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1. P.J. Marshall, *Bengal: The British Bridgehead, The Cambridge History of India*, (Cambridge 1987), p. 77.
2. Willem Van Schendel, 'Economy of the Working Classes'. Sirajul Islam (ed.), *History of Bangladesh 1704-1971*, Vol. II, (Economic History), (Asiatic Society of Bangladesh 1992), pp. 542-99.
3. W.H. Morris-Jones, "Pakistan Post-Mortem and the Roots of Bangladesh", *Political Quarterly*, Vol. 18 (April-June), 1972, pp. 187-200.

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**TERRITORIALITY AND ENTITLEMENT : SEMANTIC POLITICS  
OF INDIGENEITY IN BANGLADESH**

**BANGLADESH'S ECONOMIC DEVELOPMENT AND  
UNDERDEVELOPMENT : PROSPECTS AND  
CHALLENGES\*\***

Muinul Islam \*

Bangladesh is the seventh most populated country of the world with an estimated population of 158 million in the year 2011 living in an area of only about 1,47,570 square kilometres. Bangladesh is also the largest of the 48 least-developed countries (LDCs) of the world in terms of population size.<sup>1</sup> At independence in 1971 it had a population of about 75 million. Right after its journey as an independent state with the victory in the liberation war the then secretary of state of the USA, Henry Kissinger was quoted as saying that Bangladesh would be an 'International bottomless bread basket' (in another version 'an international basket case') implying that the newly independent

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\*\* National Professor Atwar Husain Memorial Lecture 2012 delivered at The Asiatic Society of Bangladesh on September 1, 2012

\* Muinul Islam, Professor of Economics, University of Chittagong

1 a) The category of countries termed as 'least developed countries' (LDCs) refers to a listing wherein the prospect of economic development of these countries is deemed to be rather difficult and bleak. The difficulty may arise from small geographical size, lack of industrialisation, lack of physical resource, very low per capita GDP, small size of population or low population density, etc. In case of Bangladesh, the low per capita GDP was considered as the most serious constraining factor. The extremely high density of population resulting from a very large population residing in a small geographic area of only about 1,47,570 square kilometres and the lack of any significant reserves of minerals may also be crucial factors behind the widely held perception that the prospect of economic development of Bangladesh is rather slim. However, at the stage reached by Bangladesh in 2012, such a pessimistic perception seems to be rather ill-founded.

b) The population figure of Bangladesh according to the initial results of the population census 2010 published by the Bangladesh Bureau of Statistics (BBS) has been quoted as 142.3 million only. A big hue and cry ensued after the publication of this figure because the critics think that there is gross under-enumeration of population to the tune of about 20 million in that census. They have pointed out that an estimated number of 10 million overseas migrants and non-resident Bangladeshis are left out of the census process. There are also widespread allegations that enumerators did not actually visit the homes of the people in many places because of the lax supervision of the census authorities. We refrain from using this lower figure before the post-enumeration checking (PEC) currently going on is not completed.

country would be perpetually dependent on foreign aid and grants from other countries of the world, various donor organisations and from different international agencies for its economic survival in the foreseeable future.<sup>2</sup>

But, some researchers were also found to be equally dispirited, disheartened and pessimistic about Bangladesh's economic future throughout the seventies of the last century. For example, Just Faaland and John Perkinson gave the title of their famous book on Bangladesh's development as *Bangladesh: A Test Case of Development*, categorically stating in the book's preface that the title was used to emphasize their belief (or rather pessimistic prognosis) that if economic development could be successfully achieved in Bangladesh, then development would be achieved in all other developing and underdeveloped countries of the world. That means, economic development seemed to them as very difficult and an almost impossible prospect for Bangladesh from the vantage point of their writing the book! There were many other Malthusian doomsday prophets who were always busy crowing loudly that Bangladesh was sitting on a virtual 'population time bomb'. Indeed, this kind of pessimism trounced the thinking process of even Bangabandhu Sheikh Mujibur Rahman, the 'father of the nation', then prime minister of the government. Mujib in February 1972 straightway overturned the strong objections by Tajuddin Ahmad, his finance minister, about accepting foreign aid from the USA and other countries who had actively opposed Bangladesh's liberation war, the World Bank, the IMF and the ADB on the ground that Bangladesh economy would collapse without such foreign assistance at that juncture. Foreign grants and loans from the west, the World Bank, the IMF, the ADB and other international organisations slowly started to flow into war-devastated Bangladesh, though the USA, the World Bank, the ADB and the IMF allegedly continued to play dirty politics and follow various delay tactics regarding the approval and disbursement of loans and grants throughout the Mujib regime.<sup>3</sup> Only after the assassination of Mujib

