

## **Climate Change Refugees and Laws in Coastal Areas in India across the Bay of Bengal**

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### **A. Climate Change Refugee: Concept and Reasons**

A large number of people are regularly being compelled to migrate from one place to another place not for any political compulsion or for home war or other social constraint rather of failure of getting a secure livelihood in their homelands due to climate change and for other environmental problems causing drought, soil erosion, drought, deforestation, flood etc. The number of environmental refugees are growing much faster even than the traditional refugees. The environmental refugees are mainly found in Sub-Saharan Africa, China, Mexico, Central Africa etc. (Norman Myers, *Environmental Refugees, Population and Environment*, Vol. 19, No. 2, 1997, p-167-182, Springer, Available in <https://www.jstor.org/stable/27503569>). Uncontrolled global warming will have the devastating impact upon the life of the people. Climate change will seriously affect the habitat and livelihood of the people in near future multiply than present situation and as a consequence the number of environmental refugees will also increase. Environmental refugees are generally the by-product of the rapid degradation of natural resources as well as the occurrence of extreme environmental event for which largely the global warming is responsible. Migration of the people from their place of origin or place of livelihood due to the hostile or antagonistic nature of environment is known as environmental refugee. Inequitable distribution of natural resources, failure to inform quality life to all, lack of protection of urban and natural environments, poverty and environmental injustice lay birth to environmental refugee. To cope up with the above situation it requires to have a sense of environmental justice which dictates to incorporate the impartial environmental laws, policies and environmental planning (includes land use, dumping of hazardous and toxic substances, developmental projects etc), providing healthy environment to the disadvantage category of the people who are often compelled to move from the place of their habitat in the name of carrying the different developmental activities. So apart from the gigantic environmental menace environmental injustice is also a crucial factor for the growth of environmental refugees. Uneven human progress, human deprivations and unused human potentialities affect environment as well as causes forced migration of people from their own habitat.

Degradation of enabling environment is no doubt responsible for causing environmental refugee but not the sole cause. Our orientation and conception on the environment is also responsible for it. It is the need of the hour to formulate the policies both from eco-centric as well as anthropocentric approach and environmental laws should be framed from right centric approach

not the need centric. It is estimated that in near future 150 million people will become environmental refugee by 2050 but still the world polity recognise only those persons as refugee who have crossed the international borders for political pressure or purposes (Shin-Wha Lee, Emerging threats to International Security: Environment, Refugees, and conflict in *Journal of International and Area Studies*, Vol.8, No.1, 2001, available in <https://www.jstor.org/stable/43111434>). It is very unfortunate that neither the 1951 UN Convention on Refugee nor the 1967 Protocol recognise such environmentally induced population as refugee. Environmentally induced migration is a grim reality but it seems still the world polity is not ready to consider it. UNEP Researcher El-Hinnawi described three major types of environmental refugees (Diane C. Bates, *Environmental Refugees? Classifying Human Migrations Caused by Environmental Change*, published in *Population and Environment*, Vol. 23, No. 5, 2002 available in <https://www.jstor.org/stable/27503806>):

1. Those temporarily dislocated due to disaster either may caused by natural or anthropogenic reasons
2. Those permanently displaced for drastic changes in nature e.g. construction of dams
3. Those migrated due to deterioration of enabling environment

From the above discussion it is clear that lack of healthy environment also forces the people to displace from their habitual locality.

## **B. Environmental refugee in Bay of Bengal**

The most populous areas of our planet surround the basin of Bay of Bengal. Approximately 200 million people of the eight countries that border the bay live along the coasts of it (<https://www.theguardian.com/environment/2017/jan/31/bay-bengal-depleted-fish-stocks-pollution-climate-change-migration>). So far India is concerned a vast territory of it is connected with the bank of the Bay of Bengal. Migration across the Bay of Bengal becomes a concern for the whole world polity. Unplanned developmental activities such as urbanisation in the coastal areas, contamination of the water bodies, indiscriminate and ruthless exploitation of natural resources, excessive population growth, poverty, illiteracy and unawareness about the ecological mechanism seriously affecting the climate of the Bay of Bengal. Fishes and other species which were found abundantly in this region are decreasing rapidly. It has been found on the coastline of Bay of Bengal in India the production of paddy and other crops, fish catch, forest products, rearing of animals is significantly dropping and also affecting the gender disparity in wage rate. Constant increase of pollutants is inviting the incidents of global warming and in consequences of that sea level is gradually rising, which becomes a matter of grave concern. Rising of sea level will cause the erosion of shoreline, flood in coastal areas, loss of habitat, damage to the local biodiversity, salinity of the groundwater, devastating impact on food circle, drought and variations in temperature and rainfall. Needlessly, to mention this appalling state of

nature will primarily make the life of fishing community hellish one and will intensify the climate change refugees. Climate change, in the coastal areas of Bay of Bengal region becomes serious threat to the food, water, energy and health of the inhabitants of the coastal regions.

### **C. Indian Coastal Zones & Enabling Environment**

The coastal zones in India have immense of socio-economic values for having its highly productive ecosystem and rich marine biodiversity. Coastal areas are important for the activities like fishing, tourism, agricultural activities, oil and other mineral exploration and other developmental matters to make it suitable for inhabitants to inhabit. Coastal areas in India are important source for the development of GDP and GNP in India but due to unregulated expansion of economic activities, unethical, illegal and imprudent developmental activities and using the water bodies as a place for dumping the waste materials or as a channel of pouring sewage and overexploitation of marine resources are heavily affecting the biodiversity. For over a decade the coastal areas across the Bay is facing the extreme and whimsical weather condition ranging from heat wave to cyclone, from drought to flood. Almost all the coastal districts in India are witnessing the phenomenon of SLR i.e. Sea Level Rising. SLR is tremendously affecting the agriculture, aquaculture including different economic activities and dwelling places of the people in coastal Zone. West Bengal, Odisha and Maharashtra are the worst sufferer of it. Increased flood and SLR in east coast and west coast of India increasing salinity of water and thus directly affecting the habitats, coastal agriculture, fisheries, aquaculture, human settlement etc.

### **D. Coastal Laws & Regulations in India**

To protect the Marine and Coastal environment India enacted plethora of laws and policies but of course they are scattered and not comprehensive one. As For example, Indian Fisheries Act, 1897 relating to protection to fisheries, Indian Ports Act, 1908 relating to ports and port charges, Coast Guard Act, 1950 for combating marine pollution, Merchant Shipping Act, 1958 relating to Control of pollution from ships and off-shore platforms, Wildlife Protection Act, 1972 mandates for conservation of marine fauna and flora, Water (Prevention and Control of Pollution) Act, 1974 for protection of water and prevention of pollution from the water bodies, Maritime Zones Act, 1976 clarifies about territorial waters, EEZ, Continental shelf etc, Marine fishing Regulation Act, 1978 which ordains maritime states to enact laws for protection to marine fisheries by regulating fishing in the territorial waters, Coastal Pollution Control Series (COPOCS programme), 1982, a measure of CPCB to assess the pollution status of coastal waters, Environment Protection Act (EPA), 1986, an umbrella legislation which empower Central Government to make rule to protect environment and in pursuance to it Coastal Regulation Zone Notification, 1991 has been issued to regulate various developmental activities in coastal zone, Coastal Ocean Monitoring and Prediction systems (COMAPS Project), 1991 to Assess the health

of coastal waters and facilitates management of pollution-related issues Programme, UNCLOS, 1995 Provides an integrated treatment of issues relating to oceans and seas and The Biodiversity Act, 2000 etc.

Coastal Regulation Zone Notification, 1991 declared the coastal stretches of seas, bays, estuaries, creeks, rivers and backwaters which are influenced by tidal action in the landward side up to 500 m from the High Tide Line (HTL) and the land between the Low Tide Line (LTL) and HTL as Coastal Regulation Zone (CRZ). The above notification imposes several conditions on setting up of and expansion of industries, operations and processes etc. in the CRZ. The land use is regulated by classifying the 500-metre regulated zone into four categories: CRZ-I (ecologically sensitive and inter-tidal areas), CRZ-II (urban or developed areas), CRZ-III (rural areas) and CRZ-IV (Andaman & Nicobar and Lakshadweep Islands).

However The Coastal Regulation Zone Notification, 2011 superseded the CRZ Notification issued on 19th February 1991. The above notification of 2011 has come in to force to ensure Livelihood security to the fisher communities and other local communities belonging from coastal areas, to promote development through sustainable manner based on scientific principles so as to prevent SLR due to global warming, to restrict the establishment and expansion of any hazardous industry or any such operations or process. The major difference in between the notification of 1991 and 2011 is that 'no development zone' is being reduced from 200 meters from the high-tide line to 100 meters only to meet the increased demands of housing of fishing and other traditional coastal communities. It prescribed the permissible and prohibited activities within the coastal Zones. Within CRZ it refrained from establishing new industries and expansion of existing industries with some illustrative list of exceptions so as to carry on the activities normally associated with the sea water but without compromising with the sea ecosystem.. The notification of 2011 provides a detail mechanism regarding obtaining permission for carrying on permissible developmental activities in coastal zones

(<http://environmentclearance.nic.in/writereaddata/SCZMADocument/Coastal%20Regulation%20Zone%20Notification,%202011.pdf>).

Since 1991 the CRZ Notification has been amended for number of times. Very recently on 17 June, 2014 MoEF & CC constituted a six-member committee under the Chairmanship of Dr. Shailesh Nayak, Secretary, MoES to examine the issues of coastal States/UT Governments relating to CRZ Notification, 2011 and to examine the flaws if any in the said Notification and accordingly it has already submitted its recommendation whereby this report advocated to simplify the rules regarding carrying on developmental projects in coastal areas. The critics contended that actually the Central, State as well as Governments of UT's have by and large either ignored or tried to dilute the provisions of the CRZ notification, 1991 under the pressure of lobbying from the vested interest groups especially the tourism and industrial lobbies. The subsequent amendments and recommendations of Nayak committee is nothing but to dilute the

Notification of 1991 without caring the sensitiveness of the coastal ecosystem and only for material gain. Unfortunately, even the New Coastal Regulation Zone Notifications, 2019 given more importance to so called developmental activities than the conservation of coastal ecosystem.

### **E. Judicial Notions on Coastal Ecology**

In various cases the higher judiciary in India scrutinised the various aspects of coastal arrangements and has given emphasis in favour of a holistic balance in between development and coastal ecology. In *Goa Foundation Vs. Diksha Holding Pvt. Ltd* (AIR 2001 Supreme Court 184 P.196) the Supreme Court did not allow the construction of hotel in CRZ I. On the other hand in *Citizen Consumer and Civic Action Group Vs. Union of India* (AIR 2002 Mad 298) the Madras High Court refused to pass the order for demolition of a construction which had not affected the CRZ notification in anyway.

In *Indian Council for Enviro-Legal Action v. Union of India* [(1996) 5 SCC, 281] the Court directed the Central Government to set up, under Section 3 of the Environmental Protection Act, State Coastal Management Authorities in each State or Zone and also the National Coastal Management Authority. In *M/s Vaamika Island (Green Lagoon Resort) Vs Union of India and Others* (S.L.P. (CIVIL) NOS. 24390-24391 OF 2013) the Supreme Court upheld the decision of Kerala High Court whereby the High Court of Kerala endorsed the inclusion of 5.21 acres of land of petitioners in Map No. 32A of the Coastal Zone Management Plan (CZMP) by the Kerala Coastal Zone Management Authority. The Court in this case gave priority to public interest over the individual interest to ensure the integrity of coastal zones. In *Kapico Kerala Resorts Pvt. Ltd. Vs State of Kerala & others* (Civil Appeal Nos. 184-186 of 2020 available in [https://main.sci.gov.in/supremecourt/2013/24559/24559\\_2013\\_2\\_1502\\_19350\\_Judgement\\_10-Jan-2020.pdf](https://main.sci.gov.in/supremecourt/2013/24559/24559_2013_2_1502_19350_Judgement_10-Jan-2020.pdf)) the Supreme Court upheld the decision of the Kerala High Court which prohibited carrying on developmental activities in a backwater island in Vembanad lake in Alappuzha District.

### **F. Concluding Remarks**

In India we have plethora of laws and policies but they are scattered and not comprehensive one and failed to maintain the integrity of coastal ecosystem and to ensure proper justice to the coastal communities. Coastal Communities due to the lack of enabling environment across the Bay of Bengal in India are often forced to change their livelihood and to migrate which is affecting their prospectus well as the whole Indian economy. Till date we are lacking Comprehensive Coastal Management as well as any specific or fixed authority/ institution to deal with the coastal problems. Following factors can be detected for the sufferings of the coastal community across Bay of Bengal:

1. The main problem lies with the operational politics and it seems that environmental governance has been largely overlooked in coastal areas across the Bay of Bengal in India.
2. Failure to locate the disparity in between praxis and application.
3. Lack of comprehensive laws related to coastal ecology
4. Unplanned development which proved antagonistic to coastal ecology
5. Least of care on the part of the Governmental authorities about the dreadful consequences of global warming and incidents of SLR
6. Low public participation and awareness to combat the ecological problems in coastal areas
7. Lack of awareness about how to minimise pollutant in coastal areas
8. The issues like social justice, power structure, governance, socio-technological issues have been ignored.
9. No concrete steps have been taken to stop or minimise the growth of climate change refugees in India
10. No mechanism has been evolved by the state to record the number of climate change refugees

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## **Revisiting the Ideas and Teachings of Pandit Ishwar Chandra Vidyasagar**

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Ishwar Chandra Bandyopadhyay was born in an orthodox Bengali Hindu Brahmin family to Thakurdas Bandyopadhyay and Bhagavati Devi at Birsingha village in Hooghly district; later, the village was added to Midnapore district, which is in the Ghatal subdivision of Paschim Midnapore district in current day West Bengal on 26 September 1820. At the age of 9, he went to Calcutta and started living in Bhagabat Charan's house in Burrabazar, where Thakurdas had already been staying for some years. Ishwar felt at ease amidst Bhagabat's large family and settled down comfortably in no time. Bhagabat's youngest daughter Raimoni's motherly and affectionate feelings towards Ishwar touched him deeply and had a strong influence on his later revolutionary work towards the upliftment of women's status in India. As was the custom then, Ishwar Chandra got married at the age of fourteen. His wife was Dinamani Devi. Narayan Chandra Bandyopadhyaya was their only son.

He was a Bengali polymath from the Indian subcontinent, and a key figure of the Bengal Renaissance. In a very short span of time, Vidyasagar came to be known as a philosopher, academic educator, writer, translator, printer, publisher, entrepreneur, reformer and philanthropist. His quest for knowledge was so penetrating that he used to study under a street light as it was not possible for him to afford the same at home. He cleared all the examinations with excellence and in quick succession. He was rewarded with a number of scholarships for his academic merit. In the year 1839, Ishwar Chandra Vidyasagar also successfully cleared his law examination. To support himself and the family, Ishwar Chandra also took a part-time job of teaching at Jorashanko. Then he joined the Sanskrit College, Calcutta and studied there for twelve long years and passed out of the college in 1841 qualifying in Sanskrit Grammar, Literature, Dialectics [Alankara Shastra], Vedanta, Smriti and Astronomy. The same year, at the age of twenty-one, he joined Fort William College in Calcutta as the Head of the Sanskrit Department. After serving there for couple of years, in 1846, Vidyasagar left Fort William College and joined the Sanskrit College as an 'Assistant Secretary'.

He received the title "Vidyasagar" (in Sanskrit Vidya means knowledge and Sagar means ocean, i.e., Ocean of Knowledge) from Sanskrit College, Calcutta (from where he graduated) due to his excellent performance in Sanskrit studies and philosophy. During his first year in service, Ishwar Chandra recommended a number of changes to the existing education system and prepared a comprehensive report in support of introducing major reforms in the field of education. This



report resulted in a serious altercation between Ishwar Chandra and College Secretary Rasomoy Dutta. In 1849, he against the advice of Rasomoy Dutta, resigned from Sanskrit College and re-joined Fort William College as a head clerk.

From the very beginning, Vidyasagar was very much concerned with the quality of education in the then Bengal. According to him, “The creation of an enlightened Bengali literature should be the first objective of those who are entrusted with the superintendence of education of Bengal.” On another occasion he stated: “... if students of Sanskrit college be made familiar with English literature, they will prove the best and ablest contributors to an enlightened Bengali literature.” He also rationalized and simplified the Bengali alphabets and type writing, which had remained unchanged since Charles Wilkins and Panchanan Karmakar had cut the first (wooden) Bengali type in 1780. Vidyasagar was a great social reformer, writer, educator, and entrepreneur who worked endlessly to transform society. His contribution towards education and changing the status of women in India was remarkable. Vidyasagar strongly protested against polygamy, child-marriage and favoured widow remarriage and women’s education in India. Because of his contribution towards such issues, the Widow Remarriage Act was passed in 1856, making the marriage of widows legal. Ishwar Chandra Vidyasagar worked tirelessly towards providing education to women. He opened and ran many schools for girls at his own expense. He was also known as “Daya-r Sagar” or “Karunar Sagar” (literally, “ocean of kindness”) because of his charitable nature and generosity.

He became a Sanskrit pundit and acquired an extremely high proficiency in this subject. Till his retirement, he worked as a Sanskrit professor in Sanskrit College, Calcutta. While he was the principal, the Sanskrit college became a place of reform. Great people are in fact born to make an impact on society. Ishwar Chandra Vidyasagar was one such personality, who was so humble but lived his complete life with determination and purpose to fulfil certain objectives. On several occasions, it was this part of his nature that had inspired others. Several stories from his life prove his simplicity and at the same time they are very inspiring for the readers. Apart from his contribution towards society, it was his humility that made him a renowned and respected personality across India.

At one point, Ishwar Chandra Vidyasagar along with his few friends was working on a mission to start Calcutta University – the highest institution of learning - and for this they were seeking donations. Despite being stopped by his fellow members, he went to the palace of the Nawab of Ayodhya to collect donations. Though the Nawab was not a kind person, Vidyasagar met him and narrated the entire story in front of him. The arrogant Nawab, on hearing this, dropped his shoes in Vidyasagar’s donation bag. On this, Vidyasagar did not react but just thanked him and left the palace. The next day, Vidyasagar organized an auction of the Nawab’s shoes just in front of the Nawab’s palace. People, in order to impress the Nawab, including the Nawab’s jahagirdars and court members, etc. came forward and started bidding. The shoes were sold for Rs 1,000. The Nawab, on hearing this, was pleased and donated the same amount. The point is that when

the Nawab dropped his shoes in the donation bag, then Vidyasagar could have reacted in another manner. He could have taken this as an insult and get depressed, but it was not so. On the other hand, he used those shoes as an opportunity to fulfil his mission. Thus, he not only got the money but also pleased the Nawab as well. In this manner, Vidyasagar always worked above his personal feelings and towards one goal. Ultimately, his dream of opening Calcutta University came true.

