witness-consciousness) and a subjective intentional ego, not by a community of intentional egos. Conformity between two systems of philosophical reasoning, contrast between subject and person, appears to be unstable. Perhaps, a philosophical anthropology can resolve the contrast between subjectivity and objectivity.[28]

However, in the West, logic is divided on the issue of the status of the laws of logic, whether they are purely linguistic or are grounded in reality. As Searle argues, the mistake is to suppose that because all facts are started from "within a culture and a point of view, that, therefore, the facts exist only relative to a culture."[29] Indian philosophical logic argues that these problems are the direct results of the unwarranted initial separation between logical and empirical. In relativity, Japanese scholars, who posit that the Orientalist construction of identity is an expression of symbiosis, demonstrate the best way. They have developed a discipline, *toyoshi*, a Japanese version of Oriental studies that have enabled them to see themselves as "an authority on Asia" and "engage in a dialogue with the West" as an equal. It is not for defeating an anti-realist argument, but to exploring limits to knowledge from a classical starting point.[30]

Contextualism in Indian Culture

Ganeri observes a kind of "hidden indexicality" in which reference of the terms that do not have the apparent grammar of an indexical nevertheless displays sensitivity to contextual parameters, which Ganeri views as Sen's "positional observation" to gain accurate knowledge of an event.[31] Indexicality argues that a discourse is not a purely linear river-like phenomenon, which flows incrementally; there is a hierarchical structure to it, formed by segments assuming a foreground, mid-ground or background relation with other co-occurring segments. The Mbuti ethnic group in Central Africa regards the forest, to which they whisper and pray, as sacred and the source of all goodness, and yet they deploy perfectly well the more familiar forms of causal reasoning in hunting and gathering.[32] In this context, reason is not a particular feature but is found in every topic of inquiry, and thus, goodness and reason may be universal. Indians refute the Sophists' claim that reason and justice are relative to the customs of each society. Thus, much of the debate about the argument for the relativity doctrine centers on the issue of

whether descriptive relativity, believing that some version of it is well grounded, offers genuine support for epistemological relativity, which, according to Buddhist nominalism (*apohavada*) is the doctrine that only particulars and not universals exist. We refer to a certain group of animals by the term "horse," not because there is present in all these animals a certain common essence, but because they are all unlike other animals, which we do not call "horse." The Buddhist pointed out that the *Nyaya* doctrines were beset with logical difficulties like self-defense, mutual dependence and infinite regress. This forced the *Nyaya* School to find out some techniques for formulating precise definitions but it was still committed to realism and pluralism, which are Sen's methodological inclination.[33] This is the essence of Indian particularity, which argues that reality is not independent of or above those of particulars. The *Vaisesika* philosophy disagrees with both nominalism and conceptualism to argue that universals and particulars are of equal ontological status.[34] The contrast between biological absolutism and cultural relativism is not that former uses a privileged frame of reference while the latter does not.

The socio-cultural Durkheim's contextual knowledge varies according to changes in time and place, and thus, the Western modern contextual analysis, termed as "the structural effects" by Peter M. Blau, sharpens the logic, which is inherent in the Durkheim perspective.[35] Parallel to the Western institutionalization of value-ridden political and civic culture and the economic achievement-oriented "Asian values," projecting Confucius' reciprocal family morals as human rights, a relatively new approach to the indexical (context based notion) normative values, so far largely ignored in the existing literature, has recently come into focus. Indexicals, being a scale, indicate and express the level of values in relation to something else, or to a base value. Certainly, no context-independent English sentence conveys the precise quality of the experience. It is much less obvious that in the given context no sentence with "perceptual demonstratives" (e.g., "It looks like that") can express a proposition, which would convey the exact quality of the experience. When the sight of a black cat causes a superstitious person to believe that disaster is about to strike, it may be improbable on his evidence that disaster is about to strike. In this instance, evidence is cumulative,[36] and not relative.

Cultural Relativity and Sen's Context-sensitivity

For Kripke, communication is an external action, which opposes Frege's internalism. There is, however, more serious and genuine relationship, which requires the existence of a referent. For long, theorists describe acts of linguistic reference in terms of just two things: the symbol and its referent in the perceptual world. However, Wittgenstein (1953) and Quine (1960) demonstrate its inadequacies because of referent's inability to account for the acquisition and use of symbols whose connections to the perceptual world are tenuous.[37] Yet, reference, as a relation, becomes interesting in the context of a widely accepted idea. Using Quentin Skinner's techniques in the study of intellectual Sanskritic culture, Bimal Krishna

Matilal finds an innovative method of analysis, arguing that a speaker is situated in a relevant contextual parameter that reveals the meaning of concepts of the ancient past. It is seeing things the way earlier generations would have done, without intervening in our own way of thinking. Obviously, contextual knowledge comes from deeply felt emotional attachment to traditional revered ideas.[38] Linguistic reference is a social act in which one person gets another person to focus attention on something else in the world. To acquire language one must live in a world that has structured social activities one can understand.[39] This applies to Sen.

A product of Calcutta's Presidency College, a well-known center of the nineteenth century "Bengal Renaissance" that synthesized Enlightenment's pure rationalism with Indian nationalist compassion, and a student of the radical intellectual Joan Robinson at Oxford, Sen agree with the economic geographer Trevor Barnes' demonstration that spatial practices produce different spaces and places. Barnes' attention to the contingent nature of space and place problematizes the taken-for-granted binary cultural understandings of the rights and privileges, showing a distinction between self and other, and near and far.[40] Often the conflict is scripted, as in Asian values, in debate in terms of an opposition of Oriental and Occidental values. Sen writes on spatial imaginaries of "Otherness," which poses a challenge to indentifying rule-following reductively with this and that independent and familiar kind of psychological fact. Rule following (as expected in Confucian values) is possible under two conditions. First, the rule follower can carry on a particular value, following pre-existed traditions. Second, the rule-follower does so by means of a standardized inclination support, not his own inclination tendency.[41] These instances in rule-following are not our issues, because we are obliged to give an explanation of how the rule-follower sees himself as having made a mistake and an explanation of how we may see his inclination as having misfired. Thus, there is a need for observing the faults in rule following.

Sen,[42] along with Dreze, makes detailed reference to places and historical events, although he has not directly contributed to the discipline. Yet, Sen holds a cosmopolitan view of territoriality, and thus, in accordance with his belief in global human rights, he argues that culture transcends place, rather than, as Escober maintains, that culture "resides in places."[43] Sen writes that culture is not impermeable to rational consideration and choice.[44] Escober, a leading thinker among the "post-development" theorists, including Ashsis Nandy and Wolfgang, takes side with the subaltern groups that continue to enact a cultural politics of difference as they struggle to defend their culture. David Harvey concurs but adds that social and cultural practices and process create spaces and these practices, in turn, constrain and alter those practices, which Ed Soja calls a "socio-spatial dialectic."[45] This rejects the polar belief that space has no social effects. Although Bhabha identifies somewhat with David Harvey and more importantly with Sturat Hall in contemporary cultural studies in the discussion of the place of space, he shifts the emphasis from a more bland idea of cultural diversity to cultural difference. Bhabha makes a conflation of the realm of interpretation with the area of other forms of social action.[46] What is clear is that Bhabha, unlike Franz Fanon,

encounters with otherness, but without the inevitability of confrontation between one culture and the other. His picture of "totality" is constraining and non-dialectic in the association he makes between this concept and epistemology, as opposed to more processural description. Bhabha's multiplicity in cultural effects finds some strange affinity with anthropological analysis of cultures. Here, anthropological objects are no longer imagined as automatically anchored in space because attention is paid to too many factors that, of course, remain imagined, contested and enforced. It is a paradox that anthropology pays attention to social habits as well as the deterritorialized stage of post-modernity with endless possibilities in human activity. Now, anthropology demonstrates that habits change with the passage of time. Thus, Collingwood calls the dichotomy in dualism overlapping entities. Originally, Collingwood is engaged with scientific classification schemes, but later on, he turns to philosophical discussions of communities and politics.[47] This shift to scale of forms has some implications for the theory of knowledge that Indologists, such as Jonardon Ganeri and Bimal Krishna use in scheming intellectual concepts about identifying knowledge and truth-value. It is argued that Western dichotomous discourse distorts India's internal diversity and "transformative potential of Asian societies," ignoring the "subconscious" spirit for social and political advancement of Asian countries.[48] Developing the idea, Sen[49] concurs with Geertz's argument that defense of cultural relativism, as a concern should motivate various inquiries, rather than as an explanation of solution.[50] The universalism of the legal principles is reflected in a procedural consensus that can be embedded in the context of a historically specific culture through a kind of nationalism. Considering that the idea of human rights may slowly change over time and space as human attributes of behavior change over time, Sen affirms (*The Argumentative Indian* 2006) that the notions of rights have different meanings in different contexts, because time and place-specific elements are also fundamental (indexical referring out). Human attributes, such as needs, interests, and capabilities are elements of universal appeal, and as such, the attributes are universal, although they differ for geographical and social conditions. Achieving human rights, then, "requires the expansion and improvement of capabilities and entitlements for the poor and underprivileged." Expanding "freedom" as beings and doings (Sen's capabilities) by itself is not enough, because interpretations, he adds, have to recognize the importance of cultural values in this process, admitting that value-oriented norms such as the neglect of women's nutrition and health, not least among American poor Afro-Americans, and sex-selective abortion in India and South East Asia, as "criminal."[51] Harvey's social justice also calls for a geography that can study the material world to change it along more socially just lines.[52] In cultural relativity, there exists a form of contextualism, which applies to both "know" and "assert." Assert may express different contents, which, in turn, have enough in common to be appropriately grouped together as a standard in contextualist epistemology.[53] Cultural assertion and acceptability in a weak sense may not refute the charge of parochialism. If human rights are in agreement with some ideas or values in a culture but at odds with others, dissonance (lack of compatibility between actions) can be the result of the human rights in question expressing parochial values. Human rights may be unacceptable from the standpoint of a particular culture because that culture is based on beliefs that are parochial

in a pejorative sense. Thus, the idea of cultural acceptability seems incapable of demonstrating either those human rights are parochial or they are not.[54]

Epistemic Level: Revising the "Asian Values" Epistemological relativity implies that different epistemologies are required to assess the relevance of different cultures. The epistemological theory has the possibilities of ignorance and even error, and the metaphysics of realism, which is the hallmark of epistemology, has to reconcile with responses arising from opposing worldviews. Metaphysical insights into cultural relativity throws open three challenges of importance, which together constitute a closed unit. First, the question of "who is the other" concerns the need for an essential interrelation with the other. What is at stake is the state of social living in relation with the other. Second, how do we relate with the other, or what is our direct or indirect concern? Third, how precisely in the contemporary Indian context, do we relate with the other, and what consequences derive from them? In the Anglo-American tradition, metaphysics, being largely associated with Hegelian dialectic, investigating truth through the art of conflicting arguments, establishes the legitimacy of disputation. Collingwood makes a more usable distinction between historical (descriptive) and speculative metaphysics.[55] He pairs a dialectical process with another, which he called after Plato, *eristic*, a new condition in which very content as agent and instrument is transformed. He argues that the constitution of a polity is never a settled thing because it is something that its members alter, renew and de-center, and then re-center relational structure within society. Gramsci would have agreed with Collingwood who writes that a body politic is a non-social community, which by means of a dialectic process changes family to society, a changing process, revealing that society is in the process of development, with no inherited fixed cultural habits.

On the other hand, the Indian metaphysics, as interpreted by Ganeri, Matilal and Inden, provides the ontological underpinning for the logical and epistemological theories. Unlike the *Advaita Vedanta* School, *Nyaya* metaphysics, they argue, stipulates that no knowledge is self-illuminating, whereas the Indian "radical" philosophical criticism breaks open the restricted bounds of the systems. With different versions in interpretations, *Nyaya* School's holism in the mould of Wallenstein's "world system" is a corrective to the atomism of many European theorists. In the Indian version, a human society is an enlarged entity of the "individual agents." Their world is a "village" with all its cohesive and integrative forces, demolishing the myth of leviathan itself. The *Vaisesika* School, within *Nyaya*, argues that we may account for the observed differences in magnitude, but we should require that the process of division and subdivision terminate at some point, namely, that which we reach entities is not divisible. The *Vaiseskia* point here is that, whereas parts are merely conjoined to each other, the whole "inhers in the parts." In this sense, atoms have secondary qualities, such as taste, smell and color. In contrast, according to the theory of Greek atomism of Leucippus and Democritus atoms are devoid of secondary qualities, and consequently, and seek to explain the evolution of the world in purely in mechanical terms. More importantly, according the Greeks, souls are the products of atoms as a mere material objects. In the *Vaiseskia* system of atomism, souls are radically

different from atoms. It is worth observing that the *Vaiseskia* School of universals is non-spatial and non-temporal "reals," a view similar to the Platonic doctrine of the reality of an idea. Thus, Indian philosophical arguments testify that there exists a meeting space, which raises the question whether European constitutive components, may be found in Eastern philosophies and concepts in the way, they can be found in Western thought, asking the issue in the identification process. Sen argues that although the treatment of elderly members of a family, including aged parents, is supportive in Asian countries than in the West, this identification of "heterogeneity in the traditions of Asia" cannot settle the debatable issue in "cultural relativity," because it is also a more basic issue of "research methodology." Western illusion about cultural division is described by Gayatri Chakravarty Spivak, who characterizes the current dominant West-centric identification of the critical narrative of "Asian values" as a move from colonial discourse to post colonialism to globality in which agency power is shifted to the anthropologists and culturalists, who dominate the Asian values debate over human rights. In two essays, the "Asian Values debate" and "History and Enterprise of Knowledge," Sen argues that an epistemological argument cannot circumstantially avoid Indian "meta-histories" or histories of histories to bring out the relevance of an appropriate climate "for the enterprise of knowledge." This requires, he adds, three related elements: (a) epistemic interest, a demanding "curiosity for truth," (b) practical reason, arguing that the roots of Indian secularism and tolerance of other culture can be traced to "Mughal jurisprudence," and (c) identity scrutiny, asking if the philosophical question in cultural identities is a matter of "discovery" (communitarian Michael Sandel's claim), or not. He concludes that the plurality of "perspectives extends the domain of knowledge rather than undermining the possibility of enterprise." However, objectivism is a central tenet of qualitative methodology; it is not only a tenet of positivism. There is a strong objectivist, realist tradition in qualitative methodology. Wilhelm Dilthey believes that psychological phenomena such as meanings could and, indeed, should objectively ascertain through a rigorous *Nyaya*-like discipline procedure of Verstehen. Verstehen is not an expression of the researcher's automatic, personal subjectivity, because it a systematic interpretation of meaning could/should be.[56] Thus, in the context of Asian values debate, Sen's issue: Is "to be known" different from "to be knowable?" *Nyaya* prefers the latter, "knowable." In that case, George Berkeley's formulation in terms of "the perceivable" rather than "the perceived" brings it closer to the *Nyaya* formulation. In his thesis about idealism ("immaterialism"), the Anglo-Irish philosopher Berkeley (1865-1753) denies the existence of material substance and contends that familiar objects like tables and chairs are only ideas in the minds of perceivers, and as a result cannot exist without being perceived. It does not mean that he does not accept the existence of physical existence of apples or mountains. He concludes that an apple consists of ideas, which are caused in the human spirit. Thus, he conforms to the *Nyaya'*s rule that objects are knowable or perceivable. John Locke (Berkeley's predecessor) uses his notion of perception to make distinction between primary and secondary perceptions in knowledge generation. Since an object is a different size to different observers, then the size is not a quality of the object. Berkeley asks: if neither primary qualities nor secondary qualities are of the object, then how can we say that there is anything more than the qualities we

observe? Berkeley's perception thus cannot be understood as "knowledge," because it is mere "perceivable."[57] In addition, *Nyaya* requires plural interpretations of the belief system. The *Nyaya* system is much more complex, because in the *Nyaya* context, the structure of knowing and the structure of reality are mutual in the sense that the *satta*(divine and noble personality) must be of the nature of *dravya, which* is related to *gunas* (reflective and calm personality) and *karma* by *samavayaa*. In this pluralistic interpretation, Sen indicates that the cultural attachment with a particular culture is compatible with both compatibles and incompatibles, a fact not well recognized by his critics. For clarification, he adds that Western culture, which stands for individualism, capitalism, and self-reliance, based on Protestant ethics, is not better or worse than the other is. As a theory of identification with indexical context suggests, the utterance-reflexibility is critical to interpretation, because it is context-sensitive. This is far from the cultural relativists' contrast that is secured only through access to discriminatory perceptions of Descartes' dualism.

The *Nyaya-sutra* stipulates an epistemological optimistic view: there are things to know, and things are material goods for good life with dignity. Epistemic cultural logic is useful for a great many applications, including an identification of what constitutes knowledge or what is "illusion."[58] To get into knowledge, the *Nyaya* logic offers six systems.[59] The argumentation, following *Nyayasutra* (200-450 A.D.) rule argues that people attain truth going through three processes: individual and independent thinking, hearing, and meditation. Even meditation is logical. The doctrine in question, that the world is rationally ordered according to principles derived from final causes, is one, which François Bernie finds in the work of the Greeks. He writes, "we and all living creatures are so many parts: if we carefully examine the writings of Plato and Aristotle, we shall probably discover that they inclined towards this position." Philosophically, the Indian Sufi sect validates this position during the medieval period, and the greater part of the contemporary learned men of Persia. Both Sen and Ganeri conclude that earlier Rabindranath Tagore strengthen this idea of unity of vision. In sum, constructivism in knowledge and truth forms a paradigm, based on inter-subjectivity instead of the classical Western objectivity, and on viability of truth.[60] In constructionism, even if the Indian philosophical positions are never classified as empiricism and rationalism, empiricism has a stronger claim in tradition than rationalism has, while admitting that the word "reason" has no Sanskrit synonym. Sanskrit *buddhi* at best translates into "intellect," the principal epistemological and metaphysical association of "reason" is missing in Indian system of perception of knowledge.

Perception of Ethical Justice: Cultural Relativity

Crosscutting differences between universalism and relativity is an independent issue of perception and evaluation. Generally, the values endorsed by a calculated decision theory may not satisfy the set conditions because some values, however, universalistic, may be against somebody. The decision theory informs how a system would works in the face of beliefs and

desires that, in turn, face new realities in a conflicting condition. A representation of a particular state of the world (vegetables in my garden) functions as the topic and the object. It is a symbolic form, which means that it is about something else, and in that case, the crosscutting concerns the degree of rationality and realism of states of mind associated with symbolic forms, dividing anthropological relativists into various camps. The Nietzschian perspective assertion (1882) that "dreamy" Asia does "not know how to distinguish between truth and poetry," has been a symbolic form that has a null-reference, because the "realities" he assumed exist in his presumption, which has little bearing on actuality. Null reference is an empty set; sets are different only if they have different numbers. The existence of this set as a mathematical object can be puzzling if one is incorrectly inclined to visualize a set as a kind of heap.[61] "Nietzsche was not a cultural relativist," because symbol and realism, having null reference, is not the same.[62] Likewise, Russell's conception of propositions or perceptions remains at the level of reference rather than sense. However, Russell's extremism does not solve the problem that identity and non-existence of denotation in intentional contexts.[63] Thus, compared to philosophical inroad, the rational turn has been slow in moving toward human rights. From an applied policy perspective, the rational turn in the human rights approach provides rational explanations for human rights and their abuses; rational solutions can be put in place to prevent violations in the future. What is true is that a process of "norms cascades" remain today in the discourse about global justice,[64] and an acute sense of perception asks why it is useful to be conscious of what we perceive, when other aspects of our functioning work with information determining without any conscious part of the world.

In cultural relativity, perception provides the only means available to the subject for distinguishing the object thought from others in the vicinity. A complex demonstrative can be independent of perception if it has a nominal term specific enough to pick out just one individual from the relevant domain.[65] In *Nyaya*'s epistemology, the knowledge-generating process includes pramana, which include perception, testimony, and perceptive imagination, and does take a consequentialist approach to ethics and justice. Sen claims to discuss a comprehensive program rather than a "culmination outcome," which reminds us of the futility of separating means from ends in social analysis. Mindful of this danger in separation, he incorporates some ancient and modern elements for social justice. He writes, "the pursuit of a theory of justice has something to do with a similar question: What is it like to be a human being?"[66] Examining several theories of justice at the core of human rights, he asks analysts to engage in public debate "to reason, argue, disagree and concur."[67] Knowing that the search for the "Holy Grail" of the ideal concept of justice may not be very helpful, he as a philosopher and a social thinker relies on his intellectual abilities at the service of reality.[68] Any choice is problematic. Logically argued, if you prefer an apple to a banana, then you also prefer 0 percent stands for any probability. Logic prescribes how decisions should be made and how Econs provide that help, but in a context-oriented analysis, the uneasy interaction between the two options may appear as superior. In philosophical terms, Sen deals with a choice that presupposes having options, and having a choice presupposes having abilities to perform

various kinds of actions on selecting them. In *Argumentative Indian*, Sen examines abilities of human agency as empowering agency power for Indian women. However, ability or objective possibility should be distinguished from epistemic or serious possibility. In deliberation and argumentation, an agent must be able to distinguish between truth value-bearing hypotheses whose logical possibility should be ruled out of consideration.[69]

Cultural Relativity and "Positionality of Observation"

Ganeri argues that Sen avoids some of the shortcomings of cultural relativity by the "parameterization of objectivity," an idea prevalent in Sen's work, *The Argumentative Indian*.[70] Sen is aware of the methodological problem in describing the nature of human rights abuses in India and abroad. In India, the minority upper caste people, who deny dignity to the sudras, routinely perpetrate abuses. In African societies, rights are rooted in social status rather than shared humanity. In the West, human rights abuses ignore the dignity of minorities and migrants. These abuses are interpretational "positional illusions" that obstruct vision because of the lack of broadening the informational basis of evaluation. Responding to criticism that Emperor Asoka followed the unmoral advice of Kautilya, Sen argues that critics fail to observe that Asoka's welfare work, highlighted by monument-based instructions, were exemplary. For better understanding, Sen cites Adam Smith to argue that "perspectives from elsewhere" may be helpful in removing social and political injustices.[71] As Paul Ricoeur writes, the "processes of self-understanding are in this way irreducibly social, culturally embedded affairs," in which a narrative construction is dialectically linked with otherness."[72] In Nozick's analysis of knowledge, we observe the possibility of rational counterexamples to the distribution of knowledge over conjunction, whereas the possibility of counterexamples relates to the distribution of belief only.[73] Concepts, which slice reality into relevant units, are categories, which are concepts of a set as a whole. Language only covers part of the world of concepts, which have or may have. The world is not some kind of objective reality existing in and for itself, but is always shaped by our categorizing activity. Human conceptualization of conceptual categories and linguistic signs are interlinked. The hypothesis is that people must still develop the pragmatic ability to select among different categories effectively in different communication circumstances.[74] However, the encompassment is not always immediately rooted in the realm of ideas as such, because it may well arise from a religiously-ideologically (as in India) biased conceptualization of preexisting social and political realities. The problem of the initial and even essential ideological or sociological priority in encompassing all the respective cultures' hierarchies are still very far from a solution and remains a battlefield for anthropologists, historical and philosophers of different theoretical camps. As the philosopher Philip Pettit adds, such ability to recognize knowledge comes spontaneously with the perspective associated with the practice of holding people responsible, the ability to recognize the connotations of "red' come only with having sensations of redness.[75]

By using positional observation as a methodology, Sen argues that true beliefs are not exactly heritable, whereas reliable processes are. Here again, his emphasis is on methodological excellence. Positionality is the practice showing a person's own position in relation to the study, with the implicit idea that the position may influence elements of a study, including data collected, or the way in which it is interpreted. Robertson is critical of positionality as generic fixed categories, and insists that positionality is useful, if one's position is reflected upon and then articulated with respect to its influence in the work. Epistemology is based on situating, location and positioning, where universality of cultural values is not the basis of knowledge claims. Sen's positionality is not fixed, but relational, a moving context, constituting our reality. His is multiple perspectives in relativity theories. Ganeri affirms that the later *Nyaya* discussion of the running elements focus on the search for an element in the meaning of an indexical expression which "runs through" *anugama* the various referent. For example, pothoood is the running element of all pots. There are two models: the determiner, *visesana*, model and the indicator, *upalaksana* model. The implication of the effect of these two models is that it is possible for indexical utterances to be evaluated with respect to non-actual contexts. Improving the model of understanding, Michael Tomasello adds that all human cultural institutions rest on the biologically inherited social-cognitive ability of all human individuals to create and use social conventions and symbols. All these word-learning studies have to do how to interpret determinants in a given context or situation, the specific object or event, to which a person is referring.[76]

In the postmodern vein, Sen's positional vision of justice is integrated in which the whole being much more than the sum of the parts, with each set of rights contributing essentially to the realization of the others. He uses Indian metaphorical expression in *Nyaya*'s belief system, Hindu religion and human imagination to synthesize the otherwise chaotic and disparate aspects of interpretations regarding human rights and social justice. Second, Sen argues "a theory of justice that can serve as the basis of practical reason" and "must include ways of judging how to reduce injustice." Thus, he suggests that the proper response to the devastating Bengal famine of 1943, which he witnessed, could not be transcendental institutions but prevention of starvation and death through democratic "capabilities" and agency power in a democratic set up. In this context, the "positional" stance is trans-positional in the sense that objectivity is defined in terms of coherence in different positional views, and its assessment can be viewed in terms of the practical consequences.[77] Sen asserts that each enjoys a robust "capability" of functioning in their local society: they are reliably able to achieve the access that local functioning requires to food and shelter and medical care, to education and information and a cultural network and mobility and address at which others may contact with them. In short, the measure required for providing people with access, however, greatly, depending on the circumstances of the society.[78] No culture or civilization, as Collingwood assumes, is imagined of as self-contained entity.