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2 This unnecessarily harsh, disparaging and rudely insulting comment from Kissinger was not difficult to understand. At that time he was licking the wounds of badly damaged prestige of a super power for its failure to prevail despite taking side with Pakistan in the liberation war of Bangladesh and the Indo-Pakistan war of December 1971. Kissinger was especially furious and deliberately egregious because he had to endure the humiliation of the failure and defeat of his supposedly unparalleled political acumen, which determined US foreign policies at that stage of the Nixon administration.

3 Please see Sobhan, R. (1982) and Rahman, M. (2008) for detailed description of the games played by the donors and their outrageously aggressive comments about the ruling party in Bangladesh in the 1972-1975 period, and regarding delayed approval and release of loan and grant funds.



on August 15, 1975 the relationship of donors with the subsequent Bangladesh governments became close and more co-operative.

One can surmise that Bangladesh's huge population living in a small area of land, which translates into one of the highest densities of population per square kilometre among all the major countries of the world (about 1,071 per square kilometre in 2011) along with the fact that this largely deltaic and riverine land is environmentally disaster-prone because of its geographical location at the estuary of one of the world's largest river systems, the Ganges-Brahmaputra-Meghna (GBM) and because of the near-conical shape of the Bay of Bengal causing frequent cyclones and tidal surges in the coastal areas of the Bay, and also the fact that the country does not hold substantial (known) reserves of any natural resource or mineral (except some natural gas and coal) may be instrumental behind such dishearteningly pessimistic prognoses of Bangladesh's economic future.

### **A Look at History**

But, if one is reminded of the historically well-documented fact that Bengal of the late seventeenth and early eighteenth centuries was described by Francois Bernier,<sup>4</sup> the French physician of the Mughal emperor Aurangzeb's court, and another French traveller-writer Tavernier as the most affluent place on earth in their times, which confirmed an earlier such testimony given in his world famous writings by Ibne Batuta, the famous globe-trotter/traveller from Morocco, about Bengal of the earlier Sultanate period (15th and 16th centuries), one should feel an irresistible urge to familiarise oneself with the economic and political history of Bengal, the Indian sub-continent and the world of the subsequent three centuries in order to analyse that history to find out and come

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4 Bernier had the chance to tour extensively throughout the Mughal empire of Aurangzeb as his favourite physician. He visited Bengal twice, in 1666 and 1668. After his return to his homeland France, he wrote a famous travelogue about his tour experiences in Mughal India, which became one of the most authentic historical documents of pre-colonial India widely acclaimed and profusely quoted by different historians and social analysts throughout Europe in subsequent times. The travelogue was translated in different European languages during the next three centuries. It got special fame as a historical masterpiece when Karl Marx quoted Bernier profusely in his writings on colonial India. Bernier claimed that the fame of the then Egypt as the most affluent agrarian society in the eighteenth century should have belonged to '*Suba Bangla*' (the Province of Bengal) of the Mughal empire under the rule of Aurangzeb. This fact was corroborated by many other historians, who wrote that Bengal under the governorship of Subadar Shaistha Khan, an Aurangzeb appointee, could truly be considered the fabled 'Golden Bengal' (*Sonar Bangla*).

up with a credible explanation of why such an affluent agrarian society and world famous manufacturing hub of the first-half of the eighteenth century became the so-called 'International bottomless bread basket' or 'international basket case' at the point of the triumphant journey of independent Bangladesh in 1971, which faced a supposedly unviable economic future, as friends and foes alike apprehended at its birth.

In this paper the soul-searching methods of 'Political Economy of Underdevelopment' have been followed to analyse the process of 'development of underdevelopment'<sup>5</sup> or the process of 'retardation'<sup>6</sup> in order to search for the truth behind such a retrogression of economic conditions and a phenomenal reversal of the fortunes of the people of the political entity, now Bangladesh since 1971. Our main theme is that, this ignominious and degrading title of 'a least developed country' tagged with Bangladesh for the period 1971-2012 is the end result of the colonial and neo-colonial exploitation and retardation, capital expropriation and appropriation and enormous transfer of 'surplus'<sup>7</sup> from the land and the continued process of predatory misrule, reckless capital expropriation and appropriation through plundering and corruption by the ruling coteries during the last 41 years of its independent existence. Therefore, the focus of this paper will be the nature of the state and the roles of the ruling coteries in this process of 'development of underdevelopment'. Obviously, the main focus will be on the role of the state in independent Bangladesh in continuing the process during the last forty one years. In a subsequent section of this paper, we will present a short resume of the optimistic signs of a turn around of the economy signalling a brighter future of the economy if the foremost task of changing the nature of the state can be pursued successfully by harnessing people's power for a united struggle to achieve the goal.