Ishwar Chandra Vidyasagar passed away at the age of 70 on July 29, 1891. After his death, Ishwar Chandra Vidyasagar's home was sold by his son to the Mallick family of Kolkata that was later purchased by the Bengali Association, Bihar on March 29, 1974. They maintained the house in its original form and also started a girls' school and a free homeopathic clinic for the poor and downtrodden. Ishwar Chandra Vidyasagar truly brought reforms in the education system of Bengal by removing the pervading darkness and injecting the true spirit of human being. Ishwar Chandra Vidyasagar, along with many other active reformers, opened schools for girls. This was because, for him, educational reform was much more important than any other reform. He believed that the status of women and all kinds of injustice and inequalities that they face could be changed only through education. Ishwar Chandra Vidyasagar worked endlessly to provide equal education to all men and women irrespective of their caste, religion and gender. He allowed people from lower castes into his Sanskrit college that was meant only for upper caste men. This was truly a revolutionary decision that had a far-reaching positive impact on the society. Prof. James Balentine, Principal of Sanskrit College, once Varanasi visited Sanskrit College in Kolkata in 1853 and submitted a report to the Government in which he praised the works and activities of Vidyasagar.

Vidyasagar worked to uplift the status of women in India, especially in his native Bengal. He was a social reformer and wanted to change the orthodox Hindu society from within. Ishwar Chandra Vidyasagar introduced the practice of widow remarriage and worked against polygamy. During his lifetime, Vidyasagar had written many books and thus enriched the Bengali education system to a great extent. Till date, the books written by him are read by many. Ishwar Chandra Vidyasagar was indeed a great personality and a reformer. Today, India needs such dedicated, humble and determined personalities who can bring all sorts of required reforms by working solely for the betterment of the society, over and above their own interest. Considering his knowledge and work along with contributions to society, Vidyasagar was a humanist, according to Asit Kumar Bandyopadhyay. Even when he was alive, his portrait used to be sold in huge numbers. He moved out of Hindu ethos and on different occasions he negated some of the existing rituals in the society. He was against many existing traditions in the Hindu society. Hence, there arises a pertinent question – Was Vidyasagar an Atheist? In “Brajabilas”, authored by Vidyasagar, in different name, he stated that many people used to blame him as Christian, rather than Hindu.

Krishnakamal Bhattacharya, a disciple of Vidyasagar, considered him as Atheist, for the first time. Chandicharan Bandyopadhyay in “Jeevancharit” has stated that Vidyasagar did not strictly

follow the Hindu culture and tradition, nor he behaved like a dedicated Brahmin. Chandicharan therefore argues that from the perspective of religious belief, Vidyasagar followed a middle path. This however does not mean that Vidyasagar outrightly disobeyed and rejected Hindu culture and ethos. While writing letters to his friends and relatives, on the top he used to write ‘Sri Hari’ – which means he respected the almighty Hindu God. In “Bodhodoy”, Vidyasagar did not mention any thing about his faith or belief in God. Once, his disciple Bijoykrishna Goswami had raised this point and sought an answer. In response to it, Vidyasagar stated that it would be incorporated in the next edition of the book and the same was done. Then on another occasion in Kashidham, an old Brahmin asked Vidyasagar to say something about Religion. In response to the question, it depends upon your personal feeling and understanding. If you feel that after taking bath in the River Ganges, you would be sacred please do that. Then once in Puri (in Odisha) there was a steamer mishap in which around 700-800 people died. Vidyasagar was deeply shocked and asked himself how could the Almighty be so cruel that so many innocent people lost their lives.

Interesting enough to note that when Vidyasagar was hardly known to others then Maharshi Debendranath noticed the erudite scholarship in him. Together three renowned personalities – Ishwar Chandra Gupta, Debendranath Thakur and Vidyasagar – could be seen at Jorasako Thakurbari on 6th October 1839 at the TATYO-BODHINI SABHA, established by Debendranath Thakur. Vidyasagar was one of the very few who were party to Tatyobodhini Sabha and admired by Maharshi Debendranath. For some time, Vidyasagar was the Secretary of the SABHA. However, for some reasons, Tatyobodhini Sabha was closed down in 1859, as per the wish of Debendranath. Moreover, Rabindranath and Vidyasagar had hardly met each other, no more than 3 times in life. During the time span of thirty years, hardly they spent together 30 mts. But then regarding connections between Rabindaranath and Bankimchandra there are two books: (a) ‘ANYNO-DARSHAN: BANKIMCHANDRA-RABINDRANATH’ & (b) ‘RABINDRANATH-ER BANKIMCHANDRA which give us in depth knowledge and understanding about the feelings and highest regards, both had towards each other. After listening to Rabindranath on Vidyasagar, Gurudas Bandyopadhyay requested Rabindranath to write in detail the life history (JEEVAN CHARIT) of Vidyasagar. VIDYASAGAR-CHORIT was the output of this event that reflects the liking of Rabindranath towards Vidyasagar.

TATYO-BODHINI PATRIKA was the output of Tatyobodhini Sabha. TatyobodhiniPatrika also played a very important role towards multiple marriages in our society and Vidyasagar played the instrumental role in this regard. About 10 erudite scholars used to act as the RACHANA NIRBACHAK SOMITI. Denendranath, Ishwar Chandra Vidyasagar, Rajendralal Mitra, RajnaryanBasu etc. to name a few. Any five of the 10 people would decide about the publication of articles. 3 out of 5 would decide about the fate of article, whether it is to be published or otherwise. AmitraSudon Bhattacharya in his article “Vidyasagar, Tar Somoye” argues that Vidyasagar’s life as a student was evolved centring around activities at the Sanskrit College. In December 1841, professors of Sanskrit College gave him a distinction certificate for his academic excellence – Vidyasagar during his student days was associated with a weekly

magazine ‘SANGVAD PRABHAKAR’. Ishwarchandra Gupta was the Editor of the magazine. Later on, since June 14, 1883, this became a daily newspaper. The magazine used to focus on socio-economic issues of contemporary relevance.

### **Concluding Remarks**

Vidyasagar - as a teacher, administrator, social reformer and above all a writer – will be remembered for ages. Ahamad Shariff’s article entitled “Vidyasagar” published in Golam Murshid’s edited book VIDYASAGAR stated that in 19th century Bengal two important figures who made immense contributions in the socio-cultural fields were Ram Mohan and Vidyasagar. The former means ‘Raja’ and the later means ‘Sagar’. Shariff also stated that the entire Muslim community was inspired by the ideas of Vidyasagar. Binoy Ghosh in his book Vidyasagar O Bangali Samaj, (Vol-1), compared Vidyasagar with that of the GOD itself. He stated that through utmost devotion and dedication one may reach up to GOD but it is difficult to be a man like Vidyasagar. About 100 years back, Vidyasagar had been named as Vidyasagar because of his human face and academic quality, not due to any political power and authority. As we enter into the early part of the twenty first century, lots of debates and discussions are taking place about the relevance of the ideas and contributions of Vidyasagar. It may be noted that Vidyasagar’s “Barna Parichoy” is the first book our Bengali children are asked to read, even 160 years after it was written. As the Bengali polymath and the doyen of Bengal Renaissance, Pandit Ishwar Chandra Vidyasagar has been a ready reference for millions of Bengalis in India, Bangladesh and even around the world. A fair assessment of Ishwar Chandra Vidyasagar about his contributions to Indian society is yet to be completed. Ram Chandra Guha, the renowned historian, recently published a book entitled: “The Makers of Modern India”, the first major anthology of Indian social and political thought. The author talks about the contributions made by nineteen of India’s foremost important thinkers, till date, who command instant global recognition. Unfortunately, the volume does not include the name of Ishwar Chandra Vidyasagar. In this context, I may add that Vidyasagar University in West Bengal, India, where currently I am a faculty member, has made a very commanding attempt to re-assess the contributions of Vidyasagar by way of publishing two important volumes on the subject very recently.

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## **The History and Development of Human Rights in India**

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The modern notions of 'human rights' can be located in several tenets of ancient Indian philosophy. The concept of dharma is the central principle of Ancient Indian political philosophy. The Indian word "Dharma" is more comprehensive. It does not mean mere ethics or a code of social righteousness. It means law and order both in a cosmic as well as in a human sense. Dharma refers to the right duty of a person. It gives emphasis on moral and social order which includes all kinds of possible values of human being, such as speaking the truth, being kind, speaking pleasant words, being respectful, ethical behaviour etc. It includes the duties and responsibilities of an individual or a community that ensures harmony and balance in society as a whole. The epics Ramayana and Mahabharata make us learn that Dharma was ordained for the advancement of all creatures as well as restraining creatures from injuring one another. Righteousness has been described as the essence of Dharma in The Bhagwad Geeta. The Upanishads speak of Dharma as the foundation of the whole universe. Bhavna Sood and Arushi Sood opines that, "In Rig Veda, human rights are the symptomatic of equality, emancipation, truth, renunciation, nonviolence, modesty and steadiness. It was present traditionally in the form of various religious beliefs such as human beings were generally seen as the creation of God having a virtuous worth and dignity." This Vedas talks about three civil rights – Tana (body), Skridhi (Dwelling space) and Jabhasi (Life). The Vedas Smritis talk about the concept Vasudhaivkutumbakam (the whole world as one family). All the four Vedas emphasis on equality dignity for humans. This literature has claimed the equality of all human beings and stressed upon the practice of fraternity amongst them all. The ideal of 'Sarve Bhavantu Sukhinah' significantly considered right to basic amenities of food, water, air, and shelter to all. The Ideal of human rights was also develop by Buddhism, Jainism and Emperor Ashoka around the same time. The Buddha worked effectively for the protection of human rights through his teaching. The king had been successful in the creation of a welfare state for his subjects and provided them with basic freedoms and rights.

In Medieval India, there are five schools of political thought: (1) Feudal monarchical ideas, (2) the religious traditionalism of the Bhakti school, (3) Islamic theoretic conceptions of Turko-Afghan and Mughal periods, (4) the synthetic sociology of Nanak and Kabir, (5), the political and social ideas of the Marathas. The creativism of the middle ages in India was mainly in the scholastic and theological domains. But, there is no discussion on the problems of rights, legitimacy, resistance or the nature of limitations on political authority, and also relation between authority and people. Although, the idea of secularism and religion tolerance was spread by religious movements. These ideas did not gain recognise by ruling classes.

In Modern India, beginning from the colonial era, Indians remained enthusiastic regarding rights issues. British rule didn't support equal rights of Indians. Notwithstanding this, various initiatives were seen for protection of human rights in this time namely : i) Different reform movement, such as, Brahma Samaj Movement based on a synthesis of stern monotheism, intellectual rationalism, the monism of the Upanishad and the religious devoutness of Christianity; Arya Samaj Movement which is based on Champion of unadulterated Vedic Revivalism , social reform; Ramakrishna Mission Movement associated with Vedantic universalism, sentiments of self- reliance, strength, and all fearlessness among Indians; Aligarh Movement based on socio-religious reforms of Muslim society ; Parthana Samaj Movement based on social reform such as widows' remarriage, intermarriage, social emancipation of the poor and the underprivileged ; ii) Different socio-political initiatives by Ram Mohan Roy who founded the Brahma Samaj in 1828, abolition of Sati in 1829, Passing of Indian universities Act in 1857, establishment of the Muslim academy at Deoband in 1868, foundation of Satya Shodhak Samaj by Phule in 1873; foundation of MAO College by S. A. Khan, foundation of Arya Samaj by Dayanand Saraswati in 1875, creation of Indian National Congress in 1885, famous speech by Swami Vivekananda at World Parliament of Religions, foundation of Ganapati festival by Tilak in 1893, foundation of Servants of India Society by Gokhale , establishment of Muslim League in 1906, establishment of Railwaymen's Union, Indian Millhands' Union in 1906; Published 'Hind Swaraj' by Gandhi in 1906, iii) Passing different Act in colonial era like The Constitution of India Bill in 1895, Liberal viceroy Ripon enacts local self-government for municipalities in 1882, Indian Councils Act in 1909, The Government of India Bill in 1919; The Nehru Report of 1928; The Government of India Act in 1935.

It is true that, in all the democratic countries of the world, human rights are enshrined in the Constitution of the country. India being no exception. The framers of the Indian Constitution were influenced by the Bill of Rights of the American Constitution, French Declaration of the Rights of Man, and the Universal Declaration of Human Rights by the United Nations. The Constitution of India has given recognition to the basic human rights in its following sections: The Preamble to the Constitution, Fundamental Rights in Chapter III of the Constitution, Directive Principles of State Policy in Chapter IV of the Constitution and some other parts of the Constitution. The Preamble to the Constitution declares that the Constitution seeks to secure to all its citizens 1) social, economic, and political justice; 2) liberty of thought, expression, belief, faith, and worship; 3) equality of status and of opportunity and 4) fraternity that would ensure the dignity of the individual and the unity and integrity of our Indian nation. In this regard, former Chief Justice of India, P. B. Gajendragadkar observed: "It would, I think, be fairly accurate to say that the basic philosophy of the Constitution of India is to be found, in essence, in the Preamble itself. India is one country, and there is only one citizenship in India. India is committed to democracy and respects individual liberty and India wants to give to all its citizen's equality of status opportunity, thereby attempting to create a mighty brotherhood of Indian citizens which would assist the Sovereign Democratic Republic of India in reaching its proclaimed objectives. That, in substance, is the message of the Preamble."

Chapter III of the Constitution guarantee fundamental rights of the citizens. These rights are basic and essential for the fullest development of an individual. Now, the constitution guarantees six fundamental rights: 1) Right to Equality (Arts. 14-18); 2) Right to Freedom (Arts 19-22); 3) Right against Exploitation(Arts.23-24); 4) Right to Freedom of Religion (Arts. 25-28); 5) Cultural and Educational Rights (Arts. 29-30); 6) Right to Constitutional Remedies (Arts. 32). Right to Equality appropriate with Arts.1,2, and 7 of the UN Declaration of Human Rights. In article 14, The state shall not deny to any person equality before the law and the equal protection of the laws within the territory of India. Art. 15 prohibits discrimination on the grounds of religion, race, caste, sex or place of birth. Art. 16 says about the equality of opportunity in matters of public employment. This article also declares that no citizen shall be considered ineligible for or discriminated against for public employment on grounds of religion, race, caste, sex, and place of birth. Art. 17 declares the abolition of untouchability and forbids its practice in any form. Art. 18 says that the State shall not confer any title other than academic or military. No Indian citizen will be allowed to accept any foreign title. Art. 1,3,5,9,10,13,18,19,20 of the Universal Declaration of Human Rights has been reflex on Right to Freedom (Art. 19 – 22) of Indian Constitution. Art. 19 guarantees ‘six freedoms’ to the Indian citizens: freedom of speech and expression; freedom to assemble peacefully and without arms; freedom to form associations and unions; freedom to move freely throughout the territory of India; freedom to reside and settle in any part of India; and freedom to practise any profession, or to carry on any occupation, trade or business. Ar.20 says in regarding to protection in respect of conviction for offences. No person shall be convicted of any offence except for violation of a law in force at time of the commission of the Act charged as an offence, nor be subjected to a penalty greater than that which have been inflicted under the law in force at the time of the commission of the offence. No person shall be prosecuted and punished for the same offence more than once. No person accused of any offence shall be compelled to be a witness against himself. Ar. 21 declares that “No person shall be deprived of his life or personal liberty except according to procedure established by law.” Ar. 22 guarantees protection arbitrary arrest and detention, in particular: a) the rights to be informed of the grounds of arrest, b) consult a lawyer of one’s own choice, c) be produced before a magistrate within 24 hours of the arrest, and the freedom not to be detained beyond that period without an order of the magistrate. Art. 23&24 declaration the Right against exploitation that is associated with Art. 4&5 of the Universal Declaration of Human Rights. Art.23 prohibits traffic in human beings and taking of forced labour like begar. Art.24 prohibits employment of children below 14 years of age in hazardous job. Art.25 to 28 of the Constitution deal with the right to freedom of religion. Art.25 speak freedom of conscience and free profession of any practice and propagation of any faith or religion. Art.26 guarantees that, subject to public order, morality and health, every religious denomination or any section thereof shall have the rights i) to establish and maintain institutions for religious and charitable purposes; ii) to manage its own affairs in matters of religion; iii) to own and acquire movable and immovable property; iv) to administer such property in accordance with law. Art. 27. says that no person shall be compelled to pay any taxes, the proceeds of which are specifically appropriated in payment of expenses for the promotion or maintenance of any particular religion



or religious denomination. Art. 28 says that no religious instruction shall be provided in any educational institution wholly maintained out of State. It is also guaranteed that no person attending any educational institution recognised by the State or receiving aid out of State funds shall be required to take part in any religious instruction that may be imparted in such institution or to attend any religious worship that may be conducted in such institution or in any premises attached thereto unless such person or, if such person is a minor, his guardian has consent thereto. Art. 29 & 30 of the Constitution deal with Cultural and Educational rights. Art. 29 speaks that any section of the citizens residing in the territory of India or any part thereof having a distinct language, script or culture of its own shall the right to conserve same. Also guarantees that no citizen shall be denied admission into any educational institutions maintained by the State or receiving aid out of State funds on grounds only of religion, race, caste, language or any of them. Art. 30 guarantees that all minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice. Moreover, above these rights of citizens are justiciable by Art. 32 by namely right to Constitutional Remedies which associated with Art. 8 of Universal Declaration of Human Rights. Dr. Ambedkar opines that Art. 32 as the most important article of the Constitution - 'an Article without which this constitution would be a nullity. It is the very soul of the Constitution and the very heart of it.' Art. 32 says that the Supreme Court shall have power to issue directions or orders or writs, including writs in the nature of habeas corpus, mandamus, prohibition, quo warranto, and certiorari, whichever may be appropriate, for the enforcement of any of the rights conferred by this part. Also, Art. 226 says that the High Court shall have power to issue above writs for enforcement of any of the rights conferred by this right. In addition, social and economic rights of Indian citizens have been declared in Chapter IV (Art. 36 to 51) of the Constitution as entitled the "Directive Principles of State Policy", which are included in Art. 22 to 27 of the Universal Declaration of Human Rights. Some of the Directive Principles of State policy are important in this regarding like a) Art. 38 says that the State shall strive to promote the welfare of the people by securing and promoting as effectively as it may a social order in which justice, social, economic and political, shall inform all the institutions of the national life. The State shall, in particular, strive to minimise in income, and endeavour to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also amongst groups of people residing in different areas or engaged in different vocations. b) Art. 39 says that the State shall, in particular, direct its policy towards securing – i) that the citizens, men and women equally, have the right to an adequate means of life; ii) that the ownership and control of the material resources of the community are so distributed as best to sub serve and common good; iii) that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment; iv) that there is equal pay for equal work for both men and women; v) that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength; vi) that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment. c) Art. 41 say that

the State shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement, and in other cases of undeserved want. d) Art. 43 says that the State endeavour to secure, by suitable legislation or economic organisation or in any other way, to all workers, agricultural, industrial or otherwise, work, a living wage, conditions of work, ensuring a decent standard of life and full enjoyment of leisure and social and cultural opportunities and, in particular, the State shall endeavour to promote cottage industries on an individual or co-operative basis in rural areas. e) Art. 45 says that the State shall endeavour to provide early childhood care and education for all children until they complete the age of six years. f) Art. 46 says that the State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and Scheduled Tribes, and shall protect them from social injustice and all form of exploitation. Although, above principles are not justiciable. But political significance is existing behind of them. Some other notable legislations that deal with HR issues in India are: a) Art.326 speaks about the right to vote for all citizens above the age of 18 years; b) Bonded Labor System (Abolition) Act 1976; d) Child Labor (Prohibition and Regulation) Act 1986; c) Immoral Traffic (Prevention) Act 1987; d) Schedule Castes and Schedule Tribes (Prevention of Atrocities Act) 1989; e) National Commission for Women Act 1990; f) National Commission for Minorities Act 1992; g) Protection of Human Rights Act 1993; h) Protection of Civil Rights Act 1995; i) Juvenile Justice (Care and Protection) Act 2000; j) Commission for Protection of Child Right Act 2005; k) Right of Children to Free and Compulsory Education Act 2009; l) National Mental Health Policy 2014; m) Mental Healthcare Act, 2017; n) Protection of Human Rights (Amendment) Act 2019 etc. Also, various commission have been formulated under above act. Such as, National Human Rights Commission, State Human Rights Commission, National Commission for Scheduled Castes, National Commission for Scheduled Tribes, National Commission for Women, National Commission for Minorities, National Commission for Backward Classes, National Commission for Protection of Child Rights.