Discussion about cultural relativity and human rights means an attempted recreation of a complicated narrow subject and to understand why agents become narrow and irrational, we may come to understand the significance of their actions, even though their significance is often hidden from the agents themselves.[79] Marxists, Freudians, sociologists, anthropologists, and cultural studies experts, such as Clifford Geertz, subscribe to this typical analysis. In the same vein, Indian philosophical notions as reflected in ancient *Nyaya* and *Niti* ethical principles, argue that relationships among entities arise not merely from mechanical forces but also from dynamics of dialectics in ethics and concepts. John Rawls defines justice as providing a standard by means of which society can evaluate the "distributive aspects" of its basic framework.[80] Bruce Ackerman defines it as of determining the initial entitlements of resources that can be converted to social goods.[81] At present, factual inequalities of differences militates against both equal opportunity and political equality.[82] In other words, the specifications of words by counterfactual conditions face a problem of specificity. What is relevant with regard to the doctrine of *Nyaya* motivated *dharma* is that it provides the necessary tools for the realization of an ethics in human rights as it duly implies one's relation with the other. Some theories and social measures of cultural identification are based on a uni-dimensional continuum, requiring that, as identification with one-justice increases, identification with other decreases. On the other hand, multicultural theories allow high identification with different cultures but rarely incorporate low identification.[83]

Minimalism Debate

Critics argue that Sen's substantial and judgmental "minimalism"[84] in human rights is merely an elemental priority of human rights' activism, failing to stop torture, economic deprivations and political abuses. His *Nyaya*'s factless moral concepts, it is claimed, has done injustice to the wider concept of international legal rights because his theory for remedying real injustice, rather than constructing a theory of what justice in concrete term, is minimalism. Others argue that Sen leaves the reduction of injustice to the exercise of uncharted public reason. It is argued that his theory of relativity is substantive minimalism that demands protection of negative liberty. Conceptually, his is justificatory minimalism, which is inspired by an unspecified toleration, representing only value-ridden pluralism, replacing actual obligations. In short, his presumed obligation, as expressed in Asian values debate, is at best a kind of historicity.

Viewed from the "feasibility" in optimum conditions, Maurice Cranston, in reference to India's dismal records in delivering adequate resources to human rights, argues that social and economic rights can be realized only with considerable public "resources and infrastructures."[85] Ignatieff distinguishes human rights minimalism from more expansive declarations about the content of human rights and the promotion of human rights, contending that minimalism does not extend to wider areas such as civil and political rights.[86] In a philosophical vein, Joshua Cohen argues that both the "substantive minimalism," which is

about norms of global justice and "justificatory minimalism," which is an essential element of a concept of global justice for an ethically pluralistic world, posit questions: "What can I know?"; "What should I do?" and "What may I hope?" He puts an emphasis on ethical pluralism.[87] Sen is against Rawlsian *Niti* based organizational propriety, arguing that instead of concentrating on a small subset of basic rights, it is prudent to insist on the *Nyaya*-based all-encompassing philosophical and ethical justice. Ignatieff emphasizes the moral content in his pragmatic "prioritarianism" that is an approach to justice, directing human remedial action, but, unlike Sen, he does not require agreement about the justification for agent's dignity, which at once becomes a methodological issue.

Methodologically, social-cultural determinations of maximum values have occurred at three levels according to their historical emergence. Three levels are - an axiological or valuation level, a praxiological level distancing or approaching the other, and an epistemic level with endless gradation between the lower and highest states of knowledge regarding the other's identity. The Indian tradition emphasizes the concept of universal compassion and is sensitive enough to the distress and pain of the people, although there has been no direct mention of human rights.[88] S.V. Puntambekar, a political scientist, argues that Hinduism's spiritual aims and values for humanity go beyond the "demands of economic technocracy, political bureaucracy and religious idiosyncrasy."[89] Sen adds that an epistemology is about verbs of knowing, that has two elements - indicating a knowing-how and as indicating a knowing-what. Indeed, theories of knowledge are confined to knowing as recognizing and knowing as knowing how to use a name in forming a match between name and object. Paired terms can be opposites as contrastive and complements. Sen's concern is contrastive to analyze contrast between two views about values in relativity. "Long" and "short' both indicate length to be sure, even though there is a contrast when a person says that the table is long, and another it is short. In contrasting the paired concepts, Sen thinks of complementary dualism in knowledge.[90] However, realistically viewed, Indian tradition since the days of *Nyaya* has remained two-tiered, consisting of a higher individualistic, universalistic, transcendental order of renunciation and a lower social particularistic order. This "dualistic construct" (Heesterman, 1985) of ancient civilization such as India is the result of empirical research, and no amount of unifying concept in knowledge can erase that truth. In other words, it is wise to introduce the metaphysics of "over-lapping classes" and "scale of forms" as possible replacements for the metaphysics of systems and essence that continues in human sciences.

Under pressure of indeterminacy, Sen nicely brings out the distinction between the standard concept of indifference and that of indeterminacy or inconclusiveness by two interpretations of the problem of the "Buridan ass." The donkey, which was precisely midway between two haystacks and could not decide whether to turn rights "x" to eat from one or left "y" to eat from others, was in a dilemma. The animal ended up dying of starvation. Sen understands maximization preferences as elements in deliberations but there is reason to favor an alternative view according to which preferences are summary of a person's reasons to

choose. Sen argues that an ass cannot decide on whether "x" or "y" is good, it has no capacity to compare, and so, we must model it as having no reason to choose from the maximal set xy. Even human agents face inevitable limits with respect to memory, conceptual ability, and data processing to end up choosing means that are reality inadequate to their ends or that are based on false suppositions. Agents can make resolutions but they cannot carry out. Only feasible plans can be of any relevance for determining the pragmatic respectability of sophisticated choice. Thus, little is to be gained by taking the paradigm of ideally maximum behavior. By calling on the need for maximum means for solutions to human rights abuses, the defenders of rights cannot end human rights. In contrast to Maritian's thesis that the concept of human rights is designed to play a certain practical role conceives a process to design guidance for specific action. This shared normative outlook is more than an empirical explanation of justificatory minimalism.[91]

Critics fail to realize the significance of the contingent social factors, which prevent maximization of moral values. In the West, during the nineteenth century, extensive rights to exclusive private property were widely perceived as a prerequisite to a tolerant society, although since that time other institutional arrangements had their limited justification.[92] The UK Human Rights Act carries within its substance no protection against later repeal by a simple majority. In New Zealand and Canada, judicial version of human rights is frequently overridden by party-based elected parliament. It reflects the human rights mask that Britain wear for long. Indian constitutional rights do not prevent sufferings of the third estate because of the lack of understanding of prioritization. Compassion, as rallying power of action, becomes a universalistic disposition from which virtue flows and the linguistic medium through which it expresses itself in the current world becomes the language of human rights. This commitment to human sentiment is a great advantage of the procedure over other approaches that might be used in assessing traditional cultures.[93]

Conclusion

Much of our discussion is concerned with methodological rather than substantive issues in human rights, because understanding a culture demands an exercise in evaluative choices. Historically, an increasing interest within various disciplines of human rights has made three main contributions: (a) The development of empirical theories to explain human rights violations, (b) the application of comparative research methods to link evidence to inferences about human rights problems, and (c) the measurement of different types and elements of human rights. The combined liberal impulse and methodologies have mostly substituted regional cultures for centralized political orthodoxy, which emphasizes the importance of manmade institutions. In retrospect, the turning point is easy to spot. Western forms of social justice, protected by legal institutions and courts were earlier adopted in many forms by thinkers such as Hobbes, Rousseau, and later on, by contemporary liberal philosophers, such as Rawls, Noziak, and Dworkins. This civil/political ideology has found expression in political

documents, such as the Magna Carta or the Declaration of Human Rights in France and the US. Alongside the macro-structural and micro-foundational explanations for the variations in the human rights theories, there has been sustained development of self-consciousness in all cultures. In the wake of Straussian modern consciousness, viewed as catastrophe, Sen makes the virtue of social/cultural consciousness with a balanced recovery of ancient values that are not always free from contradictions. His *Nyaya*'s ethical standard represents a modest attempt to deal with the issue of space and place, along with some necessarily connected concerns such as location, community and Indian cultural identity. His theorization of space and deterritorialization is in line with post-modernism that accepts local truths rather than universal truths. He, however, admits that none of the knowledge is reality but is simply representation of reality based on incomplete and often inaccurate information. This is analogous to Thomas Kuhan's idea of "paradigm shifts" in science. When experiments yield evidence that does not fit the reigning model, and then ultimately a new paradigm that better explains the evidence at hand is adopted.

However, Sen's assumed isomorphism of space and culture has some significant problems.[94] A set of problems raised by the implicit mapping out of cultures onto spaces is to account for cultural differences within a particular locality. Multiculturalism virtually implies that culture have lost their places in definite places. We need to ask how to deal with cultural differences while giving up received ideas of localized cultures. Our question is to ask how in the first instance a specific community was formed out of the interconnected space that already existed there. Jan Vansina argues that tropical African kingdoms were results of an ideology more than of any other force, and thus, they were really built in their mind first, and were grounded in faith. Sen observes that in a generally "heterarchic society" one can expect to find positive evaluation of individualism in intellectual as well as in social life. As White describes, they are ego-focused social systems. Contrary to homoarchic cultures, there is a multiplicity of asymmetrical oppositions, none of which are redoubled to any of the others or a single master opposition or value, the case at once departs from the Dumontian formulation, where activities are hierachized posing as historical and empirical rather than structural.

Sen argues that knowledge can be constructed in a particular situation, but it is not an either/or method because knowledge seeking depends on objectivity. Only interpretations of what investigators observe are that no theory is said to be true, only probable. Following the Kantian-Rawlsian two-step procedures facing a diversity of ends and values, Sen discovers a common basis in the interpretation of hybridity (meeting of two apparently distinctive cultures) in Asian values and morals. Interpreting Asian values, he argues that relative space does not pre-exist its construction and its form cannot be determined a priori. In the vein of Neil Smith's special contribution, Sen observes that spaces are part and parcel of diverse forms of power and uneven development is economically systematic, but cultural excellence is not bound by a territorial space. So, we may agree with Sen's critics urging him to take up forcefully the task

he himself has articulated – the task of accommodating different kinds of reasons and evaluative concerns.

In sum, Sen works out a general analytical statement as the nature of relationship between social-structural developments and human rights as a whole. This represents Weber and Durkheim's comfortable insight as the indexical nature of social laws. In addition, resorting to the metaphor of human rights is only a tip of the social iceberg. Is Sen reconstructing a static model in philosophy, ignoring sociology? Sociology, as in the caste system in India, recognizes that sociology would be as concerned with the human rights abuses as with philosophical responses. More fundamentally, Sen equates an "ideal type" with idealization on the assumption that both belong to the same category of investigation. Underlying both concepts is the idea that a logical artifice addressed to a hypothetical condition can be used as a starting point to explain the intricacies of a real situation. However, historical and sociological idealization has a troubled trajectory.

Notes

1. Newton describes an absolute time, motion and space that are different from relative motion, time and space. To Berkeley, all motion is relative because the idea that Berkeley has of motion necessarily includes relation. Space is an idea that is relative to body and motion. The *Nyaya* group of logic is concerned with addressing a puzzle. It is about relational component of the indexical that obviously constrains the correspondence that has to hold between index and the interpretation. Identification is direct if the identified item is an object of immediate awareness, as when we compare two colors, one is dark, and the other is not. Indexicals are inevitably perspectival. In Hindu logic, cultures are not self-contained entities. Modern "Area Studies" are glorification of divisions. The *Nyaya* looks for an alternative metaphysics to get rid of post-Hegelian dialectics. It is about reliabilism in reasoning. It an external approach to knowledge; the relations that matter to knowing a culture may be outside the subject's own awareness. It is open to counter-examples, as it avoids modifications to avoid the problem without giving up the general approach. See S.C. Chatterjee, *The Nyaya Theory of Knowledge* (Calcutta: University of Calcutta Press, 1950).

2. *Nyaya* philosophical argumentation process, derived from at least six Brahman cal Schools, including *Nyaya-Sutra and Vatsayana* (350-400 B.C.) relies on sensory perception, transforming into *shabda,* language, which, however, is the testimony of experts, and thus, remains a hierarchical order of knowledge. See D.C. Bhattacharya, *History of Navya-naya in Mithila (*Dharbhanga: Mithila Institute, 1958); Sibajiban Bhattacharyya, *Language, Testimony and Meaning* (New Delhi: Indian Council of Philosophical Research, 1987); Bimal Krishna Matilal, *The Word and the World: India's Contribution to the Study of Language* (Oxford: Oxford University Press, 1991).

3. S.R. Faroqui, "*Nyaya, Niti* and Amartya Sen," *Poetry as Socio-proctology* (Tuesday, July 27, 2010); anonymous comments, dated August 4, 2010, 14:27; anonymous comments dated April 23m April 2012 (13:47); Rashme Sehgal;, observations dated April 23 (2012), and more. http://socioproctology.blogspot.com/20/2010/07/naya-niti-ans amartya-sen.html See also reviews of Sen, *The Idea of Justice* (London: Allen, 2009), by Cesare Arjona, Arif A. Jamal and others, "Senses of Sen: Reflections on Amartya Sen's *Idea of Justice*," *International Journal of Law in Context* 8(1) (2012), pp. 155-177. A reviewer argues that Sen makes a radical inroad into law by his *Niti* approach. Most argue that Sen's attempt to make a definitive concept of justice is too much. A chief criticism is the Sen would do better by thinking of justice trans-nationally, instead of *Nyays/Niti* justice.

4. Amartya Sen, "Consequential Evaluation and Practical Reason*," The Journal of Philosophy*, XCVII, 9 (September 2000), pp. 477-572.

5. Sen, "Concept of Social Justice in *Nyaya* Philosophy," Paper Presented at the World Justice Forum in Vienna (July 2008); Critics argue that Sen does not provide an idea of what such partial rankings might mean, David Majoribanks, reviews of *Idea of Justice, Marx and Philosophy Review of Books*, Accessed August 19, 2012.

6. V.K. Bharadwaja, "Implication and Entailment in *Navya-Naya* Logic," *Journal of Indian Philosophy* 15(1987) pp. 149-154.

7. Jonardon Ganeri, *The Lost Age of Reason; Philosophy in Early Modern India, 1450*-1700 (Oxford: Oxford University Press, 2011), p.4.

8. J.C. Heesterman, *The Inner Conflict of Tradition; Essays in Indian Rituals, Kingship, and Society* (Chicago: University of Chicago Press, 1985).

9. Ganeri, *The Lost Age of Reason*, pp. 4, 13.

10. Hayek, a theorist in institutional epistemology, argues that no centralized body can collect all the information because of scattered nature. See F.A. Hayek, "The Use of Knowledge in Society," *American Economic Review*, vol. 35 (1945), pp. 519-530.

11. "Epistemology in Classical Indian Philosophy," *Stanford Encyclopedia of Philosophy* (March 3, 2011).

12. Sen, *The Argumentative Indian*; *The Idea of Justice*. Michael Rustin, a professor of sociology, London, argues that Sen approach in tolerance here is a contribution to political thought rather than a systematic philosophical argument, a common complaint be critics against Sen's use of Indian ancient philosophical treatises. See Michael Rustin, review of Sen, *The Idea of Justice*, in *Dissen*t (2010).

13. Sridhar, "Economics and-Development: Political Philosophy," Review by Sridhar (November 6, 2011), < http;//www.goodreads.com/review/show/226550984 >

14. Windwheel Blog, "*Nyaya, Niti* and Amartya Sen, "http://socioprotology.bogspot.com/2010/07/nyaya-niti-and amartya-sen.html 04/27/2012.

15. Sen, "Human Rights and Asian Values," *The New Republic* (July 14, 2010).

16. Ganeri, "Contextualism in the Study of Indian Intellectual Cultures," *Journal of Indian Philosophy*, 36 (1998), pp. 551-562. He invokes David Kaplan thesis on sincerity to argue that the "character" of an indexical is a function from aspect of context to contents, where "sincerity" becomes a cultural indexical. Other argue that phenomenal elements can also be picked out indexically. This tomato expression expresses demonstrative concept. See Kamaleswar Bhattacharyya, "A Note on Formalism in Indian Logic," *Journal of Indian Philosophy* 29 (2001), pp. 17-23.

17. Jonardon Ganeri, *The Lost Age of Reason , p. 3*. However, Ganeri does not spell out the problem of the essential indexical. John Perry (1979) legitimately argues that the content of an indexical (demonstrative), cannot be a propositional. See J. Perry, *Reference and Flexibility* (Stanford, CA: CSLI Publications, 2001). On the other hand, Eros Corazza (2004) describes the role that indexicals – I, she, this, today, here etc., play in our thought. Indexicality, being crucial to the understanding of such puzzling issues such as the nature of the self, the nature of perception, social interaction, psychological pathologies, and psychological development. Donald Davidson in his seminal work helps us to understand ideas from many directions. Perhaps the nearest position comes from William James, who covers the primary topics closely studied, as Ganeri does, examining the nature of experience, the functions of the mind, the criteria for knowledge, the definition of truth, the ethical life etc, al of which resemble those of Sen's indexical studies. See William James, *Essential William James* (New York: Prometheus Book, 2011). On the other side, Roy Bhaskar's *A Realist Theory of Sciences* (1975) has become a

guide for critical realism in philosophy and social science, offering a real alternative to both positivism and postmodernism. See "Philpapers," *Online Research in Philosophy*, 2012, pp. 194, 505,

18. C. Fillmore, "Syntactic Intrusions and the Notion of Grammatical Construction,", *Berkeley Linguistic Society*, 11 (1985), pp. 73-86.

19. Michael Tomasello, *The Cultural Origins of Human Cognition* (Cambridge, MA.: Harvard University Press, 1999), pp. 118-19; 119.

20. Speber provides a useful starting point an individualistic analysis of culture. See D. Sperber, "Anthropology and Psychology," *Man* 20 (1984), pp. 73-89. Unlike many analysts, Sen gives more emphasis to cognitive representations, and less to emotions.

21. Paul K. Wason, "Social Types and the Limits of Typological Thinking in Social Archaeology," in *Homoarchy* (2006), p. 11.

22. Ganeri, *The Lost Age of Reason*, 23-25; Review of a book, Stephen Phillips et al., *Epistemology of Perception* (New York: American Institute of Buddhist Studies, X1V (2004). The *Nyaya* rule has eight rules in inference – constructive dilemma, conjunction, addition, etc.

23. Ganeri, *Semantic Powers,* 112.

24. Prabal K. Sen and Amita Chatterjee, "*Navya-Nyaya* Logic," Paper prepared for Universities of Calcutta and Jadavpur, India, n.d.

25. Ganeri, *The Age of Reason*, pp. 14-15.Rabindranath Tagore and Amartya Sen write against the intense consciousness of separateness of one's own people from others. See Rabindranath Tagore, "Letter to C.F. Andres,"I(New York, March 13, 19210), in *The English Writings of Rabindranath Tagore* (New Delhi; Sahitya Akademi, 1996), vol. 3, pp. 287-290. Amartya Sen, educated at Tagore's Institute in Santiniketan, West Bengal, is highly motivated by Tagore in accepting the thesis of world unity.

26. Heidegger, cited in Jitendra Nath Mohanty, *Reason and Traditions in Indian Thought* (Oxford: Oxford University Press, 2002), p.199.

27. Mohanty, *Reason and Traditions*, p. 202.

28. K.C. Bhattacharyya, *Studies in Philosophy* (Calcutta: Progressive Publishers, 1956), chapters 9 and 10.

29. J. Searle, Reality and relativism: Shweder on a Which?, *Anthropological Theory* 6 (2006), pp. 112-121.

30. Sen, *The Idea of Justice* (Cambridge, MA.: Harvard University Press, 2009).

31. Ganeri, *The Lost Age of Reason*, pp.4-5;13-15; 110. *Nyaya* expands the idea of hidden imdexicality. The *Nyaya*'s *upamana* theory suggests that a person does not know the meaning of the natural kind term "*gavyaya*" is told that a *gavaya* is an animal like cow. Expanding this, Gangesa, a philosopher, says that mastery of knowledge in the acquisition of a capacity to discriminate members of the kind, Ganeri, *Semantic Powers* (Oxford: Clarendon Press, 2007), pp. 155-157.

32. David B. Wong, "Cultural Relativism," *Encyclopedia of Life Support Systems* (EOLSS), < http://www.eolss.net >

33. G. Bhattacharyya, *Navya-Naya: Some Logical Problems in Historical Perspectives* (Beneras: Bharatiya Vidya Prakasan, 1978).

34. R. Puligandla, *Fundamentals of Indian Philosophy* (New York: Abington Press, 1975), pp.154-155. The *Vaiseshkia* theory begins its enquiries under categories, *padartha* - enumeration of certain general properties or attributes that may be predicted of existing things. It formulates general conceptions, by senses or inference.

35. Emile Durkheim, *The Rules on Sociological Method*, trans. By Sarah A. Solovay and John H. Mueller, 8th ed. (New York: Free Press Paperback, 19624), pp. 67-69; Peter M. Blau, "The Research Process in the "Study of the Dynamics of Bureaucracy," in Peter E. Hammond (ed.), *Sociology at Work* (New York: Basic Books, 1964), ch. 2; Gideon Sjoberg and Roger Nett, *A Methodology for Social Research* (New York: Harper, 1968), ch. 9.

36. Timothy Williamson, *Knowledge and its Limits* (Oxford: Oxford University Press, 2000), p.218.

37. L. Wittgenstein, *Philosophical Investigations* (New York: Macmillan, 1953); W. Quine, *Word and Object* (Cambridge: Harvard University Press, 1960).

38. Bimal Krishna Matilal, *The Epistemology, Logic and Grammar in Indian Philosophical Analysis* (The Hague: Mouton, 1971).

39. Michael Tomaselllo, *Human Cognition*, p. 109.

40. Phil Hubbard and Rob Kitcjin (eds.), *Key Thinkers on Space and Place* (London: Sage, 2011), pp. introduction.

41. Timothy Williamson, *Knowledge and its Limits* (Oxford: Oxford University Press, 202), p.11-12; 182-183.

42. Simon Batterbury and Jude L. Fernando, "Amartya Sen," in Hubbard and Kitchin, *Key Thinkers*, pp. 359-366.

43. A. Escobar, "Discourse and Power Development: Michal Foucault and the Relevance of His Power," in Phil Hubbard and Rob Kitchin (eds.), *Key Thinkers on Space and place* (London: Sage, 2011), p. 362.

44. Sen, *Argumentative Indian (*New York: Picador, 2006).

45. Ed W. Soja, "Writing Geography Differently," *Progress in Human Geography* 30 (2006), pp. 817-820.

46. Homi K. Bhabha, *The Location of Culture* (London: Routledge, 1994); Anjali Prabhu*, Hybridity: Limits Transformations, Prospects* (Albany, N.Y.: State university of New York, 2007); Stuart Hall, "Deviance, Politics, and the Media," in Paul Rock and Mary McIntosh (eds.), *Deviance and Social Control* (London: Tavistock).

47. R.G. Collingwood, *The Idea of History* (New York: Galaxy Books, 1956). Ronald Inden, *Imagining India* (Indiana University Press, 2000), pp. 2; 10-11.

48. Tatsuo Inoue, "Human Rights and Asian Values," in Jean-Marc Coicaud, et al. (eds.), *The Globalization of Human Rights* (Tokyo: United Nations University Press), pp. 116-1346.

49. Sen, *Collective Choice and Social Welfare* (San Francisco: Holden-Day, 1970).

50. Clifford Geertz, "Anti-relativism," *American Anthropologist* 51(2) (1984), pp. 263-278.

51. Hubbard and Kitchin (eds.), *Key thinkers on Space*, pp. 230-231.

52. Hubbard and Kitchin, *Key Thinkers*, p. 235

53. R. Hambourger, "Justified Assertion and the Relativity of Knowledge," *Philosophical Studies*," vol. 51 (1987), pp. 241-269.

54. Allen Buchanan, "Human Rights and the Legitimate of the International Order," *Legal Theory*, vol. 14 (2008), p. 43.

55. R.G. Collingwood, *An Essay on Philosophical Method* (Oxford: Clarendon Press, 1933).

56. Dr. Ratner's Home Page, "Objectivism," http://www.sonic.net/cr2/objectivism.hml 12/3/ 2012.

57. G.S. Mahalakshmi and T.V. Geetha, "An Indian Logic-based Argument Representation of Formalism for Knowledge-sharing," *Logic Journal of the IGPL*, vol. 17(1), pp. 55-76.

58. Bimal Krishna Matilal, *The Character of Logic in India*, ed., Jonardon Ganeri and Heerman Tiwari (Albany, New York: State University of New York Press, 1998).

59. The six systems to look at the truth are divided into three groups – *Nyaya* and *Vaiseshika,* the *Sankhya* and *Yoga,* and *Mimansa* and *Vedas*. The *Nyaya* gives an analysis of the world of experience. The *Nyaya* logic was founded by Rishi Gautama, who argues that *Nyaya* is not merely formal logic, but a complete epistemology. It deals critically with metaphysical problems. It contains discussions on psychology, logic, metaphysics and theology.

60. Sen, *Objectivity and Position* (Lawrence: Kansas University Press, 1992).

61. Simon Blackburn, *Dictionary of Philosophy* (Oxford: Oxford University Press, 2008), p.114.

62. Michael Krausz (ed.), *Relativism: Interpretation and Confrontation* (Notre Dame, IA: University of Notre Dame Press, 1989), pp. 180-111.

63. B. Russell, "Knowledge by Acquaintance and Knowledges by Description," 1910-11, pp. 108-128.

64. Todd Landman, "Empirical Political Science and Human Rights," *Essex Human rights Review* 5 (1) (July 2008), p. 4.

65. Simon Prosser, "Cognitive Dynamics and Indexicals," *Mind and Language,* 20 (2005), p. 20.

66. Sen, *The Idea of Justice*, p. 414.

67. Sen, *The Idea of Justice*, p. 415.

68. Reviews by several authors, "Senses of Sen…Justice," Center for Transnational Legal Studies in Context (2012), pp. 155-178.