### **Some Optimistic Signs of the Bangladesh Economy**

I would like to note some optimistic signs of a turn around of the Bangladesh economy at this stage (in spite of the continued misrule and mal-governance) to give the message at the beginning of the this paper that we remain believers in a viable economic future of Bangladesh in spite of the historical process of retardation and 'development of underdevelopment'. In support of our prognosis

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5 A. Frank, *Capitalism and Underdevelopment in Latin America*, Modern Reader Paperbacks, New York, First edition published in 1967

6 A.K. Bagchi, *The Political Economy of Underdevelopment*, Cambridge University Press, Cambridge, 1982

7 P. Baran, *The Political Economy of Growth*, Penguin, Harmondsworth, 1957

it is heartening to note that after 41 years of its journey as an independent country, Bangladesh seems to be crossing the threshold for proving the doomsday prophets wrong about their alarming prognoses and is showing the world that it is ready to graduate from the ranks of the 48 least developed countries (LDCs) of the world within the next few years if the present trends in the economy can be sustained. Among the symptoms of the prospect of such a turnaround signalling the fabled 'take-off'<sup>8</sup> of the Bangladesh economy, the following seem very promising.

1. In 1972, about 82 per cent of Bangladesh's population were categorised as belonging to the 'below poverty line' category of people.<sup>9</sup> The Household Income and Expenditure Survey (HIES) 2010, whose preliminary findings have been published in May 2011 by the Bangladesh Bureau of Statistics (BBS), the official statistical organisation of the Government of Bangladesh, claims that the percentage of people below the poverty line (measured by the cost of basic needs (CBN) method) has come down to only 31.5 per cent in Bangladesh by the year 2010.<sup>10</sup> In the HIES 2005, the percentage of people below the poverty line was 40 percent compared to 44 in the year 2000, which implies a process of accelerated decline of poverty during the last five years.
2. Secondly, foreign aid disbursed as a proportion of Bangladesh's GDP, which had risen to 13.7 per cent in the financial year 1981-82,<sup>11</sup> has come down in three decades to a paltry 1.90 per cent in the financial year 2009-2010. More significant is the fact that less than 3 per cent of such foreign loans and grants in 2009-10 are food aid and about 93 per cent are various types of project loans and grants, implying that the economy's viability does not in anyway depend on

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8 W.W. Rostow, *The Stages of Economic Growth: A Non-Communist Manifesto*, Cambridge University Press, London, 1960

9 'Population below the poverty line' was defined at that time by the daily direct calorie intake of 2122 kilo-calories (k-cal) per head as per the DCIM (direct calorie intake method) of measuring poverty popularised by the World Bank. The World Bank later changed its definition of below poverty line headcount index. The now-fashionable CBN (cost of basic needs) method of measuring population below the poverty line was using US\$ 1 a day per capita GDP as the poverty line up to the year 2008. The World Bank now uses US\$ 1.25 daily per capita GDP as the basis of such categorisation since the year 2008. We do not agree with such quantitative measures of poverty, as their theoretical validity is questionable. However, we will refer to such measurements because of their wide familiarity.

10 *The Daily Star*, Dhaka, May 3, 2011.