In general, the concept of Human Rights has a long history. Rights and the well-being of human being have been regard as important issue from beginning of civilization. Every institution has taken an important role to protect the rights of human. Although its emergence as a recognition, formal and academic concept is linked with the western tradition, some features associated with modern HR were seen in ancient times in India also. Its importance as an academic concept came in India with the national movement and constitution. The imaginary of the concept of rights in India got a major impetus with the incorporation of FR in the Indian Constitution. It gained the status of a movement in the 1990s. The law of 1993 has been an important consequence of this movement. Scope of human rights has been enlarged. Not only rights of individual; also rights of women, rights of employee in different profession, rights of minority community, rights of child and ethics of society has included in concept of human rights.

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## **Contours of Federalizing Process in India: Recent Trends**

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**&**

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**“Federalism is self-rule plus shared rule”**

-D.J.Elazar (*‘Exploring Federalism’*, Albama: University of Alabama Press, 1987).

**Introduction:** The institutional mechanisms for federal governance are contingent and susceptible to revision. Indian federal structure has been shifted from a parliamentary federalism to a considerably federalized system under a multi-party system with coalition government since 1989. India’s political system is in constant flux. Parliamentary federalism is a unique hybrid system of governance that is context-driven based on both parliamentary practices and federal principles. This paper argues that in response to contemporary challenges, the federal governance structure in India requires transitional move. A directional shift is required from a cooperative model to a collaborative model of federal governance in view of various endogenous and exogenous imperatives of change, such as rising assertiveness of civil society; rising “self awareness” of regional and local political elites; globalization, privatization, and retreat of the central state; and increasing reliance of the national government on intergovernmental coordination mechanisms rather than centralized/hierarchical mechanisms for policy making and implementation. Thus, I reflect on the possibility of supplementing the federal practice in India (known for being “federal in form and unitary in spirit”) with collaborative institutions and deliberative processes to achieve policy coordination. Institutional reforms are required to generate the right incentives for welfare enhancing, multi-stakeholder engagement and thereby improve the quality of democracy. The contemporary political and economic scenario in India is not conducive to a centralized decision making process. Thus, the central government would better achieve policy goals by drawing all the stakeholders into more collaborative interactions. Otherwise, the union government’s unilateral policy pronouncements, given the escalating power and influence of the sub-national and non-state actors, will only produce confusion and chaos. Collaborative federalism is therefore not merely a structural device for distribution of powers between different layers of government; it is also an articulation of a basic philosophy accommodating diverse regional interests in the name of a nation. The Indian model of

federalism may be one of the most interesting typologies in the world. Federalism has enabled the expression and protection of diverse forms of belonging within India and has been central to the richness resilience of India's democracy. A surge in the urge of non-government stakeholders for more engagement in the policy process is clearly conspicuous. In fact, the national, sub-national, and non-state actors always form a seamless web and the need to treat them as such is urgent in this time of enormous transformations in Indian economy, polity, and society. We can no longer allow national-regional boundary to confound our understanding of Indian federalism. There is a need to evolve such institutional mechanisms that will not only align resources, competencies, and capabilities of the governments at all levels but also engage civil society, non-governmental organizations (NGOs), and the private sector in the policy making implementation process. Federalism is a response to central domination and is intended to strengthen local identity, to increase political participation and to encourage experimentation in institutional change.

**Matter of Concerns:** This article demonstrates why a collaborative federal architecture could be a unique artefact of the present era and how it could be installed and institutionalized so that it receives acknowledgement as a virtue to be universally cherished rather than a moral utopia to be feared and avoided. This work emphasizes the need to go beyond the concept of cooperative federalism and create a new federal architecture for collaborative engagement of the appropriate levels and actors in the policy making and implementation process. Collaborative federal design aims at the contradictory goals of reconciling freedom with cohesion, and a diversity of political cultures and identities with effective collective action. My argument is weaved around the notion of collaborative federalism, which owes its intellectual origin to the view that the essence of federalism lies in a society itself. Federalism is a process rather than a design and a way of bringing people together through practical arrangements and further strengthens the case for collaborative genre of federalism. Collaboration is a key factor to effective governance because the ideas and sentiments of the general public are essential rather than external to the process. So, we can say federalism is experiencing a new renaissance today. In collaborative engagements, there is inter-subjectivity, or inherent bond, between and among stakeholders. While the trajectory of the decision-making involved may be uncertain at times, the challenges to collaboration are a given, and thus accepted as part of governance. Collaboration is tedious to non-believers, but glorious to its adherents. Certainly, India with its highly educated citizenry stands to benefit more with a collaborative federal government. In India, collaborative federalism is steadily emerging as a key feature of its political system, and as an interesting example of the innovative potential of federalism more generally. The set of questions that inform **my inquiry** is: How is the prevailing *policy environment* changing with respect to public policies associated with intergovernmental interactions in India? Has it posed challenges that require reforms in governance paradigms and structures? What kind of institutional response may be required to turn the challenges into opportunities? How to achieve a balance between regional political, fiscal, and administrative autonomy, and the scope for authoritative policy making by the central government are some of the thorniest issues facing India today.

**Dominant Discourses:** The term ‘federalism’- the origin of the concept of federalism - refers to the constitutionally allocated distribution of powers between two or more levels of government in the modern nation-state system- one, at the national level and the other, at the provincial, state or local level. A federation is a political system that is formed through a treaty or agreement between its various constituent units (Varshney, 2013; Yadav and Palshikar, 2003). Two methods are most prominent for the formation of federal state systems, one is “coming together” and another type is “holding together”. Indian federalism has been broadly designed based on the second model (Stephan, 1999; Aleaz, 1997, 2014). The Indian Constitution has structurally made the Union government more powerful, observers described it as a ‘quasi-federal’ (Wheare, 1949) system because on the question of autonomy of states compared to other federal system than the states – therefore the seeming paradox of “centralized federalism”. Culturally diverse and developing countries like India, federalism is chosen not merely for administrative requirements but for the very survival of the nation, for this very reasons Austin (1966), Jones (1971), Kothari (1970), Rudolph & Rudolph (1967) addressed and developed the idea of Constitutional basis of the federal form and highlighted the modes of federal governance for the development of the nation (Chatterjee, 1988; Manor, 2017). This work, therefore, outlines the framework of the history of Indian federalism- in four phases: a) One-party dominant model of federalism or inner party federalism (1952-1967); b) Bargaining or Conflictual or Expressive model of federalism (1967-1989); c) Assimilative or Multiparty model of federalism (1989-2014); d) From Cooperation to Collaboration model of federalism( 2014 onwards) - to understand and mapping the exact changing nature or pattern of Indian federalism, and makes an assessment of how the regional interests and diverse political dynamics of the state-level actors and non-governmental stakeholders have constantly challenged the centralizing nature of the Indian polity since the birth of the Indian republic. So, Indian federalism is being treated as a process and a way of bringing people together through practical institutional arrangements (Watts, 1994). Furthermore, the collaborative model advances to a direct engagement with non-state stakeholders in a collective decision-making process as equal partners and the “repeated interactions” (Watts, 1998) at the all level are the key to the effectiveness of collaborative federalism. Collaborative model of federal process is the ensemble of actual participatory, and it is also ‘a consociational method’ by which a plural society, like India, can be organized and good governance will be cherished. In light of the above review, I would like to highlight the dynamics in federal mechanisms based on intergovernmental institutional collaboration aimed at establishing good governance, due to the lack of detailed discussion on this issues, I have focused on this study with special mention of the recent trends as present gap will be fulfilled.

Scholars have noted that there is a ‘federalist ferment’ across the world but there is no single model of federalism. While Montesquieu talked about the ‘confederate republic constituted by sovereign city states’, federalists like James Madison pleaded the case for a ‘compound republic’ with an ‘overarching central government that can override against narrow local interests’. The architect of Indian Constitution, Baba Saheb Ambedkar believed that for a culturally, ethnically

and linguistically diverse and heterogeneous country like India, federalism was the ‘chief mark’, though with a strong unitary bias. This understanding, which was shared by Pt. Jawaharlal Nehru, Sardar Patel and other national leaders stood at sharp variance with Gandhi’s idea of federalism that was a votary of decentralization and devolution of power to the lowest unit of panchayat (Yojona, 2015).

**Objectives:** The main **objectives** of this present study provide a comprehensive overview of intergovernmental coordination mechanisms and emphasize the need for change especially in the context of the shifts in both “**policy environment**” and nature of intergovernmental interactions. Indian democracy, being the largest in the world, is constantly seeking to improve itself by securing more meaningful rights for its citizens. It has survived and flourished because it was designed federal. I, therefore, offer insights into the changing operating environment for federal and multilevel governance in India and then make recommendations to develop its collaborative federal structure. Collaborative federalism provides better opportunities for decentralized governance and for grassroots involvement in political processes (Mukherjee, 2020).

**Methodology:** This analysis is basically **descriptive** and **analytical (empirical)** in nature although this work does not exclude **normative** considerations anyway. Moreover, nature of this article is **analytical** as well as **applied** and **qualitative** by orientation and **quantitative** method is to be applied whereas it will be applicable as per need of this work. This work is primarily based on **primary data** like CAD documents, Government and Commissions reports, corporate reports and some judgment of the Supreme Court and **Secondary data** viz. books, newspaper articles, journals etc. Some data are to be obtained from various websites for an **empirical analysis**. In this work an attempt has been taken to analyze the need to move from cooperation to collaboration model of federalism in present situation by the use of **functional approach**. This federal process is the ensemble of actual participatory and policy interactions that relate the structure of the federal system to the dynamics of everyday political life.

**Theoretical Understandings and Debates:** The **theoretical framework** that has guided the present work combines executive, cooperative, and competitive models into a collaborative approach to federal governance. It is to be remembering that federalization and federalism has been a tedious and long drawn historical process everywhere. This is also true for India. Usually, one can assume the collaborative design is the product of a context with a tradition of political bargaining among autonomous units, and of political culture leavened with a history of a social contract. The framework is based on four dominant theories of federalism and three fundamental assumptions. **The three fundamental assumptions** of the theoretical framework are as follows: (a) The modern state includes not only multilevel governments but also various non-governmental actors, such as interest groups, civic groups, and professional associations. Thus, a multiple partnership arrangement is required as a platform for communication among governments, NGOs, professionals, and the public. (b) Various “forms” of federalism can easily coexist in a particular federation. (c) Key tenets of the collaborative approach to federalism have

the potential to address the problem of lack of accountability between elections in procedural democracies. The **four dominant theories** of federalism are (a) executive, (b) cooperative, (c) competitive, and (d) collaborative. I identify two models of intergovernmental relations as characterizing much of the politics of Indian federalism since its independence, namely, executive and cooperative federalism. A more recent arrival on the landscape, especially since the beginning of economic reforms, is the phenomenon of competition among states for **Foreign Direct Investment (FDI)**, without a model for competitive federalism. Finally, the approach-in-waiting (or perhaps “in the making”, as we argue) is the collaborative approach to intergovernmental conduct. Based on a survey of the literature, broad conclusions/tenets can be culled regarding each model as an ideal type.

**Assumptions and Recent Trends:** The analytical thoroughness would remain incomplete without a discussion of my own hypothesis and possible outcomes, which are based solely upon the merits of the case. Collaborative model of federalism is best method of promoting joint management of interdependencies on a non-hierarchical basis. Furthermore, the collaborative model advances to a direct engagement with non-state stakeholders in a collective decision-making process as equal partners. The success or failure of collaborative federalism doesn't ultimately depend on federal institutions or decision-making processes and it depends on the particular state's political culture. Although I mention political factors in my analysis, yet, while making the recommendations I do not factor in the potential reception of my suggestions in the Parliament or with interest groups. I keep myself at a distance from the politically motivated aspects of decision making and make recommendations merely to alert political officials who could then factor it into their discussions and decisions. My observation is that, federalism and federalization is an inalienable part of democracy, and deepening of democracy. This is a process that is neither smooth nor without resistance, particularly by the believers in centralist ethos, who fail to recognize that political and economic systems work better, and with greater efficiency in situations where localities are given greater autonomy and rights to manage their own affairs. Involvement of localities and people through the institutions of federalism may give them sense of participation and self-governance, as well as an appreciation of the magnitude of the problems modern societies face with rising aspirations and demands of a system. Thus, collaborative federalism and its institutional framework of an appropriate kind strengthen and not weaken a society and its political system, and provide avenues for political participation, governance, policy-making etc. Collaborative federalism, rather asymmetric or competitive federalism, increases devolution of power and decentralization of administration and localities is an integral part of this positive transitional model. Globalization has also deeply impacted the concept of federalism. As the countries of the world become more and more tightly integrated, the external influence of powerful financial and political entities tends to limit the freedom of action on the parts of states. It is often reflected in the weakening of public institutions. This process has also generated a phase of 'competitive federalism' where provincial governments compete with the centre to attract investment, garner capital and technology for their benefit. India, on the other hand, has taken forward the path of cooperative as well as collaborative federalism by gradually loosening the control of the central governments over the states in financial matters and



restricting itself more and more to policy issues in certain areas only. It can be argued that collaborative federalism could be the path to make best use of the ‘different advantages of the magnitude and littleness of nations’ as Tocqueville had once remarked (Yojana, 2015). In my paper, I have reflected on the possibility of supplementing federal practice in India with collaborative institutions and deliberative processes to achieve policy coordination. In this way we can say collaborative federalism is so needed for comprehensive development of the polity like India and throughout the world in present time and also I want to explore the most important moment for federation in this phase is the revelation of the vital role of state governments on the ground level in managing the COVID-19 crisis in India. Unless real changes can be initiated at these levels, the consolidation of India’s federal democracy will remain an unfinished task. Otherwise, the union government’s unilateral policy pronouncements, given the escalating power and influence of the sub-national and non-state actors, will only produce confusion and chaos.

**Conclusion:** It is also important to mention that federalism, in its true sense, can be successfully cherished only by broadening the base of democracy and deepening its roots at all levels. A responsive and responsible federal political system of polity and governance is essential in any political democracy to maintain and sustain its relevance and integrity. In the case of India, a deep respect for diversity of languages, cultures, ethnicity and religion as benchmarks of its institutional, political and civilizational existence could nourish federalism and strengthen the nation. Thus, a federal system needs to deepen as political democracy matures. While Collaborative federalism have become the new buzz word in the political discourse of the day, it is important to remember that Indian federalism lives in the states and the districts which goes back to the time of Buddha. Unless real changes can be initiated at these levels, the consolidation of India’s federal democracy will remain unfinished task. Federalism promotes decentralized governance and grassroots involvement in political processes by this way democracy will get its strength. The success or failure of federalism doesn’t ultimately depend on federal institutions or decision-making processes but it will depend on the particular state’s political culture.

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## **The Indian State and Kashmir: A Review of Political History.**

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### **INTRODUCTION:**

The Indian nation has come a long way since 75 years of Independence and one of the most relevant political questions has been that of nation building. Endless debates have ensued both in political circles and among civil society at large on different aspects related to the process of nation building in India. One of the axes along which such debates have taken place is that of accommodation of diversity while maintaining the avowed goal of unity of the Indian nation. In this paper we look at the history of Kashmir that is everyday in the news to understand how the processes involved in nation building have actually played out and how it underscores the nature of the State and its relation with society.

### **THE GENESIS:**

The history of protests in Kashmir would not go back further than the 1930s when the trial of a man arrested for making adverse remarks about the Government sparked off protests. After police firing on the crowd left 22 people dead, rioters ransacked shops owned by Kashmiri Pandits and Hindu traders. Even after independence, 13th July, 1931, the day the firing took place, continued to be observed as a public holiday. Opposition to Dogra rule found a leader from the 1930s in Sheikh Abdullah who could move audiences to his point of view using skilful rhetoric. He founded the Muslim Conference. For example, a speech in a village in 1933 extorts the local villagers to take revenge and 'turn out the Hindus' bringing into attention the fact that categories of class and religion often overlap in the Indian context perhaps due to the influence of colonialism. From the late 1930s, with the scaling down of the anti Hindu rhetoric and allowing non Muslims to join the Nationalist Conference( which was the new name of the Muslim Conference), Abdullah focussed on giving support to the independence struggle thereby bringing Kashmir within the framework of what is known as 'nationalist politics'. The NC grew close to the Indian National Congress as evidenced by the presence of Congress leaders at the annual convention of the NC in 1945. In 1946, Abdullah launched a Quit Kashmir movement supported by the INC which was broken up by the Princely State with recourse to large scale arrests. A manifesto titled 'Naya Kashmir' published in 1944 shows the socialist leanings of Sheikh Abdullah whereby he advocates the abolition of landlordism, transfer of land to the landless and creation of cooperative associations along with social progress by focussing on education. After partition, protests again erupted in the Kashmir valley when the peasantry of Poonch who were overwhelmingly Muslim reacted against the tax regime of the Dogra dynasty and took a pro Pakistan stance even going to the extent of establishing a provisional Azad Jammu and Kashmir Government in Rawalpindi in 1947.

### **INDEPENDENCE, PARTITION AND ACCESSION TO INDIA:**

With the attainment of Independence, the Princely state signed a standstill agreement with Pakistan that entitled the latter to supply foodstuffs and essentials to Kashmir and take charge of its post and telegraph system. The fact that the INC had supported anti Dogra protests might have propelled this move. Background events that set the stage for politics were the imprisonment of Sheikh Abdullah along with several pro Pakistan leaders. By October, the Maharaja had begun accusing Pakistan of violating the standstill agreement by covertly supporting cross border armed raids. The Pakistan Government agreed to talk on the condition that Abdullah and pro Pakistan figures were released

from prison. Thereafter, the Maharaja sensed trouble and backtracked from his dalliance with Pakistan when several thousand well trained and armed Pashtuns carried out a carefully planned attack on Kashmir. It is in this context that the Maharaja signed an Instrument of Accession to India due to which it could seek military assistance to quell the invaders. By this time, Sheikh Abdullah was at Nehru's residence in Delhi where he said that the raiders had to be resisted at all costs to prevent the forcible absorption of Kashmir by Pakistan. The Indian army did not take long to arrive and bolstered by help from the organisation of the NC whereby thousands of volunteers enrolled in a Kashmiri 'national militia' succeeded in driving out the raiders to the periphery of the valley. The fact that the raiders were on some counts guilty of rape, murder and loot against the local population did no good to their cause. Nehru took the matter to the United Nations whereby a United Nations Commission for India and Pakistan was set up. The Security Council passed a resolution that wanted the Indian Army to pull back troops and the Pakistani tribesmen to withdraw following which a cease fire agreement between India and Pakistan would be signed. Once this ceasefire agreement came into force, the UNCIP announced the formation of a plebiscite administration which has not been held till this date. Nehru wanted Pakistan to agree to the ceasefire line as a permanent international border but Pakistan has always tried to change the border through war in 1965 and thereafter by sub conventional warfare. Some of the reasons why Pakistan was and continues to be obsessed with Kashmir are that of ideology, religion and topographical reasons like continuity of rivers. For the Indian State, Kashmir is connected with its secular and democratic image and public opinion in India is quite headstrong on this point.