69. Isaac Levi, *Hard Choices* (Cambridge: Cambridge University Press, 1986), pp.49-50.

70. Sen, *The Argumentative India: Writings on Indian History, Culture and Identity* (New York: Picador, 2005), p. 18.

71. Sen, *The Idea of Justice*, p. 169.

72. Paul Ricoeur, History and Truth, trans. Charles A Kelby (Evanston, Illinois: Northwestern University Press, 1965).

73. Robert Nozick, *Philosophical Explanations* (Oxford: Oxford university Press, 1981), p. 692.

74. M. Tomasello, "Understanding the Self as social Agent." In P. Rochat (ed.) (Amsterdam: North Holland, 1995), pp. 449-460.

75. Philip Pettit, *A Theory of Freedom: From the Psychology to the Politics of* Agency (Oxford: Oxford University Press, 2001), p. 30.

76. M. Tomasello, "The Bases of Language Acquisition," *Social Development* 1 ((1) (1992) pp. 67-87.

77. Asha Mukherjee, "Civil Society: A Transpositional Understanding," *Indian Philosophical Quarterly,* XXX, no. 4 (October 2003), p. 513.

78. Sen, Commodities and Capabilities (Amsterdam: North-Holland, 1985); M. Nussbaum, "Human Functioning and Social Justice," *Political Theory*, 20 (1992), pp. 202-246.

79. Max Weber, *The Religion of India*, trans. H.H. Gerth (Glenco, Illinois, 1958).

80. John Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971).

81. Bruce Ackerman, *Social Justice and the Liberal State* (New Haven: Yale University Press, 1990), p. 25.

82. Justice has been well connected with environmental justice, Kristin Shrader-Frechette, *Environmental Justice: Creating Equality, Reclaiming Democracy* (Oxford: Oxford University Press, 2002), pp. 34-35.

83. E. R. Petting, et al, "Factor Structure and Invariance of the Orthogonal Cultural Identification Scale among American Indian and Mexican American Youth," *Hispanic Journal of Behavioral Sciences* 20(2), 1998, pp. 131-54.

84. It is argued that justificatory minimalism is neither skeptical nor empirical, Richard Rorty, "Human rights, Rationality, and Sentimentality," in *On Human Rights* (ed.), Stephen Shue and Susan Hurley (New York: Basic Books, 1993).

85. M. Cranston, *Human Rights Today* (London: Ampersand, 1962).

86. Mkicheal Ignatieff, *Human Rights as Politics and as Idolatry* (Princeton, N.J.: Princeton University Press, 2001), pp. 173-74.

87. Joshua Cohen, "Minimalism About Human Rights: The Most We Can Hope For?" *The Journal of Political Philosophy*, vol. 12, no. 2 (2004), pp. 190-213.

88. S. Valassery, "Casteism and Human rights: Toward an Ontology of the Social Order" (Singapore: Marshal Cavendish, Academic, 2005), p. 139.

89. S.V. Puntambekar, "Human Rights" in Jacques Maritain (ed.), *Human Rights: Comments and Interpretations* (New York: Columbia University Press, 1949), p. 197.

90. Sen, *Resources, Values, and Development* (Cambridge: Harvard University Press, 1984).

91. Joshua Cohen, "Minimalism about Human rights," *Journal of Political Philosophy*, vol. 12 (2004), pp. 190-213. "

92. Amy Gutman, "Human rights Minimalism and Military Intervention," Review article *ARPA* (December 5, 2002).

93. Martha Nussbaum, "The Discernment of Perception: An Aristotelian Conception of Private and Public Morality," in *Proceedings of Boston area Colloquium in Ancient Philosophy* (1985), pp. 151-201.

94. We need to ask how to deal with the cultural differences while abandoning received ideas of localized culture. See Akhil Gupta and James Ferguson, "Beyond Culture: Space, Identity, and the Politics of Difference," *Cultural Anthropology*, 7 (1) (February 1992), pp. 6-23.

The Rights of Indigenous Peoples and Violation of Human Rights

A S Pillarson

Abstract

It was only in the 1980s that the indigenous issue was recognized as a human rights issue. Many nation states including Southeast Asian states are still reluctant to acknowledge the existence and rights of the indigenous and tribal populations. The primary aim of this piece of writing is, therefore, to briefly discuss the rights of the indigenous peoples and urge nation states and people across the world to accept and recognise the existence and rights of the indigenous peoples. This is a theoretical study of the rights and violation of human rights of the vulnerable groups of people, who are now generally known as indigenous populations/ peoples. In this study, therefore, the researcher made use of the existing literature on the subject. Here, the researcher argued that indigenous peoples' rights in the world should be recognised. Moreover, this paper also tries to expose that the indigenous peoples are still victims of human rights violations.

Key Words: Autonomy, Human Rights, Indigenous Peoples' rights, Self-determination.

Introduction

Indigenous and tribal people are present all over the world. As Erica-Irene A Daes observed, indigenous peoples who were viewed as small and vulnerable ethnic minorities in the 1970s, have today became apparent as a discrete group in international human rights. Today indigenous peoples all over the world have the consciousness and desire that they be recognised as people on par with all other dominant groups of the society. More often than not, indigenous peoples are viewed as 'primitive,' 'underdeveloped,' 'superstitious', 'violent', 'backward,' and 'doomed' races. They are victims not only of human rights violations, but also of the systematic discrimination. The Commission on Human and Peoples' Rights Working Group of Africa (hereafter 'The Commission of Africa'), for example, recognises indigenous populations as holders of specific human rights. Citing C. Courtis, Baogang, he says that Latin America has also developed a juridical approach to recognise indigenous people and their rights. In contrast with China, India chose a federal form of polity in building its modern nation-state. "This evolved into a relatively successful multi-national federalism under which indigenous people and their rights are recognized, and minorities have more rights than their counterparts in

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China" (Baogang He 2011:471). However, no matter how powerfully the tribals in India assert that they are indigenous peoples, it is said that India refuses to recognise the presence of peoples known as "indigenous" in India. Though the ICITP (Indian Council of Indigenous and Tribal Peoples) which represents Indian indigenous people in the UN Working Group conferences claims that the tribals of India are aboriginal people, the Indian government does not accept the concept of the "Indigenous People" (Kamei 2002:88). In present day India, the most relentless human rights dilemma relates to the situation of the "scheduled castes" and "scheduled tribes," designated as such by presidential orders in relation to Articles 341 and 342 of India's constitution ("India" in *Encyclopedia of Human Rights* 1996:750). And in recent year, one of India's major human rights problems has involved antagonisms between religious groups ("India" in *Encyclopedia of Human Rights* 1996:753). Over 240 million people in India remain in danger of systematic human rights violations on the basis of caste based discrimination, which is a form of discrimination that impinges on their civil, socio-economic, political, religious, and cultural rights, and their right to freedom of choice to develop as individual and as a community with dignity (Shinde (ed.) 2005:vii). Kingsbury, S. Wiessner, S. Imai, K. McNeil and Jeremie Gilbert were among others who are of the view that international and comparative law plays a vital function in the evolution of indigenous peoples' rights. This paper not only argues for the recognition of indigenous peoples' rights in the world but also tries to show that the indigenous peoples are still victims of human rights violation.

The question of definition of indigenous populations/peoples: Who are they?

No formal definition is given to the term "indigenous people" or "indigenous population" by the United Nation. According to Baogang He, indigenous people are often seen as a minority who suffered injustice and oppression in the past and are still disadvantaged in the present. They are still facing discrimination in every aspect of their lives. As per the report of the Amnesty International, indigenous peoples are still "targeted for other grave human rights abuses" (Peang-Meth 2002:101). In the world there are about six billion people. And as per the recent estimation, there are about three hundred million indigenous population in the world who live in not less than eighty five countries in Africa, Asia, Europe, Oceania, the Americas and the Middle East (Peang-Meth 2002:101).[1] Most of the experts in the field are of the view that, internationally, it is not necessary to strictly define who the indigenous populations really are legally. However, we should note that there is also "the need to define who the right holders of the emerging human rights regime for indigenous peoples are" (Gilbert 2011:249-250). As Jeremie Gilbert, Anna Meijknecht, Byung Sook de Vries, M. Lundberg, Y. Zhou and others rightly pointed out[2], there is no globally accepted lawful definition of indigenous populations/ tribal peoples.

Baogang He (Baogang He 2011:461-478) opined that defining people as indigenous carries not only certain political repercussions but it is often also controversial and problematic. Mr. José Martinex Cobo, the UN Special Rapporteur, proposed a definition of the "indigenous

populations" and this was generally agreed to be authoritative. To quote, "[I]ndigenous communities, peoples and nations are those which, have a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing in those territories, or parts of them" (Gilbert 2011:250). However, the UN never accepted this working definition as the official definition of the indigenous people. But paramount importance has been given to a group which identify themselves as indigenous people. As Asebe Regassa Debelo quotes Kenrick & Lewis, according to the existing working definition, indigenous peoples are groups of people who

a) have priority in occupancy of a particular territory; b) demonstrate cultural distinctiveness, continuity and attachment to their traditional land; c) identify themselves and are identified by mainstream society and state authorities as distinct collectivities; and d) have experiences of subjugation, dispossession, marginalization, exclusion or discrimination whether or not these conditions persist (Debelo 2011:260).

From these definitions mentioned above, we see that "indigenous peoples share collective identities regardless of spatial and temporal differences in the degrees and conditions of their experiences under dominant powers" (Debelo 2011:260). In our effort to delineate the concept of indigenous populations/ tribal peoples, interestingly, we identify that indigenous peoples, their land and their culture are closely connected (these three are, in fact, inseparable). As a soothing measure, there was a proposal to declare 1993 as indigenous populations' year across the globe (Kamei 2002:88). It is true that cultural practices, economic subsistence and overall livelihoods of the indigenous peoples' have been threatened by industrialisation, globalisation, oil explorations, logging, conservational projects and mechanised agricultural expansions. In a situation such as this, A.R. Debelo is of the view that, "gaining traditional autonomies would be a political licence to preserve their values and wisdoms, exercise their cultural traditions and benefit from resources on their traditional lands" (Debelo 2011:266).

Dispossession, displacement, exploitation and marginalisation of the indigenous peoples as violation of human rights

Indigenous peoples' encounters with colonizers in the late 15th century precipitated a long history of dispossession, marginalization and stigmatization on the parts of indigenous and tribal populations in the world. European colonialists' conquests "delegitimizes indigenous peoples' sovereignty and customary rights as exercised before the conquest" (Debelo 2011:261). It is said that European settlers embarked on policies of assimilation or extermination of tribal and indigenous populations in several countries like Australia, Canada, the Americas, etc. As H.P. Russel strongly argues, this is because of Europeans' belief in their own superiority over indigenous people which prompted them not only to subjugate the indigenous people but also to make an attempt to assimilate indigenous people. All these obstruct the indigenous people towards recognizing them as societies having a diverse culture

of their own. Hence, indigenous peoples' striving for their rights had been unrecognised by the mainstream society/ nation states. Debelo, citing D. Vinding and R. Hitchcock, says that when aboriginal people in Africa resisted government policies of displacement they were tortured and even murdered in some cases. This is applicable, I think, with other indigenous people in different nation states of the world like South and Southeast Asia including India, to mention a few.

According to the African Commission and Gilbert's view, from a global perspective, claim for the right of land has become a fundamental feature of the tribal and indigenous populations (Gilbert 2011:258; cf. Gilbert 2007). Behind most stories of the dispossession and disappearance of indigenous peoples in Asia are situations where lands have been appropriated by developmental states (Baogang He 2011:472). "In many parts of Africa, indigenous communities are forced from their ancestral lands to make room for the establishment of wildlife reserves, tourism resorts, or to allow the extraction of natural resources" " (Gilbert 2011:248). For example, "The Endorois argued that the decision to remove them from their ancestral or traditional territories not only directly affected their right to religious freedom but also it constituted a violation of their right to property as protected under Article 14 of the African Charter" (Gilbert 2011:255,259). The State's argument here is that they should not stop government's developmental works because this brings immense wealth to the entire African nation. In this process of large scale development, however, unfortunately, only a few privileged people were protected at the cost of the less fortunate groups like the Endorois. Article 22 of the African Charter has the provision that the rights of the indigenous populations like the Endorois be protected. The Endorois were neither involved in the said development process nor does it benefit them. Violating Endorois' right to development, such developmental works were said to be taking place without their consent.[3]

The San people[4], one of the recognised African indigenous people, whose livelihood is strongly connected to the land and its resources, are said to be facing "severe socio-economic marginalization and dispossession, particularly under the guise of an expanding tourism industry" (Debelo 2011:263) after their eviction from the game reserve in 1997 and 2002. To cite more such examples of dislocation, in Tanzania and Kenya, especially in connection to national parks, indigenous peoples were "forcefully removed from their traditional pastoral, fishing and farming lands by the economically driven policies of post-colonial African states" (Debelo 2011:264). Quoting N. Shanmugaratnam and D.J. Kjosavik, Baogang He writes that "...[I]n Wayanad, South India, the indigenous communities lost their property rights in land and forests through 'modern' statisation and privatisation and structural transformation of the property rights system" (Baogang He 2011:473) Constitutionally, all the citizens of India including the tribal and indigenous population have been given fundamental rights and freedom, but due to various social, economic and political reasons, the tribes of India have been exploited by the more advanced sections and capitalist forces (Kamei 2002:92).

Citing J. Prillbrett, Baogang He (2011:473) further says that the highland regions inhabited by indigenous people who have not obtained officially authorised lawful documents are regarded as belonging to the public province and have been appropriated for logging, commercial farming and dam-building projects. The situation of tribal and indigenous people is worsening day by day in comparison with that of the general population across the world. For examples, indigenous people are not only facing the loss of basic human dignity and their identity, but also loss of their ancestral homelands and the means of their livelihood due to government programmes and policies in the name of development and national integration. "It is estimated that nearly 40.80 million people have been displaced worldwide due to the reservoirs created by large dams...In India alone it is estimated that dams and reservoirs displaced some 21 million to 42 million people," (Karunakar 2012:27-28) and the worse affected peoples in India, for example, are the marginal farmers and the indigenous and tribal populations. The tribals, dalits and fisherfolks and other economically backward groups are the marginalized communities in India who in fact constitute the majority of the Indian population. People are forced to leave the domicile of the variety of spirits they worship and their ancestral lands due to exploitive measures and these things take place over and over again without proper compensation for the sake of development (Longchar 2008:26). Referring to both Narmada Sagar Project and Sarovar Project in Madhya Pradesh and Gujarat respectively, Longchar further writes that "[People] are simply ignored, silenced and despised. For example, in India, 100,000 people are going to be displaced by the Sardar. Sarovar Project in Gujarat, 60-70% of whom are indigenous people. Around 130,000 are expected to be displaced by the Narmada Sagar Project in Madhya Pradesh of whom 65-70% are indigenous people" (Longchar 2008:26). Regarding projects like the Sardar Sarovar dam, as P. Karunakr rightly mentioned, the main human rights effects relate to the displacement of people caused by submergence. Gangmumei Kamei used Sardar Sarovar Project and the Loktak Project as two cases in point. To quote,

> There are also strong protest movements against the alienation of tribal lands and displacement of tribal and indigenous lands due to the construction of big dams which led to inundation of large tracts of tribal and indigenous lands. Two cases in point are the Narmada Bachao Andolan against the Sardar Sarovar Project in western India and the Loktak Project Ithai Barrage in North Eastern India. The tribal and indigenous lands, their livelihood and their lifestyle should not be destroyed in the name of development and modernisation (Kamei 2002:93-94).

Around 22,000 families were displaced by the Hirakud Dam which was built sixty years back and the project affected half a lakh of people of whom the worse sufferers were tribal people (Karunakar 2012:32-33). The Nagarjunsagar Dam in Andhra Pradesh, which was a huge project with the estimated cost of 683.75 crores, displaced around 28000 people and the majority of the affected were said to be poor farmers and tribals (Karunakar 2012:36f). Identifying Northeast as 'future powerhouse' of India, there is possibility of altering the

riverscape with the setting up of not less than 168 big hydroelectric projects. To summarise (Cf. Vagholikar & Das:

- In northeast region big dams are up-coming which is becoming a chief issue of dispute.

- In the Raima Valley of Tripura, the Gumti dam submerged large tracts of land suitable for cultivation which dislocated the tribal population, leading to turbulence.

- In the 1980s, the Loktak hydroelectric project in Manipur was commissioned. Due to the impact of this project on the Loktak Lake's wetland ecology, both the habitation of the endangered Sangai and the lives of the local inhabitants have been severely affected.

- People in the region had been opposing the construction of both Tipaimukh dam project and Pagladiya dam project in Manipur and Assam respectively for several years, because it would displace a large number of people which would lead to the loss of land, home and livelihood.

- The government's plan to construct more than one hundred dams in upstream Arunachal was responsible for major conflicts that emerged in Assam and Arunachal Pradesh recently.

Attempts had been made by scholars in Northeast India to collect comprehensive data on climate change but such data are difficult to find. We may briefly summarize the status report given by Monirul Hussain and Pradip Phanjoubam on the displacement of the peasants and tribals caused by climate change here for our understanding of the seriousness of the problem (Hussain & Phanjoubam 2007:1-41):

- Frequent environmental degradation, riverbank erosion and flood in Assam and landslides in the highlands of northeast India have become prevalent. Such catastrophes have caused numerous deaths, displacement of population and devastation.

- The intensity of riverbank erosion, landslide and flood has increased considerably in the course of years past in terms of vicinity and casualties.

- The 2004 flood alone affected above ten million in the valley of Assam.

- The erosion of 4, 29, 657 hectares of farming land by the river Brahmaputra has beyond doubt displaced not less than three million farmers.

- One can observe the continued shrinking and vanishing of various lakes and other types of wetlands in Manipur today. These are evidences of a water-logged past of the valley and the gradual drying process.

These are just a few incidents and examples used in this paper to show how indigenous people across the globe are displaced, exploited, marginalised and denied their rights, especially denying their rights to traditional lands. All these evidences portray that indigenous and tribal population and the poor of the society are still living in a pathetic situation.

Violation of human rights – the Case of Northeast India

Every human being has the right to live with dignity. "Equal dignity and equal status is not merely a constitutional right but also a basic human right."[5] Tribals and indigenous people in Northeast India, for example, face several problems[6] and one of the gravest problems in the region is violation of human rights. Northeast India is not only one of the most neglected regions in India, but also it is one of the most exploited and oppressed regions in the country. As for instance, AFSPA[7] is still applied to the Northeastern states of India. A two-day national level conference on the peace process of the Nagas was held recently in Delhi. The participants of the consultation, which consist of both Nagas from various parts of Naga inhabited areas and representatives of the government of India, raised deep concern "that any solution to the Naga issue must entail a complete withdrawal of the Armed Forces Special Powers Act, 1958 and a visible reduction in the physical presence of Indian armed forces from the Naga areas".[8] National Commission on Minorities' chairman Wajahat Habibullah said that a law like the Armed Forces (Special Powers) Act should not exist in any democratic setup like India (Wajahat 2013). Then military are misusing this law, as for instance, the recent alleged raping and murder of 30-year old Manorama Devi of Imphal in Manipur. Walter Fernandes also pointed out that the army is violating people's right to a life with dignity by misuing the AFSPA and thus it cannot be justified in a democratic country. As the Supreme Court of India failed to challenge the AFSPA in 1997, human rights violation continued under the Act and the State hardly ever instituted legal process to take action against personnel who violate human rights (Kikon 2009:272).

There are political unrests in the regions, unemployment and identity crisis, to name but a few. Consequently, people in North East India, particularly the Nagas and others, now "rise up in search for self-identity and perhaps even for self determination and liberation from the exploitative forces from without" (Keitzar 1995:39). R. Vashum aptly argued for self-determination of the indigenous and tribal Peoples like the Nagas in his book, entitled, *Nagas' Right to Self*-Determination. What the indigenous and tribal peoples in northeast India need is space –be it social space, linguistic space, political space, religious space, cultural space , etc. – where they could speak for themselves and live with freedom and human dignity. It is to be noted that "The heavy presence of the army and the intensification of insurgent activities in Nagaland, Manipur and North Cachar Hills in recent times has tremendously affected the normal life of the people" (Nag & Nag 1995:738). We may cite some incidents as examples here to reveal that military's human rights violations is on the increase especially among the indigenous and tribal population in India's Northeast:

- A Ngaprum girl, Rose, committed suicide a day after she was raped by Major Pundir and Captain Negy on 4 March 1974, before the eyes of the helpless village elders held at gunpoint (Luithui & Haksar 1984:35). However, it is said that the State Government of Manipur and the Union of India referred to the Special Powers Acts and Military Act against prosecution and intimidated those who tried to raise their voice against such military atrocities.

- In 1982 there was widespread abuse and intimidation of civilian officers, sexual assaults, torture of Naga villagers and abuse of their places of worship in Ukhrul district of Manipur by units of the 21 Sikh Regiment and other security forces (Luithui & Haksar 1984:36).

- On December 27, 1995, retaliating to the death of a lieutenant colonel and a jawan killed by the NSCN, the army of the 16th Maratha Light Infantry opened fire in the civilian area of the Mokokchung town of Nagaland (Nag & Nag 1995:738) It is reported that in that unfortunate incident of two-hour mayhem, ten civilians died, and eight houses and eighty nine shops were destroyed by fire including twenty vehicles.

The examples cited above are indications that indigenous and tribal population were and are still victims of human right violations. Such violations of human rights, of course, are not confined to India's Northeast but such cases are prevalent across the globe wherever indigenous people reside.

Indigenous Peoples' Rights Movement

There were a series of hearings, intensive dialogue and negotiations for adoption of indigenous peoples' rights between the representatives of the indigenous and the nation states for several years. However, it was only after twenty five years that the Indigenous People's Rights was adopted by the UN General Assembly in September of 2007.[9] During the 1960s, the indigenous people intensified their demand for continued existence as distinctive peoples with political institutions, entitlements to land and unique cultures (Anaya 2003:165).Through conducting chains at the conferences in international level and appealing to global intergovernmental institutions directly, the indigenous people enlarged their effort for recognition as distinct people with rights to exist as equal with others in the 1970s (cf. Anaya 2003:165). "Until the 1980s the indigenous peoples' movement was not integrated, with only a few indigenous organizations able to share ideas among fellow organizations across national boundaries" (Debelo 2011:266). However, in the 1980s, writes A.R. Debelo, international organizations flourished, with the first Arctic Peoples' Conference in Greenland in 1973 as an early phase of internationalization of the movement. Declaration of 1993 as "The International Year of the World's Indigenous People" by the United Nations General Assembly indicates the

intensification of international concern over indigenous peoples' demand (Anaya 2003:165). This is the outcome of long years of hard work for their recognition internationally.

As a matter of fact, "Several states have argued that the reference to being the 'first and original occupants' of territory, which is implied by the term indigenous, is not relevant to Africa" (Gilbert 2011:249). Contrary to this, one of the criteria used to define indigenous people who qualify for special rights is being the first group to inhabit an area. John Rawls, says Baogang He, rejected the time preference in determining what is just; but Will Kymlicka's theory takes it seriously. This shows that "Time thus becomes a significant factor in personal, social and communal life" of the indigenous and tribal population (Baogang He 2011:474). For example, "In Confucianism, the role of ancestors is given high significance which again makes time an important variable in human life. In Chinese popular culture, there is often a distinction between early settlers and later arrivals, and often the former gains more privileges than the latter" (Baogang He 2011:474). This is the indication that, unlike that of Africa, time factor matters a lot in Asia where the first group to inhabit certain areas are used as criteria to define indigenous and tribal peoples.

The Growth of the Indigenous Peoples' Human Rights as International Movement

It was in December 1948 that the United Nations Organisation (UNO) adopted the Universal Declaration of Human Rights. Rene Cassin, the Nobel Peace Prize winner and promoter of human rights, who drafted the declaration, called it an epoch-making document (J. Shivananda, ed., 2006:6). Indigenous peoples' "rights are quite different from those which the Commission on Human Rights is accustomed to dealing. They do not fit neatly into any familiar legal or administrative categories at the United Nations. Nonetheless, there is no longer the slightest doubt that they form a large portion of humanity which is threatened with extinction" (Daes 2002:302). In 1975, the Working Council of Indigenous Peoples (WCIP) was established for the first time as an international organization. The WCIP "worked relentlessly towards addressing general questions such as the rights to traditional land, the status of being indigenous, conceptual definitions of the term 'indigenous peoples and so forth" (Debelo 2011:266).The chief concern of most indigenous organizations in the world is "to gain representation at local, regional and national political decision-making processes that affect their livelihood" (Debelo 2011:266). Increasingly, by the turn of the last century, international organisations and nation states began to subscribe to issues of good governance, democracy, equitable development and human rights.

The first international tool to especially deal with Indigenous and tribal peoples' human rights was the ILO Convention No. 107 of 1957[10] and it was in 2007 that this convention made way for the adoption of the United Nations Declaration on the Indigenous peoples' rights. Due to local pressure and international negotiations, the ILO reconsidered the legitimisation of the ILO Convention No. 107 of 1957 and in 1989 another ILO Convention No. 169 was issued,

which resolutely addressed the status and indigenous peoples' rights and bestowed obligations to nation states in the process of safeguarding rights of the indigenous peoples. "Up to now only 22 countries have ratified the Indigenous and Tribal Peoples Convention, mostly from South America, and a few from Africa and Europe. The US, Australia, Canada and New Zealand have not ratified it yet. In Asia, only Nepal has gone through the process of legal ratification" (Baogang He 2011:466). See Table 1, given below, for more detail in this regard.