11 R. Sobhan, *The Crisis of External Dependence*, University Press Limited, Dhaka, 1982, p. 62

foreign aid as such, and that a large proportion of the project loans and grants can easily be done away with if the policy makers seriously decide to get out of 'aid dependence'. In the decade of the seventies of the last century, food aid as percentage of total disbursed aid was 29.4 per cent on average. Commodity aid as a percentage of disbursed aid in that decade was 40.8 per cent and the proportion of project aid to total disbursed aid was 29.8 per cent.<sup>12</sup> In the decades of the seventies and eighties, the annual development budgets of the Bangladesh governments were almost wholly dependent on foreign loans and grants. Even in recent years, foreign loans and grants continue to be sought by different governments in Bangladesh on the pretexts of development budget deficits, though the yearly current accounts of Bangladesh's balance of payments have been consistently showing surpluses since the year 2004-2005. May be such a bogie of indispensability of project aid is propagated/maintained by the ruling quarters and some other vested interests to justify their hankering after foreign loans and grants for foreign aid nurtures a very strong network of corruption and rent-seeking among the political leaders and workers, military and civil bureaucrats and field level administrative personnel, local government functionaries and a significant proportion of business people of the country. Now that food aid dwindled in importance and commodity aid has become almost non-existent, the myth of foreign aid as the lifeblood of the economy of Bangladesh has been shattered in the last few years running up to 2012. Bangladesh can easily shun the 'begging game' now.

3. Bangladesh has been consistently achieving surplus in the current account of its balance of payments during the last seven financial years in spite of the fact that the world has been going through a severe recessionary cycle bordering on a depression since 2007. The spectacular growth rates of remittances sent by Bangladeshi overseas migrants and non-resident Bangladeshis (NRBs) living abroad and the uninterrupted growth of Bangladesh's export earnings in all these years are the main factors behind this comfortable situation in the overall balance of payments. Though the growth rate of export earnings slowed down to around 5 per cent in 2008-2009, it has rebounded sharply in the following year, and reached about 42 per cent in the financial year 2010-2011. Imports have also jumped by more than 40 per cent during the financial year 2010-2011. However, the foreign exchange reserves of Bangladesh have been steadily

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12 R. Sobhan, *Agrarian Reform and Social Transformation: Preconditions for Development*, University Press Ltd., Dhaka, 1993

increasing almost every year during the last decade, reaching about US\$ 11.1 billion by August 8, 2012.

4. Bangladesh has achieved self-sufficiency in coarse rice production in spite of its very high population density, very meagre land-man ratio and a process of shrinkage of cultivable land due to population pressure on scarce land. This could be achieved by increase in per hectare productivity, increase in cropping intensity and increase in the proportion of irrigated land, input subsidy programmes, timely flow of agricultural credit and through introduction of different high-yielding varieties of rice. Such a continued record of success in rice production has significantly contributed to the overall food grain security of the common people of Bangladesh, and has helped stem hunger and malnutrition and achieve notable improvements in nutrition and food grain intake by the poorer segments of the population.<sup>13</sup>

It is also significant that Bangladesh's food grain production has largely come out of the uncertainties of monsoon rains and floods, because the Boro rice, which has been contributing more than 60 per cent of Bangladesh's rice production of recent years, is produced in the dry season largely through irrigation and modern inputs, and therefore, is less susceptible to vagaries of nature like floods, droughts, untimely monsoon rains, excessive monsoon rains, etc. compared to the Aman and Aus varieties of rice, the traditional two main types of rice formerly. It is also significant that a sizable buffer stock of more than 1.5 million metric tons of food grains has been built up by July 2011 to guard against any unforeseen situation of national crisis, shortages, natural disasters or volatility of food prices either in the local or in the international market of food grains.

5. The growth rates of GDP in Bangladesh have been consistently increasing during the last two decades and exceeded 6 per cent in recent five years on average, and in spite of the ongoing world recession, the growth rate has only slightly dipped to 6.01 per cent in the year 2009-10 but rebounded to 6.3 per cent in the financial year 2010-2011. The black spot in the whole growth scene is the substantial rise in inequalities of income as shown by the Gini coefficient,

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13 However, food entitlement of the poorer sections of the population remains a challenge because of very low purchasing power of the landless and marginalised sections of the rural population and the endemic problem of seasonal unemployment and resulting chronic shortage of purchasing power in the lean season (called '*monga*') among the marginalised sections of the common people in some areas of the country.

a measure of income inequality, during the last 41 years of independent Bangladesh. In 1972, the Gini coefficient was only about 0.28, but it has climbed to 0.467 in the HIES 2005. However, the preliminary results of HIES 2010 has claimed that the Gini coefficient has not risen any further between 2005 and 2010, and remained at 0.465. But, high inequalities in income and wealth distribution will remain a major challenge for Bangladesh's struggle for achieving significant reduction of poverty on a sustained basis in the years to come.