### **GOVERNANCE IN KASHMIR AND LACK OF A PUBLIC SPHERE:**

To come back, Indian Parliamentary elections were not held in Kashmir till 1967 and though a Constituent Assembly was formed, all of the 75 seats were filled up by the pro India NC without any voting. However land reforms whereby 7 lakh serfs got the right to own their own land made Abdullah very popular among the peasantry. This was not to last and as luck would have it, Abdullah would spend the next two decades in prison as he did not give up the demand for the

maximum possible autonomy for the indigenous organs of power in Kashmir which did not seem to augur well for the Indian State. The Indian State had formulated Article 370 in the Constitution whereby foreign affairs, defence and currency and communication would remain with the Central Government ( as per the Instrument of Accession) but the Indian Parliament would need the concurrence of the Government of Jammu and Kashmir to legislate there as in other matters of the Union List. This was seen as asymmetric autonomy and those who favoured full integration with the Indian State included the Hindu population of Jammu who were rallied by the Praja Parishad and by the Buddhist clergy of Ladakh. Abdullah suspected that New Delhi had a hand in the protests and even after talks with Nehru refused to extend the Fundamental Rights and the jurisdiction of the Supreme Court to Kashmir. However Abdullah agreed to fly the Indian flag alongside the Jammu and Kashmir state flag. The Jammu and Kashmir Constituent Assembly agreed upon Jammu and Ladakh having their own legislative assemblies to legislate upon specified subjects and a ministerial council. Scaling up the rhetoric, the Constituent assembly opined in 1953 that a plebiscite should take place and in addition to India and Pakistan, Kashmiris should be given the right to independence also. Abdullah was arrested in 1953 under the Jammu and Kashmir Public Security Act and this gave rise to violent riots that were controlled using force leading to hundreds of deaths. Abdullah had gained support from a section of the population. In fact the next two decades saw governments being constituted through rigged elections and given protection through the usage of draconian laws like the Jammu and Kashmir Public Security Act, the Jammu and Kashmir Preventive Detention Act and the Central Government's Unlawful Activities Prevention Act. The Governments were run by leaders who were close to New Delhi like Bakshi Ghulam Mohammed, Khwaja Shamsuddin, G M Sadiq and Mir Qasim.

To cite one example, a 1954 Constitutional Order of the Central Government extended its legislative jurisdiction to a majority of the subjects on the Union List far beyond the originally envisaged three subjects , Fundamental Rights were also extended to and Indian civil servants from other parts of the country could be posted in Jammu and Kashmir. B G Mohammed readily got the consent of the Assembly for these developments. Mohammed was followed by Khwaja Shamsuddin as Prime Minister. The stealing of the relic of the Prophet's hair from the Hazratbal shrine and the agitation against killing of minority Muslims in Kolkata ( who protested against killing of Hindus in East Pakistan) showed the extent of pent up anger of the citizenry against Indian backed authorities in Kashmir. After that during the reign of G M Sadiq, Articles 356 and 357 that allowed the Indian Government to dismiss state governments and impose central rule was extended to Kashmir. In 1965 the NC decided to merge with the INC as a provincial branch. Following this, amendments were made to the 1957 Constitution that abolished the post of Sadr-e-Riyasat with a Governor appointed from New Delhi, the title of the post of the head of Jammu and Kashmir's Government was changed from Prime Minister to Chief Minister and provision was made for direct election to the Lok Sabha thereby replacing the practise of nomination by the Jammu and Kashmir Assembly. Large scale arrests and force was used to suppress rebellion and Abdullah was again arrested under the Defence of India Rules. Cold War politics wherein Pakistan was the recipient of military aid from the USA made Nehru rule out plebiscite in the

1950s. In 1965 war again erupted between India and Pakistan but it did not go in Pakistan's favour as local Muslims informed the Indian Army about the infiltrators and to put it bluntly did not welcome the invaders. The war was stopped after the UN called for a ceasefire. In the 1967 elections to the Indian Parliament, the INC won 60 of the 75 seats with 39 seats going uncontested. The Jammu and Kashmir Plebiscite Front created by supporters of Abdullah after he was imprisoned wanted to run for elections in 1970 to the Parliament but the Central Government declared it an illegal organisation under the UAPA. In 1975, Sheikh Abdullah who once looked dangerous as his men dominated the Assembly in the 1962 election gave up the politics of resistance and signed the Delhi Accord whereby it was decided that Kashmir would continue to be governed by Article 370. No provision was made for the revocation of 28 Constitutional orders or 262 Union Laws being made applicable to Jammu and Kashmir and the local Assembly could not make any alterations to the power of the Governor. Perhaps India defeating Pakistan in the 1971 war and signing a 20 year Treaty with the Soviet Union precipitated this move. Abdullah dissolved the Plebiscite Front and again became the leader of the NC. The governments formed after the State elections in 1972 and in 1983 had popular support but were not devoid of trappings of the police state apparatus that was taking root all through these years. For example, the Jammu and Kashmir Public Safety Act allowed for detention of a person for a year without access to judicial remedies for acting in a way detrimental to the interests of the State. After the death of Abdullah in 1982, his son Farooq Abdullah became the Chief Minister and interestingly began to rally with opposition parties against Indira Gandhi. In 1984, 47 NC legislators revolted against Farooq and formed a government with 26 INC legislators. This happened when Jagmohan was the Governor. Even after Indira Gandhi's assassination, pro Farooq legislators won elections to Parliament in 1984. In 1986 the coalition government of the State under G M Shah was dismissed when it could not control uprisings against Kashmiri Pandits and in 1986 Farooq agreed to run for the 1987 elections as an ally of the INC. With no real opposition left, diverse groups formed the Muslim United Front. Allegations of rigged elections and a pliant bureaucracy reigned and the NC and INC coalition got a majority of seats and members of the MUF were booked under the Public Safety Act. This provided the context of the targeted assassinations carried out by the pro Pakistan Jammu and Kashmir Liberation Front starting from the 1980s. An estimate puts the number of cases of insurgency related violence at around 56000 during 1990 to 2002. Anyways Mufti Mohammed Sayeed had joined a group of dissidents opposed to Rajiv Gandhi and defeated him in the 1989 elections. His daughter, Mehbooba Mufti was kidnapped and released only after 5 JKLF militants were released from prison. This episode shows the alienation of the citizenry from the ruling class and that radical ideology was gaining ground.

### **SITUATION IN THE 1990s, PAKISTANI INVOLVEMENT AND RISE OF INSURGENCY:**

In 1990 when the valley erupted in uprising, Farooq's government was dismissed and Jagmohan took charge as Governor again. A series of protests erupted in Kashmir after this incident and these continued throughout the 1990s. The Indian Government used force mainly the

paramilitary personnel who were called in to tackle the protests whenever they threatened to give a picture of disturbing the status quo. In 1993, the Indian government held that the Kashmir valley was to be under the Armed Forces Special Powers Act which was a colonial era legislation used to suppress the Quit India Movement by the British. The AFSPA gave the Indian military forces blanket protection and reduced accountability for their actions to nought. Giorgio Agamben's coinage of the term 'state of exception' as a 'paradigm of modern government' to describe a process whereby a temporary measure is transformed into a technique of government seems to hold true here. In the 1990s, the security forces carried out cordon and search operations in the Kashmir Valley wherein a large detachment of gun wielding troops would come and seal off an area making the population stay virtually indoors for the time of the operation. Those who were arrested were taken away to detention centres for further interrogation and a hooded local source helped the Army identify the accused. However even at this stage, the insurgency was limited and it seems that despite the increasing number of militants being killed over the years, the security action was unable to stop locals mainly from the Kashmir Valley from being trained or being provided weapons by Pakistan. It was only since 1993 that the number of Pakistani militants involved in terrorist activities in Kashmir increased by a relative margin. It were these hyper nationalistic sentiments that made Pakistan give assistance to local militants in the Kashmir Valley at the cost of groups like the Jammu and Kashmir Liberation Front that was forced to go underground with its demand of independence from both India and Pakistan. In fact, in Pakistani Kashmir those associated with the movement had to give an undertaking that they would not involve in secessionist activities. With the rising tide of militancy in the 1990s, both the Jammu and Kashmir Liberation Front ( which stood for self determination as opposed to accession to either India or Pakistan) and the Pakistani Army sensed an opportunity. With the involvement of the JKLF the movement did not have a pro Pakistan character, something the Pakistani Army countered by terminating financial and military assistance to the JKLF. The Pakistani Army chose the Hizbul Mujahideen as its chosen proxy to carry on the war in Kashmir and the HM carried out massacre of JKLF supporters in the 1990s. The JKLF was virtually decimated by the Hizbul Mujahideen by the mid 1990s but the protests in the Kashmir Valley had grave consequences for the Kashmiri Pandits. The insurrection led to flight of the Kashmiri Pandit population from the valley in large numbers. One explanation goes that the JKLF began a series of targeted assassinations against prominent Kashmiri Pandits a part of which is borne out by facts like the murder of Tika Lal Taploo who was the president of the BJP's Kashmir valley unit. Another explanation is that there was increased radicalisation in the Kashmir valley among Muslims. A third explanation is that the exodus of Pandits was engineered by Governor Jagmohan . The last two views might not be plausible enough in the absence of any compelling evidence. This episode further communalised the political spectrum as Unity March was organised across India by the BJP to highlight the plight of the Pandits.

With the decimation of the JKLF, the mass protests in the valley came to an end by 1995. It is in this period that the Indian Army was able to use 'renegades', the erstwhile militants who switched sides or those who sought protection from the HM, to fight its battle in Kashmir. The renegades

who were backed by the Indian Army fought with the HM who were backed by Pakistan. As the situation improved by 1996, the Indian authorities held an election to the Jammu and Kashmir legislative assembly which was won by the National Conference with Farooq Abdullah at its helm. Anyway at the ground level, things were far from normal as most people did not vote courtesy a boycott call given by the All Parties Hurriyat Conference. Insurgency had waned by the late 1990s and figures show that the number of militants slain fell below 1000 for the first time since 1992 in 1998. India had a relatively upper hand in the Kargil War in 1999 and its military victory was matched by diplomatic success as even the United States wanted withdrawal of Pakistani troops from Kashmir and the People's Republic of China was silent on the matter of support to Pakistan. But since 1999, a new series of 'Fidayeen' attack started in Kashmir after the Kargil operation failed and the HM were overhauled by the renegades. Most of the raids followed a model and were executed by two man teams ,carrying ammunition and rations, who forced their way into the targets after shooting guards. These teams were composed of highly trained militants prepared to conduct suicide operations. These two man teams usually had one local and one Pakistani militant. Much of the fidayeen attacks were the handiwork of the Laskar e Taiba that was a Sunni movement based in Lahore. Some of the other attacks were perpetrated by the Jaish e Mohammad , a terrorist outfit centred in Pakistani Punjab.

After the end of the Kargil War which had implicit Pakistani support, Indian Prime Minister Vajpayee seriously wanted the armed conflict to cool down in Kashmir and even the HM declared a ceasefire in 1999. One of the main architects of the ceasefire, Abdul Majid Dar met officials of India's Home Ministry. These initiatives did not have much support from other important political factions as Dar was expelled from the HM in 2001 and assassinated in 2003. The insurgency now dominated by the JeM and LeT embarked upon newer terror tactics like attacking pilgrims to the Hindu shrines of Amarnath. After an attack where 32 pilgrims were killed, Vajpayee showed restraint and in a show of extreme grace declared that security forces would not launch attacks during the holy month of Ramzan. However this gesture was somehow not reciprocated and fidayeen attacks continued to escalate during 2000 and 2001 even in hitherto peaceful areas like Dooda Kishtwar in Jammu , with official estimates putting the number of militants killed at 2020. A rider needs to be attached here that even at this stage and going by official statistics, Indian 'militants' constituted 70% of the casualties. One of the most macabre incidents that happened as an offshoot of the proliferation of Pakistani based terrorist groups was the attack on the Indian Parliament in which Fidayeen attackers stormed the Indian Parliament with automatic guns and killed 9 police personnel before being neutralised. After this incident which made headlines throughout the country, there was large scale mobilisation of troops along the border with more than a million Indian and Pakistani troops facing each other in 2002. Along with this, there were ambushes on Indian Army personnel, Abdul Ghani Lone who was an advocate of self determination was shot dead and guerrillas were shot dead on any day while trying to infiltrate the border. Elections were held to the Legislative Assembly in 2002 and it saw genuine polling on a relatively larger scale as a local party, the People's Democratic Party, contested the polls. The PDP formed a coalition Government with the Congress Party. Meanwhile sporadic attacks on the Kashmiri Hindu community continued but Vajpayee was



undeterred and pressed for 'insaaniyat' and 'jamhooriyat' even in 2003. In November 2003, the Indian and Pakistani Armies signed a ceasefire on the entire border in Jammu and Kashmir which was followed by Vajpayee's visit to Islamabad to attend the SAARC Conference. After returning to New Delhi,

Vajpayee met leaders of the Hurriyat Conference in New Delhi. Thus despite the spectre of gloom in the political sphere, efforts were made towards the peace process in Kashmir. One major symbolic takeaway of this process was the reopening of the Line of Control in 2005 – 2006 and the operation of two heavily regulated bus and truck services from Srinagar to Muzaffarabad and from Poonch to Rawalakot. However such efforts needed to be supplemented by political will at other levels which was not the case in reality. Rather attacks by the JeM on cities in India including in New Delhi on the eve of Diwali in 2005 continued. From 2004 onwards, as Manmohan Singh became the Prime Minister, he continued with Vajpayee's practise of meeting what were known as 'separatist' figures from Kashmir. Singh had cordial discussions with leaders of the Hurriyat Conference who denounced violent methods but had the demand of 'self determination' of the Kashmiri people. However the boycotting of Singh's calls for round table talks by all of Kashmir's political parties and groups showed that the discussions were reduced to mere symbolism. At the same time, a series of secret meetings continued to be held between Indian and Pakistani bureaucrats for a possible solution to the Kashmir settlement. For example, the New York Times reported that Ambassador Satinder Lambah met with the Secretary General of Pakistan's National Security Council, Tariq Aziz about 24 times in hotels in Bangkok, Dubai and London. But the back channel talks went cold once Pakistan's President Musharraf regime had ugly confrontations over democratic legitimacy with the country's judiciary. After this, the Pakistani Army engaged in a struggle on the domestic front with radical Islamists. To put it in short, India – Pakistan talks failed to achieve momentum courtesy developments in Pakistani politics that made even Manmohan Singh's desire to visit his ancestral homeland in Pakistan a distant dream. It was from 2004 till 2007 that the level of insurgency declined significantly in the valley.

#### **HARDENING OF INSURGENCY:**

An incident changed the landscape of Kashmir again. This time it was the transfer of 100 acres of land by the Chief Minister Ghulam Nabi Azad to the Amarnath Shrine Board. This seemingly generous gesture to the minorities did not appear to have gone down well with the local population who protested immediately following which the Government had to rescind its order. In a show of what can be termed as competitive communalism, the RSS started a protest in Hindu dominated Jammu demanding restoration of the land to the Trust. Since this agitation caused disruption, the Kashmir Valley's fruit grower Association announced that it would sell produce across the LoC. In the ensuing protests there were deaths from firing by the CRPF. These deaths were mourned across the valley. Although the Amarnath Yatra was a signal of the shared heritage of the Kashmiris since its inception with many Muslims depending on the pilgrimage for their livelihood, the failure of India- Pakistan level talks might have given a fillip

to the communal elements to stir up sentiments of the local populace. That the Indian State was increasingly alienated from mainstream political discourse in Kashmir is evidenced from the fact when Manmohan Singh visited the valley in 2008, he was greeted by a civil curfew. To add to this, there was the infamous fidayeen attack in Mumbai on the 26th November, 2008 which brought an absolute thaw in India- Pakistan relations as Pakistani gunmen were involved in the massacre of 173 civilians in the financial capital of India. One positive incident was the high rates of voter turnout in the 2008 legislative assembly elections in Kashmir. The elections threw up a hung assembly with the NC emerging as the single largest party and the PDP increased its vote share. The BJP got 11 seats all from the Jammu region. The NC and the PDP could not come together being ideologically poles apart and so it fell upon the INC to take calls. The INC sided with the NC given the fact that the PDP had cut its ties with the INC after the Amarnath episode. Thus a Government was formed and Farooq Abdullah's son Omar became the Chief Minister. Probably due to the Amarnath crisis cooling down and the elections being a successful exercise in democratic governance, the Indian Government did not take much of an interest in

Kashmir thereafter. The 2009 elections in which the UPA returned to power only furthered the confidence in the fact that things were coming back to normalcy in Kashmir. That this was far removed from reality was demonstrated by the fact that single isolated incidents could escalate into full fledged protests. These show that pent up sentiments only needed a single trigger to turn into events with an overt political tone. One such event was the disappearance of Neelofer Jan, a 22 year old woman with a child. Their bodies were recovered from a rivulet near their house. This incident led to severe protests. After a doctor testified that rape and murder had taken place, the Government suspended two police officers and the doctors who conducted autopsy on the bodies. The protests subsided thereafter. The CBI in 2009 said that the deaths were due to drowning thus exonerating the accused but this version was not believed by those in the knowhow. Another such incident related to a place called Machil in Kupwara district in northern Kashmir. The Army claimed that three insurgents trying to cross over the border to India were shot dead but it surfaced that three youth were taken from their homes by a SPO on the promise of being given a porter's job by the Army. Thereafter when the families raised a cry at their absence, the SPO said that he was unaware of the episode. When the family came across the Army's version from news report, they were the last people to believe it. A mob attacked the SPO's house and the valley erupted in protest against the Machil murders. Four years later, the Army Commanders found responsible for the Machil murders were sentenced to life imprisonment by a Army court martial. This news was received with much relief in the valley but in 2017 an Armed Forces Tribunal acquitted the accused. The 2010 uprisings were a transformation in the history of protests in the valley. First, these protests were spontaneous and informal without the backing of political parties. Second, stone pelting was the preferred means of protests over the 1990s image of the AK47 brandishing hooded youth. The intensity and the scale of the protests took the Government by surprise. The opposition parties led by the BJP advised the Government not to repeal the AFSPA Act to 'appease' the protestors. The Government appointed a 3 member committee to look into the issues of communication with the society in Kashmir as well as to suggest amendments in the Jammu and Kashmir Public Safety

Act and the AFSPA. The report which the Committee was never made public. Two more incidents give a complete picture of the UPA's attitude towards Kashmir. After the beheaded bodies of two Indian soldiers were found on the LoC in Poonch district, Singh resorted to saying that there could not be 'business as usual' with Pakistan after such incidents. His Government rescinded an earlier order which made it possible to grant Pakistanis who were above 65 years of age with visas on arrival in India. The other incident was the hanging of Afzal Guru for his role in the Parliament attacks for which there was circumstantial evidence as held by the Supreme Court. He has hanged In New Delhi's Tihar Jail in February 2013 without the family being informed. Singh and the Congress President Sonia Gandhi were greeted by a hartal when they went to Srinagar in June 2013. In fact, the HM shot dead two policemen and carried out an ambush killing eight Army jawans. It was in 2014 that Narendra Modi took over power as the Prime Minister of India. A PDP and BJP coalition was formed in Kashmir from which the BJP withdrew to place the State under Governor's rule in 2015. The death of Burhan Wani and the resultant stone pelting were followed by the passage of the Jammu and Kashmir Reorganization Bill which dissolved the State and created three Union Territories in line with the RSS vision of Kashmir since long. Thus the lack of creation of a public sphere in Kashmir since independence, the Pakistan factor and religious communalism have made the Kashmir situation what it is today. A detailed discussion of the Modi years is avoided here for want of space. Ananya Jahanara Kabir opines that we need to go beyond Foucault's notion of 'biopower' and Achille Mbembe's conception of 'necropolitics' to understand Kashmir. She uses the category of 'cryptopolitics' to signify a third zone between 'subjecthood' and 'objecthood' into which subjects are relegated. She does not rule out agency of the subject but agency is placed in a fight with a sense of tremendous inconsequentiality.