Table 1: The Ratification of Tribal Peoples and Indigenous Convention No. 169[11]

Nation State	Date of Ratification	Status
Norway	19/06/1990	ratified
Mexico	05/09/1990	ratified
Colombia	07/08/1991	ratified
Plurinational State of Bolivia	11/12/1991	ratified
Costa Rica	02/04/1993	ratified
Paraguay	10/08/1993	ratified
Peru	02/02/1994	ratified
Honduras	28/03/1995	ratified
Denmark	22/02/1996	ratified
Guatemala	05/06/1996	ratified
Netherlands	02/02/1998	ratified
Fiji	03/03/1998	ratified
Ecuador	15/05/1998	ratified
Argentina	03/07/2000	ratified
Bolivarian Republic of Venezuela	22/05/2002	ratified
Dominica	25/06/2002	ratified
Brazil	25/07/2002	ratified
Spain	15/02/2007	ratified
Nepal	14/09/2007	ratified
Chile	15/09/2008	ratified
Central African Republic	30/08/2010	ratified
Nicaragua	25/08/2010	ratified

Source: International Labour Organization, www.ilo.org/ilolex/cgi-lex/ratifce.pl?C169.

According to Debelo, indigenous peoples' consistent demand for recognition of their traditional lands and protection as well as empowerment of their traditional political institutions has been brought as an issue to international and transnational forums since the 1970s (Debelo 2011:259). Interestingly, today indigenous people have been recognised as distinct groups by most nation states and it has been recognised across the world that they have the benefit of enjoying rights to land and autonomy collectively. Unfortunately, most of the indigenous and tribal people across the world are still denied their rights.

The notion of self-determination and Indigenous Peoples' struggle for self-determination

The right to autonomy or self-determination is a universal right as well as a moral right of all human beings. Indigenous self-determination begins with individual self-determination (Grounds, Tinker & Wilkins, eds. 2003:xiii). "There has been great change on the validity of self-determination on the eve of the World War II and after. The swelling addition of members of the United Nations since its inception in 1945 is an indication of this trend" (Vashum 2005:3). The right to self-rule or self-determination for the aboriginal and tribals has become a subject of intense debate in India which is a direct fallout of the International Year of the Indigenous Peoples (Kamei 2002:93). Erica-Irene A. Daes states that "indigenous people view self-determination as a complex bundle of rights, balancing dialectically greater freedom from the nation-state with greater collective participation in state institutions and more security of individual equality with other citizens" (Daes 2002:311). Daes further writes, "In my understanding, what indigenous people themselves mean when they speak of self-determination, is freedom to live the way the Creator made them and taught them. The emphasis is upon freedom, not the reproduction of new centres of state power" (Daes 2002:303). As Colchester says, decisions taken by the United Nations Human Rights Committee recently say yes to the principle that indigenous and tribal populations do have the right to autonomy or self-determination. Thus, "Indigenous peoples are now recognized as 'major groups' that must 'meaningfully participate' in the project of 'sustainable development'" (Colchester 2002:2). As the concept of 'indigenous peoples' has become established, several powerless groups of people in the society, who are struggling to affirm their rights to land as well as to identity, and to reclaim control over their lives, are redefining themselves as indigenous so as to resume control over their lives (Colchester 2002:2). Self-determination, therefore, is the most important principle and focal mark of indigenous and tribal peoples' movement everywhere in the world today.

It is interesting to note that it was only after fifteen years of UN existence and specifically on the 14th of December 1960 that eighty nine members of the UN voted to adopt United Nations General Assembly Resolution 1514 (XV) and made the principle of self-determination a right (Peang-Meth 2002:101). Thus, as Peang-Meth pointed out, finally a global movement came into being to demand the rights of self-determination on behalf of indigenous and tribal peoples. Several decades have passed by when the principle of self-

determination was made a right! Nevertheless, the struggle of the indigenous and tribal peoples for their right to self-determination still continues across the globe.

Concluding Remarks

Since the last quarter of the 20th century, as Debelo mentioned, indigenous peoples across the world have begun challenging the status quo of political subjugation, economic dispossession and cultural marginalization through engagement and negotiations at local, national, regional and international forums. In the process of nation-state building in Asia, for example, almost all nation-states adopted assimilation policies to eliminate the dangers posed by minorities and consolidate the domination of one ethnic group (Baogang He 2011:472). What most indigenous people seek, and the United Nations has so far endorsed, as Erica-Irene A. Daes says, is a hybrid of autonomy and political integration. Daes further says that indigenous people do not have practical meaning unless they are free to establish and maintain institutions of their own design for their exercise. "Democracy enables a kind of human agency that cares for indigenous justice" (Baogang He 2011:476). Concerning the right to development of the indigenous people, we must note that the result of any development projects undertaken by the States in the lands belonging to the indigenous people should, first and foremost, empower the concerned indigenous groups. Walter Fernandes, Gita Bharali & Vemedo Kezo expressed the view that legal changes alone cannot solve the problems of indigenous peoples. They further said that land and forests are not merely economic commodities but also the centre of indigenous peoples' identity. Therefore, destruction of these resources results in the weakening of the indigenous communities.

Baogang He endorses R.E. Chung's suggestion that "One way to move forward is to develop an integrated educational system with leadership and a public capable of supporting a multiculturalism policy" (Baogang He 2011:477-478; cf. Chung 2007:80). For Baogang He, recognising indigenous rights involves an ongoing commitment to dialogue. Human rights, as J. Shivananda rightly mentioned, are the most precious possession of humankind and a world which without them will have to face a perpetual risk of moral improvement. This is the indication that indigenous peoples "fully understand the significance of collective participation in decision making as a guarantee of the genuine and free exercise of their substantive rights. They have little confidence in the interpretation and enforcement of their fundamental rights by others" (Daes 2002:312). It is important that indigenous and non-indigenous peoples reconcile to each other and live side by side as equal citizens of a state. An excellent case in point in this regard is that of the collaboration between Danish and Inuit leaders. It is high time that all nation states recognise the rights of the indigenous and tribal people and safeguard them from further violation of human rights in the name of governmental development policies, etc.

The UN Guiding Principles stress that individual rights be protected, basic facilities to the displaced be made available, and the adverse affects of displacement be minimized. For

example, the UN Guiding Principles 28, 29 and 30 "deal with the return, reintegration and resettlement of the displaced persons. It allows the internally displaced peoples to return voluntarily, in safety and with dignity, to their homes or places of habitual residence or to other place" (Hussain & Phanjoubam (2007:20). Unfortunately these three principles and the rest – 27 other principles – are not implemented especially in India and in Northeast India. What is needed at present is to implement these principles so that the problems of the displaced will be either solved or at least the conditions of the displaced may be improved. Moreover, we need to underline that all right thinking people across the globe, all the international NGOs as well as national and regional NGOs ought to stand together against all forms of human rights violation of the indigenous and tribal peoples. It is necessary to help indigenous and tribal peoples to be more sensitive about their fundamental human rights. Seeking assistance from strong human rights groups across the globe are required if we are to defend the rights of the indigenous and tribal peoples. Moreover, it is necessary for governments to thwart others from hindering indigenous people from achieving their rights.

Endnotes

1. Cf. "According to the United Nations (UN), the world has at least 5,000 indigenous groups with a total population of 300 million living in more than 70 countries. Around 70% of them live in Asia, 84 million of them in India. Despite these numbers, the U.N. has never defined the word 'indigenous'," Fernandes, Bharali & Kezo 2008: 2). According to Erica-Irene A. Daes, the numbers of indigenous and tribal peoples worldwide have been revised upwards from 40 million to nearly 350 million. For more details, see Erica-Irene A. Daes, (2002): "Protection of the World's Indigenous Peoples and Human Rights," in Janusz Symonides , (ed.) *Human Rights: Concept and Standards*, Jaipur & New Delhi: UNESCO Publishing & Rawat Publications, pp. 301f; Gangmumei Kamei stated that Asia alone has 80 percent of world's indigenous People (Kamei 2002:90).

2. Jeremie Gilbert (2011: 245-270); Anna Meijknecht & Byung Sook de Vries (2010: 75–110); M. Lundberg & Y. Zhou (2009: 269-327).

3. The African Commission sanctioned the viewpoint that, in accordance with ones customs and traditions, the State has a responsibility not only to seek advice from the particular community, but also it should acquire their Free, Prior, and Informed Consent (FPIC) (Gilbert 2011:264, 266).

4. The San inhabit in many southern African countries like Angola, Botswana, South Africa, Namibia, Zambia and Zimbabwe (Debelo 2011: 263).

5. See, *Development Challenges in Extremist Affected Areas – Report of an expert group to planning commission (April, 2008)*: New Delhi, Government of India, p. 2.

6. Some of the problems they are facing include ethnic conflict, political unrest, lack of infrastructure, unemployment, poor educational and inadequate medical services, militarization, injustice, etc.

7. The Armed Forces (Special Powers) Act of 1958 (AFSPA) is one of the very harsh legislations that has been passed in the Indian Parliament more than sixty two years ago. According to this Act, when a particular place or region is declared as disturbed area, armed forces are given unobstructed and unaccounted authority to carry out their operations. Based on simple suspicion, this Act permits even a non-commissioned officer right to shoot to kill anybody for the sake of maintaining public order. All in the name of helping civil power, the armed forces are provided with extensive powers to search, arrest, and shoot by this draconian Act. This Act was first applied to Assam and Manipur. Later, it was amended in 1972 to apply to all the seven states of northeast India, which is also known as the "seven sisters". They are Assam, Arunachal Pradesh, Manipur, Mizoram, Meghalaya Tripura, and Nagaland. But with "Sikkim", currently, there are eight states altogether in north-eastern region of

India. The enforcement of the AFSPA has resulted in countless events of torture, rape, looting by security personnel and arbitrary incarceration. Despite its evil effect, the Government of India seeks to justify by saying that this legislation is still necessary to stop states in northeast region from seceding from the Union of India. We need to note here that prior to the formation of the Union of India there was a sturdy movement for self determination. Cf. www.hrdc.net/sahrdc/resources/armed_forces.htm, Accessed on 22/10/2011.

8. See, "Lack of transparency in Naga talks raised during Delhi consultation,"

    http://www.nagalandpost.com/ChannelNews/State/StateNews.aspx?news=TkVXUzEwMDAzMDI4Ng%3d%3 d-SEg4GuKXfkw%3d, Accessed on 14/01/2013.

9. Tsosie would say that the most extensive and comprehensive document articulating indigenous peoples' rights so far is the Declaration on the Rights of Indigenous Peoples (Tsosie 2011:924, 927). Karen Engle also writes, "In September 2007, after over two decades of preparatory work and many false starts and stops, the United Nations General Assembly adopted the UN Declaration on the Rights of Indigenous Peoples (UNDRIP)," (Engle 2011: 141).

10. "The ILO Convention on Indigenous and Tribal Peoples (Convention No. 169) of 1989 is contemporary international law's most concrete statement of state's specific obligations toward indigenous peoples. Convention No. 169 is a revision of the ILO's convention No. 107 of 1957, and it represents the marked departure in world community policy from the philosophy of integration or assimilation underlying the earlier convention. The basic thrust of Convention No. 169 is indicated by its preamble, which reiterates 'that in many parts of the world [indigenous] peoples are unable to enjoy their fundamental human rights to the same degree as the rest of the population of the States within which they live, and that their laws, values, customs and perspectives have often been eroded. The preamble additionally recognizes the aspirations of [indigenous] peoples to exercise control over their own institutions, ways of life and economic development and to maintain and develop their identities, languages and religions, within the framework of the States in which they live. Based on these premises, the convention places affirmative duties on states to advance indigenous cultural integrity, uphold land and resource rights, and secure non-discrimination in social welfare spheres; the convention generally enjoins states to respect indigenous peoples' aspirations in all decisions affecting them" (Anaya 2003:165-166).

11. Baogang He cited from "International Labour Organization" (2011): www.ilo.org/ilolex/cgi-lex/ratifce.pl?C169, cf. (Baogang He 2011:462).

References

Anaya, S. James (2003): "International Law and U.S. Trust Responsibility toward Native Americans," in Richard A. Grounds, George E. Tinker & David E. Wilkins, Lawrence (ed.), *Native Voices: American Indian Identity & Resistance*, University Press of Kansas, Kansas: pp.155-185.

Castellino, Joshua (2010): "The Protection of Minorities and Indigenous Peoples in International Law: A Comparative Temporal Analysis", *International Journal on Minority and Group Rights*, Vol.17, pp. 393-422. *http://ehis.ebscohost.com/eds/results?sid=4518a123-6a24-45f3-a8c7c2cc7ca303ae%40sessionmgr10&vid=2& hid =6&bquery=joshua+AND+castellino&bdata=JnR5cGU9MCZzaXRlPWVkcy1saXZl*

Chung, R E (2007): "Beyond Nationalities: The Review of Multiculturalism in Asia", *Harvard International Review*, Vol.28, No.4.

Cobo (1983): "Study of the Problem of Discrimination against Indigenous Populations", Vol.1, UN Doc E/CN.4/Sub.2/1983/21/add.8.*http://books.google.co.in/books/about/Study_of_the_problem_of_discrimination_ a.html?id=ksYlAQAAMAAJ&redir_esc=y,* Accessed on 14/08/2013

Colchester, Marcus (2002): "Indigenous Rights and the Collective Conscious", *Anthropology Today*, Vol.18, No.1, February, pp.1-3. *http://ehis.ebscohost.com/eds/results?sid=3bc97026-2359-43dfa84f-97eaff599bdb%40sessio*

nmgr104&vid=2&hid=105&bquery=Marcus+AND+Colchester&bdata=JnR5cGU9MCZzaXRlPWVkcy1saXZl, Accessed on 14/08/2013

Daes, Erica-Irene A. (2002): "Protection of the World's Indigenous Peoples and Human Rights", Janusz Symonides (ed.), *Human Rights: Concept and Standards*, UNESCO Publishing & Rawat Publications, Jaipur & New Delhi, pp.301-325.

Debelo, Asebe Regassa (2011): "Contrast in the Politics of Recognition and Indigenous People's Rights," *An International Journal of Indigenous Peoples*, Vol.7, Issue 3, pp.258-271. *http://ehis.ebscohost.com/eds/results? sid=048dfc18-524a-4f13-b5eb-af03a6f68d8d%40sessionmgr11&vid=2&hid=101&bquery=Asebe+AND+Reg assa+AND+Debelo&bdata=JnR5cGU9MCZzaXRlPWVkcy1saXZl*, Accessed on 14/08/2013

Government of India (April 2008): "Development Challenges in Extremist Affected Areas – Report of an expert group to planning commission", New Delhi, *http://www.google.co.in/#bav=on.2,or.&fp =b21db36ee6229226&q=development+challenges+in+extremist+affected+areas+report+of+an+expert+gro up+to+planning+commission*, Accessed on 14/08/2013

Engle, Karen (2011): "On Fragile Architecture: the UN Declaration on the Rights of Indigenous Peoples in the Context of Human Rights", *The European Journal of International Law*, Vol.22, No.1, pp.141-163. *http://ehis.ebscohost.com/eds/results?sid=048dfc18-524a-4f13-b5eb-af03a6f68d8d%40sessionmgr11&vid=2& hid=5&bquery=Karen+AND+Engle&bdata=JnR5cGU9MCZzaXRlPWVkcy1saXZl,* Accessed on 14/08/2013

Fernandes, Walter, Gita Bharali & Vemedo Kezo (2008): *The UN Indigenous Decade in Northeast India*, North Eastern Social Research Centre, Guwahati.

Gilbert, Jeremie (2011): "Indigenous Peoples' Human Rights in Africa: The Pragmatic Revolution of the African Commission on Human and Peoples' Rights", *International and Comparative Law Quarterly*, Vol.60, January pp.245-270. *http://ehis.ebscohost.com/eds/results?sid=048dfc18-524a-4f13-b5eb-af03a6f68d8d%40session m gr11&vid=2&hid=5&bquery=Jeremie+AND+Gilbert&bdata=JnR5cGU9MCZzaXRlPWVkcy1saXZl,* Accessed on 14/08/2013

Gilbert, Jeremie (2007): *Indigenous Peoples' Land Rights under International Law: From Victims to Actors*, Transnational Publishers-Martinus Nijhoff.

Grounds, Richard A., George E. Tinker & David E. Wilkins, eds. (2003): *Native Voices: American Indian Identity & Resistance*. Lawrence, Kansas: University Press of Kansas.

He, Baogang (2011): "The Contested Politics of Asian Responses to Indigenous Rights," *International Journal on Minority and Group Rights*, Vol.18, pp. 461-478. *http://ehis.ebscohost.com/eds/ results?sid=048dfc18-524a-4f13b5ebaf03a6f68d8d%40sessionmgr11&vid=2&hid=5&bquery=Baogang+AND+He&bdata=JnR5cGU9M CZzaXRlPWVkcy1saXZl,* Accessed on 14/08/2013

Hussain, Monirul & Pradip Phanjoubam (2007): "A Status Report on Displacement in Assam and Manipur," Mahanirban Calcutta Research Group, Kolkata, pp.1-41. *http://www.mcrg.ac.in/pp12.pdf.* Accessed on 14/08/2013

International Labour Organization (2011): *www.ilo.org/ilolex/cgi-lex/ratifce.pl?C169.*

IWGIA (2005): *Chapter 4 - Report of the African Commission's Working Group of Experts on Indigenous Populations/ Communities submitted in accordance with 'Resolution on the Rights of Indigenous Populations/ Communities in Africa adopted by the African Commission on Human and Peoples' Rights at the 28th ordinary session, www.tebtebba.org/.../147-3b-african-system?...indigenous-peoples...afric...*, Accessed on 14/08/2013

Kamei, Gangmumei (2002): *Ethnicity and Social Change: An Anthology of Essays*, Lamyanba Printers/ Smt. Pouganglu Gangmei, Imphal, Manipur.

Kjosavik, D J and N. Shanmugaratnam (2007): "Property Rights Dynamics and Indigenous Communities in Highland Kerala, South India: An Institutional-historical Perspective", *Modern Asian Studies*, Vol.41, No.6, pp.1183-1260. *http://journals.cambridge.org/action/displayFulltext?type=1&fid=137   1260 &jid=ASS&volumeId=41&issueId=06&aid=1371256&bodyId=&membershipNumber=&societyETOCSession =,* Accessed on 14/08/2013.

Karunakar, P (2012): "Building of Large Dams and the Rights of Tribes in India." *Fourth World Journal* Vol.11, No.1,   pp.27-41,   Summer.   *http://search.informit.com.au/documentSummary;dn=557208614710223 ;res=IELIND*, Accessed on 14/08/2013.

"Lack of transparency in Naga talks raised during Delhi consultation," *http://www.nagalandpost.com/ ChannelNews/State/StateNews.aspx?news=TkVXUzEwMDAzMDI4Ng%3d%3d-SEg4GuKXfkw%3d,* Accessed on 14/01/2013.

Longchar, Wati (2008): "Globalisation: A Perspective on Theological Education," in Narola Imchen, Jorhat (ed.), *Tribal Women and Globalization, Women Study Series No. 5,* Women Studies Center, Eastern Theological College, Assam. pp.19-40.

Luithui, Luingam & Nandita Haksar (1984): *Nagaland File: A Question of Human Rights*, Lancer International, New Delhi.

Meijknecht, Anna & Byung Sook de Vries (2010): "'Is There a Place for Minorities' and Indigenous Peoples' Rights within ASEAN?: Asian Values, ASEAN Values and the Protection of Southeast Asian Minorities and Indigenous Peoples", *International Journal on Minority and Group Rights*, Vol.17, No.1, pp.75–110, *http://ehis.ebscohost.com/eds/results?sid=048dfc18-524a-4f13-b5eb-af03a6f68d8d%40sessionmgr11&vid =2&hid=101&bquery=Anna+AND+Meijknecht+AND+Byung+AND+Sook+AND+%22de%22+AND+Vries& bdata=JnR5cGU9MCZzaXRlPWVkcy1saXZl, Accessed on 14/08/2013*

Nag, Sajal & Tejimala Nag (1995): "Human Rights Violation in Naga Hills," in *Economic and Political Weekly,* Vol.30, No.14, April 8, p.738. *http://www.jstor.org/stable/4402593*, Accessed on 14/08/2013

Peang-Meth, Abdulgaffar ((2002): "The Rights of Indigenous Peoples and Their Fight for Self-Determination," in *World Affairs*, Vol.164, No.3, Winter, pp.101-114, *http://ehis.ebscohost.com/eds/results?sid=048dfc18-524a-4f13-b5eb-af03a6f68d8d%40sessionmgr11&vid=2&hid=101&bquery=Abdulgaffar+AND+Peang-Meth& bdata=JnR5cGU9MCZzaXRlPWVkcy1saXZl*, Accessed on 14/08/2013

Prillbrett, J (1994):"Indigenous Land Rights and Legal Pluralism among Philippine Highlanders", *Law & Society Review*, Vol.28, No.3, pp.687-697.

Rawls, John (1971): *A Theory of Justice*, Harvard University Press, Cambridge.

Shinde, Prem Kumar (ed.) (2005): *Dalits and Human Rights, Vol.1*, Isha Books, Delhi.

Shivananda, J (ed.) (2006): *Human Rights: Concept and Issues*, Alfa Publications, New Delhi.

S V (1996): "India", *Encyclopedia of Human Rights* 2nd ed. pp.749-755.

Tsosie, Rebecca (2011): "Reconceptualizing Tribal Rights: Can Self-determination be actualized within the U.S. constitutional structure?" in *Lewis & Clark Law Review*, Vol.15, No.4, pp.923-950, *http://ehis.ebscohost.com/ eds/results?sid=048dfc18-524a-4f13-b5eb-af03a6f68d8d%40sessionmgr11&vid=2&hid=101&bquery=Rebecc a+AND+Tsosie&bdata=JnR5cGU9MCZzaXRlPWVkcy1saXZl* Accessed on 14/08/2013

Vagholikar, Neeraj & Partha J. Das (n.d): "Damming Northeast India: Juggernaut of Hydropower Projects Threatens Social and Environmental Security of Region," *http://www.conflicts.indiawaterportal.org/sites/conflicts. indiawaterportal.org/files/Damming%20Northeast%20India,%20Single%20pag*, Accessed 21/09/2012.

Vashum, R (2005): *Nagas' Right to Self-Determination*, Mittal Publications, New Delhi.

India's Diaspora Policy

Vinod Khobragade

Abstract

During the pre-liberalization era, the government of India had a negative attitude towards its diaspora dwelling around the world as they were held worthless in the process of development of India. However, since India's adoption of the policy of economic liberalization, the diaspora have been very enthusiastically attracted towards India contributing in various directions. As a result, realizing the significant role of diaspora in social remittances, economic development and philanthropy, the government framed a diaspora policy to woo them further towards their traditional and cultural motherland. The government of India held its diaspora as one of the great assets for the development of the country. In this paper, attempts are made to touch upon the stages of migration from India during various periods, the diasporean approach towards the motherland and India's policy towards its diaspora.

Introduction

While addressing the Indian diapsora, Nobel Laureate Amartya Sen (2003) argued, "India's achievements in diverse fields were a result of its "interactive openness" with the outside world…It is the openness of our culture and our heritage — inclusive openness to settle disputes to a dialogue and interactive openness to give to and take from the outside world". The neo-liberal economic policies and the process of globalization have facilitated the larger extent of the worldwide migration of people from the developing and poor countries of Asia, Africa and Latin America to the developed and economically advanced states of the North America and Europe. As stated by Castle (2012:273), international migration is an integral part of globalization. Because of the increasing role of migrants in the development of both the states of residence and origin or homeland, Castle and Wise re-defined migrants as "heroes of development" (2007:3). With the increasing role of migrants in the social, economic and political affairs of states of their residence, the governments of the states of their origin have given much space to the domestic multiple affairs, making them an important part of the state's foreign policy. In this direction, Devesh Kapur (2010:16) has rightly observed, "Emigrants can be a source of augmented trade, investment and financial flows, but also of new ideas, practices and technologies to source country economies. Their transnational social capital may result in strengthening international civil society, manifest in diasporic philanthropy or result in something very different: long-distance ethnic nationalism".

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The global recognition is that "one of the first attempts to manage the proliferation of the use of the term 'diaspora' belongs to William Safran in his historical studies of Jewish community (Sideri 2008:34). He has been regarded as one of the first scholars of classical theory of diaspora. Adamson and Demetriou (2007:492) argued, "The concept of diaspora is being employed across a variety of disciplines in the social sciences as a means of studying the relationship between territorially defined forms of political organization and control, and the articulation and mobilization of political identifications". Diaspora is group of people of different ethnic, caste, race who reside in other states leaving the state of origin permanently or temporarily. Adamson and Demetriou (2007:497) defined diaspora as "a social collectivity that exists across the state borders and that has succeeded over time to sustain a collective national, cultural or religious identity through a sense of internal cohesion and sustained ties with a real or imagined homeland, and, display an ability to address the collective interests of social collectivity through a developed internal organizational framework and transnational links". However, they argued that the definition of diaspora is hotly contested with regard to the essentially contested concept of state (ibid: 517). In the opinion of Paul Gilroy, "Diaspora is an especially valuable idea because it points towards a more refined and wieldier sense of culture than the characteristic notions of rootedness" (2001:122). By and large, diaspora is a community of the people with a common homeland scattered in the different countries of the world around.

The term diaspora literally means scattering or dispersion which is derived from the Greek word *dia* means division or dispersion and *spiro* means to sow the seeds (Cohen 2007; Sideri 2008). The term diaspora was originally used to refer to the dispersion of the Jews to the lands outside Palestine after the Babylonian captivity. For the post-modern Clifford, diaspora is a new form of consciousness, collectivity and solidarity in a period that fragmentation and de-territorialization are praised as dominant paradigms (Sideri 2008:35). Diaspora carries dual consciousness; for the state of their current residence and for the homeland or state of origin (ibid). As narrated by Sideri, Brent Hayes Edwards has associated diaspora with the cultural and political linkages across communities that retain their differences and distinctiveness (ibid: 36). Though the classical theory of diaspora is considered with regard to a common ethnic origin, this is not possible in all cases. And especially it does not suit the Indian case as Indian diaspora has different ethnic categories. However, the common homeland becomes the most important component of diaspora. In other words, diaspora resides at the periphery, but they have a common centre of origin - the homeland. With the revolutionary changes in the world order, the classical theory also faced counter theories of paradigm shift in diasporic theories. Diaspora has shifted from homogeneity to heterogeneity. As narrated by Rogers Brubaker (2005:2), for Anderson (1998), diasporas are the "long-distance nationals" as of their incessant involvement in the homeland politics, and are sometimes involved in the support to terrorist or extremist or ultra-nationalist movements and activities.