6. Bangladesh's export earnings mainly come from export of manufactured items, though the domestic value added in some of the export items remains quite low. Knitwear and woven ready made garments (RMG) constitute the overwhelming proportion of the export earnings of Bangladesh, and the proportions of domestic value added are increasing quite laudably in the case of knitwear items implying that Bangladesh will remain quite competitive compared to its major competitors in the international market because of its cheaper labour power. In some items, Bangladesh has become a formidable player in the international export market for garments. It is also significant that Bangladesh's traditional export items like jute and jute goods are showing robust signs of revival in the international market. Leather goods export is also picking up nicely. A few new items like pharmaceuticals, ceramics and agro-based food products are showing good promises in the export market. All these signs indicate that Bangladesh's recent spurt in export earnings is not a fluke, and may usher in a process of sustainable increase of export earnings in the near future.

7. According to government statistics, there are more than 8 million documented overseas migrants and Non-resident Bangladeshis (NRBs) living and working abroad. May be another three million un-recorded Bangladeshis (mostly illegal migrants from Bangladesh) have been working in different countries of the world, according to different research works done on the topic of overseas migration from Bangladesh! The countries of the Middle East are the major destinations of overseas migrants from Bangladesh, but the United Kingdom, the USA, Malaysia and Singapore are also significantly large destinations of overseas migrants and NRBs alongside India, which remains a long-standing destination of refugees as well as economic migrants from Bangladesh, especially from the religious minority groups. The Bangladeshi

diaspora is increasing in size significantly in almost all the major countries in all the continents of the world. Though the overwhelming majority of migrants and NRBs from Bangladesh are less skilled workers, the yearly flow of remittances from overseas migrants and NRBs has been consistently increasing during the last three decades, and the remittances have crossed \$12.84 billion in 2011-12, about 12 per cent of Bangladesh's GDP of that year. Various studies show that the flow of remittances through different informal channels like '*hundi*' and the flow of undeclared foreign currencies brought in by home-coming migrants may be equally large (if not larger) in case of Bangladesh.<sup>14</sup> Foreign exchange earnings diverted to 'the parallel economy' through these informal remittances mainly finance smuggling, capital flight, money laundering, overseas education of sons and daughters of affluent Bangladeshis, overseas medical treatment of the middle-income and affluent Bangladeshis, frequent foreign tours of a fast increasing group of rich multi-millionaire Bangladeshi families having either business links or having links with the political and bureaucratic quarters, and illegal remittances of foreigners working and foreign companies operating in Bangladesh. Though the major part of the remittance money pouring in through informal channels could not yet been mobilised for formal investment in directly productive pursuits, these approximately 10-11 million overseas migrants and NRBs, both legal and

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14 '*Hundi*' method of sending remittances involves the buying of foreign exchange from the intending remitter by the '*hundiwallah*' or his agents in the destination countries of migrants. The taka equivalent of the remitted money is paid to the intended recipient of the remittance money in the home country of the remitter. The intending buyers of the foreign currencies in Bangladesh place their demands to the agents of the '*hundiwallah*' at home and pay the taka price of the foreign currencies to them. Buyers from other countries including the destination country can also participate in the deals. The foreign currencies are delivered to the nominee of the buyer anywhere in the world through the network of agencies of the '*hundiwallah*' spread in all the major destination countries of Bangladeshi overseas migrants. This method of illegal remittances is known as '*hawala*' in India. The foreign currencies bought in this process are sold to demanders linked with smuggling, capital flight, money laundering, overseas education of sons and daughters of affluent Bangladeshis, overseas medical treatment of the middle-income and affluent Bangladeshis and illegal remittances of foreigners working in Bangladesh and foreign companies operating in Bangladesh. As the exchange rate in the '*hundi*' market is somewhat higher than in formal channels of remittances, and the process is much easier, quick and more secretive compared to formal methods of remittance, '*hundi*' remains the major channel of sending remittances by the overseas migrants and NRBs. The ongoing ICT revolution has made '*hundi*' operations much more efficient and reliable in recent years (see Islam, "Bangladeshi Migration: An Impact Study", *Cambridge Survey of world Migration*, 1995).

illegal, have however been acting as a formidable source of foreign exchange for the Bangladesh economy. The remittance flow has helped to counterbalance the deficit in the balance of trade of Bangladesh, and has been instrumental in achieving surpluses in the current account of the recent years. This phenomenon has made Bangladesh's foreign trade regime quite comfortable for the policy makers.