## **CONCLUSION:**

A comparison of Kashmir with other similar cases in India where outright demands for secession were raised betray embarrassing results. The demand for secession was raised in Tamil Nadu as early as the 1950s and parties refused to contest elections but this was tackled by the 1960s with the cooption of the dissenters. Secessionist movements in the North East have also seen a long series of negotiations by various State Governments. But Kashmir remained the 'other' of the Indian State's imagination that needed to be accommodated on the latter's terms. It has been projected as a paradise since the time of Jahangir, in the works of British photographers like Bourne and Burke and in movies like 'Kashmir ki Kali' after independence but the lives of ordinary Kashmiris do not seem to have been the focus of governance. Perhaps the roots of violence in the post – independent years can be traced to the cultivation of this sense of desire over the years.

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## **Does Political Freedom Inhibit Economic Growth? - A Quantitative Study**

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### **Introduction**

The success stories of such economies as Taiwan, South Korea, Singapore, China, etc. have spurred debates regarding the need to have economic growth by sacrificing such “luxuries” as democratic rights and civil liberties. This is a debate particularly pertinent in the case of countries of the Global South, where authoritarian leaders often justify their rule by saying that economic development is a greater priority than democracy for developing countries. This paper, however, will not go into the debate regarding the ethics of substituting economic development and democratic rights. Instead, it would focus on whether such a substitution is indeed necessary. The paper would look into the relation between democracy and economic growth, and if such a relation exists, the direction and strength of correlation. This paper would also like to examine any relationship that might exist between political stability with either democracy or economic growth.

### **Literature review**

It has been an old argument that Capitalism and Democracy are incompatible. (Schumpeter, 1942) The argument has been reiterated in a fresh perspective by Sudipta Kaviraj in his revisionist theory of Modernity. Instead of treating modernity as a set of phenomena acting simultaneously, he treats these phenomena as acting separately and in a discrete sequence, where the sequence affects their outcome. As such, in the developed West, Capitalism developed in (and as he argues, could only develop because of) a lack of democracy. The lack of workers’ rights was crucial for the development of Capitalism in the West (starting with the UK). The oncoming of Democracy ameliorated the effects of Capitalism while retaining its prosperity. On the other hand, the coming of Democracy in India (and indeed, many other former colonies) before Capitalism meant that Capitalism could never develop like it did in the West. As such, modernity has taken two different roots, in the West and in the former colonies. (Kaviraj, 2005) Of course this is not an argument that a lack of democracy must necessarily deliver Capitalism (or economic growth).

Academics and philosophers going back to Rawls (Rawls, 1971) have proposed that the maintenance of democratic rights is incompatible with economic growth and development. When Rawls mentions that a poor nation could sacrifice civil liberties for economic growth, such a sacrifice signifies the substitutability between the two; if one wants more of one, one would have to give up some of the other. There have been several academic studies, both cross-country as well as case studies, on this subject. Barro in his study on the role of democracy in growth

suggests that such factors as the maintenance of the rule of law, free markets, small government consumption, and high human capital have a positive effect on economic growth. However, holding these constant, democracy has a weak negative effect on growth. (Barro, 1996)

Other works, however, have challenged this notion. Goodin, without going into an empirical study of the effect of democracy on economic growth, refutes the argument presented by those who believe in the substitutability of democracy and growth. Additionally, he introduces the “cost of oppression” argument, which is often not taken into consideration. The restriction of rights and democracy must come at a certain cost in terms of resources (e.g., increased police man-hours). Such a cost is deemed to wipe out whatever, if any, gains are to be had by the curtailment of civil rights and democracy. (Goodin, 1979)

More recent works even go on to argue that democracy has a significant positive effect on economic growth. An empirical study looking at 175 countries from 1960 to 2010, came to the conclusion that there is “an economically and statistically significant positive correlation between democracy and future GDP per capita.” In the long run, democracy increases GDP per capita by about 20%. The authors attribute such good effects of democratization as encouraging investment through economic reforms, improvements in schooling and education, reduction of social unrest, etc. (Acemoglu, Naidu, Restrepo, & Robinson, 2019)

Another variable that this study examines is political stability. It is contended that, while democracy might not directly affect economic growth, it might affect political stability which in turn might positively affect economic growth. This is so since democracy ensures regime stability by reducing the chance of irregular regime change, while at the same time ensuring accountability and system adjustability through regular regime change, i.e., elections (Feng, 1997)

The link between Political Stability and Economic growth is less studied than that between democracy and growth, due to the various issues faced by those looking to study it. Alesina and Perotti seek to understand some of these issues. Like democracy, political stability is a difficult term to define and quantify. Moreover, even if one is able to discern a relationship, causality could run both ways. It'd be difficult to determine, through quantitative studies, if political stability affects growth or economic growth affects political stability. Or possibly, they could work together by reinforcing each other. (Alesina & Perotti, 1994)

One of the first systematic quantitative studies on the causes and effects of political instability was by Hibbs, who studied the relationship in both its directions. In case of growth affecting political stability, it was previously seen that while rapid socio-economic changes (as during periods of rapid transformation in the existing culture and system of social relationships) did cause ‘internal disturbances’ (Sorokin, 1957), industrialisation (and the resulting economic prosperity) did contribute to increased political stability. Through his multi-equation model, he came to the conclusion that “the level of violence ha(d) no consistent and continuous impact on such growth.” (Hibbs, 1973)

Londregan and Poole attempted to solve the previously mentioned problem of joint endogeneity (or simultaneity) through a model of a pair of simultaneous equations. Their study involved noting the effects of political instability (measured through propensity for an executive turnover or coup d'état) on economic development (measured both through growth and reduction in poverty) as well as vice versa. While economic development as well as a history of past coups both have a substantial effect on the propensity for a coup, the reverse is not true. They "find no evidence that either the recent history of coups or the current propensity for a coup d'état significantly affect the growth rate." (Londregan & Poole, 1990)

Another concept linking together the previously mentioned variables of democracy, political stability and growth is that of political institutionalism. While this paper will not be covering that variable, a short look at Knutsen's work in this regard would be valuable. While he contends that some previous works have questioned the economic benefits of democracy in those states with weak state-capacity (i.e., few institutions), especially in Africa (Chabal & Daloz, 1999), he argues instead, that it is those very states who benefit the most from democracy. This can be explained by the fact that in case of few institutional checks on the powers of the rulers, authoritarian governments would tend to choose those policies favouring regime survival (favouring particular interests) over general economic growth. In democracies, on the other hand, economic policies favouring a broader set of the population would be taken by governments keen on getting re-elected. As such, with few institutional checks, democracies outperformed dictatorships in his study. (Knutsen, 2013)

The World Bank's World Development Report in 1991 summed up the arguments both affirming and denying the importance of democracy for economic growth. One hand, the actual and potential political costs of economic reforms necessary for development may make them impossible or very difficult to implement in democracies. Moreover, the short electoral cycles meant that governments often took short term measures which didn't bring long term economic development.

"Authoritarianism often has been seen as a useful, if regrettable, expedient for effective policy making in the face of political instability... Benevolent authoritarian regimes (led by philosopher-despots) were needed, it was argued, to push through unpopular reforms and tame an unruly or otherwise ineffective administration. Economies managed with varying degrees of authoritarianism have made progress at different times in the past, for example, Brazil, Chile, Spain, and some of the East Asian economies. Yet at the same time, some democracies - old ones as in India or new ones as in the Philippines - have been unable so far to make rapid progress." (The World Bank, 1991)

However, the bad experiences with economic development in authoritarian regimes spurred counter-arguments:

"Democracies, conversely, could make reform more feasible in several ways. Political checks and balances, a free press, and open debate on the costs and benefits of government policy could

give a wider public a stake in reform. The need to produce good results in order to be re-elected could help, rather than hinder, economic change: it increases governments' incentives to perform well and keeps predatory behaviour in check.” (The World Bank, 1991)

Thus from a developmental perspective, arguments exist for both democracy as well as authoritarianism. Democratic as well as authoritarian countries have experienced development, and economic development has more indicators than just the type of polity. As such, it could well be that the type of polity actually has no effect (or a negligible effect) on the level of economic growth, in which case it would be rather desirable to have democracy than not. The debate regarding substitution of democratic rights and economic growth exists only because of those who say that growth is not possible in the presence of said rights, and both are a good in themselves. But if economic development didn't require the absence of rights, then it would be preferable to have those rights since they are also an ethical good. As such, our hypothesis would be that there is a negative correlation between economic growth and democracy. Disproving the hypothesis would let us say that growth is possible along with democracy, and authoritarian leaders would have no excuse stifling the rights of people in the name of development.

### **Methodology**

For this study, a null hypothesis would be used, namely that Democracy and Economic growth are antithetical to each other. To test this, the paper would study the correlation between Democracy and Economic Growth. As a measure of democracy, only Freedom House Index scores would be used. Although other indices of democracy do exist, Freedom House Index is the most popularly used measure, and using more than one index would make the study unnecessarily complicated. Freedom House Index, or the Freedom in the World Index (as it is more formally known) is an annual global report giving ratings to countries based on the political rights and civil liberties enjoyed by their citizens. These ratings are based upon the actual rights and freedoms enjoyed by the citizens, and not just on what is promised by the laws and constitutions. Even non-state actors (such as insurgents) could affect the ratings. (Freedom House, 2019) Since each country is assigned two ratings, based on its political rights and civil liberties, the arithmetic mean of the two scores would be taken for the purpose of our study.

As a measure of economic growth, GDP per capita would be used. Nominal GDP would be used instead of PPP measures, since only growth percentages are compared and not absolute values. The period of study would be 1996-2006. Along with the correlation of all countries, the correlation in only non-OECD high income countries would also be calculated. This is so because the argument for substituting democracy for economic growth is made most strongly in and for Third World Nations. Proponents of curtailing democratic rights for economic development might argue that the study is skewed by richer developed nations who can afford the “luxury” of democracy. For some countries, the data in any one of these variables is unavailable, either at 1996 or during 2016 (the two points of data collection for this study). This could either be because the country was formed after 1996, ceased to exist prior to 2016, or the situation forbade data collection. Such countries where the data is unavailable have not been



taken up for consideration in this study. Notwithstanding that, 171 countries have been analysed in this study, which make up for a sufficiently large-n study.

### **Empirical Evidence**

Examining the correlation between economic growth and change in Freedom House Index scores, a very weak negative correlation between the two (-0.12) can be seen. This correlation is rather weak and statistically insignificant. Our initial null hypothesis, which suggested a negative relationship between economic growth and democracy, is clearly disproved. This means that economic growth is indeed possible along with democracy and civil rights. That being said, it would be too hasty to argue that economic growth necessarily accompanies democracy. Given the very weak correlation between the two, one can say that economic growth is possible both under democratic as well as authoritarian regimes. It would seem that factors other than regime type are more influential for economic growth.

Even if one excludes the OECD high-income economies, the correlation still doesn't change much (-0.112). Thus, the conclusions hold true both for economically developed as well as developing countries. Since authoritarian leaders of developing nations often justify the denial of democratic rights by claiming that for developing nations economic growth is more important than democracy, this study has important implications. It would seem that several developing countries have been able to grow economically while simultaneously granting civil liberties to their citizens, while at the same time others have failed to grow despite curtailment of rights. Curtailment of democratic rights, thus, is not a necessary criterion for economic growth, both for developing and developed nations. Looking at our other variable, Political Stability, we see that it has neither a strong relationship with either Democracy or economic growth. The correlation between the World Bank's Political Stability and Absence of Violence index and Freedom House Index is negative but weak (-0.229). The correlation between the Political Stability and Absence of Violence index and economic growth is positive but weak (0.17).

This is very surprising, since it would be expected that stable countries will have much more rapid economic growth compared to unstable countries. Stable polities often encourage greater foreign investments, since investors would be sure that policies won't change very frequently. Absence of violence would also guarantee the safety of their investments. This in turn could become a catalyst to growth. The absence of violence would also mean that a lesser proportion of government spending needs to be devoted to security and maintenance of law and order, and a greater proportion would be available for infrastructure and other more productive avenues. As such, our findings are rather surprising and need to be explained. There are two possible explanations for this. The first is that, given the myriad number of factors affecting economic growth, even if political stability is an important factor in it, the statistical impact would be small. The second is that, a change in the political stability of a state in the short term would not bring about a change in the economic fortunes of a state. A violent and unstable state turning stable over a few years' time would not immediately increase its economic growth, although over the long term a stable state would reap the benefits of stability and absence of violence.

Similarly, a slight instability for a few years in a country stable for several years would not bring an appreciable decline in its economy.

### **Shortcomings and avenues for further research**

Although this article has uncovered certain interesting and significant findings, there are certainly some shortcomings with our research. Further research in this matter would help mitigate these shortcomings to present clearer explanations.

The first has to do with the very nature of large-n studies. Large-n studies can only find out correlations, but they cannot explain. This is so since every country has its own unique issues as to why its economy grows at the rate it does, and how the political climate of the said country influences its economy. By taking aggregate data, we blur these differences to a single figure. As such, our research tells us that there isn't a strong correlation between political freedom and economic growth, but cannot explain how one influences the other. As such, it is merely descriptive. Further research could look into the case studies of certain countries for a fuller explanation of how political freedom could influence growth and development. It could well be possible that under certain circumstances, democracy is better for economic growth and under others, authoritarian rule could bear more economic fruits.

The second has to do with the fact that multiple variables could be operating in conjunction with each other. For example, apart from democracy, several other variables would be affecting economic growth. While in a large n-study like ours, the other variables would be randomly distributed among the countries, and a correlation (if there is) would become apparent with even one. That being said, certain variables could be working in ways to influence the data in particular ways (e.g., democracy may be a positive impact on economic growth in rich countries, but a negative one in poorer countries). While some studies account for these variables to maintain a state of *ceteris paribus*, to keep our study simple we have decided not to do so.

As such, two ways in which further studies could refine and improve our work is through accounting for other variables in large n-studies, and conducting case studies along with large n-studies. Case studies would not only explain individual results as to why certain countries have grown during increasing political restrictions while others have failed to (or vice versa), we could also generalise from multiple case studies as to how in presence of certain variables the effect of political freedom (or restriction) is positive (or not) for economic growth.

### **Conclusion**

The paper attempted to find out whether there is a germ of truth in the oft-cited statement that democracy and political freedom is bad for economic development and growth, and that restrictions on civil liberties are justified to achieve higher economic growth rates. It also examined if there is a correlation between political stability and democracy, and political stability and economic growth.

The study failed to find a strong correlation in all three cases. While there was a weak positive correlation in all three, the statistical significance of it is doubtful. Taking out the high-income OECD countries does not change the result. At best, the study helps to answer the initial question negatively. As such, dictators and autocrats cannot simply curtail political rights and liberties in the name of higher growth rates, since such a result is not certain at all. More work, however, needs to be done as to how individual countries are affected by the variables mentioned, and how certain factors could be influencing the relationship.

## **Notes**

1. E.g., see Lee Kuan Yew, quoted in *The Economist*, August 27, 1994, 15

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**Nigeria in the International System: Problems of, and Issues in, Contemporary Foreign Policy Analysis**

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**Introduction**

With a population of about 170 million and Gross Domestic Product (GDP) of over U.S \$520 billion, Nigeria is unarguably the largest but not necessarily the richest economy in Africa. A federal political system of the presidential variant, Nigeria has over 450 ethnic groups spreading across its six geo-political zones/regions. A constitutional democracy since 1999 characterized by extreme plurality of competitive interests shaping and influencing the conduct of political activities, Nigeria remains ever fragile to the extent that the Central Intelligence Agency (CIA) of the United States predicted in 2007 her complete disintegration by 2015 after the initial Civil-War which lasted between 1967 and 1970. Starting from 2009, the Boko-Haram, a terrorist group opposed to western education and civilization, launched its activities to the extent that a “state of emergency rule” was twice declared after the expiration of the initial six months in the north-east geo-political zone in the attempt to curb the occupation of fourteen (14) local governments in the states of Borno, Adamawa and Yobe. Nigeria, it should be further pointed out, has a total of 774 local governments. Within sub-regional and regional frameworks of security in the efforts at curbing the Boko-Haram menace, Nigeria taps on the resources of the Economic Community of West African States (ECOWAS) and African Union (AU) alongside bilateral diplomatic cooperation with Niger, Chad, Cameroon, Equatorial Guinea and the Central African Republic.

The Boko-Haram insurgency activities and attacks seem to rank Nigeria with Pakistan and Iraq in the global “war on terror” campaign. Nigeria, clearly, is not a new state in the international system. As an independent state since 1960, she has participated in global activities in the areas of the United Nations mandate and conducted herself independently in international affairs. The idea of Nigeria in the international system is to place her within current happenings globally and as well situate its internal domestic politics within these events, happenings and occurrences. This no doubt raises important issues and problems in contemporary foreign policy analysis. Among others, how are the activities of nation-states (including Nigeria) within the webs and matrixes of relations at the international level measured, determined and analyzed? The central issue in contemporary foreign policy analysis remains unarguably the best means/methods for analyzing how nation-states conduct their foreign policies. In the past, models and theoretical frameworks of analyses focused on either the use of sub-continental, continental or global networks in which nation-states are already part of to determine and measure the extent to which foreign policies are pursued and the contained goals realized and achieved. The choice no doubt

has the inherent advantage of capturing all the activities that nation-states involve themselves right from their immediate neighbours to the farthest. The disadvantage is equally rooted in the many levels and layers of activities in which nation-states pursue their interests out of which choices would equally have to be made. Beyond the question of determining the how question, there is as well the need to probe into the why question. Why do nation-states take certain decisions with respect to pursuing their objectives? Foreign policy analysis is hence confronted with the resolution of the how and why questions and the development of academic frameworks of understanding and analysis along the inherently scientific and philosophical issues and problems of scholarship.