However, Indian diasporas (NRIs and PIOs)[1] may include various ethnic, linguistic and religious groups that have disseminated India's cultural diversity around the world. Though Indian diaspora has a common homeland, they are scattered as different ethnic groups as has been in India. The High Level Committee on Indian Diaspora (L. M. Singhvi Committee 2001) defined Diaspora as "communities of migrants living or settled permanently in other countries, aware of its origins and identity and maintaining varying degrees of linkages with mother country". Moreover, the committee defined Indian diaspora as "the people who migrated from territories that are currently within the borders of the Republic of India. It also refers to their descendents".

Indian Diaspora

The neo-liberal form of international economic integration has undermined traditional ways of working and living and the increasing agricultural productivity has displaced people from the farming land. The environmental changes compelled a large number of people to seek new livelihoods and place to live. Subsequently, people moved to the cities that have meager jobs, very bad housing and social conditions. Moreover, weak states and impoverishment led to lack of human security, often resulting in violence and violations of human rights. All these factors encouraged emigration (Castle 2012:273). However, the most significant factor held responsible for the major international migration was the process of globalization that spread around the world. The worldwide diaspora population extensively increased because of the larger facilities of transportation and communication that gave vent to the migrants to travel and settle even in very remote countries maintaining contacts with the countries of their origin culturally or emotionally.

Poverty and other pathetic conditions in the Indian sub-continent compelled the people to migrate around the world. The large-scale migration was due to wage differences - they were earning five to eight times more compared to earnings in India (Kapur 2010:52). The migration of Indian people have mainly been categorized into three phases. First phase is pre-independent period when many unskilled labours were in greatly demand to work in the plantation industry of British and other colonial empires like France and Portuguese and were recruited under the Kangany or Maistry system (recruitment through contractor or middleman). However, the large-scale migration from India started with the abolition of slavery in colonial states like British Colonies in 1833 and subsequently by others (Naujoks 2009). During this period, Indian labours were exported to the developing countries of Caribbean states like Guyana, Trinidad and Tobago, Jamaica, Fiji, Surinam and other states like Mauritius, South Africa; South Asian states like Sri Lanka, Maldives, and southeast Asian states like Malaysia and Burma. The migration to Burma, Sri Lanka and Malaya was from India's eastern coastal regions of Andhra Pradesh, Tamil Nadu and Orissa. The migration to long distanced Caribbean states, Fiji and Mauritius was from North Indian states of Bihar and Uttar Pradesh, and migration to East and South Africa from Gujarat and Punjab (Kapur 2010:52). The labour migrants were mostly

unskilled and from the lower-castes (ibid). Around 6 million people had migrated to the south and southeast Asia by 1938 (Bhatt 2003). During the colonial period, the migration to North America, the United States and Canada was very low and these were from Punjab. To Britain too, migration was low and limited to educated high castes of Parsees and Bengalis (Naujoks 2009).

The second phase of migration began with the end of World War – II. This phase of Indian migrants consisted of unskilled, semi-skilled, skilled and professional workers and even traders especially from Punjab and Gujrat who migrated to the United Kingdom in 1960s (Naujoks 2009, Kapur 2010). The liberalization of the American immigration law in 1965 led to large scale migration to the USA (Naujoks 2009, Kapur 2010). Moreover, the majority of the unskilled, semi-skilled and skilled workers for various purposes such as nurses, teachers, maids, accountants etc. migrated to the Gulf countries because of the booming oil sectors, though it was temporary and this migration was on the largest scale of all. South Asian labourers were cheaply available and ready for such jobs. The Kerala state has the largest number of migrants (including a large number of women workers) to the Gulf countries. By 1992-93, they were estimated to be around 6,41,000 and by 2008, the number rose to 21,94,000 (Zachariah and Rajan 2012).

The third and most significant phase of migration was in the 1990s due to the revolution of information technology in the world especially to North America and Europe and even other industrially advanced English-speaking countries of Southeast Asia including Australia and New Zealand. These migrants were highly educated and mostly were IT professionals or software engineers. This migration is held as 'Migration of Talent' or 'Brain-Drain' or even Cream of India (Salehi 2007). In 1961 in the UK, Indian people were 50, 000 and by 2007, it rose to 1.3 million (Naujoks 2009) and by May 2012, 1.5 million (MOIA 2012). The Indian originated population in the USA in 1960 was 13,000, 1 million in 2000 and 1.5 million by 2007 (Kapur 2010) and about 2.25 million (22, 45,239) by May 2012 (MOIA 2012). The Indian-born population in the USA became the fourth largest immigrant groups after Mexico, China and the Philippines (Kapur 2010:53). Moreover, Kapur (2010:19) observed;

By the 1990s, India's human capital rich diaspora, especially in the United States, emerged to become an international business asset for the country. Its success in Silicon Valley provided broader externalities, including Indian perceptions of Indian technology businesses. As reputational intermediaries and as credibility enhancing mechanisms, this diaspora favourably influenced global perceptions of India, reflecting the reputational spillover effects of succeeding in the most powerful country's leading technology sector. In addition to this, Indian diasporic networks (mostly by Gujrati Jains) have also played an important role in India's emergence as a world leader in the diamond industry.

In fact, the best of minds in India had preferred to migrate to North America, but since the end of Cold War and New Economic Liberal Policy (1991) and India's Look East Policy (1992), skilled Indian minds also commenced migrating towards Southeast Asian states like Singapore, Malaysia, Japan, Hong Kong etc. However, the major part of India's diasporic population settled in developing countries during the period of colonial rule. It has been estimated that people of Indian origin represent a significant proportion of the population of countries such as Mauritius (60.35%), Trinidad and Tobago (39.04%)[2], Guyana (51.01%), Surinam (35%), Fiji (41.34%), South Africa (3%), Malaysia (7.20%), the UK (2.10%), the USA (1.60%), Canada (2.6%), Hong Kong and Singapore (5.40%) (Bhat and Narayan 2010:16). The Ministry of Indian Overseas Affairs have the following estimates, persons of Indian origin in Asia is 51% (20 % in Gulf region), North America 19%, Africa 13 %, Europe 11 % and South America 2% (Dubey 2011:255). The Indian diaspora in the Caribbean Region is 1.3 million[3]. By May 2012, Indian diaspora have been recorded to be about 21.9 million (2,19,09,875 - both NRIs and PIOs) spread around 200 countries (MOIA 2012).

Though the people of Indian origin are permanently living in the other states, they are culturally and emotionally attached to India which has made a significant contribution to India's emergence as an economic and cultural power (Thissu 2012). They have raised India's image and spread its culture in their respective states though they have adopted the local culture. The former Foreign Minister Yashwant Sinha had argued, "People of Indian origin are extremely important sources of support for the Indian government in the execution of its policies through the influence and respect they command in the countries in which they live" (Mohan, 2003). The Indian diaspora has shown their knowledge and expertise in different fields. Global figures like Amartya Sen, Bhikhu Parekh, Jagdish Bhagavati, Meghanad Desai, Raghuram Rajan, Indira Nooyi etc. have given currency to the phrase "Global Indians" (Dubey 2013)…and more importantly, the American administration of Barak Obama has appointed a number of people of Indian origin in the important federal posts. Moreover, people of Indian origin have been heading the states and highest political positions like President and Prime Ministers. For example, Mr. Rajkeswur Purryag is President and Navin Ramgoolam is Prime Minister of Mauritius, Donald Ramotar is President of Guyana, Bharrat Jagdeo was a former President of Guyana and Kamla Prasad-Bissessar is Prime Minster of Trinidad and Tobago. As a result, there is now a growing reciprocity between India and its diaspora. India now regards them as an asset while they look upon India as a source of intellectual and cultural inspiration as well as a land of opportunities (Dubey 2013: 282). Moreover, the present diaspora has also been playing a crucial role in influencing the foreign policy of the countries of their residence in favour of India. For example, the Indian diaspora played a crucial role in mobilizing civilian nuclear deal between India and the USA in 2008.

Diasporean Economics in India

On observing India's potentials, the world's economic and financial institutions have declared India as one of the fastest growing economy in the world and it will be the largest in coming future even overtaking USA and China (In fact, at present, China is a decade ahead of India). Steven Cohen's (2001) study held India as an emerging global power. Moreover, on India's increasing might, Admiral Robert (2009; Commander of US pacific Command) stated, "India's growing economic, diplomatic and military power makes them a key player, not only in South and Central Asia but globally as well". Kapur (2010) identified four key economic effects of the Diaspora on India. First, the reputation and network of the diaspora have catalyzed the development of India's two major export sectors - information technology and diamond cutting. Second, for a quarter of a century from the mid-1970s onward, the diaspora has been an important source of foreign exchange for India. Third, financial flows from the diaspora have ended up mainly in the southern and western states of India. Given that these states were already ahead economically, international emigration has clearly increased interstate inequalities. Fourthly, overseas migration has buttressed bias in the Indian economy towards skill intensive services and capital intensive manufacturing.

However, the fact is that one-third of India's economy is based on foreign direct investment (FDI), outsourcing both exports and imports of goods and capital. During 2007-08, FDI in India was around $35billion. Kathleen Newland (2004) observed, "Remittances are not the only instrument of diaspora contribution. They can be a major source of Direct Foreign Investment (FDI), Market Development (outsourcing), technology transfer, philanthropy, tourism, political contributions and more tangible flows of knowledge, new attitudes and cultural influence". The Indian diaspora has played a major role in transforming the economies and occupied a pride of place in the life of host countries. They are found as entrepreneurs, workers, traders, teachers, researchers, inventors, doctors, lawyers, engineers, managers and administrators…by playing a leading role in the global technological revolution, it has transformed India's image abroad…(Chaturvedi 2005:149). The financial remittances, which had emerged as an important part of India's balance of payment (BOP) in the mid-1970s, have constituted the diaspora's most visible economic contribution to India. By the late 1990s, remittances had been about six times the net capital transfer from international capital market and by 2008 they exceeded $50billion and amounted to about 4 percent of India's GDP (Kapur 2010:18). They had been playing the role of credibility enhancing agents for economic actors back home and their role in FDI and remittances (money transfer). It is estimated that Indian diaspora has a worth of US$600 billion, and their annual contribution to the Indian economy is valued at $10 billion (Thussu 2012:5). The remarkable change that has been observed is about the remittances by the diaspora to India. As reported, in 1991, remittances to India from overseas Indians were a modest $2.1billion. From 1991 to 2001, India received $7.7 billion (Kapur 2004:6). In 2004, India was the world's largest recipient of remittances with $21.7 billion (Castles 2012:280) and $53 billion in 2010 (Dubey 2013), $64 billion in 2011 and $75

billion had been expected in 2012[4]. For Kapur (2004), "remittances have become a new 'development mantra'-the money sent home by migrants is thought to promote local, regional and national development". However, the remittances are less efficient than FDI in development programmes because only a fraction of remittances is actually invested (Kapur 2004:10-14). In the FDI sector, India struggles when compared to China who received more than India. For the period 1991 to 2001, the Indian diaspora had invested $2.6 billion from a total FDI of $10 billion in India and China had invested 70 per cent of the total FDI received (Balsubramanyam and Wei 2007). In 2001, India had received only $3.9 billion whereas China had $46.8b. The FDI of Indian diaspora during 2001-02 was just $35million (Gupta 2004). During August 1991 to December 2010, diasporean investment was $7354 million (Annual Report 2011-12, MOIA: 38). Moreover, during 2008-09, 12400 NGOs in India have received around $2.3 billion diasporic philanthropy. Moreover, the diaspora is also greatly contributing in wider areas such as health, education, environment, energy, municipal management, traffic management and poverty alleviation programmes in India.

India's Diaspora Policy

The foreign policy of India has undergone tremendous shifts from regime to regime and from idealism to pragmatism as per the dictum and dynamics of international politics. During the Nehru period (1950s-60s), India had adopted the policy of active dissociation towards its diaspora. The Indian diaspora were not given space in India's foreign policy formulation. In other words, India was not concerned about the problems and issues of people of Indian origin settled beyond Indian territory. The leaders of Indian National Congress (INC) during colonial times had urged and agitated for the concerns and rights of Indian diaspora. But, in contrast to INC's stand, Nehru had argued in 1939, "India is weak today and cannot do much for her children abroad but she does not forget them and every insult to them is a humiliation and sorrow for her. And a day will come when her long arm will shelter and protect them and her strength will compel justice for them" (Dubey 2011:257). Furthermore, Nehru appealed to the Indian diaspora, "if you cannot be, and if you are not friendly to the people of that country, come back to India and do not spoil the fair name of India (ibid: 258). On 18th March 1946, addressing a gathering in Singapore, Nehru argued, "India cannot forget her sons and daughters overseas. Although India cannot defend her children overseas today, the time is soon coming when her arm will be long enough to protect them". After independence, his approach changed and he argued, "Our interest in them becomes cultural and humanitarian and not political". He also advised that they must be loyal to the states where they are living and viewed that people of Indian origin who had taken foreign nationality should identify themselves with and integrate in the mainstream of social and political life of the country of their domicile" (Lall 2001:88, Kapur 2010:189). Even though the Indian diaspora had been facing multiple problems of racial discrimination and oppression or problems of human rights violations, India paid no attention towards them on the presumption that they had not been Indian nationals anymore. Nehru advised Indian diplomats in the respective states to follow a

'Hands off Policy' in the case of diaspora (Dubey 2013). However, the government had focused on formally maintaining cultural links with them. In fact, Nehru had dreamt of making India as a global leader and especially the leader of NAM and wanted support from various countries, small or big, and as a result, India had to maintain good relations with such states abstaining from talking about the rights of Indian diaspora against the countries of their residence (Kapur 2010). Moreover, he believed in respecting the sovereignty of other states. However, on Nehru's 'hands off policy' towards diaspora, Dubey (2013) argued:

> …the earlier migrants from India came either from the underprivileged classes of agricultural labourers or from traders. The first category of migrants, agricultural labourers, had no constituency in India and hence their suffering in the countries of migration did not evoke much sympathy in the home country. They were left very much to their own fates. The traders, who migrated from India mostly during the colonial era, and later in the post-colonial period, also did not attract much attention to their conditions in the host countries. Since their migration was seen as being motivated by self-interests, aimed at seeking better living conditions and prosperity in foreign lands, the home country did not feel that it had any moral obligation towards them.

It has been argued that the people had left India for selfish reasons and personal economic gains. By abandoning their mother country, they have, in fact, lost their Indianness (Lall 2001:207) and Nehru believed that Indian identity could only emerge from within India's territory (ibid: 211). Moreover, India paid scant attention towards its diaspora in the remote areas of Caribbean states because of the long distance and lack of connectivity whereas the diaspora in the countries like Sri Lanka and other South and Southeast Asian countries could attract the attention because of geographical proximity (Dubey 2011).

However, the policy had swirlings from regime to regime and the succeeding government under Indira Gandhi brought policy shifts in the 1960s. Though Gandhi's government had not framed any strong diasporic foreign policy, she exhibited her gentle concern for the rights and problems of the Indian diaspora. She called Indian diaspora as "Ambassadors of India", and argued on diaspora in Fiji, "I feel like a mother concerned about the welfare of a married daughter who has set up home far away"(Dubey 2011:259). While Nehru followed the policy of active dissociation, Indira Gandhi followed the policy of active association towards the diaspora including them in the Indian outdoor policy, but to a lesser extent. However, as has been observed, she followed the same (Nehru's) line of policy towards the diaspora. As she wanted to focus on the establishment of Indian hegemony in South Asia, and her economic policies were strongly in favour of centralization, her approach towards the diaspora remained scanty and also against, perhaps, foreign investment. The diaspora's mere emotional and civilizational attachments were welcomed. In fact, her love for Tamils of Indian origin in Sri Lanka was apparent. The most significant point to focus is that during the period of Indira Gandhi, India mostly focused on the Gulf diaspora as they were ahead of all the

diasporean community in sending foreign exchange (their all earnings and savings) to India as they had not been entitled to become permanent citizens in the Gulf countries. Her diaspora policy had been 'remittance-centric'. In the beginning, India had not shown much interest towards the diaspora in the Gulf, but later, with the increasing economic leverage, they became an important factor of India's policy. As noted, "the Indian mission in Gulf countries consciously started establishing and maintaining contacts with Indian migrants to these countries (Dubey 2013:280)…during this period, Indian policymakers continued to follow a 'hands off policy' as far as migrants to the USA, Europe and the region outside West Asia are concerned" (Dubey 2011: 259). Further, when Rajiv Gandhi became prime minister, he focused more on India's economic and outdoor policies. During the 1980s in his regime, perceiving the diaspora's significance as a source of capital, India tried to establish contacts especially with the Indian rich diaspora to attract FDI (Lall 2001: 206, Venkateswaran and Mithani 1989:99). In 1986, a special cell under the Finance Ministry was created to deal with the diasporean investment (Venkateswaran and Mithani 1989:102). He tried to exploit the brains of diaspora to achieve his vision of India of the 21st century. His first visit to the United States in 1985 saw the beginning of identification of Indian American diaspora as a potentially valuable bridge-builder between the two countries (Kapur 2010:193).

With the adoption of new economic liberalization policy, the government realized the importance of diaspora for the socio-economic development, and accordingly, focused approaching the diaspora to establish cordial relations. However, it has been observed that during the Gulf war in 1991-92, India had faced financial crisis and to cope up with this, India's leaders approached to Indian Gulf diaspora and efforts were made to import oil and other required things on credit. Moreover, the Indian leadership also had approached to the affluent diaspora around the world to transfer a part of their foreign exchange to India to recover from the crisis, but, unfortunately, as has reported that not a single dollar was transferred from these diaspora (Dubey 2013). This depicted that the Indian diaspora was not much concerned of the motherland also. On the diasporic role in the financial crisis in India during the Gulf war, Dubey (2013:281) narrated, "NRIs contributed to the aggravation of the crisis by withdrawing in an indecent hurry their short term deposits in Indian banks…these Indians apparently did not meet its (motherland) expectations at the moment of distress. The NRIs concerned, on their part, thought that they were only cutting their losses. Those who were in a position to help wanted a quick quid pro quo which the nation either could not afford..."

Gradually in the second half of the 1990s, with the increasing economic leverage of India in world affairs, the government and Indian diaspora found space to strengthen their relationship. The government had launched "Resurgent India Bonds" and the "India Millennium Deposits" in 1998 which were oversubscribed as a result of government's assurances of high rate of interests and 87 per cent of foreign exchange return guarantee (ibid).

NDA's Diaspora Policy (1998 – 2004)

As a Foreign Minister in 1978, Atal Bihari Vajpayee had called the Indian diaspora as "Bharat Se Bhage Bhartiya" (Dubey 2013 :280). However, it was the Vajpayee government (BJP led NDA, 1998-2004) which had for the first time deliberated to develop a holistic and comprehensive policy framework towards its diverse diaspora. The Indian diaspora policy acquired greater momentum to engage the diaspora during this period (Dubey 2011:261). This period is known for the highly "Pro-active Association" with the diaspora. In 1999, the government launched a PIO card providing a long term visa (20 years) allowing the PIOs to have property and access to education in India. Moreover, to strengthen further relations and contacts with the diaspora, the Ministry of External Affairs appointed a High Level Committee (Singhvi Committee) on Indian Diaspora in September 2000 which submitted its report in 2003 with strong recommendations to attract the diaspora. In 2003, the government commenced the celebration of Pravasi Bhartiya Divas[5], the first recommendation of the Singhvi committee and now it is regularly celebrated every year on 9th of January[6] to mark the contribution of the overseas Indian community towards the development of India. Moreover, in 2003, as per the Singhvi committee recommendation, the policy of "Dual Citizenship" was also framed especially for some of the persons of Indian origin. From this advantage, PIOs could invest in industry and agriculture, acquire property, send their children to Indian schools and universities, but all of this without the right to vote or as a candidate for elections or political public office. However, this policy was biased and was framed especially for the rich and affluent PIOs from North America, Europe, Australia, New Zealand, Singapore and other industrially developed countries. Ironically India has a great tradition of biased-ness and discrimination without any doubt.

UPA's Diaspora Policy (2004 – onwards)

Most of the recommendations of the Singhvi Committee on diaspora have been implemented by the United Progressive Alliance (UPA) government led by Dr. Manmohan Singh. Conceiving the significance of the diaspora, the UPA government has also aggrandized and maintained its engagement with the diaspora through various initiatives. And the most important initiative in this direction was the formation of independent ministry for diasporic affairs; the Ministry of Non-Resident Indian Affairs in May 2004 and in September 2004 the ministry was renamed as the "Ministry of Overseas Indian Affairs". The ministry was established with a mission to establish a robust and vibrant institutional framework to facilitate and support mutually beneficial networks with and among Overseas Indians to maximize the development impact of India and enable overseas Indians to invest in and benefit from the opportunities in India" (Annual Report- 2011-12 MOIA:12). The four key policy imperatives of the Ministry are: to offer customized solutions to meet the varied expectations of the overseas Indian community, to bring a strategic dimension to India's engagement with its diaspora, to tap the investible diasporic community in terms of knowledge and resources in diversified

economic, social and cultural areas and to anchor diasporic initiatives in the States (ibid). The states have sought the diaspora's contribution in national development more than their assistance in poverty reduction, and therefore, India's recently launched diaspora policy is multi-pronged, pursuing direct investment, portfolio investment, technology transfer, market opening and outsourcing opportunities (Newland 2004). In fact, India's diaspora policy premised on the trades, business and financial gains and profits. However, in an inaugural address of Bhartiya Pravasi Divas celebration in 2008, Dr. Manmohan Singh said that the diaspora's contribution to India's development had been seen not only in financial terms, but much more in terms of the vast reservoir of technical, managerial and entrepreneurial skills represented by them and in terms of their knowledge, expertise and ability to network and open the way to resources and markets in their countries of residence (Dubey 2013).

The Government of India has started many initiatives with regards to the diaspora such as; Voting Rights to NRIs (10 million) with notification on 3rd of February 2011 to amend the Registration of Election Rules-1960 allowing NRIs to participate in the election process, Overseas Citizenship of India started in 2006-2007, the Scholarship Programme for Diaspora Children introduced in 2006-2007 to make higher education in India accessible to the children of overseas Indian and to promote India as a centre for higher education studies, PIO University, Overseas Indian Facilitation Centre started in May 2007 to help overseas Indians to invest in India, Indian Development Foundation of Overseas Indians to facilitate philanthropic activities by overseas Indians through innovative projects and instruments such as microcredit for rural entrepreneurs and self-help groups economic empowerment of women, primary education and technology intervention in rural healthcare delivery, Global Indian Network of Knowledge to build sustainable development institution into a brain trust or brain circulation that will help identify innovative projects in the various sectors in India, Know India Programme aiming to associate closely with the younger generations of the Indian diaspora, Indian Council for Overseas Employment (a kind of think-tank of the MOIA) to promote employment of Indian migrants in foreign countries, Human Resources Mobility Partnerships to promote migration to developed countries, Bilateral Social Security Agreements with the developed countries in Europe and others to protect the interests of migrants to the developed countries, Overseas Blue-Collar Workers, Pravasi Bhartiya Kendra, Pravasi Bhartiya Bima Yojna, Prime Minister's Global Advisory Council of Oversees Indians, E-Governance in Emigration, Pension and Life Insurance Fund for overseas Indian workers approved by the government on 4th January 2012 (Annual Report 2011-12 MOIA).

Conclusion

The Indian Diaspora plays a major role as India's soft power and has also become one of the main sources of India's diplomacy. India has great ambitions from its diaspora and therefore, regarded them (especially the affluent diaspora) as an important asset towards making India a superpower. But there are major diasporic challenges before the government to

overcome. The biggest challenge is that a portion of the diaspora is supporting dysfunctional activities against India. An example is the Sikh diaspora's support for the Khalisthan Movement (Kapur 2010:202; Dogra 2012:9) against the Indian State for the presumed injustice in anti-Sikh riots of 1984. India's Tamil Nadu diaspora's support to Tamil militancy against India for the formation of greater Tamil land is another example, as also the forces that emerged due the anti-Muslim riots in Gujrat and elsewhere in India. As per the notification issued by the Home Ministry, "The diaspora continue to spread through articles in the Internet portals, anti-India feeling amongst the Sri Lankan Tamils by holding the top Indian political leaders and bureaucrats responsible for the defeat of the LTTE"[7]. Even more, a part of India's diaspora is also supporting insurgent outfits active in Jammu and Kashmir, the northeast and other parts of India.

Despite plenty of initiatives of the government, there are many loopholes in the embedding of relations with diaspora. India failed to attract the diaspora towards the developmental activities at the large scale. If the diaspora policy of India is a critically scanned, it depicts that it has focused only on the rich diaspora particularly living in the industrially and economically developed states ignoring economically lower and marginalized diaspora living in the developing states of the Asia, Africa and elsewhere. In fact, the fundamental motive of the government behind such a policy has been to attract and fetch optimum FDI, but the government could not mobilize and persuade them in this sector adequately as expected. Moreover, the rich diaspora also has maintained their links and relations merely with the elites in India. In other words, the diaspora policy of India has been biased and opportunistic. Opportunistic in the sense that India framed its policy only after realizing the increasing financial status of its diaspora. Consequently, India's diaspora diplomacy has become 'Economy Centric'.

The significant fact of the matter is that India's foreign policy has been facing many problems of influence in global politics. It has been argued that India …had lagged behind in capitalizing the influence of the NRIs wielded in their countries of adoption (Pandher 2013:10). It means that India's policy failed in influencing the states where Indian diaspora is living, and therefore, people of Indian origin have been facing violation of their rights and discrimination on various social, political and economic fronts. India could not protect the myriad rights of its diaspora in distress. India has no specific policy mechanism to contain the ethnic or racial or other discriminations against the Indian diaspora. In this direction, Shahshi Tharoor argued, "India is trying to do more but is devoting far too few resources to achieving its foreign policy goals"[8]. India also has avoided its Dalit and marginalized diaspora. Moreover, the Government of India has pulled the diasporic initiatives only in the development of urban cities. The diasporic investment is concentrated especially in the western and southern region of India, and especially in metropolitan cities like Delhi and Chandigarh.