8. The success of the micro credit movement pioneered by Prof. Yunus's Grameen Bank has provided Bangladesh an effective tool for reaching formal credit to the poorer village people, more than 90 per cent of them landless women, at reasonable rates of interest. This has made the lives and livelihoods of micro credit recipients somewhat easier. Researches also show that more than one-fourth of the target population of micro credit delivery organisations are experiencing some improvements in their livelihood, though a much smaller proportion of borrowers are believed to be successfully graduating from their status as 'population below poverty line', as measured by the Cost of Basic Needs (CBN) method of \$1.25 daily income per head on average. We firmly believe that micro credit alone cannot be legitimately considered as an effective tool for overcoming the poverty creation and recreation processes of the social, economic and political system of Bangladesh, but this successful innovation for delivering formal credit to the poorer segments of the population, though at somewhat higher interest rates, (which are not by any means usurious), should be lauded for introducing a positive change on balance in the economy of Bangladesh.

9. The flourishing knitwear and woven garments industries have been providing employment to more than 3.5 million people, of which 90 per cent are women by the financial year 2011-12. Though the wage levels of most of these workers are quite meagre, and there are allegations of super-exploitation by multinational firms reaping the lion's share of the super profits generated through the garments factories of Bangladesh, such formal industrial jobs for the uneducated and the most marginalised female workers have been acting as a significant deterrent factor against destitution and crushing poverty of the women, who are now somewhat relieved from the spectres of degrading existence and sub-human professions of the past (like those as domestic servants, commercial sex workers, etc.) and saved from dangers of possible human trafficking abroad. In this respect, the garments sector has emerged as a



very positive institution for economic upliftment and empowerment of the poor and marginalised women in Bangladesh.

The above facts indicate that in spite of the inclusion of Bangladesh among the LDCs, there are grounds to contend that Bangladesh's economy does not look that fragile and the economic prospects not that bleak by the end of the financial year 2011-2012.

### **The State and Underdevelopment:**

#### **A Review of the Theory**

We hypothesise that Bangladesh has been historically 'underdeveloped', meaning that the country was subjected to a process of 'development of underdevelopment' as conceptualised by A.G. Frank or a process of 'retarded development' as conceptualised by A.K. Bagchi by colonialism (1757-1947), neo-colonialism (1947-1971) and the continuation of a neo-colonial and bureaucratic state even after its independence. We propose to show that pre-conditions of a take-off of the Bangladesh economy have largely been created during the last two decades implying that if Bangladesh's policy makers could come out of 'the dependency trap', and the mindset of predatory looting, mass corruption culture and the 'mal-governance trap' Bangladesh would be able to launch a potentially successful drive for largely self-propelled development from the vantage point of 2012.

Amiya Kumar Bagchi, in his book *Political Economy of Underdevelopment*, published in 1982 conceptualised 'retardation' and 'underdevelopment' in the following words:

We regard third world countries as retarded, because, in respect of the ability to transform their production capacities so as to meet the growing needs of the population, they have fallen behind advanced capitalist countries on the two sides of the North Atlantic, and also Japan. We call them 'underdeveloped', because, not only does their actual development fall far short of their potential, but also because their capacity for exerting themselves to realize their potential is impaired by their internal social and political structure, and by the dominating effect of the advanced capitalist countries which limit their choices all the time. This usage was, of course, advocated a long time back by Paul Baran ...<sup>15</sup>

As admitted by Bagchi, Paul Baran was the first theorist who, in his pioneering book *The Political Economy of Growth* published in 1957, advocated the usage of the concept of 'underdevelopment' from the point of view of 'dominance and

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<sup>15</sup> A.K. Bagchi, *Op. cit.*, p. 20

retardation' or 'dominance and subordination' or 'dominance and dependence' as variously termed by different authors later on. Paul Baran regarded the development of capitalism in underdeveloped countries as a different process compared to that in the advanced capitalist countries. He blamed monopoly capital of post-World War II advanced capitalist countries for continuing the neo-imperialist world order of 'dominance' over the underdeveloped countries. He combined the methodology of Karl Marx and the methodology of J.M. Keynes in his analysis; real and observable entities of 'countries' rather than abstract concepts of 'social structures' used by Karl Marx are the units of his analysis. He conceptualised the interrelation between advanced capitalist countries and underdeveloped countries under three main relationships: trade, flows of surplus and political-military influence. He argues that before the European colonialism, there was everywhere a mode of production and a social and political order that can be conveniently termed as feudalism, which, despite differences between different areas, had entered at a certain stage of development a process of dissolution and decay, and thereby created the possibility of capitalist development.<sup>16</sup> The three pre-conditions for capitalism that Baran emphasises are: an increase in agricultural production accompanied by displacement of peasants from the land, a growth of commodity production for the market and of the division of labour and the accumulation of capital by rich peasants and of merchant capital. But, European colonialism and colonial expansion and the resultant colonial plunder along with 'unequal exchange' characterising trade between colonial powers and colonies virtually siphoned off the surplus generated in the rest of the world during the colonial era. By the middle of the nineteenth century, the differences of economic conditions of the capitalist countries and the colonies, semi-colonies and *de facto* colonies of the world started to increase sharply. This process of increasing differentiation of economic development levels was accelerated in the twentieth century, especially in the second half of the twentieth century, when the process of political independence of the colonies gained momentum. In the words of Brewer, "The world economy, therefore, starting from a state of near parity between its different parts, was differentiated into a rich and a poor section by a re-division of surplus."<sup>17</sup> Baran conceptualised in his book *The Political*