Nigeria in the international system is admittedly bogus and vague. It is bogus and vague on the strength of argument that it says nothing about Nigeria's foreign policy even though it wants us to believe that it expresses everything about her conduct in international affairs. It is further seen as bogus and vague in the sense that it fails to point-out in clear, specific terms, the area of the international system in which Nigeria's foreign policy either addresses or should be assessed from. Being bogus and vague, it is further observed, raises additional fundamental point and question. And that is: what are the problems of, and issues in, the assessment and the evaluation of Nigeria in the international system? The point and question are raised to provide important insights into the theories and analyses of international relations especially from the angle of academic study. The article is hence meant to probe into the critical epistemological area of contemporary foreign policy analysis. To be able to achieve its objectives, the article is organized around important thematic areas of contemporary foreign analysis and with particular reference to Nigeria in the international system. It therefore begins by capturing the whole of the events and intellectual characteristics which boldly describe the area of the academic study of international relations here defined as contemporary foreign policy analysis. The second segment/part of the article assesses the existing efforts at analyzing the foreign policy of Nigeria in terms of its consequences and effects. Part three focuses on the broad intellectual and academic problems and issues emanating from the existing patterns in literature on Nigeria's foreign policy. The final part provides the conclusion to the article.

## **I. Contemporary Foreign Policy Analysis: Attributes and Interpretations**

How are foreign policies examined and analyzed by scholars? To what extent can the answer to the question describe precisely the thematic area of international relations often labeled, foreign policy analysis? Put in another way: what is foreign policy analysis? Historically speaking, the understanding of foreign policy analysis should be linked to the various efforts in the ages past aimed at either defining the concept of foreign policy or assessing and evaluating the consequences of foreign policy decisions and actions in relation to the pursuit of interests by nation-states. This then suggests that foreign policy analysis is that specialized intellectual activity devoted to the study of foreign policies of nations. Two things emerged from the suggestion. First, that foreign policy analysis is a specialty and second, that foreign policy

analysis is intended to promote the study of foreign policies. Approached either as a specialty or as the intellectual facilitation of the study of foreign policies, foreign policy analysis seeks the development of patterns and uniformities through which definite predictions can be made as nation-states pursue their interests and agenda competitively and provocatively. Foreign policy analysis means further the use of intellectual formulations, frameworks, statistics and statistical expressions, models, organized thoughts and ideas, etc., to probe into the intentions, consequences and effects of various initiatives, efforts, actions, reactions, decisions, etc., displayed by nation-states as they regularly relate and interact within the international system.

International system on the other hand is defined as the sum of the complexities and complications of interactions and engagements between and among governments, and between and among citizens of the world in their private and unofficial capacities. It is indeed a conceptual formulation intended to bring together under one umbrella of analysis the whole of the events, actions, and reactions that do regularly shape and reshape the world. It is therefore a mental image of analysis that helps to simplify the understanding and presentation of the whole of these events. Furthermore, the idea of international system that is being presented and analyzed suggests that the whole of the events that are being brought together undoubtedly exist in their different forms and varieties and that there is as well the existence of a streak between and among them that keeps all of them together within the invented intellectual framework of reasoning. The international system is hence a system of activities in which nation-states are exposed to. In relation to the country of case study, Nigeria, it therefore means the many events in which Nigeria's foreign policy is connected to as she acts and reacts within the global webs of interactions. The international system can as well be defined as the analytic framework of exchanges of actions and reactions by nation-states or their representatives. It is the world-wide space of continuous interactions and interlinkages defined and limited by international law, and international law being the whole of agreements, treaties, traditions, beliefs, etc., with the force of sanctions prescribing the conduct of relations.

Foreign policy analysis is the art and science of the study and determination of the consequences and effects of interests being held to by nation-states within the international system. Central and pivotal to the understanding of foreign policy analysis is the idea of comparison. In other words, a concrete and scientific meaning of foreign policy analysis is linked to comparative research and study. To be specific, it is only when foreign policy analysis is placed within the intention of knowing, measuring and determining the differences and similarities that exist in the way and manner in which nation-states pursue their both competing and provocative goals can one say that indeed the basis for analysis exists or has existed. Foreign policy analysis is inclusive of the range of opportunities and limitations that are inherent in the activities of nation-states within the world system. Comparative study of foreign policies is therefore an integral element of foreign policy analysis. Analyses of foreign policies can be said to have been made only in relation to not just the knowledge of the differences and similarities of tactics and strategies with respect to the pursuit of interests and goals, but when the knowledge of the consequences arising from the differences and similarities is equally known. It is the only condition for comprehensive and

holistic knowledge and understanding of foreign policy analysis. If the above collectively describes what foreign policy analysis is, what then is meant by contemporary foreign policy analysis? Just like the last two to three centuries (18th, 19th and 20th) marked important milestones in the study of the humanities at large, the beginning of the 21st century (between 2001 and to date) is equally associated with important milestones. With globalization, the whole world has turned to global village to the extent that internet services continue to link the remotest villages with the capital cities and financial headquarters of the world. This obviously has strong implication for the study of international relations and the analyses of foreign policies.

Contemporary foreign policy analysis is that pattern of foreign policy analysis that has contained in it the elements and events of our modern day world. The difference between it and the previous foreign policy analysis mode is that it is wonderfully eclectic and continuously interdisciplinary. It is much more challenging, complex and diversified as all forms of extremism, fundamental and political in nature and character, continue to set the agenda of intellectual discussion and analysis in international relations. The events of the day and of our complex times jointly constitute the body of knowledge and defining attributes of contemporary foreign policy analysis. This cannot be debated and controverted. Today's knowledge industry is far more sophisticated, interlinked, diversified, multi-talented and multi-faceted in the midst of social phenomena remaining largely unpredictable and lacking in discernible uniformities. The above explains the difference between foreign policy analysis as previously done and that of the contemporary times. Malaria, Ebola, HIV-AIDS, terrorism, fundamentalism, erosion, climatic change, democracy, regional integration, among others, are not new to the world one would seem to argue. But the associated consequences which they pose to the world are much more ravaging than they previously did. Hitherto considered medical issues and problems of the 18th, 19th and 20th centuries are linked to today's environmental problems and issues to the extent that they jointly shape governance discussions and debates especially in established democracies and world forums. The responses of nation-states to their consequences both imagined and real, are already integrated into nation-states foreign policy frameworks to the extent that when leaders meet to discuss supposedly bilateral problems and issues, they as well discuss these problems and issues in relation to the pursuit of global peace and prosperity.

## **II. Nigeria in the International System: Inherited Traditions and Legacies**

The analysis of Nigeria's foreign policy, as accomplished in extant literature, is uniquely multi-faceted- see Olusanya and Akindele (eds.) (1986), Olusanya and Akindele (eds.) (1990), Idang (1971), Eze (2010), Akinterinwa (ed) (2005), Akinboye (2013), among others. To a very limited extent, distinction can be made between Nigeria's foreign policy and its analysis. Distinction, it is being argued, exists between foreign policy and foreign policy analysis. The distinction, conceptually speaking, is very fundamental. The technicality of the distinction is however,



limited by the fact that it cannot be sustained in practice. Analysis of Nigeria's foreign policy cannot take place outside the practice of her foreign policy. In the sense expressed above, the analysis of Nigeria's foreign policy or any other country's foreign policy is inextricably linked with the knowledge of her foreign policy. Notwithstanding, the emphasis on the distinction between the two and especially in relation to Nigeria is intended to make a point of note. Scholars and students of Nigeria's foreign policy tend to confuse the two. The study of Nigeria's foreign policy might not necessarily mean the analysis of Nigeria's foreign policy. Analysis is no doubt an element of study, but in relation to Nigeria's foreign policy, recognizable distinctions exist between the two. Analysis, it is emphasized further, is both an instrument and an outcome of researches. Analysis can be used to facilitate the research and study of phenomena, yet the analysis can still maintain its bias or independence. While the study of Nigeria's foreign policy would only reveal what had been, its analysis on the other hand, has the capacity of revealing what was and what would be with or without the wish of the analyst. What is common in literature is therefore a study of Nigeria's foreign policy rather than its analysis. This should not be mistaken to mean the lack of analysis of Nigeria's foreign policy. This is far from the point of emphasis.

How well to study and analyze Nigeria's foreign policy remains a recurring problem and issue of research. Using different frameworks of reasoning and analytical categories, scholars, teachers and researchers on the subject matter regularly seek solution to the problem and issue. Because of the accepted fact in international relations theory that foreign policy is an extension of domestic policy, some scholars such as Idang (1971), Phillips (1973), Akinyemi (1974), Asobie (1977), Gambari (1980), among others, tend to study and analyze Nigeria's foreign policy from the angle of domestic factors. To them the conservative streak in Nigeria's foreign policy posture especially in the periods after independence can be largely explained from the regional perspective to politics and allocation of values/resources. Following the introduction of the elective principle into the 1922 Sir Clifford Constitution in Nigeria and the entrenchment of the 'federal principle' in the 1946 Sir Arthur Richard Constitution, political parties and party systems took the path of regionalism to the dethronement of colonialism. Between 1960 (the year of independence) and 1966 (the year of first military intervention), the Nigerian state nearly collapsed and indeed the four regions (Northern, Eastern, Western, Mid-Western) walked differently. A Civil-War was fought between 1967 and 1970. The parliamentary system headed by Alhaji Tafawa Balewa (1960-1966) pursued a foreign policy that was considered to be passive and indolent. Nigeria maintained solid alliance with the Western world and the United Kingdom in particular. Even though the period marked the formulation and articulation of Nigeria's foreign policy objectives, the objectives, ideologically speaking, reflected (and still reflect) the libertarian philosophy of the British and the West generally. Centrally, Nigeria's foreign policy was lacking in organization simply because the various regions remained politically divided along party lines.

Contained in the 'domestic factors' thesis as explanation of the nature and character of Nigeria's foreign policy is the economy, in particular the regular performance of the economy in the

discharge of its basic functions with respect to production, distribution and consumption activities. The economy of Nigeria is monocultural and therefore dependent on the vagaries of the international system. Oil revenue accounts for almost 90% of Nigeria's foreign exchange earnings. It is the pillar with which yearly budgets are constructed and planned. The activities of Nigeria in the international system are dependent on yearly budgets. A feature of the Nigerian budgetary system is that the amounts allocated between and among the sectors of the economy remain ever competitive and poorly linked. The defense sector is not linked to health, and health not linked to education, and education not linked to labour and productivity, etc. Corruption encourages the misapplication of scarce resources which ordinarily would have raised internal savings to enviable position. The deliberate emphasis on "economic diplomacy" as an important thrust in Nigeria's foreign policy in the 1980s following the introduction of the Structural Adjustment Programme (SAP) failed to produce the necessary gains. Between 1986 and to date, inflow of foreign direct investment into the economy of Nigeria remains at best inconsistent. Foreign direct investment sources target the oil and gas, banking and telecommunication sectors especially with the return to civil rule in 1999. As Nigeria's foreign reserve declines and responds to the world oil market, Nigeria's commitment to her foreign policy fundamentals equally dwindles. Her embassies in other parts of the world remain continuously merged with one another in order to reduce the costs of maintaining them.

To what extent, it can now be legitimately asked, has the "domestic factors" thesis helped in the analysis and appreciation of Nigeria's foreign policy? In other words, to what extent can Nigeria in the international system be measured, gauged, evaluated and analyzed from the perspective of the "domestic factors" thesis? Politics and economy, in particular the relationship between the two, is important in the determination of the performance of any country's foreign policy, no doubt. However, the effective combination of the two seems to be much more significant in how the leadership question is resolved in any nation. Though the power theorist would argue that resources, their endowment and utilization, are important in the determination of any nation's capability, the fact still remains, going by the experiences of some countries of the world, that the factor of leadership is far more important. A leader that has vision is better placed to harness the little resources that his country has for the development of the people and to gain global recognition.

Analysts and researchers have equally approached the study of Nigeria's foreign policy and consequently evaluated her role in the international system from the angle of involvement of Nigeria in sub-regional, regional, and global functions especially in relation to the advancement of development, peace and prosperity. The extent of Nigeria's involvement in the formation of sub-regional organizations such as the Economic Community of West African States (ECOWAS), regional organizations such as the African Union (AU), and participation in the United Nations (UN) activities especially in the area of peace keeping and advancement dominate this approach to the study of Nigeria's Foreign Policy. The works of Fawole (1981), James (1984), Adisa (1996), among others, are important to mention. The perspective, no doubt, has its very fundamental problems. Firstly, using the concentric circle theoretical claim, the

perspective seeks to measure and gauge the extent to which Nigeria's role and influence in the international system can be both determined and analyzed. The claim, especially the view-point that a country's immediate neighbour exerts much more influence, and that the influence progresses from the immediate sub-region through the region to the rest of the world is not totally correct. A neighbor's influence on foreign policy activities can only be much more significant where there exists equally significant economic relationship in all ramifications. This perhaps explains Nigeria's foreign policy limited achievements within ECOWAS than say within AU and UN. The relationships between Nigeria and the countries of ECOWAS in the area of trade for instance are not fundamentally significant. Through Benin and Togo, Nigeria's immediate neighbours, original and fairly used items in Europe, North-America, and China are either legally or illegally imported into the country, the real influence on Nigeria's foreign policy still remains that of the metropolitan powers than the ECOWAS countries.

Secondly, especially with massive and remarkable developments in the global system of communications, it is doubtful if the pattern of influence is from the immediate neighbour to the international environment as the concentric circle theorists would make us to believe. Rather, events shaping and influencing foreign policy activities and relations come from the globe and passing through the continent to sub-continent and finally to a country's immediate neighbour(s). The concentric circle theory is growingly becoming archaic and obsolete. The implication for the analysis of Nigeria's foreign policy is that the assumptions of concentric circle theory should either be fine-tuned or modified to accommodate the massive dynamic events enveloping the world or that the assumptions be immediately rejected on account of obsolescence. Either of the choices suggested above no doubt constitutes problem of analysis of contemporary Nigerian foreign policy. The conclusion of this section of the article requires an assessment of the inherited traditions and legacies.

Extant literature on the subject matter of Nigeria's foreign policy provides only a partial view of the many sides and components of international relations from either the dimensions of practice or theory. Admitted that the publication of Olusanya and Akindele (eds.) (1990) on the structure and processes of Nigeria's foreign policy between 1960 and 1990 provides important and useful dimension to the study and analysis of Nigeria's foreign policy, the fact still remains that how non-governmental organizations (NGOs) influence and shape Nigeria's foreign policy decision-making especially with the widening of the democratic space starting from the Political and Economic Transition Programmes of the Babangida Administration in the mid 1980s still remains uncovered and untouched. The networks between and among these NGOs and their counterparts in the rest of the world continue to silently shape Nigeria's reaction to the external world as the various Elections since 1999 come under severe knocks and incisive comments. The challenge is how to regularly develop explicit frameworks that are meant to integrate the many sides of Nigeria in the international system for easiness of comprehension and eventual analysis.

### **III. Nigeria in the International System: Problems of, and Issues in, Contemporary Foreign Policy Analysis**

Whether the emphasis should be on “unit” or “level” as analytical categories will ever remain debatable in international relations discourse. How both influence and shape themselves will as well remain more problematic to study and analyze. Much more fundamental and of which there seems to be less intellectual focus is the degree to which the properties and attributes within each analytical category influence and shape one another. A state-behaviour in the international arena can only be expressed by an individual functioning in official capacity. The individual has his idiosyncrasies, no doubt. Relationships, both theoretical and practical, might and might not exist between the “behaviour” of the state and that of the individual who performs foreign policy functions. The “unpredictability” of man means as well the “unpredictability” of the state. These are significant problems and issues of intellectual consequences in the study and analysis of international relations and as well in the study and analysis of contemporary foreign policy.

The study and analysis of Nigeria’s foreign policy is no doubt at the cross road. Important to emphasize is the fact that a compass of direction must be formulated to overcome this cross-road.

The compass has to be formulated on the ground that events keep on emerging in their complexities and complications and obviously have profound intellectual consequences on the choices and options that are available. Among others, to what extent should power theory assumptions be allowed to continue to still influence and shape the foundations of the study and analysis of Nigeria’s foreign policy? Arguments already advanced in the previous section seem to emphasize the limited utility of the theoretical framework. But can a study and analysis of Nigeria’s foreign policy be made without reference to power theory? The status of Nigeria in the world, especially her interest as a permanent member of the Security Council in the proposed reform of the United Nations has to do with her naturally endowed resources including population. This tends to support the utility of power theory. Power theory is hence a useful and valid theoretical framework with which Nigeria in the international system can be properly evaluated and assessed.

The focus on the individual actor either from the perspectives of “unit” or “level” raises an equally fundamental problem which needs be independently identified and analyzed. The problem is both general and specific but its specificity will be discussed within the context of the foreign policy of Nigeria. “Unit” and “level”, as perspectives of analyses, are important in the study of international relations. The international relations actor, either as an administrative official working only within the institutional framework of foreign policy decision-making who is therefore unknown or as minister/president/ambassador/high-commissioner who is most likely well-known, has, within himself, some idiosyncratic values with respect to the pursuit of interest(s) within the international system. One is therefore compel to ask very important questions. First, what is the best framework of reasoning and investigation that can enhance the

identification and study of these values? Second, to what extent can the framework provide every fact about the actor's values and idiosyncrasies? Third, how can the determination of the value help in the measurement of the extent to which actions and reactions are affected in the international system? The questions reveal the intellectual problems and issues involved in the analysis of foreign policy generally and that of Nigeria should therefore not be an exception. Notwithstanding, the questions shed important light on the understanding of the nature of the problem and issues as one tries to integrate and encapsulate the many diverse sources with which to investigate/examine Nigeria in the international system within established frameworks of analyses. Specifically, it raises the question of what means and methods. In other words through what means and methods of intellectual analysis can either the emphasis on "unit" or "level" help in the appreciation and evaluation of the dynamic events within the globe which Nigeria's foreign policy continue to respond to. From the sub-regional perspective for instance, Nigeria was not only instrumental to the formation of ECOWAS in the 1970s, she, within the "big brother role", has continued to provide leadership in important areas of ECOWAS mandate within the "level" of sub-region as analytical category. There is equally the integration of "unit" to it. ECOWAS Monitoring Group (ECOMOG) which was no doubt a necessity following the ethnic conflicts in Liberia under the leadership of late president Samuel Doe was majorly funded by Nigeria under the regime of Gen. Ibrahim Babangida. Nigeria's foreign policy, within the context of ECOMOG, deserves comprehensive and holistic study and analysis only when the personality of Gen. Babangida is integrated into it. Nigeria's role in ECOMOG would not have been, unarguably, without an equal intellectual focus on the personality of Gen. Ibrahim Babangida. The implication for foreign policy analysis will no doubt be how to strike the much needed balance between and among the forces and factors that both permanently shape and influence the two analytical categories-"unit" and "level".

With the return to constitutional democracy since 1999, another significant dimension is now added to the problems and issues already explained. Foreign policies, all over the world, are products and outcomes of bureaucratic processes and procedures. Bureaucracies, admittedly, have their ecologies. The environments in which they are situated are contained of factors and forces that make bureaucracies ever unique and peculiar. The uniqueness of the forces and factors help to explain the differences between and among bureaucracies all over the world. The Ministry of Foreign Affairs and all its agencies have responsibilities over foreign affairs matters/issues in Nigeria. Foreign trade, especially the attraction and stimulation of foreign direct investments, even though falls within the purview of the Ministry of Industry, Trade and Investment, is equally tied to the practice of "economic diplomacy". Important to emphasize at this juncture are the twin problems of coordination and analysis. How well can "economic diplomacy" for instance be coordinated? And is it not a mistake to continue to limit everything about foreign policy analysis to the Ministry of Foreign Affairs only? Collectively, they remain as problems and issues in the intellectual analyses of foreign policies and that of Nigeria in particular.