Therefore, the need is to frame a convincing policy towards the diaspora so that they would put a part of their remittances and philanthropy in the development of rural areas rather focusing only on urban investment (I-T or diamond sectors). The widening developmental gap between urban and rural India would thus be mitigated, and, the diaspora can be motivated to invest in almost all the regions of India. If India wants to be a superpower, India's villages need to be developed. India should comprehensively focus on the inclusion of India's 'Global Diaspora' instead of 'Regional Diaspora'. Besides, India should not hesitate to learn from the experiences of states that have been successful in implementing a diasporic policy.

Notes

1. The Indian Diaspora comprises both NRIs which is at present recorded at 1,00,37,761 and PIOs – 1,18,72,114. The NRI (Non-Residential India) is a citizen of India who holds an Indian passport and has temporarily emigrated to another country for six months or more for work, residence or any other purpose and PIO is a person of Indian origin (other than from Pakistan and Bangladesh) who was or whose ancestors were born in India but is not a citizen of India and is the citizen of another country.

2. The Indian Diaspora in Trinidad and Tobago has 41 % of its total population, for details see *The Hindu*, 26 November 2012.

3. For details see *The Hindu*, 26 November 2012. The Caribbean Region consists of about 23 island countries having 42, 008,000 population together.

4. For details see *Business Standard*, 9 October 2012. However, in 2012, the World Bank had expected $70 Billion remittances to India, $66 Billion to China and followed by Mexico and Philippines, for details visit, http://diasporaalliance.org/remittances-hit-a-record-high-of-534-billion-in-2012/

5. At the international level, the Global Organization of People of Indian Origin had organized its first convention in 1989 to unite the entire Indian diaspora to safeguard and promote their multiple interests.

6. On this day in 1915, Mahatma Gandhi, who has been declared as the greatest Pravasi, had return to India from South Africa and started freedom struggle against the colonial rule.

7. "LTTE's Strong Anti-India Posture Continues", *The Hindu*, 14 July 2012.

8. For details see *The Economist* 29th September 2012.

References

Adamason, Fiona B and Demetriou, Maleleine (2007): "Remapping the Boundaries of State and National Identity: Incorporating Diasporas into IR Theorizing", *European Journal of International Relations*, Vol.13,No.4, December, pp.489-526.

Anderson, Benedict (1998): *The Specter of Comparisons: Nationalism, the Southeast Asia and the World,* Verso, London.

Balasubramanyam, V.N and Wei, Yingqi (2007): "The Diaspora and Development", *http://www.mse.ac.in/seminar/Baloo_Seminar%20Paper.pdf,* 8 February, accessed on 19 December 2012.

Bhatt, C (2003): "India and the Indian Diaspora: Inter-Linkages and Expectations" in Ajay Dubey (ed.), *Indian Diaspora: Global Identity*, Kalinga Publications, New Delhi, pp.11-22.

Bhat, C. and Narayan, K. L (2010):"Indian Diaspora, Globalization and Transnational Networks: The South African Context", *Journal of Social Sciences*,Vol.25, Nos.1,2&3, pp13-23.

Brubaker, Rogers (2005): "The Diaspora' Diaspora", *Ethnic and Racial Studies,* Routledge, Vol.28, No.1, January, pp.1-19.

Castle, Stephen and Wise, Raul Delgado (2007): *Migration and Development: Perspectives form the South*, International Organization for Migration, Geneva.

Castles, Stephen (2012): "Global Migration in International Relations: Perspective for the global South" in Bhupinder Chimni and S. Mallavarapu (ed.), *International Relations,* Pearson, New Delhi, pp.272-85.

Chaturvedi, Sanjay (2005): "Diaspora in India's Geopolitical Vision: Linkages, Categories and Contentions", *Asian Survey*, Vol.32, No.3, pp.141-68.

Cohen, Robin (2007): *Global Diaspora: An Introduction,* UCL Press, London.

Cohen, Steven (2001): *India: Emerging Power*, Oxford University Press, New Delhi.

Dogra, Chander Suta (2012): "Looking Back in Anger", *The Hindu*, 12 December.

Dubey, Ajay (2011): "India and the Indian Diaspora" in David Scott (ed.), *Handbook of India's International Relations,* Routledge, New York, pp.255-65.

Dubey, Muchkund (2013): *India's Foreign Policy,* Pearson, New Delhi.

Gilroy, Paul (2001): *Between Camps: Nations, Cultures and the Allure of Race,* Penguin, London.

Gupta, Amit (2004): "The Indian Diaspora's Political Efforts in the United States", *ORF Occasional Paper*, September

Kapur, Devesh (2004): "Remittances: The New development Mantra", *G-24 Discussion Paper Series, United Nation Conference on Trade and Development (UN Publications),* No.29, April.

--------   (2010): *Diaspora, Democracy and Development: Domestic Impact of International Migration from India*, Oxford University Press, New Delhi.

Lall, Marie Carine (2001): *India's Missed Opportunity: India's Relations with the Non-Resident Indians*, Ashgate, Aldershot.

Ministry of Overseas Indian Affairs (MOIA) (2012): "Indian and its Diaspora", May, *http://moia.gov.in/accessories.aspx?aid=10,* accessed on 15 December.

Mohan, C. Raja (2003): "Indian Diaspora and Soft Power", *The Hindu,* 6 January.

Newland, Kathleen (2004): *Beyond Remittances: The Role of Diaspora in Poverty Reduction in Countries of Their Origin,* Migration Policy Institute, Washington, July.

Naujoks, Daniel (2009): "Emmigration, Immigration and Diaspora Relations in India", *Migration Information Source*, October, *http://www.migrationinformation.org/feature/print.cfm?ID=745#16,* accessed on 12 December 2012.

Pandher, Sarabjit (2013): "After String of Failures to woo Investment, Punjab Eyes Diaspora", *The Hindu,* 5 January.

Robert, Admiral (2009): "India's Growing Power Makes it a Global Player", *The Times of India,* 10 July.

Safran, William (1991): "Diasporas in Modern Societies: Myths of Homeland and Return", *Diaspora: A Journal of Transnational Studies*, Vol.1, No.1, pp.83-99.

Salehi, Soodabeh (2007): "Building Bridges: The Role of the Indian Diaspora in Canada", *Centre for the Study of Democracy-Queen's University*, December, *http://www.cerium.ca/IMG/pdf/Building_Bridges_The_Role_of_ the_Indian_Diaspora_in_Canada_Literature_Review_-2.pdf*, accessed on 18 December 2012.

Sen, Amartya (2003): "Lightening up", *The Times of India*, 9 January.

Sideri, Eleni (2008): "The Diaspora of the Term Diaspora: A Working Paper of a Definition", *Journal of Global Cultural Studies,* Vol. 4, pp. 32-47, *http://transtexts.revues.org/233*, accessed on 14 December 2012.

Singhvi, L.M., et al (2001): "Report of the High Level Committee on Indian Diaspora", *Government of India, Ministry of External Affairs, http://indiandiaspora.nic.in/contents.htm* accessed on 18 December 2012.

Thussu, Daya Kishan (2012): "A Million Media Now! The Rise of India on Global Scene", *The Round Table: The Commonwealth Journal of International Affairs,* Routledge, pp.1-12

Venkateswaran, R.J. and Mithani, D.M (1989): *Rajiv Gandhi: Economic Perspectives Towards 21st Century,* Himalayan Publishing House, Bombay.

Zachariah, K.C. and Rajan, S. Irudaya (2012): *Kerala's Gulf Connection, 1998 – 2011: Economic and Social Impact of Migration,* Orient Blackswan, New Delhi.

Corruption as a Way of Life: The Evidence from India

Pradeep Kumar Parida

Abstract

Corruption has become a daily practice in most societies. Although numerous social scientists have examined the issue and the role of corruption in its country's overall negative development, a logical, composed, and comparative understanding was developed only a decade ago. In this connection, an attempt has been made here to study the problem and the genesis of corruption in India. While particulars of corruption have generally been dominated by economists and political scientists, nonetheless, the overall idea and a comprehensive analysis of corruption is still missing in India in recent time. An effort has been made in this paper to comprehend a variety of cultural and historical variables in understanding the roots of corruption in India.

Key Words: Corruption; Corruption Perception Index; Good governance; Human development; India.

Introduction

Corruption has been persistent and spreading around the world like a cancer. Although this syndrome is common in developed countries, in the developing countries, it has spread to almost every section of the society. Corruption is usually understood as unlawful practice because it deviates from established norms. So, it is against the law. Basically, corruption is defined as the abuse of public agency for private gain which is considered to be more common in some countries than others. According to the World Bank, "Public office is abused for private gain when an official accepts, solicits, or extorts a bribe. It is also abused when private agents actively offer bribes to circumvent public policies and processes for competitive advantage and profit. Public office can also be abused for private benefit even if no bribery occurs, through patronage and nepotism, the theft of state assets, or the diversion of state revenues (World Bank 1997:8)". Although this definition is widely used, the practice of corruption in many cases falls out of this definition. To put it specifically, certain nature of corruption do not essentially fall inside the World Bank definition. Fraud, for instance, is legally a form of theft. But, in practice the feature is unclear. Therefore, it is very difficult to put an accepted definition of corruption for every society. However, diverse actions are taken for granted to call them as corruption, for instance, misappropriation, bribes, discrimination, preferential treatment, extortion, scam, offerings and donating commissions.

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Numerous literatures show that corruption has become one of the strong reasons for the developing countries to hamper development, and research also confirms that there is a link between corruption and low investment and growth (Mauro 1995; World Bank 1997). In a study, Shleifer (1997) finds that political scam sparkled public anger and as a result a new party won the election and formed the government. If we look at communist countries, it is found that corruption has been their major obstacle to bring democratic establishments and open market economies (Ibid). On the whole, it is very difficult to locate and identify the act of corruption in today's society because corruption has been institutionalised. In an IMF Staff Paper, Tanzi (1998) says corruption is of various types such as:

- bureaucratic (or "petty") or political (or "grand"); for example, corruption by the bureaucracy or by the political leadership;

- cost-reducing (to the briber) or benefit enhancing;

- briber-initiated or bribee-initiated;

- coercive or collusive;

- centralized or decentralized;

- predictable or arbitrary; and

- involving cash payments or not (Tanzi 1998:565).

The Indian society at present confronts several problems which has received increasing attention in the social sciences. One of them is corruption which has turned out to be a regular obstacle in our society. During the past decade, corruption has posed an existential threat to the state. With various scam unearthed, it now assumes an unprecedented space bringing a huge loss and disgrace to the country. The regrettable fact is that people have taken for granted that without bribes nothing can be done. There is corruption in anything and everything. This shows that we have acknowledged it as a part of normal practice. There are people who work as agents, facilitators and intermediaries to get things done faster. Having said this, can we say that corruption has to be endured? Unfortunately, no one is coming forward to clean up the system. The need of the hour is that we should understand the gravity of this problem as it is attached with everybody's day to day livelihood issue. So, this needs to be fought persistently so that it will be minimized.

In the present paper, an endeavour has been made to study the issue of corruption particularly in Indian society. The paper has been divided into 5 sections. Section 2 discusses the theoretical explanations and results of previous studies. Section 3 highlights issues and effects of corruption at the global level. Section 4 demonstrates issues of corruption particularly in India. Section 5 illustrates the crusade against corruption in India. Concluding remarks are given at the end of the paper.

Theoretical Explanations and Results of Previous Studies

Corruption has its own tradition. History speaks a voluminous literature on this topic. Particularly, two thousand years ago, Kautilya, the prime minister of an Indian empire, had mentioned the effect of corruption in his book, *Arthashastra*. Even in English literature Shakespeare narrated the role of corruption in his plays. The writings of Kautilya during 300 B.C. say:

> Just as it is impossible not to taste the honey or the poison that finds itself at the tip of the tongue, so it is impossible for a government servant not to eat up, at least, a bit of the king's revenue. Just as fish moving under water cannot possibly be found out either as drinking or not drinking water, so government servants employed in the government work cannot be found out [while] taking money [for themselves]...Government servants shall not only be confiscated of their ill-earned hoards, but also be transferred from one work to another, so that they cannot either misappropriate government money or vomit what they have eaten up. Those who increase the king's revenue instead of eating it up, and are loyally devoted to him, shall be made permanent in service.[1]

Moreover, the role of the Britishers was tremendous in this regard. Quoting Cornwall Lewis, a member of the British House of Commons "...no civilised Government existed on this earth which was more corrupt, more perfidious and more rapacious than the Government of the East India Company from 1765-84" (Pylee 1980:4).[2]

In recent years, numerous theoretical and empirical studies were undertaken to comprehend the causes, consequences and solution of corruption in various countries. There are two schools of thought such as efficiency-enhancing approach and efficiency- reducing approach developed in the literature on corruption. Thinkers of efficiency-enhancing school of thought find a functionalistic view which says that a particular type of corruption facilitates economic growth, investment and can have a positive effect on economic development. They argued that corruption has many positive effects and is good for the society. It facilitates to lighten problems of capital formation and organizational rigidity characteristic of modern financial system. Writers of this school suggested that the practice of corruption helps to reach an absolute development and decline when they arrive at their peak of economic development, most probably in the highly developed industrialized position. Thus, a cost-benefit analysis impact can produce the degree of corruption and the general outcome of it on the society. Robert K. Merton's (1968) idea of "the functional theory", where he discussed the latent and manifest functions and the affirmative features associated with taking political support is parallel to this school of thought (Leff 1964; Huntington 1968; see also Montinola and Jackman 2002). Therefore, kickbacks in the urgent situation help to triumph over bureaucratic obstructions and "add to a nation's economic efficiency" (Goldsmith 1999:69). Corruption is helpful but it should be within the limit of the social system. However, it is a debateable issue

to know about the limit of corruption in a society. Therefore, the second school of thought of efficiency- reducing approach is more appropriate to be discussed here.

It is always exhilarating to know that given the market economy, procedural democracy and hierarchical society, is cost-benefit approach of corruption possible? There is however, a second approach of thought which is more applicable to the present society. The phenomenon of corruption has negative effects on a country's social, economic and political life. Tremendous empirical studies (e.g. Mauro 1995; Knack and Keefer 1995; Knack 1996; Keefer and Knack 1997; Mo 2001; Pellegrini and Gerlagh 2004) have shown cross national evidences concerning the injurious consequences of corruption on a variety of economic variables such as the growth rate of income. Moreover, the above literatures have broadly reflected the negative effects of corruption on a nation's social, political and economic life. There is no doubt that corruption destabilises the economy and affects the poor more than the rich. So, it does not only affect the growth rate of income but also shapes income inequality and poverty. In their study, Gupta et al. find "the benefits from corruption are likely to accrue to the better connected individuals … who belong mostly to high income groups" (Gupta et. al. 2002:23). According to Jonston (1989), corruption helps the 'haves' rather than the 'have nots' because the poor cannot reach at the higher level to get their work done. Hence, the weight of corruption falls inexplicably on lower income groups. It is found that individuals having low income give a higher percentage of their revenue than the people who belong to high income groups. Tanzi (1998) says corruption has an impact on the redistribution mechanism of government's machinery. As the better off people are more connected with the higher level, it is very difficult on the part of the poor to get justice. The fact of the matter is that in most cases public funds are distracted to places where kickbacks are easier to collect. Accordingly, resources are pooled away from the social welfare to profit oriented sector. Trying to find out the relationship between corruption in government and economic expenditure, he discovers a clear-cut nexus, which helps political parties to save money for the next general elections to come to power again. He also argues that corruption is an institutional problem that is best corrected with government reform. Thus, in a democratic system, corruption negates fairness and there is every possibility to break up the authenticity of elected political institutions (Gibson and Caldeira 1995; Tyler 1990). Moreover, high corruption retards the constructive political thought and national development (Mishler and Rose 2001).

My general impression from the above two schools of thought is that there appears to be a harmony between corruption and the capture of administrative agencies by the interest groups. Therefore, in recent years, a lot of cases of corruption are emerging including from the World Bank, IMF, NGO's, donor countries, as well as academics. Due to the excessive degree of corruption, government units, international financial institutions and supranational political bodies have all issued policy statements and working papers explaining the negative outcomes of corruption. In India, though corruption in government is not a new phenomenon, for example, Kautilya's statements in *Arthasastra* to Anna Hazare's *Jan Lokpal* movement confirm

the durability of the phenomenon. In this way, corruption has become the primary barrier to social and economic growth in developing countries. Despite various arguments that show positive effects of corruption, the general image advocates prevalent disapproval (Theobald 1990). Therefore, it is essential, at this moment to discuss the negative impact of corruption on society particularly on the people.

Issues and Effects of Corruption

The roots of corruption are viewed in social, cultural, political, economic, bureaucratic traditions and policies of a country. According to Tanzi (1998) both direct and indirect factors are responsible for promoting corruption. "Direct factors include regulations and authorizations, taxation, spending decisions, provision of goods and services at below market prices, and financing political parties. On the other hand, quality of bureaucracy, level of public sector wages, penalty systems, institutional controls, and transparency of rules, laws, and processes are the indirect factors that promote corruption" (Tanzi 1998:589).

Corruption has tremendous institutional weaknesses and leads to unproductive economic, social, and political results. It shrinks economic growth, hinders long-term foreign and domestic investments, increases inflation, devalues national currency, diminishes expenditures for education and health, boosts armed expenditures, twists markets and the distribution of resources, raises income disparity and poverty, lessens tax revenue, increases child and infant mortality rates, deforms the fundamental role of the government, and demoralizes the authenticity of government and of the market economy (Akcay 2006). Most importantly, corruption in the political sphere is dominating the present society at large. So, it is largely a governance issue and is prevalent around the world. Moreover, it exists in all countries, cultures, and religions to different extent (Ibid:32). Generally, in democratic political systems governments are responsible to their people, as it is supposed to control laws impartially and fairly. Accordingly, political systems that stop working to live up to these promises are likely be indulged with low levels of legitimacy. Thus, I argue that corruption is a central pointer of the performance of a political system and highlight that high levels of corruption reduce citizen support for democratic political institutions. When corruption is at hand, the legitimacy of democracy and fairness become a rare phenomenon; so, it is likely to diminish the authenticity of democratic political institutions (Gibson and Caldeira 1995). In their cross-national study of nine Central and East European countries Rose, Mishler, and Haerpfer (1998) found that high corruption was linked to low support for the regime. In the same way, Mishler and Rose's (2001) study of political trust across 10 East-Central European states showed that higher levels of corruption were related to lower levels of political trust. The following table 1 depicts previous cross-national studies on the causes of corruption and highlights multiple factors – social explanation, economic explanation, political explanation and cultural explanation – responsible for various ranges of corruption.

Table 1: Impact of Corruption: A Literature Summary

Authors	Impact on	Findings
Mauro (1996)	Real per capita GDP growth	−0.3 to −1.8 percentage points
Mauro (1996)	Ratio of investment to GDP	−1 to −2.8 percentage points
Mauro (1998)	Ratio of public education spending to GDP	−0.7 to −0.9 percentage points
Mauro (1998)	Ratio of public health spending to GDP	−0.6 to −1.7 percentage points
Gupta, Davoodi, and Alonso-Terme (1998)	Income inequality (Gini coefficient)	+0.9 to 2.1 Gini points
Gupta, Davoodi, and Alonso-Terme (1998)	Income growth of the poor	−2 to −10 percentage points
Ghura (1998)	Ratio of tax revenues to GDP	−1 to −2.9 percentage points
Tanzi and Davoodi (2000)	Measures of government revenues to GDP	−0.1 to −4.5 percentage points
Gupta, de Mello, and Sharan (2001)	Ratio of military spending to GDP	+0.32 percentage points
Gupta, Davoodi, and Tiongson (2000)	Child mortality rate	+1.1 to 2.7 deaths per 1000 live births
Gupta, Davoodi, and Tiongson (2000)	Primary student dropout rate	+1.4 to 4.8 percentage points
Tanzi and Davoodi (1997)	Ratio of public investment to GDP	+0.5 percentage point
Al-Marhubi (2000)	Inflation	+0.17 to 0.26 points

Source: Transparency International (2001: 256).

Corruption and Human Development

After 1990, the concern on human development became a systematic study of global themes, as published in the yearly global Human Development Reports under the auspice of the UNDP. Various scholars like Amartya Sen, Mehebubul Haq and others presented the theoretical underpinning for a substitute and broader human development approach defined as a process of **enlarging people's choices and enhancing human capabilities** (the range of things people can be and do**) and freedoms**, enabling them to: live a long and healthy life, have access to knowledge and a decent standard of living, and participate in the life of their

community and decisions affecting their lives. The HDI is based on three indicators, all of which are given equal weight:

- Longevity, as measured by the life expectancy (at birth) index;

- Educational attainment, as measured by an index evaluating a combination of adult literacy (two-thirds weight) and the combined gross primary, secondary, and tertiary enrolment ratio (one-third weight);

- Standard of living and access to resources, as measured by an index calculating real GDP per capita in terms of purchasing power parity (PPP) (Human Development Report 2001:240) .

The question that arises thus is there any relation between corruption and human development? A range of factors confirm why human development may be affected by corruption. Numerous literatures reflect that corruption affects human development by lowering economic growth and incentives to invest. Abundant empirical studies demonstrate that corruption persuades the resources spent on education and health. Mauro (1998) unearths that corruption reduces government expenditure on education and health. He argues that public officials do not want to spend more on education and health because those spending programs offer less opportunity for rent seeking. Table 2 points out the effects of corruption on poverty.

Table 2: The Nexus of Poverty and Corruption

"Immediate" Causes of Poverty	How Corruption Effects "Immediate" Causes of Poverty
Low investment and growth	- Unstable economic/institutional policies due to vested interests - Distorted allocation of public expenditures/investments - Low human capital accumulation - Elite corporate interests capture laws and distort policymaking - Absence of rule of law and property rights - Governance obstacles to private sector development
Smaller share in growth for the poor	- State capture by elite of govt. policies and resource allocation - Repressiveness of bribery "tax" on small firms and the poor - Repressiveness in public expenditures and investments - Unequal income distribution
Impaired access to public services	- Bribery imposes regressive tax and impairs access and quality of basic services for health, education, and justice - Political capture by elites of access to particular services
Lack of health and education	- Low human capital accumulation - Lower quality of education and health care

Source: Thomas et al. (2000:147).

Corruption: The Indian Context

Corruption in India is a serious problem affecting each and every sphere of human life. Though corruption was rife during the British rule, it became endemic after independence. It has now become a way of life and so much institutionalized that its eradication might dislocate the whole unstable national structure. The critical nature of corruption in India is clear from the country's dipping ranking in Transparency International's global corruption survey. Corruption has affected every citizen in the country. Not a single work is done without corruption. Kickbacks have to be paid for usual routine work, and for doing even normal business. Now a day even rural communities are forced to pay bribes for getting their wages under the Mahatma Gandhi National Rural Employment Guarantee Act (NREGA) or for any other entitlements in other schemes.

India is positioned 94th out of 176 countries in Transparency International's 2012 Corruption Perception Index (CPI)[3] released on 5 December 2012. In 2011, India was ranked 95 out of 183 countries. Denmark, Switzerland and Finland topped the index with a score of 90 followed by Sweden which scored 88 points. North Korea, Afghanistan and Somalia scored a lowly 8, ranking at the bottom of the index. In fact, two-thirds of the 176 nations scored below than 50 points. India scored a low score of 36 on a scale from 0 to 100 where o means most corrupt and 100 signifies least corrupt. India's low score was due to the scams and incidents of corruption in the public sector which involved government officials, private officials and private companies.

Table 3: Percentage of People Who Think Various Institutions are Plagued by Corruption

Institutions/sectors	Percentage of People
Political Parties	86
Police	75
Parliament/legislature	65
Public officials/civil servants	65
Education system	61
Medical and health	56
Business/private sector	50
Judiciary	45
Religious Bodies	44
Media	41
NGOs	30
Military	20

Source: Global Corruption Barometer 2013.

The 'Global Corruption Barometer 2013' says that the attitude towards corruption remains "very high" in India. Data show that most people in India believed that corruption has worsened during the last two years. All important institutions and sectors in India, including the private sector, were infected as being corrupt or extremely corrupt by respondents. At the top of the list were political parties followed by police, public officials and civil servants as well as parliament/legislature. The least corrupt was the military. The following table 3 shows percentage of people who think various institutions are plagued by corruption.

The following table shows various public services and bribes being given to secure them.

Table 4: Public Services and Percentage Who Paid Bribe

Public service	Percentage of those who had paid a bribe
Police	62
Registry and permit services	61
Land services	58
Utilities	48
Education	48
Tax revenue and/or Customs	41
Judiciary	36
Medical and health	34

Source: *Global Corruption Barometer 2013.*

The report says that one of the common reasons for paying a bribe was because it was the only way to get a service and to 'speed up things'. Most people in India also felt that personal contacts were important to get things done in their dealings with the public sector. People in India have taken it for granted that the government is not effectively fighting corruption. The latest example for rampant corruption in India are the recent cases such as the Commonwealth Games scandal, coal gate scandal, rail gate scandal and the 2G-spectrum auction. In a report, the Heritage Foundation, based in Washington D.C. said that while long-standing issues such as tax evasion and corruption by the wealthy and by corporations still abound, it was the Indian government that was responsible for the choking of growth by making it difficult for entrepreneurs to start businesses. The scams have a symbiotic relationship with black money and the black economy. This fuelled the expansion of the black market, now said to be 40-50 per cent of India's Gross Domestic Product (The Hindu, December, 2010). As discussed elsewhere, although several factors are responsible for the rampant development of corruption in India, at present, neoliberal globalisation has been playing a tremendous role in boosting political corruption. In this context, Pillai and Joshy (2012) say "the penetration of the capitalist values in these societies made money making a

socially recognised and respectful activity" (Pillai and Joshy 2012: 8). They further argue "the neoliberal mindset is constructed through a myriad of institutions both in the civil society and political society" (Ibid:3). Thus, the present day neoliberal reform has strengthened the practice of corruption in India.