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<sup>16</sup> Baran, *Op. cit.*, p. 268

<sup>17</sup> A. Brewer, *Marxist Theories of Imperialism: A Critical Survey*, Routledge & Kegan Paul, London, 1980, p. 148

*Economy of Growth* published in 1957 that in the context of the dominance-dependence syndrome of the post World War II world system, monopoly capitalism of the second half of the twentieth century has become the new transformation of the capitalist system wherein the vastly strengthened power of the multinational corporations (MNCs) has been virtually controlling the state policies of the advanced capitalist countries in spite of democratic governance systems of most of these countries.<sup>18</sup> Therefore, such dominance of the MNCs dictates the international policies of the advanced capitalist countries vis-à-vis the underdeveloped countries—comprador governments are actively patronised and sustained in power in the ex-colonies by the USA, the UK, France or other ex-colonialist powers in order to protect the vested interests of the MNCs in different ex-colonies. Moreover, such comprador governments actively patronise the comprador bourgeoisie (import dependent comprador capitalists playing the roles of marketing agents of MNCs) in the countries of the third world. Critics of Baran claimed that he did not provide any theoretical structure to link up the different concepts introduced by him. This criticism has been addressed first in 1967 by A.G. Frank in his theory of ‘development of underdevelopment through the metropolis-satellite chain’.

The concept of ‘development of underdevelopment’, as conceptualised by A.G. Frank, is based on his claim that underdevelopment of the former colonies, termed by him as ‘satellites’, but more widely known at present as countries of the ‘periphery’ in the framework of the ‘centre-periphery’ theory of underdevelopment expounded to explain the ‘dominance-dependence syndrome’ noted above, is a product of historical development of capitalism in the ‘metropolitan capitalist centres’. From the point of view of the ‘world system analysis’ which he follows as the method of analysis, and which is the methodology followed in analysing the issue of development and underdevelopment by the school of ‘Political Economy of Underdevelopment’ pioneered by Paul Baran and Paul Sweezy, the process of development and underdevelopment of different countries and areas of the world are the two sides of the same process of historical development of the world capitalist system (WCS) since the sixteenth century, starting with the process of colonisation of the western hemisphere by the Europeans. Development and underdevelopment are the two sides of the same coin—the same world system

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18 His explanation was mainly focussed on the USA.

historically creating development in a few countries of the metropolitan capitalist centres and underdevelopment in the overwhelming majority of countries in vast areas of the globe through different dynamics of the five hundred years of colonial and neo-colonial history. This school contends that underdevelopment, therefore, should not be defined as lack of development. Underdevelopment should not be described as an original state (untouched by penetration of outside forces) of change of social structures of the pre-colonial era of the countries subjected to colonial occupation. Frank uses the term '*undevelopment*' (undeveloped stage) to distinguish the pre-colonial status of the colonies.

The connotation of 'lack of development' does not adequately explain the process of deliberate 'systemic retardation' of the colonies by the colonial powers. The concept of 'development of underdevelopment' explains the process of such 'systemic retardation' caused through colonial plunder and transfer of capital from the colonies, unequal exchange in trade between the colony and the colonial power, exploitation of cheap colonial labour, exploitation of minerals, natural resources, agricultural products and raw materials, forcible change and distortion of production patterns and specialisation of the colonised people to suit the needs of the colonial power, deliberate destruction of burgeoning manufacturing activities and export links achieved before colonisation, forced migration of labourers from the colonies through slave trade or indentured labour system and the predatory, deleterious and/or negligent roles played by the colonial states. Besides outright plunder and transfer of capital from the colony, the colonial power re-shaped the economy and polity of the colony to cater to the needs of its own economy in order to facilitate the capitalist development of the mother country, and most of the distortions, retardations and stunting caused by the colonial rule and the mechanisms of transfer of capital from the ex-colonies to the metropolitan capitalist centres remain as legacies in the economy and body politic of the ex-colonies long after the end of their formal colonial status—that is the main theme of theories of the school of Political Economy of Underdevelopment.