#### **IV. Conclusion**

The article makes use of the Nigerian case study of foreign policy analysis to explore and determine the broad problems and issues that regularly influence and shape the understanding of the discourse on international relations especially from the angle of theory. International relations scholars, in the attempt to understand better the intensions of actors, are no doubt faced with changing events whose understanding pose enormous challenges and difficulties largely because of the intertwined nature of these events. Whether emphasis should be placed on either the “unit” or “level”, the fact still remains that either proves important in the study and analysis of international relations and the choice as well depends on the issue that is being analyzed. The “unit” and “level” argument/debate underscores the nature of the discipline. Contemporary foreign policy analysis, with increasing social media networks necessitated by the massive improvements in information technology, is most likely to remain permanently influenced by the many problems and issues of how well to continue to study these events in their multi-dimensional forms, events whose knowledge, study and understanding help to shape the identity of international relations as a discipline of study.

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## **Economic Impact of Terrorism in South Asia**

*Dr. Priyanka Bhaduri*

### **Introduction**

South Asia possesses enormous growth potential as well as the potential for severe bloodshed. Whichever proclivity manifests itself will primarily rely on the foresight of national leaders in each of the member countries. Terrorism on a large scale has ramifications for the larger economy in countries riven by strife. The average reduction in national output caused by terrorism is equal to 2% of gross domestic product (GDP) (Global Terrorism Index Report, 2016). Regrettably, the preceding years and decades have revealed no evidence of an abundance of this feature in the region. South Asia is today confronted with a major security danger as a result of rising extremism and terrorist activity. In South Asia, the politics of violence and extreme tendencies may be traced back to the paradoxes that arise as a result of ineffective state policies (Patra, 2019). South Asian countries frequently act in the interests of a coalition of classes and ethnic groups, therefore exerting influence over development strategies and resource allocation. Terrorism and the emergence of extremism have occurred throughout South Asia for a number of causes, including the perpetration of tyrants and rebel groups, socioeconomic injustice, ideological inconsistencies, religious views, and foreign meddling (Banerjee, 1999). The speed, substance, and dynamics of South Asia's unequal growth patterns are among the region's primary sources of violence. With the development of extremism and increased terrorist activity, particularly during the last decade, South Asia is among the world's areas with the greatest yearly death toll from terrorist attacks. Ethnic, ideological, and political disputes represent a significant danger to interstate stability and ties (Patra, 2019). Each state has a variety of challenges, ranging from extremists to ethno political violence, which are becoming more entrenched as socioeconomic conditions deteriorate.

Psychological maiming is as much a part of terrorism as physical damage of people, property, and peace. South Asia constitutes a cohesive security zone geopolitically, with India at the centre. India has unique relationships with each of its neighbours, including ethnic, linguistic, cultural, and historical ties in the area. At the moment, the whole South Asian region, from Afghanistan to Bangladesh, is experiencing internal turbulence and upheavals as a result of a variety of destabilising causes, including ethnic disputes, religious fanaticism, and extreme political polarisation. In South Asia, terrorism and political violence are not new problems. Terrorism has placed significant economic consequences on the majority of South Asian countries (Patra, 2019). Terrorism's immediate consequences include the damage of infrastructure, industries, as well as the halting of economic activity. Its indirect consequences are numerous and stem from a broad lack of economic confidence. As a result, the economy struggles to attract foreign investment and suffers from brain drain, increased military spending,



high transaction costs, and a variety of other economic inefficiencies (Choi & Luo, 2015). However, deteriorating socioeconomic conditions, government policies, and external involvement have been the key causes contributing to the region's growth in extremism. Terrorism and its political implications have had a direct and visible impact on interstate ties in South Asia, as well as contributing to the region's instability (Patra, 2019). Extremism is a prevalent aspect in the region's instability. If they want to address their difficulties, South Asian states must change their self-justification strategies and address the general populace's concerns (Campos & Gassebner, 2013). Socioeconomic and human security concerns must be given top importance by governments, since they are the primary source of discontent for the populace, particularly educated and jobless young, who become easy recruiters for radical organisations that use them in their terrorist actions. Along with individual state attempts to combat extremism, a coordinated regional effort is necessary, as the problem has an external component (Meierrieks & Gries, 2013). Pakistan, consumed by internal strife, continues to externalise its instability through proxy wars and support for Islamist terrorism in Afghanistan and India, even as it seeks to leverage other insurgencies in the neighbourhood (including ethnic extremist movements in India's northeast) to further its regional destabilisation campaign (Derin-Gure & Elveren, 2014). Nonetheless, Pakistan has seen a drop in domestic violence, current levels remain disturbing and a large portion of the decline is due to the decline in terrorist fatalities caused by state forces' operational immobility (Patra, 2019). Thus, Pakistan continues to be South Asia's disease, posing a threat to other countries in the area even as its own institutions and society succumb to gradual infection. Regardless of the direction of present armed conflict movements in South Asia, the area may be expected to stay unstable.

### **Impact of Terrorism and Fatality in South Asia**

Terrorism has had a significant influence on South Asian countries, notably along India's and Pakistan's borders. Human loss as a result of terrorism has both economic and social consequences in South Asian countries. Table 1 illustrates the number of civilians, security forces (SFs), and terrorists killed in South Asia from 2005 to 2017.

In South Asia, terrorists accounted for 52.63 percent of all terrorism-related deaths, while civilians accounted for 35.22 percent and SFs accounted for just 12.15 percent (Global Terrorism Index Report, 2016). The biggest number of civilian casualties occurred in 2009 as a result of war in Sri Lanka between the SFS and the Liberation Tigers of Tamil Eelam (LTTE). As a result, terrorist organisations have suffered significant losses (Patra, 2019). Correlation study was carried out over the period 2010-2015 in order to have a firsthand understanding of the probable correlation of terrorist incidents/fatalities from two countries.

Table 1: Fatalities in South Asia due to Terrorism during 2005-2018.

Year	Civilians	Security Forces	Terrorists	Total
2005	2,063	920	3,311	6,294
2006	2,803	1,725	4,504	9,032
2007	3,128	1,504	6,145	10,777
2008	3,630	2,344	14,630	20,604
2009	14,196	2,738	12,703	29,637
2010	2,571	844	6,016	9,431
2011	3,173	962	3,284	7,419
2012	3,270	871	2,902	7,043
2013	3,536	887	2,244	6,667
2014	2,217	703	3,631	6,551
2015	1,144	496	2,837	4,477
2016	857	477	1,506	2,840
2017	755	382	1,006	2,143
2018 (up to June)	181	163	312	656
Total	43,524	15,016	65,031	123,571
	(35.22%)	(12.15%)	(52.63%)	(100.00%)
Mean	3,334.08	1,142.54	4,978.38	9,455
SD	3,409.47	730.40	4,154.95	7,592.24
Kurtosis	10.39	0.66	1.97	3.83
Skewness	3.07	1.23	1.66	1.96
Range	13,441.00	2,356.00	13,624.00	27,494.00
Minimum	755.00	382.00	1,006.00	2,143.00
Maximum	14,196.00	2,738.00	14,630.00	29,637.00

Sources: (SouthAsiaTerrorismPortal&Patra,2019)

In terms of HDI, two phenomena exist: one from coincidental events and the other from human lives. The first investigates the relationships between different types of deaths. According to the correlation data (Table 2), the fatalities of SFS and terrorists are substantially and positively associated. It means that a larger number of SFS killings also leads in a higher number of terrorist deaths. Similar findings are achieved in the case of civilians (Patra, 2019).

Table2:Correlation Results for the South Asian Region (2010-2015).

	Civilians	SecurityForces	Terrorists
Death of civilians	1.00		
Death of security forces	0.78	1.00	
Death of terrorists	0.66	0.91	1.00

Source: Computed by the author on the basis of UNDP and South Asia Terrorism Portal.

Table 3: Correlation Matrix between Human Development Index and Fatalities dueto Terrorism.

	HDI	Total Fatalities	Civilians	Security Forces	Terrorists
Human Development Index	1				
Total fatalities	-0.936	1			
Civilians	-0.543	0.532	1		
Security Forces	-0.759	0.710	0.941	1	
Terrorists	-0.669	0.759	-0.145	0.100	1

Source:(Patra, 2019)

Terrorism and human growth are frequently intertwined. Furthermore, the SFS's human development has been severely handicapped by their casualties, which are comparatively low in comparison to terrorists. The correlation data suggest that civilians are considerably less impacted by the deaths, with a modest (-0.543) value (Patra, 2019). As a result, total development expenditures have been incurred as a result of terrorist operations in the South Asian area.

### **Consequences of Terrorism and Human Loss in India**

India is lucky to have obtained major reprieve from numerous movements of violence at this time of acute global crises, but its leadership has hitherto failed to display the sagacity to capitalise on such good fortune and solidify government in adequate measure (Saha & Yap, 2013). As a result, the threat of Islamist extremist terrorism in India is limited to proxy

organisations of the Pakistani state and its military intelligence component, the Inter Services Intelligence (ISI). These groups remain active in Jammu and Kashmir (J&K) and have made occasional forays beyond, though the intensity, effectiveness, and frequency of attacks have dramatically decreased, in part due to a shift in Islamabad's more urgent "strategic" priorities of fomenting terrorism in Afghanistan, in part due to sustained operational successes by Indian intelligence and enforcement agencies, and finally, due to a growing disillusionment with the Taliban (Patra, 2019). While terrorist activities have significantly decreased, subversion and political mischief persist in the State, taking advantage of severe administrative and political chaos, notwithstanding the larger Kashmiri community's rejection of separatist organisations.

Civil consolidation operations have escalated as the SFs achieve power over formerly dominated areas of Left Wing Extremism (LWE). Despite the pressure, the LWES continue to resist (Shahbaz & Sbia, 2013). Sustained efforts on the part of both the SFS and the civil administration will be required to ensure that recent declines in Maoist activity are not merely a tactical retreat, as the Maoists claim, but a permanent setback that will gradually compound into the irreversible defeat of this enduring movement of violence (Patra, 2019). The numerous insurgencies in India's Northeast have undergone tremendous slowdown and fragmentation over the years, bringing violence to some of the lowest levels in the area in the last two and a half decades. Numerous problems, however, remain, since the region has experienced cyclical rises and declines in insurgent activity over the years. The region has extremely weak governance and is home to 13 of the 39 terrorist organisations now prohibited by the United Manipur Hill Agency (UMHA). At the moment, there is scant sign of any divergence from this disastrous trend (Patra, 2019). According to the South Asia Terrorism Portal, overall terrorism-related deaths in India were 21,942 from 2005 to 2018, but 57,840 in Pakistan, which is significantly more than in India (Patra, 2019). During the same time period, the number of civilians, SFs, and terrorists killed in Pakistan nearly doubled that of India. Terrorist-related civilian deaths in India have decreased dramatically over time. In Pakistan, however, it grew from 2005 to 2013, then decreased.

### **Economic Perspective of Terrorism**

Terrorism has plagued the South Asian area for decades. Despite South Asia's potential economic growth, abundant natural resources, maritime possession, and critical manpower, terrorism has become one of the biggest hurdles to enhancing development and regional stability. Terrorism has the following important economic consequences.

Foreign investment decline and instability: Terrorism has the potential to reduce foreign investment in South Asian countries while also producing long-term instability. As a result, terrorism has compelled South Asian countries to reassess their domestic and international policies (Shahbaz & Loganathan, 2013). Individuals' sentiments in South Asia are influenced by the region's frequent political upheaval, exploitation, and conflict. Some South Asian regimes purportedly grant political kindness in order to influence state policy, allowing various terrorist groups to thrive. Terrorism in South Asia has been prolonged by the propagation of radical

beliefs conveyed from Middle Eastern nations via the media, fake Non Governmental Organizations (NGOs), and a few religious organisations (Patra, 2019). Furthermore, in some occurrences in South Asia, radical nationalism and communism have sparked separatist movements, which have since devolved into terrorism. Several hilly locations, hill tracts, forests, and riparian environments have been used as prop roots for terrorist bases. Afghanistan, India, and Pakistan are flagrant victims of terrorism's claws. Bangladesh, Sri Lanka, and the Maldives have also suffered devastating consequences (Patra, 2019). Every minute, the cost in terms of lives, riches, and the economy rises. Meanwhile, several governments have devised measures to combat global terrorism and minimise damages as a result of terrorist strikes.

Economic Slump: Afghanistan has been experiencing a severe economic depression, with no signs of a decrease in terrorist activities in the nation. The Afghan military, which is backed by the US, is already fighting Taliban-like insurgents (Patra, 2019). Afghanistan is pursuing stronger relations with India after becoming dissatisfied with Pakistan's stance against terrorist groups, while accusing Pakistan of backing the Taliban and other insurgent groups.

### **Conclusion**

To summarise, from 2010 to 2015, 52.63 percent of terrorists, 35.22 percent civilians, and only 12.15 percent SFs killed as a result of terrorism in South Asia (Patra, 2019). From 2005 to 2018, India has a declining trend in these fatalities. So, over time, India has been successful in curbing terrorist activity. During the same time period, however, the number of deaths in Pakistan was nearly quadruple that of India. Any effective counterterrorism plan must be based on global initiatives that complement national and bilateral efforts. Unfortunately, given Pakistan's ongoing deception, this is far from the case inside the South Asian ensemble. The most successful and tactically viable policy would be one that concentrated on bringing terrorists to justice while relying on the rule of law and international troops. As a result, the war on terror should refocus its efforts on cutting off terrorists' worldwide financial assets, increasing and coordinating internal security, and utilising international law to convict, isolate, and disgrace terrorists (Yildirim & Ocal, 2010). Building such a plan is difficult and will undoubtedly take time. However, the dedication and tenacity required to damage terrorists' operations, although the capabilities of terrorists are more likely to create long-term effects in foreign policy goals.

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## **Tribal Education and Human Rights: A Case Study in the Eklavya Model Residential School (EMRS) in Birbhum, West Bengal, India.**

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### **Introduction**

Education plays a crucial role in our society and henceforth its necessity is recognised by each person in the world, mainly the countries of the world. Educational right is one of the most significant rights of every human being. According to census 2011, there are 8.6 per cent (10, 45, 716 persons) tribal population traced in India. And, there are 5.8 per cent (52, 96, 953 persons) tribal population are found in west Bengal. In India, socio-economically and culturally, the tribes are considered the most backward group. Educational backwardness is one of the main reasons of the socio-economic and cultural backwardness of this community. 2, 42, 484 people that means 6.92 percent people are belonged to scheduled tribe communities in Birbhum district in 2011 (out of 35, 02, 404 people of West Bengal). Their living condition is extremely poor. A huge number of tribal people in the district are backward in respect to social, educational, employment, health, economic and human development criteria. Maximum number of tribal people in this district are illiterate and poor. Their living standard is very low, they are economically weak and last but not the least they are socially lagging far behind. Educational backwardness is one of the core problems of this humble standard of tribes in the district of Birbhum. All those children of tribal community, who are out of schools, are victims of child labour. Therefore, the significance of tribal children education in this context could not be underestimated. Our India faces the prospect of entering the twenty first century with crores of illiterate tribal children. The Indian constitution provides certain articles in the constitution for the upliftment of tribal community. Educational and cultural rights are mentioned in articles 15(4), 29, 46, and 350 of the Indian Constitution for tribal people. Government of India and all the state governments of India through the Eklavya Model Residential Schools have taken good initiative for tribal children's education.

## **Concept of Human Rights and Educational Rights**

The idea of human rights and educational rights is very much essential for every human being. We have just pointed out what are meant by human rights and educational rights. On 10<sup>th</sup> December, 1948, UN declared 'Universal Declaration of Human Rights'. This Universal Declaration has promoted a number of human, civil, economic, and social rights for the establishment of freedom, justice and peace in our world. Generally, human rights are rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion or any other status. Human rights include the right to life, liberty and freedom from slavery, freedom of expression, right to work and many more. Even Millennium Development Goals (MDGs), set by the members of United Nations were incorporated in human rights theories to work for the alleviation of extreme poverty, for fighting of disease and other global problems. Human rights are moral principles or norms that pronounce certain standards of human behaviour and are regularly protected as natural and legal rights. They are generally understood as absolute, fundamental rights to which a person is inherently entitled simply because he or she is human being.

Educational rights are most essential for every human being. In the wider sense education may be described as "all activities by which a human group transmits to its descendants a body of knowledge and skill which enable the group to subsist"<sup>1</sup>. In this sense education denotes the transmission to a following generation of those skills needed to perform tasks of daily living, and further the passing of the social, cultural, spiritual and philosophical values of the particular community. The wider meaning of education has been recognised in article 1(a) of UNESCO in the year 1974. India has consent of this view and in the Indian constitution it is mentioned that the right to education is a fundamental right. In our country, from the year 2002 through the Eighty Sixth Constitutional Amendment Act, Right to Education (article 21A added) provides free and compulsory education to all children of the age between 6 to 14 years. Right to Education includes an accountability to run basic education for those who have not done primary education. The Right to Education involves the obligations of the students to avoid discrimination at all levels of the education system, to set minimum standards of education and to improve the quality of education. In our country although a large number of people are tribes, but they

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<sup>1</sup>Beiter, Klaus Dieter (2005). The protection of the right to Education by international Law. The Hague: Martinus Nijhoff, p-19.



are underprivileged and educationally backward too. So, right to education of tribal people is also a big part in all round development process. In this regard, a very relevant view has been expressed by Virginius Xaxa in his book *State, Society, and Tribes: Issues in Post-Colonial India (2008)* about the empowerment process of tribal people. 'The Constitution, for example, contains many provisions for the benefit and welfare of tribal people. These constitutional provisions include creating scheduled tribal areas by bringing areas inhabited by tribes under the Fifth or Sixth Schedule of the Constitution according special treatment in the administration of tribal people; granting statutory recognition; providing proportional representation in parliament and state legislature; imposing restrictions on the right of ordinary citizens to move about freely or settle in particular areas or acquire property in them; encouraging conservation of tribal languages, dialects, and culture; and extending special privileges in the form of reservation of a certain percentage of posts in government services and seats in educational institutions. In addition, tribal people also enjoy protection under the fundamental rights meant for all citizen. Similarly, the Directive Principles of State Policy require that the educational and economic interests of the weaker sections of society, including tribes, be especially promoted. In short, the Constitution aims at safeguarding, protecting, and promoting the interests of tribal people.'<sup>2</sup>

The Universal Declaration of Human Rights (UDHR) guarantees cultural rights in its article 27. It provides 1. "Everyone has the right freely to participate in the cultural community; to enjoy the arts and to share in scientific advancement and its benefits" and 2. "Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author"<sup>3</sup>. So on the above discussion, it can be said that education is one of the most essential rights of all human beings and it is a core human right.

### **Eklavya Model Residential Schools (EMRS): An overview in India**

Eklavya Model Residential Schools (EMRS) started in India in the year 1997-1998 to teach quality education to Schedule Tribe students in remote areas in order to empower them to avail of opportunities in high and professional educational courses and get employment in various sectors. The institution focuses not only on academic education but on the all-round development of tribal students. Each EMRS has a capacity of 420 students, starting from class

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<sup>2</sup>Virginius Xaxa. (2008), *State, Society, and Tribes Issues in Post-colonial India*. P-65.