The Indian society has a typical feature of inequality. Money power has the greatest strength to purchase people's choice including the casting of the citizen's democratic vote. According to the Annual Report of the Association for Democratic Reforms (ADR), among 543 elected Members of Parliament who were elected in the 2009 election, 162 (30 per cent) had criminal cases pending against them. Criminal elements that once pulled in votes for party candidates are now getting voted to power themselves, gaining social respectability and public esteem in the bargain. Meanwhile, campaign-spending limits being easy to flout, buying the voter is easily managed. Therefore, from 2010, in a duration of just two years, although 10 anti-corruption bills have been tabled including the disputed *Lokpal* bill, the forfeiture of *benami* property, foreign bribery, money laundering, and whistle-blowing bills plus five more, not a single one has become a law as the political parties do not want to make a corruption free India.

Even though the reason for corruption in India varies from time to time, right now the major reason for widespread corruption is the lack of an independent, empowered, and responsible anti-corruption institution that can be trusted to convincingly inspect objection of corruption and prosecute the guilty. The public mind set up has become so corruption oriented that everyone wants to pay bribes for their own benefit. Therefore, the entire society is responsible for the menace of corruption in Indian society. Moreover, if corruption investigation authorities like the Central Bureau of Investigation (CBI) is controlled by the very people who are the architect of this corruption, it is very difficult to minimize this disease. In a recent judgement, the Supreme Court of India said that CBI is a "caged parrot". The Central Vigilance Commissioner of India (CVC) is selected by the Prime Minister, the Home Minister, and the Leader of Opposition, who have a vested interest in ensuring that feeble bureaucrats get selected. As far as the judiciary is concerned, the courts take years to conclude trials and there is also considerable corruption in the judiciary because of the lack of accountability of the higher judiciary and the lack of an effective anti-corruption agency to investigate corruption within its ranks.

Corruption and Quality of Governance

For a corrupt free society, the importance of good governance is a must. In other words, by strengthening a quality of government (QoG), a country can strive towards higher economic growth and social development. It is, in this context, that the United Nations Millennium Declaration (UNMD) 2000 conclusively reported that good governance is a requirement for economic development and reduction of poverty (United Nations, 2000, para 13). However, researchers and practitioners have not yet agreed on the standard definition of

quality governance. Different studies have adopted various interpretations based on suitable outcomes. But in general terms, good governance means reforms for the benefit of the poor. Therefore, dipping corruption, increasing access to legal services for the poor, improving ethics among the police to reduce discrimination against the poor, promoting democratic institutions, increasing the quality and efficiency of public- good services, and controlling the economy well will be good enough to advantage the poor (Shepherd, 2000). Thus, a clear correlation takes place between corruption and the government which lost control of the land. It seems that corruption alters the composition of government expenditure specifically; corrupt governments spend less on education and perhaps health, and more on those areas which will give individual benefit as well as benefit for their party to. In this process, the poor suffer the most as they have little access to justice, health, education, rule of law and face rising food prices.

If people's faith in democratic principles diminishes, it will lead to chaos, crime and wide corruption. However, while examining the relationship between governance and corruption, it is very difficult to say conclusively that the lack of quality governance is due to corruption only, rather than the institutional weaknesses - political instability, bureaucratic red tape, and weak legislative and judicial systems - that are closely associated with it. This shows that all of these weaknesses are intrinsically linked, in the sense that various factors are related to each other and that getting rid of corruption helps a country overcome other institutional weaknesses.

Crusade against Corruption in India

Corruption can be reduced to an extent if government delivers effective anticorruption strategies and executes them neutrally. Clearly, successful anticorruption measures have greater impact on the society in terms of reducing the negative effects and the level of corruption. The effectiveness of anticorruption measures depends on factors such as the willingness of political leaders for the goal of minimizing corruption and by strengthening anticorruption laws. Corruption can be minimized when political leaders are sincerely committed to this task by impartially implementing comprehensive anticorruption measures. Ineffective strategies occur when the leadership's commitment is weak, which results into the non-enforcement of anticorruption methods.

Corruption has always been the bane of our society. The preceding discussion however does not mean that combating or reducing corruption is a simple or straightforward matter. Whatever measures are discussed need political and popular will. In the absence of commitment at the highest levels of government and support from the judiciary, public and media, corruption cannot be eradicated. Civil society organizations have a central role to play in combating corruption. Their initiatives will open the eyes including that of remote villagers. Moreover, the public give bribes to get their work done ahead of others or for violating the rules. This tendency is given more scope for corruption. The first thing to do is, to resolve that,

under any circumstances, you are not going to give a bribe. Let the authorities do the work in the regular way, according to priority. In addition, the Right to Information Act is a powerful tool in the hands of the public, to get information from public authorities. This Act is brought out to create transparency in governance and to eradicate corruption. Learn about the Act and spread it to create awareness in the public. Under the RTI Act all citizens can ask for information on any public work and get the details. The documents pertaining to the works along with the noting can be inspected. Thus Bardhan (1997) argues:

> While corruption in one form or an-other has always been with us, it has had variegated incidence in different times at different places, with varying degrees of damaging consequences. While the tenacity with which it tends to persist in some cases easily leads to despair and resignation on the part of those who are concerned about it, there can be and have been ways in which a whole range of policy measures make a significant dent (Bardhan 1997:1320).

In addition, he also says that "policy issues on corruption cannot be discussed without involving the larger question of the nature of the state that is supposed to carry out the policies" (Ibid, 1341) . Above all, the commitment of government and the people as a whole is the need of the hour if we want to diminish corruption. The idea of Tanzi (1998) is worth noting when he says that corruption can be minimized if actions are taken in four areas:

1. honest and visible commitment by the leadership to the fight against corruption, for which the leadership must show zero tolerance;

2. policy changes that reduce the demand for corruption by scaling down regulations and other policies such as tax incentives, and by making those that are retained as transparent and as nondiscretionary as possible;

3. reducing the supply of corruption by increasing public sector wages, increasing incentives toward honest behaviour, and instituting effective controls and penalties on the public servants; and

4. somehow solving the problem of the financing of political parties (Tanzi 1998:590).

Conclusion

The above discussions exemplify why and how corruption has been a serious problem in India. But is it possible to control or to curtail corruption in India? Our previous discussion made it clear that the extent of corruption in India depended on two factors: (1) the nature of the causes of corruption; and (2) the degree of effective measures initiated by political leaders to combat it. It is worthwhile to mention here that India having a strong economy in the 2000s, was on the fast track to becoming a developed nation. However, the recent slow growth has not only downgraded this optimism, but it has also exposed just how rampant corruption has been

throughout the country. Major scandals in the telecommunications industry, Common wealth Games and the coal mining industry have destabilised the country by bringing the current coalition government led by Prime Minister Manmohan Singh under serious criticism. As a result, the entire country is now at a critical juncture. The way corruption is increasing, it needs another revolution to eradicate it. For this to happen, we should condemn every scandalous practice. There is a need to mobilise enormous sentiments against corruption that exists everyday all over India. The affective relations between state and its population have to be re-valued.

End Notes

1. R. Shama Sastry (1967): *Kautilya's Arthasastra, 8th edition,* Mysore Printing and Publishing House, Mysore, p.71. See also Upendra Thakur (1979): *Corruption in Ancient India,* Abhinav Publications, New Delhi.

2. Quoted in M.V. Pylee (1980): *Constitutional History of India, 1600-1950, 2nd. ed*., Asia Publishing House (P) Ltd., Bombay, p.4.

3. Trying to create anticorruption movements in many countries, a nongovernmental organization named Transparency International (TI) has tried to publicize the problem through its Corruption Perceptions Index (CPI)). TI is an international non-governmental organization whose stated goals are to increase government accountability and to curb both international and national corruption. According to Transparency International, the CPI is an attempt to assess the level at which corruption is perceived by people working for multinational firms and institutions as impacting on commercial and social life. The CPI is scaled from 0 (high corruption) to 10 (low corruption). Ten refers to a corruption-free country; zero refers to a country where most transactions or relations are tainted by corruption (Tanzi 1998). For information on Transparency International and their Corruption Perceptions Index, see TI's webpage: www.transparency.de/index.html.

References

Akcay, Selcuk (2006): "Corruption and Human Development", *Cato Journal*, Vol.26, No.1, pp.29-48.

Bardhan, P.K (1997): "Corruption and Development: A Review of Issues", *Journal of Economic Literature,* Vol.35, No.3, pp.1320-46.

Gibson, James L and Gregory A. Caldeira (1995): "The Legitimacy of Transnational Legal Institutions: Compliance, Support, and the European Court of Justice", *American Journal of Political Science*, Vol.39, No.2, pp.459-89.

Goldsmith, Arthur A (1999): "Slapping the Grasping Hand: Correlates of Political Corruption in Emerging Markets", *American Journal of Economics and Sociology*, Vol.58, NO.4, pp.865-83.

Gupta, S., Davoodi, H. and Alonso-Terme, R. (2002): "Does Corruption Affect Income Inequality and Poverty?" *Economics of Governance*, Vol.3, pp.23-45.

Human Development Report (2001): United Nations.

Huntington, Samuel P (1968): *Political Order in Changing Societies*, Yale University Press, New Haven.

Johnston, M. (1989): "Corruption, Inequality, and Change," in P. M. Ward (Ed.), *Corruption, Development and Inequality*, Routledge, London, pp.13-37.

Keefer, P. and Knack, S (1997): "Why Don't Poor Countries Catch Up? A Cross- National Test of An Institutional Explanation", *Economic Inquiry*, Vol.35, pp.590-602.

Knack, S and Keefer, P (1995): "Institutions and Economic Performance: Cross-Country Tests Using Alternative Institutional Measures," *Economics and Politics,* Vol.7, pp.207-27.

Leff, Nathaniel H (1964): "Economic Development through Bureaucratic Corruption." *American Behavioral Scientist*, Vol.8, No.3, pp.8-14.

Mauro, P (1995): "Corruption and growth". *Quarterly Journal of Economics*, Vol.110, No.3, pp.681–712.

Merton, Robert K (1968): *Social Theory and Social Structure*, Free Press, New York.

Mishler, William, and Richard Rose (2001): "What are the Origins of Political Trust? Testing Institutional and Cultural Theories in Post-Communist Societies." *Comparative Political Studies*, Vol.34, No.1, pp.30-62.

Mo, P. H. (2001): "Corruption and Economic Growth," *Journal of Comparative Economics*, Vol.29, pp.66-79.

Montinola, Gabriella R and Robert W. Jackman (2002): "Sources of Corruption: A Cross-Country Study." *British Journal of Political Science,* Vol.32, No.1, pp.147-70.

Pellegrini, L and Gerlagh, R (2004): "Corruption's Effect on Growth and its Transmission Channels," *Kyklos*, Vol.57, pp.429-56.

Pillai, Mohanan B and P. M. Joshy (2012): "Old Elite are Co-opted, Subdued or Oppressed?: The Politics of Anti-Corruption Crusade in India in Perspective", *Indian Journal of Public Administration*, Vol.58, No.1, pp.1-14.

Rose, Richard, William Mishler and Christian Haerpfer (1998): *Democracy and Its Alternatives: Understanding Post-Communist Societies* The Johns Hopkins University Press, Baltimore.

Shepherd, A. (2000): *"*Governance*,* Good Government and Poverty Reduction", *International Review of. Administrative Sciences*, Vol.66, No.2, pp.269–84.

Shleifer, A (1997): "Government in transition". *European Economic Review*, Vol.41, No.3, pp.385–410.

Tanzi, V (1998): "Corruption around the World: Causes, Consequences, Scope, and Cures," *IMF Staff Papers*, Vol.45, No.4, pp.559-94.

Theobald, Robin (1990): *Corruption, Development and Underdevelopment*, The MacMillan Press LTD, London.

The Hindu (2010): December 8, Chennai edition.

Thomas, V.; DailamiM.; Dhareshwar A.; Kaufmann D.; Kishor N.; Lopez R.; and Wang Y (2000): *The Quality of Growth*, Oxford University Press, Oxford.

Transparency International (2001): *Global Corruption Report*, Transparency International, Berlin.

Tyler, Tom R (1990): *Why People Obey the Law: Procedural Justice, Legitimacy, and Compliance*, Yale University Press, New Haven.

United Nations (2000): *United Nations Millennium Declaration. Resolution 55/2, Para 13,* adopted by the General Assembly, September 8. WWW*2.ohchr.org/english/law/millennium.htm* Accessed on 4.02.2011.

World Bank (1997): *World Development Report: The State in a Changing World*, Oxford University Press, New York.

Manipur Merger and Ruptures in the Movement for Composite Manipur

Shukhdeba Sharma Hanjabam & Aheibam Koireng Singh

Abstract

The paper discusses how the democratic experiment in Manipur was short-lived as the merger to India sabotaged it by dissolving the elected people's government and by further imposing central rule in Manipur (1949-72). It also argues that the political void brought about by the merger subsequently led the tribal communities in Manipur which previously supported Manipur's sovereignty to start mobilizing themselves and demanding for territory rights. The paper discusses the movement for restoration of the sovereignty of Manipur in juxtaposition with the Naga Integration movement or Greater Nagaland and the issue of Greater Mizoram and/or Zalengam of the CHIKIM group. The reason for the rupture of the movement can be classified into internal and external forces. This paper will focus on the rupture by external forces only.

Introduction

Manipur, which was formerly an Asiatic sovereign power, is now situated in India's North East. It has a population of 2.3 million (0.21 % of India population) and a geographical area of 22,327 Sq. Km. The area of the valley is approximately 2,230 square kilometres and the remaining 20, 097 are hills. Nine-tenth of the state's total area has been reserved for the scheduled tribes as the non-tribals and Meiteis are not allowed to buy land in the hills and settle there. It comprises of three major ethnic groups belonging to Mongoloid and the Tibeto-Burman linguistic group, namely, (1) the Meitei, (2) the Manipuri Nagas and (3) the Manipuri Chin-Kuki-Mizo. In addition to it, Marwaris, Punjabis, Bengalis, Biharis and people from other regions of India, and Nepalis also inhabit Manipur. In addition to this, a small group of Muslim-Manipuris locally known as Meitei-Pangal also settled in Manipur since the reign of King Khagemba (1597-1652). The total population of Meitei and the Meitei-Pangal as per the Census of India 2001 (provisional) are respectively 13,61,521 and 1,67,204. It is to be noted that these above mentioned ethnic groups have over a long period of time intermingled culturally, linguistically and in most other fronts too. The Meiteis who are numerically the most predominant community inhabit the valley mainly. The Meitei-Pangal whose origins had links up with the Meiteis are also mainly found in the Imphal valley.

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The tribes comprising of Nagas and Chin-Kuki- Mizos mainly inhabit the hills though a good number of their villages are spread over the valley. Thus the state of Manipur comprises of the Manipuris consisting of the Meiteis, Meitei-Pangal, 36 scheduled tribes, and 07 scheduled castes. The community wise total population of Manipur along with their geographical distribution are given below in the form of a table.

Table No 1: Community wise Tribal Total Population of Manipur and Geographical Distribution

Community	Population	Distribution
Nagas	**3,26,324**	
(a) Old Nagas		
Angami	650	
Kabui	62,216	Senapati District, Imphal East, Bishnupur District, Churachandpur District
Kacha Naga (Zemi and Liangmei)	20, 328	Tamenglong District
Mao	80,568	Senapati District
Maram	10,510	Senapati District
Sema	25	
Tangkhul	1,12,944	
Total population of Old Nagas	**2, 87, 241**	
New Nagas/Old Kukis		
Anal	13,853	Chandel District
Lamkang	4,524	Chandel District
Maring	17,361	Chandel District, Ukhrul District, Thoubal District
Monsang	1,635	
Moyon	1, 710	Chandel District
Total Population of New Nagas/Old Kukis	**39,083**	
Kuki-Chin		
Aimol	2,643	Chandel District, Churachandpur District, Senapati District
Chiru	5,487	Senapati District, Tamenglong District, Churachandpur District
Chothe	2,676	Chandel District, Bishnupur District
Gangte	15,100	Tamenglong District, Churachandpur District, Senapati District
Hmar	42,690	Churachandpur District
Mizo (Lushai)	10,520	Churachandpur District
Paite	44,861	Churachandpur District
Purum	503	Senapati District, Chandel District
Hralte	110	Churachandpur District
Simte	7,150	Churachandpur District
Sahlte	311	Churachandpur District
Thadou	1,15045	Churachandpur District, Senapati District, Tamenglong District
Vaiphei	27,791	Churachandpur District
Zou	19,112	Churachandpur District, Chandel District
Total population of Kuki-Chin	**292,999**	

Komrem			
	Koirao/Thangal	1,200	Senapati District
	Koireng	1,056	Senapati District, Imphal District
	Kom	15,467	Churachandpur District, Senapati District
Total Population Of Komrem		17, 723	
Unspecified Tribes		75,768	
Others (including Mayangs and Nepalis)		1, 46,096	

Source: AMCTA. *Manipur Factfile 2001*, All Manipur College Teachers Association, Imphal, 2001.

Notes: Socio-cultural data which gives a community wise demographic profile of the total state population for 2011 Census of India has still not been brought out. As per 2001 census, there are only 29 tribal communities. "The Scheduled Castes and Scheduled Tribes Order (Amendment) Act, 2002 had made four new additions namely, 'Poumai Naga', 'Tarao', 'Kharam' and 'Any Kuki Tribe', with it, the number of recognized scheduled tribes has been increased to 33. In the year 2012, with the recognition of 'Rongmei', 'Inpui', 'Liangmei' and 'Zeme', the list of recognized scheduled tribes has been increased to 36. (Tribal Groups Celebrate on Scheduled Tribes Recognition, *The Sangai Express*, Popular English Daily, Imphal, 26 April 2012).

Manipur ceased to exist as a fully independent kingdom when the British occupied Manipur in 1891. Since then, Manipur remained as an international protectorate till she regained her sovereignty after the British departure in 1947. As per the Manipur State Archives, Manipur was ruled by 76 kings since 33 A.D. The Kingdom was governed on the basis of the written constitution *"Loiyumba Shinyen"* which was issued by King *Loiyumba* in 1110 A.D and was based on earlier codes and conventions. They were far ahead of their times as a sophisticated kingdom and had already been established at a time when state formation was unheard of in most parts of Asia. Not only had the Meiteis possessed a distinct political and territorial status for centuries, they also legitimately boasted of a highly literate and developed culture, an advanced literary tradition which stretches back a thousand years, and a distinctive linguistic tradition (Chandhoke 2006). They gained international recognition by foreign powers, especially by the Shan with the *1470 Agreement between King Kiyamba of Manipur and Khekhomba of Pong* in upper Burma, for their ability to exercise authority to control the destiny of the valley and hills. It was followed by the *Anglo-Manipur Friendship Treaty signed in the year 1762*, *Anglo-Manipuri Defense Protocol of 1763*, *Treaty of Yandaboo, 1826* signed between the British government and the Burmese government after the Burmese occupied Manipur for seven years during the period of the year 1819-1826 which is still remembered as the '*Seven Year Devastation.*' (Hanjabam 2008: p1).

Tryst with Democratic Experience for Composite Manipur

The British left Manipur on 15th August 1947 and Manipur's independence was again regained as a consequence of it. The King gave up his power to give way for and to facilitate the forming of a democratic government. The drafting committee of Manipur State Constitution in 1947 consisted of members drawn from the Meitei, the Naga and the Kuki as well. The Maharaja announced the constitution of the Constituent Assembly on 10 March 1947. The members were (1) F F Pearson (PSMD), chairperson, (2) S Somerendro Singh, (3) Md. Kazi

Walliullah (representing the Darbar), (4) L.M. Ibungohal Singh (chief court), (5) S.Bijoy Singh (Jiribam), (6) A Ibotombi Singh (non-official),(7) H. Dwijamani Dev Sharma, (8) Dr. L. Leiren Singh, (9) L.Jogeshwari Singh, (10) S. Krishnamohan Singh, (11) Mera Jatra (five representatives from the Valley), (12) Daiho, (13) Thangkhopao, (14) Tiangkham, (15) Teba Kilong and (16) R. Suisa (five representatives from the Hills) (Maipaksana 1995). Later, a Kabui Naga too was also included as a member of the drafting Committee.

The Manipur State Constitution Act 1947 provides for a 53 member Legislative Assembly. Accordingly, election through secret ballot on the basis of universal adult franchise was held in Manipur as early as 1948 quite ahead of the general election first held in India in the year 1952. In the said election, the number of reserved seats for the hills was 18. However reservation in representation was not on the basis of tribe or ethnicity. The remaining 35 seats were for the valley including Meitei Pangal. Every community was represented except the Mao as there was no election due to political agitations. After the election, a fully responsible government was formed for the first time in the history of Manipur. The election of 1948 was the endorsement of the State by the people of Manipur in a democratic way. There were eight Naga MLAs (five Tangkhuls, two Zeliangrongs and one Monshang). The other nine were CHIKIM groups including Kom and Paite. The representatives of the hill tribes were appointed as Ministers of the State which had never occurred in the history of Manipur. The hill people accepted the Maharaja as a symbol of unity of the kingdom. This symbol of unity was destroyed when the State was merged with the Dominion of India in October 1949. The relation between Manipur and the Dominion of India was guided by the Instrument of Accession and the Stand Still Agreement signed by the Maharaja of Manipur. Manipur was an autonomous State with complete internal independence though she accepted Indian currency, post and telegraph, foreign affairs and defense (Kamei 1993). The clause 7 & 8 of the Instrument of Accession clearly stated the sovereignty status of Manipur. It reads,

> *Clause 7, "Nothing in this Instrument shall be deemed to commit me in any way to accept any future constitution of India or to fetter my discretion to enter into arrangements with Government of India under any such future condition"*

> *Clause 8, " Nothing in this Instrument affects the continuance of my sovereignty in and over this State, or save as provided by or under this Instrument, the exercise of any powers, authority and rights now enjoyed by me a Ruler of this State".*

Trampling Democratic tradition and Peoples Resentment

The dominion of India was fully aware of the political development in Manipur from the very beginning after British departure. Mr Akbar Hydari, Governor of Assam was involved in the development of the Manipur State Interim Council, 1947. He advised that the Council should comprise Mr. F.F Pearson as Chief Minister, three official Manipuri members of which

one should be the Muslim member of the then existing State Council (established in 1.7.47), two members should be elected on the same franchise and one Hillman to be nominated to form a member of that Committee (Singh 1993). But when the King insisted that he was powerless to sign the merger as he is only a constitutional head, (he added that the power lies with the Manipur Legislative Assembly) he found himself to be a prisoner in the hands of Sri Prakasa, Governor of Assam. Armed security personnel surrounded his house from all sides. The Maharaja utterly had no contact and was completely snapped off from the outside world. The GoI in order to finalise the agreement, dealt directly with the Maharaja as a Ruler of the State, and they were not ready for any divergence from the course of action then followed (Singh 1989).

Except for a few, the people of Manipur by and large were opposed to the merger with India. The Praja Santi Sabha, the ruling party of that time expressed from the very beginning that Manipur remain a state with a responsible government with His Highness, the Maharaja of Manipur as the Constitutional Head and with her sovereignty undisturbed. The Manipur State Congress was demanding the merger of Manipur but in their election manifesto of 1948, there was complete silence on pro-merger statements. The general public through a meeting at Gandhi Maidan on 3rd August 1949, under the joint presidentship of Solet Haokip Kuki, Habi Dewan Mohammed and Nandalal Sharma resolved against the proposed integration or merger of Manipur particularly against the decision of the Manipur Congress party. The Manipur daily 'Bhagyabati Patrica' tried to mould public opinion against the merger (Singh 1995, p 91). Similarly the Manipur Students' Federation held a protest rally by hosting a black flag at Porompat (presently under Imphal east district) on 15 August 1949.

All the members of political parties besides the Congress in the Legislative Assembly adopted the resolution against the merger (Nag 2002). The legendary leader Irabot had already mobilized people for an independent Manipur. The merger was rejected by a national people convention at Imphal in the year 1993, as the King was powerless to sign the Agreement, being only a titular king and also the agreement was not ratified by the legislative Assembly. The circumstance under which the Manipur Maharaja was made to sign the agreement continues to be contentious still today. The representatives duly elected by the people were entirely bypassed; the Maharaja was barred from consulting the ministry, and the GoI in its rush to integrate Manipur into the Union trampled upon the democratic traditions of Manipuri people in the process (Chandhoke 2006).

Composite Movement for "Sovereignty of Manipur":

The revolutionary leader, Hijam Irabot died without realizing his dream of an "Independent Socialist Republic of Manipur" but the legacy left behind by him was later followed suit by many educated youth. In the 1950s also, the Manipur National Union proclaimed Manipur's independence in 1953 but was nipped in the bud and followed by the

Meitei State Committee. The issue of sovereignty of Manipur again came to the forefront as the United National Liberation Front (UNLF) came into existence as its protagonist in the year 1964 under the leadership of (i). President (Naga): Kalalung Kamei of Tameglong; (ii) Vice-President (CHIKIM): Khangsopao Singshit of Karong; and (iii) General Secretary (Meitei): Arambam Somorendra of Imphal. It was purely a clandestine organization brought about by the individual's efforts of some likeminded persons. There was no formal announcement or declaration to the public regarding its formation (Kshetri 2006). The aim and objectives of the UNLF as reported at the time of its inception includes:

1. Liberation of Manipur and its neighbors from the domination of India and neo-colonialists.

2. Restoration of Manipur's lost political sovereignty and also of her neighbor

3. Establishment of an independent sovereign republic comprising Manipur and her neighbors

4. Regaining the lost territories of Manipur

5. To unite the people of the Mongoloids origin in the geographically contiguous areas of the "south Middle Asia" into one nation.

6. To make a pan- Mongoloids movement in order to bring an awareness among the Mongoloids people and accomplish the great enterprise of the national liberation.

In addition to UNLF, another armed outfit, the People's Liberation Army (PLA) came into existence on 25 September, 1978. PLA is the armed wing of the Revolutionary People's Front (RPF) which was established on 25 February 1979. RPF claims to takes up arms and fights for all the dependent and colonized people of Manipur representing the ethnic and indigenous people, namely, the Meiteis, the Nagas, the Chin-Kukis for granting and restoring independence and for the de-colonization of the State of Manipur – that continues to exist since the Christian era, despite unlawful political and military occupation – from the present colonial and hegemonic administrative power-the GoI (RPF Boucher 1998).

RPF and PLA have unilaterally signed the Common Article 3 of the Fourth Geneva Convention in 1997 and also have submitted a memorandum to the UN Decolonization Committee (Committee of 24). The party is the fourth revolutionary group, which claimed to adhere to the Common Article 3 of the Geneva Convention. The memorandum was claimed to have submitted on behalf of all the dependent and colonized people of Manipur representing the Meitei and the Meitei cognate's viz., the Nagas, the CHIKIMs for granting and restoration of independence and de-colonization of Manipur State from the present colonial Administering Power of India, which kept Manipur under occupation since 15 October, 1949, till today. The memorandum has six prayers with historical facts, political, socio-economic materials as well as legal and constitutional materials. They are as follows:

1. For supervising and examining historical materials/records relating to the illegal annexation and colonization of Manipur by India;

2. For terminating the foreign and colonial regime of India over Manipur;

3. For international appraisal of the illegal and unjustified annexation of the Nation-State of Manipur in 1949 AD;

4. For giving international recognition to the National Liberation Movement of Manipur, which continues since the time of annexation in 1949 till today, and allowing the people of Manipur to exercise their inalienable right to self- determination in conformity with the UN General Assembly Resolution 1514(XV) of 1960 and other subsequent resolutions;

5. For all necessary and elaborate steps, appropriate measures towards complete de-colonization of Manipur and cessation of subjugation of her people to the earliest, and lastly, for holding emergent as well as periodic sessions of the De-colonization Committee in Imphal city in 1999; and,

6. For enlisting Manipur in the list of the non-self-governing territories of the UN by enlarging the existing mandate.

RPF and its armed wing PLA have reaffirmed its stand not to have a political dialogue with the GoI except on the issue of independence and sovereignty of Manipur after their second congress (July 14 to December 4, 2008) resolution. Besides RPF/PLA and UNLF/MPA, there are other organizations whose demand is to restore the sovereignty of Manipur. There are many other organizations with similar agenda which are listed below.

Table No 2: Armed groups Supporting Sovereignty of Manipur.

Sl. No	Organization	Year of establishment
1	People's Revolutionary Party of Kangleipak (PREPAK)	9th October 1977
2	Kangleipak Communist Party (KCP)	13 April 1980
3	Kanglei Yawol Kanna Lup (KYKL)	25th May 1994
4	United People's Party of Kangleipak (UPPK)	6th November 2008
5	United Naga People's Council (UNPC)	19th May 2008
6	Manipur Naga Revolutionary Front (MNRF)	May 2008

Source: Authors

Degeneration of Composite Movement after Coercive Merger

With the restoration of sovereignty of Manipur from the British, the tribal were for the first time inducted into the newly formed Manipur State Assembly under the Manipur Constitution Act 1948. There was the incident of Mao Naga uprising but it was pacified with the appointment of their leader Mr. A Daiho as advisor to the Government of Manipur. During the height of coercive merger, the Kuki Chiefs sent 250 volunteers armed with muzzle loaded guns to guard the palace gates to keep away Maharaja Buddhachandra from signing the merger agreement. The Tangkhul leader, Yangmaso Shaiza was leading the movement of the independence of Manipur under the Manipur National Union in the early 50s**.** The Nagas of Manipur have ignored the movement in the Naga Hills (Kamei 1993). With the merger of Manipur in a coercive and arbitrary manner under contentious circumstance, the GoI put Manipur under the category of part C state after dissolving the coalition ministry and the assembly. A Dewan-cum-Chief Commissioner from outside the state was appointed by the GoI to administer the state. This brought a sea change in the political horizons of Manipur. The role of the Meitei king as an ethnic balance too became dysfunctional with the changed political equation of the hill tribes with the larger political entity, the Indian nation-state. The tribals of Manipur who were supporting the sovereignty of Manipur started mobilizing themselves demanding for territory rights. The mobilization was mainly seen from the perspective of divide and rule during the central rule in Manipur (1949-72). In the process, the ethnic relation has been disturbed by various forces. The movement of Nagas and CHIKIM groups will be discussed here. The Naga Integration movement or Greater Nagaland/Lim was rising. There is also the issue of Greater Mizoram of the CHIKIM group.

Movement for Greater Nagaland/Lim

The movement in the Naga Hills has influenced the Nagas in Manipur and few of them even joined the movement in the late 50s. Simultaneously, the Manipur Naga Council was formed in 1960 at the initiative of a few sections of Nagas of Manipur to support the movement. But the aspirations of the Nagas of Manipur were ignored with the creation of Nagaland State in 1963. They were not considered during the negotiation as the movement was concentrated in the Naga Hills and there was no significant involvement from the Nagas of Manipur. However, in 1964, the cease-fire extension to the three sub-division of Manipur encouraged them again. But the cease-fire was unilaterally revoked by the GoI in 1967. But interestingly, the Nagas of Manipur stuck to the stand of remaining with Manipur instead of acceding with Nagaland. The All-Tribal delegations went to Delhi in May 1970, demanding statehood for Manipur (Koireng 2007). This was quickly followed by the Lok Sabha election.

The Nagalim project covers a huge area in the Indo-Burma region. The size of the claimed Naga areas in Burma (present day Myanmar) are almost double the size of today's Manipur. The total land area of Arunachal Pradesh in the aspired Nagalim is also twice the size

of present day Manipur and that of Assam is almost the size of present day Manipur. However, the main obstacle for the project is coming from Manipur (Meitei 2003). It is quite obvious that NSCM (IM) do not have any influence in these areas like they have in the few districts of Nagaland and Manipur. So the concerned governments are less bothered about the ambition of the NSCN (IM). The Naga sovereignty issue has taken a back seat and the integration movement is gaining momentum, if possible within the Indian Union.

Figure 1: Manipur areas demanded by NSCN (IM) to merge/integrate with Nagaland
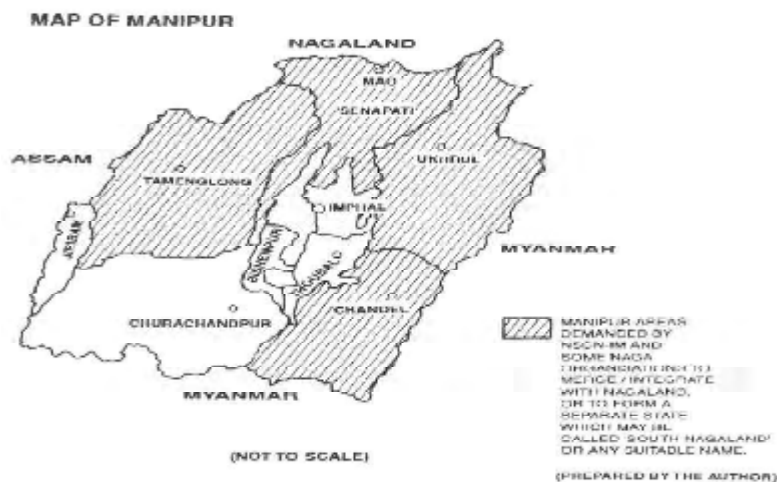
Source: Tarapot 2003

But after the Manipur Nagas' aspiration was betrayed on many occasions, the people in the hills are skeptical about the integration movement. The invisible voice of the people of the hills was visible in the early 21 century particularly in the last Manipur Assembly election and the Lok-Sabha election of 2009. In 1971, the idea of greater Nagaland/Lim and Greater Mizoram was rejected by the people in the hill districts. Similarly, the NSCN (IM)'s handpicked candidates were defeated in the State Assembly as well as the Lok Sabha election in 2009. Again, the Tangkhul Naga Long (TNL), the highest socio-political body which also exercises judicial powers over the customary laws that governs the Tangkhul tribe to which the rebel leader of the NSCN faction, Th. Muivah belongs, presented a memorandum to make Ukhrul a summer capital of Manipur to the former Union Home Secretary, Mr. Pillai on his recent visit to Manipur (Thohe Pou. 2009). The land encroachment issue in Senapati as well as Ukhrul by the Nagaland was protested by the respective people of the districts. If the people of this district prefer to be in greater Nagaland then there should be no issue on land encroachment. This in fact reveals that the issue of greater Nagaland in Manipur is superficial

and limited to few sections. The formation of Manipur Naga Revolutionary Front (MNRF) and Naga National Liberation Army (NNLA) in Ukhrul; United Naga People's Council (UNPC) in Senapati by the splinter group of NSCN (IM) with the stated objective of restoring peaceful co-existence and territorial integrity of Manipur indicate the losing people support for the Greater Nagaland/Lim project. In addition to this, armed groups like Zeliangrong United Front (ZUF) which vehemently objected the domineering attitude of the NSCN (IM) also came into existence and very strongly have made their presence felt in the Tamenglong district of Manipur where the NSCN (IM)'s writ runs large not long ago.

It is not only that the people in the hills district of Manipur do not welcome the integration movement but also the Nagas of Nagaland. There were many instances of 'quite notice' to the Nagas of Manipur. The formation of NSCN (unification group) on November 23 near Dimapur, Nagaland was a significant signal. The aim of the group was for the unification of the militant group of Nagaland for an acceptable solution which confined in the state of Nagaland. It was hosted by the Western Sumi (Sema tribe) Hoho and other civil bodies in Nagaland particularly the Sema tribes. It was also supported by the NSCN (K) which talks for the sovereignty of Nagaland not greater Nagaland. Thus the idea of Greater Nagaland is not welcome in Manipur and Nagaland. It only delays peace in both the states but NSCN (IM) under Muivah is pushing for it, with the last hope, not to repeat the history of betrayal of Manipur Nagas aspiration as earlier. The NNC which moulded the Naga movement is today termed and attacked as traitors by the NSCN (IM). The NSCN (IM) and K are fighting each other. So which organization solely represents the Naga people is a big question.

Now, the situation of Naga Movement is very critical with three groups raising three different ways of resolving the conflict such as (i) NSCN (IM) demanding for incorporation of the neighbouring Naga inhabited areas with Nagaland; (ii) NSCN (K) demanding incorporation of Myanmarese Nagas areas with Nagaland; and (iii) NSCN (Khole-Kitovi) demanding to resolve the issue within the boundary of Nagaland. The demand for NSCN (IM) was already rejected on many occasions either formally or informally. The issue of NSCN (K) also stuck because their demand crosses the political boundary of India. So the only option to resolve the issue is through the NSCN (Khole-Kitovi) group. This group is considered important because the group and its leaders are based in Nagaland and also the demands are also within Nagaland which is easier to resolve. The GoI taking advantage of the situation has already invited the group for a peace process. Besides these groups, the NNC also has a considerable stronghold in Nagaland. They also need to be included in the peace process else it could be a futile exercise again like negotiating only with NSCN (IM). On the other side, the NSCN (K) also succeeded in negotiating with the Government of Myanmar and they are likely to start the peace process. Only NSCN (IM) remains in the Naga movement which is neither welcome in Nagaland nor in Myanmar. But they see some option in Manipur which they have already exploited with their frontal organization by involving in the election process of Manipur since the last decades (for details see Yenning 2012).

Movement for Greater Mizoram/Kukiland or Zalengam

The CHIKIM groups of Manipur under Mizo National Front (MNF) demanded integration of CHIKIMs inhabitant areas to form Greater Mizoram. It was an immediate outcome of the Mizo rebellion under MNF of Laldenga. The people of the area have a fallible impression that the armed movement was for a united CHIKIM objective covering the territories of Manipur, Assam, Tripura and the border areas of Burma. MNF resolved to integrate all the Mizos areas of Northeast into one administrative unit in the 1963 conference at Churachandpur, Manipur. Churachandpur was one of the base camps for the MNF movement. By the late seventies, the MNF had weakened and a spate of surrenders from its rank had been engineered by the Mizoram Chief Minister, Thengpunga Sailo. He formed the People's Conference party that went on to win the elections. The MNF started negotiating with the Government of Assam/India. When Rajiv Gandhi became the Prime Minister, he worked out an agreement scheme amenable to the Mizo people and the MNF. The Mizo Hills was granted statehood and MNF was accommodated in an interim power sharing with the Congress that was ruling at that time (Subhir Bhaumik 2007). The settlement between the GoI and MNF did not consider the greater Mizoram issue and those involved in the movement particularly from Manipur felt betrayed.

The aspiration of the CHIKIMs was not considered when the MNF and the GoI swiftly drafted the peace agreement in 1986. The ostentatious promise of Greater Mizoram was simply overlooked at the time of inking the agreement. Shortly afterwards, Nehlun Kipgen raised the Kuki National Front (KNF) on the 18th of May, 1988 at Molnoi village of Burma, whereas his erstwhile comrade in arms, Thongkholun Haokip took hold of the Kuki National Army (KNA) due to ideological and geo-political differences. The KNF was formed to carve out an autonomous Kukiland under the Indian Constitution by incorporating all the Kuki settled areas of Manipur. On the other hand, KNA/KNO's main objective has been the creation of an independent 'Zalengam' comprising of all Kuki inhabited areas of Burma, some portion of Ukhrul, Thoubal and the Chandel district of Manipur (Morgan 2006). They want to form two states: one within Myanmar which they called 'Eastern Zale'n-gam' and 'Western Zale'n-gam' which is within India. From the very beginning, they were not antithetical to the Indian Constitution as they stated to fulfill its objectives under the Indian Constitution. Moreover KNA and its political wing KNO also signed the Suspension of Operation with the state and Central armed forces, which in its ground rules, among others, stated that the sanctity of Manipur's territorial integrity will not be violated.

There are officially 18 CHIKIM armed groups operating in Manipur but only the Kuki Revolutionary Army (KRA) and KNA are active. The bond between the two potent Kuki outfits deteriorated after the Kuki-Naga conflict. The Kuki Defence Force was absorbed by both the KNF and KNA in an area-wise process. Most of them are formed after the infamous Kuki-Naga conflict in the early 90s in order to protect their ethnic group from the NSCN (IM).

KRA was formed in December 2000 at Saikul, Senapati district, Manipur by a group of disgruntled cadres of the KNF's Military Council faction with the aim of securing a "separate state" for the Kuki tribe within the Union of India. However, due to the chaotic reorganization and lack of leadership quality, Kuki factions and new UG outfits proliferated. Quite a handful of them were created by politicians in order to maintain their power in their respective constituency for election purposes.

Figure 2: Manipur areas demanded by CHIKIM Armed groups to form Kukiland or Zalengam

Source: Tarapot 2003

The CHIKIM groups have entered into Suspension of Operation (SOO) with the Government of Manipur/ India under the banner of United Peoples' Front (UPF) and Kuki National Organization (KNO) since 2007. It has been kept extending, since then, on a yearly basis. It was agreed that a respectable settlement will be within the Indian Constitution and also without altering the present Manipur boundary. The parties to the agreement are:

Table 2: SOO Signatory CHIKIM Armed groups with the Government of Manipur/ India

Sl No	Organization
Under Kuki National Organisation (KNO)	
1	Kuki National Front (Military Council) (NNF-MC)
2	Kuki National Front (Zogam) (KNF-Z)
3	United Socialist Revolutionary Army (old Kuki)
4	United Komrem Revolutionary Army (UKRA)
5	Zou Defence Volunteer (ZDV-KNO)
6	Zomi Reunification Front (ZRF)
7	Hmar National Army (HNA)
8	Kuki Revolutionary Army- Unification (KRA-U)
9	Kuki Liberation Army (KLA-KNO)
10	Kuki Nationa Army (KNA)
Under United Peoples' Front (UPF)	
11	Kuki Revolutionary Army (KRA)
12	Kuki National Front (KNF)
13	United Kuki Liberation front (UKLF)
14	Kuki Liberation Army (KLA-UPF)
15	Zomi Revolutionary Army (ZRA)
16	Kuki National Front (KNF-S)
17	Hmar Peoples' Conference-Democratic (HPC-D)
18	Zou Defence Volunteers (ZDV-UPF)

Source: Authors

Conclusion

The conflicting aspirations either in the form of Greater Nagaland or Kukiland by the tribal armed group based within and outside Manipur were abandoned by the majority of their respective people which they claim to represent. The CHIKIM armed groups are now into

negotiations with the Government of Manipur/India without affecting the boundary of Manipur. The mobilization through the Greater Nagaland project during the recent elections seems to have few takers as NSCN (IM) lost their sponsored candidates. The people of Ukhrul who were the main force behind the NSCN (IM) movement wanted Ukhrul to be the summer capital of Manipur.

The movement for restoration of sovereignty of Manipur is the only movement which is shying away from the government clutches in-spite of dealing militarily at their best levels for many decades. Other major armed outfits which claimed to represent the hill communities have ceased to fight with the state forces as they are either in cease-fire or SOO with the state forces. This may be because of their commitment to the movement or may be because of the government's lack of political will to resolve the conflict. The policy of the government, to cite Subhir Bhaumik, is overwhelmingly guided by the real politik promulgated by Kautilya. Kautilya advocated Sham (conciliation), Dam (Bribe), Danda (Forces), and Bhed (Split) as the four options of statecraft to be used in effective combinations rather than as single, standard options. If the insurgent groups insist on sovereignty or adopted positions unacceptable to Delhi, military operations were resumed with renewed vigor and intelligence worked overtime to split the recalcitrant insurgent groups. Naga, Mizos, Assamese or other tribal insurgent groups have all split mostly during or after dialogue with the federal or the state governments. Thus the aspiration of the Nagas and CHIKIM armed groups are slowly fading away because of the split. The split between the Nagas and CHIKIM groups was easy as their formation is more on the basis of the political needs of the present generation. The process of Nagaisation or vice versa among the CHIKIM tribes who are otherwise called Mizo is more of a marriage of convenience rather than due to historical and socio-cultural processes. As the term Naga or CHIKIM which intended to give a pan tribal identity are more or less a political creed, to each tribe their tribal identity and culture comes first and that of the espoused pan tribal later. The spilt is not only on cadres but also on resources and intellectuals which are at the core of every movement. Thus the policy of divide and rule fragments the movement for pluralistic Manipur.

References

Bhaumik, Subir (2007): "Insurgency in the India's North East: Conflict, Co-option and Change", *Working Paper No 10*, East West Centre, Washington

Chandhoke, Neera (2006): "A State of One's Own: Secessionism and Federalism in India", *Working Paper No 80*, Crisis State Programme, London School of Economics, London

Hanjabam, Shukhdeba Sharma (2008): The Meitei Upsurge in Manipur, *Asia-Europe Journal*, Vol.6, No.1

Kamei, Gangumei (1993): "Political Movement in the Hills of Manipur: A Brief Survey", *The Struggle*; Special Issue, October.

Kipgen, Donn Morgan (2006): "The Great Betrayal: Brief Notes on Kuki Insurgency Movement", *The Sangai Express*, 25 September.

Kshetri, Rajendra (2006): *The Emergence of Meetei Nationalism,* Mittal Publications, New Delhi

Maipaksana, Rajkumar (1995): Constitutional Development in a Nut shell in Peoples Democratic Movement (eds.): *Annexation of Manipur 1949*. Peoples Democratic Movement, Imphal

Meitei, Chinglemba (2003): A Perspective of the Nagalim Concept, *Manipur Online,* Sunday, 26 January.

Nag, Sajal (2002): *Contesting Marginality: Ethnicity, Insurgency and Sub-nationalism in North-East India*, Manohar Publications, New Delhi

RPF (Revolutionary People's Front) (1998): *A National Liberation Movement of Manipur*; Department of Publicity and Communication

Singh, E Nilakanta (1993): *Fragmentation of Manipur Culture,* Omsons Publications, New Delhi

Singh, Karam Manimohan (1989): *Hijam Irabot Singh and Political Movements in Manipur,* B.R Publications, New Delhi

Singh Senjam Mangi (1995): Reactions to the Merger of Manipur into the Dominion of India and Public Response in Peoples Democratic Movement (eds.): *Annexation of Manipur 1949*, Peoples Democratic Movement, Imphal

Thohe Pou RB (2009): Ukhrul as the Manipur Summer Capital,'*The Kanglaonline, http://classic.kanglaonline.com /index.php?template=kshow&kid=1687&Idoc_Session=4c2333098739d2bd1b915a176b346911,* Accessed on January 15, 2010.

Yenning (2012): "Election or Solution: Dilemma of the Manipuri Nagas, Sunday Special- Hoi Polloi & Mundanity", *The Sangai Express*, 5-Feb.

Book Review

The phenomenal growth of India has attracted attention worldwide. In addition to its economic rise, India is one of the most populous countries and is in possession of an enormous pool of young persons. She also yields tremendous 'soft power' worldwide. Because of these reasons many hold her in awe and the manner in which these strengths may be capitalised upon, in order to make the nation in particular and the South Asian region in general, more secure, stable and prosperous is what is being widely discussed and debated and 'India's National Security: Concerns and Strategies', too tries to render a perspective on this.

It is an open secret that India's position within the subcontinent is highly precarious. Many scholars have likened India's relation with her neighbours with that of an Indian joint family. Her involvement in sorting out the issues her neighbours face is viewed as much as a problem as is her non-involvement. She is either charged with unwanted interference or is criticised for her indifference towards her neighbours and India always has to walk this tenuous line.

Most works on India's security take these aforementioned arguments as the point of departure. Building on these 'realities', they try to put forth ways and means by which this situation may be remedied for the sake of South Asian security and the larger sake of Indian security. However, the present work moves beyond these. Though these arguments resound in individual chapters, the book has loftier ambitions and what is commendable is that it fulfils them with academic rigor and intellectual sophistication. As mentioned afore, unlike other works in this genre, this book moves beyond a 'realist' understanding of the Indian security situation. Rather, it tries to explore every avenue of cooperation available to India,within the region and outside, so as to cater to its mutifaceted demands for security. Secondly, the authors try also to go beyond the available options and create new possibilities of cooperation for the same. These are the two themes that are identifiable throughout the book and run through almost every section.

The book is divided into six sections that deal with every aspectof security-conventional as well as non-conventional.The book begins with the section on 'Security Policy Options for India', that discusses the various aspects of India's security and security policy. Each of the chapters, analyses in detail India's security concerns and issues and brings forth a brilliant exposé of her security needs. Thought-provoking and careful scrutiny leads the authors to bring forward a variety of perspectives and also suggest ways out of the various bottle-necks that we face in this area. For example, though Srinivasan and Raju both look at India's security policy, they both look at it from two different perspectives, each equally nuanced, intense and brilliant.

The second section on 'External Security' comprises of three chapters. What is noteworthy is that for all the three the security of the immediate neighbourhood is foremost. Though the section puts forth excellent analyses of global security concerns as driven by the erstwhile superpowers as well as rising powers like China and India's position within this jigsaw, concerns lie more in stabilising the northwest part of the subcontinent and how these global concerns are driving policy making and grassroots implementation in this region.

India's energy security concerns are voiced in the next section entitled, 'Energy Security'. Energy itself being a part of the new security (non-conventional) security paradigm, forms the backbone

of all initiatives propelled towards achieving security-be it conventional or non-conventional. Guarding of frontiers in the conventional sense or overlooking the seas or for that matter assuring human security in terms of fulfilling of basic human necessities and development, all depend on energy. All the four authors clearly bring out the significance of India's search for uninterrupted energy supply to meet her ever increasing needs. They explore various possibilities where India could delve and each chapter brings forth concrete sets of recommendations and policies to be pursued in this direction.

Linked intricately with energy security is maritime security, given the fact that India has to import most of her energy supplies and most of these supplies are shipped from their sources. In addition to this, seas and oceans themselves are rich sources of energy, whose potential is yet to be tapped, making it essential to protect them. Almost all the chapters focus on the important maritime issues of piracy, regional cooperation for protection of the seas and sea lanes and the geopolitics involved.

One could again read the succeeding sections on human security and environmental security together because of their interlinkages. Developmental efforts all over the world have always drawn from the environment. These efforts have been directed towards contributing positively to human life. However, more often than not, they have been at the cost of the environment. There is a growing realisation that a human life can be made secure only by securing the environment and making human initiatives sustainable. This comes out very succinctly in the chapter by Ramasamy, that talks of the IIBFT drive, wherein the environment is to substantiallysupplement human security. Speaking of sustainability, the chapter on Gandhian ethics and human security deserves special mention because of the invaluable insight that the authors MohananPillai and DharitriParija posit in raising pertinent but oft ignored questions in the context of a globalising world, where we often push the 'local' to the periphery.

Thus, on the whole, every contributor to the book tries to move beyond the realm of mere realism and suggests ways and means to further cooperation and explore other avenues. And this is so with regards to every aspect of security. Lessons from the ground, or 'realist politics,' do inform our decisions and help us identify weak links, however, these should not inhibit us from exploring alternatives. Like some contributors to the book have pointed out the fact of China's unpredictability and otherwise malicious motives against India's security, however, that does not stop us from developing economic cooperation in such a manner that the stakes involved, prevent China from taking an unfavourable step, as in such a case it shall be harming Indian interests only by substantially ruining its own too. The same holds true for the north-western part of the subcontinent-as another author, Roy, suggests-creating a common South Asian market may help resolve a lot of issues.

India definitely has to sleep with an eye open, given its international position. With the USA wanting to maintain the status quo and China trying to change it, India definitely is going to be called in, to play a greater role, the bugle having been already blown in this direction with the USA desiring increased Indian involvement in the East. With regards to the turmoil-ridden West Asia, India is expected to play a different role. Given Indian realities and needs and the international situation that India finds itself in, it is essential for her to protect her own interests from getting eclipsed and for this, if need be, as the book suggests, it shall not be unwise to look for alternate forms of cooperation (economic, cultural and so on), from her immediate neighbours, to begin with.

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