<sup>3</sup> N. Jayapalan. (2000), *HUMAN RIGHTS*. Atlantic Publishers and Distributors, New Delhi. p-109.

vi-xii. Grants are given for the buildings of EMRS and regular expenses are also given to the state governments under grants article 275(1) of the constitution. The capital cost for the school complex, including hostels and staff quarters will now be Rs 12.00 crores with a provision to go up to Rs 16.00 crores in hill areas, deserts and islands. Recurring cost during the first year for schools would be Rs 42, 000 per child. This may be raised by 10% every second year to compensate for inflation etc. EMRS for ST students are set up in all the states and union territories in India. As per Press Information Bureau of the Ministry of Tribal Affairs, Government of India, till 17 December, 2018, a total number of 284 EMRSs have been sanctioned. The state wise EMRSs are Andhra Pradesh 14, Arunachal Pradesh 07, Assam 04, Bihar 02, Chhattisgarh 25, Gujarat 27, Himachal Pradesh 01, Jammu & Kashmir 08, Jharkhand 23, Karnataka 12, Kerala 04, Madhya Pradesh 32, Maharashtra 18, Manipur 06, Meghalaya 02, Mizoram 06, Nagaland 05, Odisha 27, Rajasthan 18, Sikkim 04, Tamil Nadu 07, Telangana 11, Tripura 07, Uttar Pradesh 04, Uttarakhand 02, west Bengal 08. The total number of 226 EMRSs are functioning across the country. Such schools are spreading quality education to the students of remote tribal areas. The EMRS for ST students take their place among the Jawahar Navodaya Vidyalayas (JNVs), The Kusturba Gandhi Balika Vidyalayas (KGBVs) and the Kendriya Vidyalayas (KVs). According to budget 2018-19, every block with more than 50 percent ST population and at least 20,000 tribal persons, will have an EMRS by the year 2022. As per census 2011 there are 564 such sub-district in India. Thus, 564 EMRS have to be opened by the year 2022.

In the state of West Bengal, seven EMRSs are functioning at present. These seven schools are established in the following districts 1. Bankura 2. Birbhum 3. Burdwan 4. Purulia 5. Jhargram 6. Dakshin Dinajpur 7. Jalpaiguri. Each school has a capacity of 420 students. These are English medium schools under the West Bengal Board of Secondary Education. Those students who are admitted to EMRS are provided with scholarships, free food and lodging. In the state of West Bengal total 2345 number of ST students had taken admission in 2017-2018 and they have been benefited remarkably by the EMRS.

### **Area of Study:**

The district of Birbhum is situated at the central western part of West Bengal. Birbhum district is surrounded by the State of Jharkhand, in the north and west, the borders on other directions are

covered by the districts of Murshidabad and Bardhaman. It extends between 23°32'30" (right above the tropic of cancer) and 24°35'0" north latitude and 87°5'25" and 88°1'40" east longitudes, and about 4,545 square kilometres (1,755sq mi) in area. Suri is the district headquarter. There are three subdivisions (Suri Sadar, Bolpur and Rumpurhat), 19 development blocks, 26 police stations, 08 municipalities, and 167 gram panchayats. Many famous people lived and worked in Birbhum, especially at Santiniketan. Nobel laureate Rabindranath Tagore made this district his home and established his great center of learning, Visva-Bharati University at Santiniketan, and Nobel laureate economist Amartya Sen is one of them. As per census report 2011, Birbhum District had a literacy rate of 70.68%.

### **Tribal Education of the Birbhum District**

In Birbhum, the scheduled tribes lag far behind others in terms of socio-economic and educational development. As per census report 2011, the average literacy rate is 70.68 % in Birbhum District though amongst tribal it is as low as 47.40 % in Rural and 49.48 % in towns respectively. Average tribal literacy rate is 48.44%. It is much lower than the total district literacy rate. Birbhum is one of the tribal dominated districts of West Bengal. Birbhum is the district with serious problems to be addressed in the field of tribal education.

The status of male and female literacy rate and the gap in literacy rate between total population and ST population of Birbhum district are presented in the following table - 1.

Table -1. Total population of Birbhum District- 35, 02, 404 person. (Census report 2011)

Category	Total Literates Persons	Male	Female	Literacy Rate	Gap in Male-Female Literacy Rate
General population	2158447	1201481	956966	70.68	12.78
ST	97957	58561	39396	48.44	18.34

Source: District Handbook Census Report, 2011.

Education is one of the most essential tools of any society and it is regarded as one of the main indicators of human development. Government of India and Government of West Bengal tried their best to develop necessary educational facility in Birbhum District. The Government of West

Bengal has set up many educational institutions for educational development like, SishuShikasha Kendra, AnganwariCenter, Secondary School, Higher Secondary School, Madrasha in every corner of Birbhum district along with NGOs. But in spite of that, the tribal literacy rate is much poor than the rate of literacy of the total general population of Birbhum. In this situation EMRS hastaken good initiative for tribal student, because only tribal studentsget opportunity not only for academic development but also for all-round development.

### **EMRS in Birbhum and Tribal Education:**

EMRS in Birbhum is situated at Kankutia (Mehedipur), in BolpurSriniketan block of Birbhum district of West Bengal. This school is not far (maximum distance 10 km)fromVisvaBharati at Santiniketan. But the EMRS is located in rural village and tribal populated area. This school was established in 2012. This school is co-educational, CBSE Bengali medium.The school has the capacityof 420 student, it consists of class sixto twelve to provide quality education to ST students. In the year 2017-2018, total 337 ST students had enrolled themselves to EMRS Kankutia. In West Bengal, total 2345 ST students were enrolled. Those ST students who are admitted to these school have been benefited for their educational development. The ST students admitted to the school are from various Blocks of the District. The school provides scholarship, free food and lodging, and modern computer based teaching learning process.EMRS Kankutia has twelve class rooms, twelve teachers including head teacher, computer aided learning lab,well playground, toilet and good drinking water facilities. Like all EMRS, EMRS Kankutia has the same objective that ensures comprehensive physical, mental and socially relevant development of all the students enrolled in this school. Hence tribal students will be empowered and benefitted socially, economically, and culturally through this programme.

According to list of functional EMRS in India 2017-2018, Ministry of Tribal Affairs Government of India. West Bengal was sanctioned seven EMRS and at present seven are functioning.The EMRS location, Boys and Girls student enrolment scenario of West Bengalare given bellow in the following the table - 2.

Table -2

Sl No	District	Block	Village	Name of EMRS	Low Class	High Class	Boys	Girls	Total Student
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1	Jalpaiguri	Nagrakata	Nagrakata	EMRS Nagrakata	Vi	Xii	225	175	382
2	Bankura	Khatra	Mukutmonipur	EMRS Mukutmonipur	Vi	Xii	174	167	341
3	Purulia	Manbazar-ii	Susunia	EMRS Susunia	Vi	Xii	196	143	339
4	PaschimBardhaman	Kanksa	Raghunathpur	EMRS Raghunathpur	Vi	Xii	205	136	341
5	Jhargram	Jhargram	Satyabanpalli	EMRS Satyabanpalli	Vi	Xii	153	159	312
6	Birbhum	BolpurSriniketan	Kankutia	EMRS Kankutia	Vi	Xii	176	161	337
7	DakshinDinajpur	Banshihare	Kumarsai (Buniadpur)	EMRS Kumarsai	Vi	Xii	145	148	293

Source: Ministry of Tribal Affairs Government of India report List of functional EMRS in India 2017-2018.

In the district of Birbhum, tribal people are really marginal and underprivileged. Due to many reasons, such as poor economic condition, tribal people cannot afford finances for education. Therefore, ST students are frequently irregular in the general schools, eventually they drop out from schools. Mid-Day Meal programme has somewhat addressed this drop-out problem. Whereas EMRS provides both free food and residence with good educational ambience. Therefore, ST students are greatly influenced by this programme and get quality education which strengthens tribal community and protect their human rights. This institution has dispelled an isolation gap between tribal people and the non-tribal society. Tribal people basically live in remote villages, forest or hilly areas of this district. Therefore, their psychological separation and social ostracization are the core reasons for their educational, social and economic backwardness. But the institution is situated in remote tribal areas. Hence, tribal students have homely access and get good educational atmosphere. Those tribal parents who migrate for agricultural labour get great help by the institution. Because, during the paddy plantation in rainy season they migrate to various places inside or outside the district. And during that time tribal students are remained busy with their family. Therefore, school education is hampered. EMRS has changed this situation of the district because the students remain at hostel and they are not affected by these familial duties anymore.

## **Conclusion:**

After studying EMRS and educational status of tribal students of Birbhum District, we may conclude that, tribal students will be empowered and benefitted socially, economically, and culturally through this EMRS programme. But one problem is that many people in the tribal community do not know yet about this EMRS institutions. Therefore, there is a need to increase social awareness among the tribal people to ensure the participation of all tribal students in EMRS institutions. If tribal students get educated through this system, they will touch far better position than present status. Not only that, by this, they will then be able to save their own communities as well as to protect their human rights and dignity too.

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## **Importance of Women Empowerment: Introspecting the Necessity and Criteria**

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### **Introduction:**

Women empowerment has been celebrated to larger extent in global level since the third wave of feminist movements. The diverse theoretical subsets of greater theoretical understand has essentialized the empowerment of women to secure social justice or gender justice. Dr. Kalam held “Empowering women is a prerequisite for creating a good nation, when women are empowered, society with stability is assured. Empowerment of women is essential as their thoughts and their value system leads to the development of a good family, good society and ultimately a good nation”. So, the social fabric with the essence of gender justice requires empowerment of women.

Dr. APJ Abdul Kalam.

From the beginning of the twentieth century, Feminism has begun to be established as an active genre of society and politics thus the intercourse of social and political discourse s. In the 21st century, during the advancement of capitalist society or the postmodern society Feminism is prevailing in every aspect of political discourse. The fight that started claiming equal rights, that is to say that the success can be traced in many terms with the formulating the goal of establishing women at par with men in politics and society. In a word, women in diverse societies today are participating in all kinds of activities keeping shoulder to shoulder and they have successfully played their role in socioeconomic and political fields, but the question that remains intact especially in the third world countries like India, whether we have really come out of patriarchal structure completely? Do we still confine ourselves to the journey of conservatism and gender stereotype. Today, perhaps in the context of women's empowerment in the global arena, reviewing these aspects is quite relevant. Inequality between men and women were responsible for not only lower socio-economic growth but also for a large-scale discontentment

among women citizens hampering their larger social roles. Empowerment of women is, therefore, a crucial issue, which must enable women to realize their full identity, capacity, space and potential thus they can contribute effectively into the general growth of the society (Sarangi. Mishra.2013). According to Susham Sahay (1998) “Empowerment is an active, multi-dimensional process which enables women to realize their full identity and powers in all sphere of life”. So, gender equality and women empowerment are the key terms that intertwines, defined and determined the direction of diverse discourses on women’s studies nationally and globally (Singh & Srivastava,2001).

### **Why Needs Women's Empowerment:**

The present era has strengthened women empowerment movement universally. The UN defines women’s empowerment as “women’s sense of self-worth, their right to pass and determine choices, to have access to opportunities and resources; right to have supremacy to regulate their own lives, both in and out of the home; and their ability to influence the direction of social change to make more just social and economic order, nationally and internationally.” In other words, the extensive definition of empowerment incorporates both psychological and social development and moreover the human rights of people within the society, like the right to access opportunities and to organize collectively for change (Fox & Romero, 2017). Women empowerment means deliverance of women from the malicious clutches of social, economic, political, caste and gender-based discrimination. It means granting women the liberty to have life choice. Women empowerment doesn't mean to glorify them as of supreme worth or goddess rather it means switching patriarchy with uniformity (Parthiba, n.d.). So, Women's empowerment is not and cannot be separate from the empowerment of nature, empowerment of all the marginalized people and countries. Not just women, but women's perspectives need to be empowered because women are not just a separate sector. Women's concerns, perspective and visions are steps are the necessary matters on every issue – be it militarization, human rights or sustainable development. Every issue is a women issue (yojana, Sep. 2016).



## **Implying Women's Empowerment Policy in India**

Women empowerment is the buzzword now-a-days. No country can afford development without considering women constituting about half of its stock of human resource. However, development has bypassed women in mythology and historical texts Gender disparities vary vastly across cultural, geographical and historical context. India is a large country with vast economic and socio-cultural diversity in its varied regions (Srivastava.2020). From the very beginning, India has adopted various schemes for the establishment of equality in the society, giving freedom and rights to the citizen to eliminate inequality in the society. The principle of gender equality is enshrined in the Indian Constitution in its Preamble, Fundamental Rights, Fundamental Duties and Directive principles. The Constitution not only grants equality to the women, but also empowers the state to adopt measures of positive discrimination in favour of women within the framework of a democratic polity, accepted laws, development policies, plans and programme, these have aimed at women's advancement in different sphere (Gov. Odisha.2001). The most important step was taken by the government of India in the 1990s by amending the 73rd and 74th constitutions. This is because the decentralization process was given constitutional recognition through the 73rd and 74th amendments to the Constitution, in the same way that the issue of women's empowerment was given importance. These are important steps taken for the empowerment of women through these two amendments: The 73rd and 74th Constitutional Amendments Acts 1992, through which self-governance at local level was introduced in the form of a three-tier system of panchayats at the village level, intermediate at the district levels and Municipalities in urban India, reserved one-third (33 percent) seats for women both in reserved and unreserved categories and also in the offices of the chairperson on rotation basis. These two amendments eased women's entry in politics and their empowerment as women got included in the governance and policy making process and there are lakhs of women who got elected to Panchayats and Municipalities due to the reservation and definitely it ensured larger participation and feminine perspectives of diverse local governance issues. (Dhawan. N.d.).

Notable laws that have helped accelerate women's empowerment include: Equal Remuneration Act of 1976, Hindu Marriage Act 1955, The Marriage (Amendment) Act 2001, The Immoral Traffic (Prevention) Act of 1956, Dowry Prohibition Act of 1961, Child Marriage Restraint Act of 1976, Medical Termination Pregnancy Act of 1971, Prevention, Prohibition and Redressal Act

2013. The Protection of Women from Domestic Violence Act 2005. This act also provides for more effective protection of the rights of women during social vulnerabilities. The schemes undertaken by the Government of India successfully establish women's empowerment in Indian society are: I. Beti Bachao Beti Padhao Scheme. II. One Stop centre Scheme. III. Women Helpline Scheme. IV. UJJAWALA: A Comprehensive Scheme for Prevention of trafficking and Rescue, Rehabilitation and Re-integration of Victims of Trafficking and Commercial Sexual Exploitation. V. Working Women Hostel. VI. Ministry approves new Projects under Ujjawala Scheme and Continues existing Projects. VII. SWADHAR Greh (A Scheme for Women in Different Circumstances). VIII. NARI SHAKTI PURASKAR. IX. Awardees of Stree Shakti Puruskar, 2014 & Awardees of Nari Shakti Puruskar. X. Awardees of Rajya Mahila Samman & Zila Mahila Samman. XI. Mahila Police Volunteers. XII. Mahila Shakti Kendras (MSK). XII. NIRBHAYA. (Source: Ministry of Women & Child Development). Thus, many efforts have been made by the government to implement the process of empowerment of women through various schemes. In addition to this, Indian government trying in many years women's empowerment established in the whole country. This step has been taken to accelerate the development of women especially in the rural society and for the economic development of the rural community through the establishment of self-help groups (SHGs). These groups are usually comprised of 10 to 20 local women from the targeted area. The goals of SHGs are specific to the community it serves, but generally they are implemented with a focus toward training members for income generating activities. The National Commission for Women was formed on January 31, 1992 to better protect the rights of women.

### **Empowerment of Women in the Context of Patriarchy**

As a result of the evolution of civilization, we are living in a modern society, where patriarchy has existed for a long time and still prevalent in social structures. Although legally today there are measures of establishing equal rights for all, irrespective of gender and other marginalized groups, we still experience the evidence of the gender gap in the society through various means. Even today in the Indian society the disease like female feticide is still prevalent. Even though the killing of female child has been stopped by the law in our country, such incidents are occurring constantly.

Not in all, but in large parts of India, girls live with disadvantage, burdens and fears. They carry the burden of neglect, of discrimination, the burden of household work, the burden of work outside the home. Girls live with fears – fear of being neglected, fear of not getting adequate affection, care, nourishment, medical attention, education. Indian daughters also live with the fear of sexual abuse ranging from rape, honour killings to acid attacks. Even after the legacy of stricter and better laws, the number of brutal gang rapes have been increasing. After marriage, they face the fear of loneliness, maladjustment, mental and physical torture and marital as well. (Yojana. Sep. 2016).

Women's empowerment, therefore, would require changing the patriarchal thinking, institutions and structures, giving women more control over the resources (natural, human, intellectual, financial, inner resources), bringing them into decision making roles. We must also talk about empowerment of feminist thinking and ideology, empowerment of principles like equality, justice, democracy and sustainability. This means we do not support all women irrespective of what they stand for. We do not empower women dictators, women patriarchs, women at large who promote caste and patriarchy, just because they are women by sex. We recognize that women can also be patriarchal and dominating and men can be partners in fighting patriarchy as a whole and other brutal hierarchical system. Our struggle is for certain principles and for a better society where all men, women and other gender have equal opportunities to live, to grow, to participate (Yojana. Sep. 2016).

#### Political Empowerment of Women at large

In India, women have been given an exalted position in society. After independence, large number of women's autonomous groups have sprung up challenging patriarchy and taking up a variety of issues such as violence against women, child marriage etc. India has a rich and vibrant history of women's movement but it has still a long way to go to achieve gender equality and gender justice. Women's empowerment is still a debatable issue in India. Women remain treated as a second-class citizen and the reason beside are illiteracy, customs, traditions, poverty, ignorance, her own lack of interest in her own political empowerment, it ultimately leads to such government policies, which lack proper insight and direction. It is important for the empowerment of women that the women actively participate in the political process of the nation (Naik.2017). The Constitution of India guarantees justice, liberty, equality to all citizens. The

Constitution also adopted equal political rights including the right to vote to women. Article 325 and 326 guarantee political equality, equal right to participate in political activity and right to vote respectively. While later has been accessed and enjoyed by large number of women, the right to equal participation is still a distant dream (Naik.2017.).

### **Conclusion:**

Historically, no system has been able to establish itself as the ultimate society, judging from this, the positive and negative effects of any system are present in our society. On the one hand such conservative attitude is deeply rooted in our society and on the other hand progressive thinking is also present in our society. Judging by the process of empowerment of women from such an idea, it can be said that the empowerment of women as expected has not been established in our society even today. Because in response to the events that we almost all witness, the worst picture of society appears before us. Such a system cannot be unilaterally blamed on a patriarchal society, as many women undoubtedly support an age-old system of patriarchal set. The conservatives of the society use this support as a tool to uphold the existing exploitative pattern for economic and political leverage. At the same time, they apply their mentality in the system. So, first of all there is a need to change the mentality of men and women at all the levels and strata of society. There is need to be aware that women's empowerment does not mean handing over power to anyone without democratic values which ensures gender justice. It is necessary to establish the environment for empowerment to control the violent activities of the society and to create awareness among women themselves. In a word, to make women self-reliant the entire thought process must be changed gradually. However, it can be hoped that women's empowerment agenda would be successfully established in global and national. Arena and it would ensure justice in terms of the reform process which can turn out to be a protest against the nondemocratic attitude and ethos towards women's empowerment and the growth of society in general.

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