On the other hand, a truncated and one-eyed view of Euro-American apologists of capitalism about development and underdevelopment was wrongly adopted and propagated by theorists belonging to the 'modernisation school of development', who viewed the underdeveloped countries as lacking all the

virtues and good qualities observed in the developed capitalist countries of Europe and North America in the last half of the twentieth century. These theorists, mostly writing in the fifties and sixties of the twentieth century, propounded that development should primarily mean economic development, and they defined economic development as economic growth plus institutional change as an extension of the then dominant Keynesian Economics in the long run. In such a definition, economic growth used to get the primary importance in theories of 'Development Economics', the new branch of Economics introduced in the universities of North America and Europe in the decades of the fifties and sixties of the twentieth century for analysing the problem of underdevelopment and prescribing the 'true path' (of course non-socialist) for achieving economic development of the newly independent ex-colonies of the world. Those theorists deliberately avoided the analysis of the colonial histories of the countries of the third world. As if, the ex-colonies did not have their historical legacies! As if, they emerged from nowhere after World War II with no history and with all the vices of backwardness-- meagre per capita income, overwhelmingly rural population, peasant agriculture or tribal agriculture, backward technologies, poor agricultural productivity, mass illiteracy, large unemployment, very small industrial sector, small export-oriented modern sector as virtual island in a pre-dominantly pre-capitalist subsistence economy, tiny urban areas surrounded by a vast multitude of traditional villages, etc.!!

In protest of such growth-oriented and/or dualist theories of 'Development Economics' devoid of historical analysis, theorists of the school of 'Political Economy of Underdevelopment', who presented their points of view since 1957 (the year of publication of Paul Baran's seminal contribution *The Political Economy of Growth*), and mostly in the next three decades, contend that development of the metropolitan capitalist centres historically caused underdevelopment of the countries included in the periphery in the one and only world system formerly characterised by a world colonial structure comprising colonial powers, their colonies, the semi-colonies (like China) and the de facto colonies (like the countries of Latin America, which gained formal independence in the nineteenth century only to fall under the direct domination of either Britain, the USA or France thereafter) up to the end of World War II. In the aftermath of World War II, the de-colonisation process started, and gained momentum in the decades of the fifties, sixties and the seventies of the twentieth century. But, the process of 'development of underdevelopment' remained active even in the

post-colonial countries of the second half of the twentieth century. To quote Frank, "I believe, with Paul Baran, that it is capitalism, both world and national, which produced underdevelopment in the past and which still generates underdevelopment in the present."<sup>19</sup>

In Frank's view, which was later supported by I. Wallerstein (1974 and 1979), the unit of analysis must be a *world system*, in which different nation states should be treated as component parts of the world system. Frank claims that capitalism should not be conceptualised as a mode of production characterising specific production relations between *classes*, as done by Marx, but as a system of production for profit within a world system of monopolistic exchange and exploitation of some areas by others. The metropolitan capitalist centres continue to exploit the 'satellites' or 'periphery' long after de-colonisation through monopolistic dominance over international trade and many other mechanisms. The mechanisms of state power of the metropolitan centres play vital roles in such exploitation and dominance. Comprador ruling classes (called by Frank as *lumpenbourgeoisie*) emerge in the peripheral countries to play 'lumpen' roles or intermediary roles in this system of exploitation and transfer of surplus. Therefore, underdevelopment is the end result of the imposition of colonial patterns of specialisation and exploitation in the periphery and the continued legacies of colonial subjugation in the ex-colonies long after attaining formal political independence. Frank emphasises that the 'development of underdevelopment' mainly occurs because of the metropolis-satellite structure of the world capitalist system. The metropolis exploits the satellite. So, surplus is concentrated in the metropolis, and the satellite is cut-off from potential investment funds. Moreover, the satellite remains in a dependence trap which creates a ruling class having vested interest in perpetuating policies of 'underdevelopment' or 'lumpendevelopment'.<sup>20</sup>

We postulate that the post-war neo-imperialist world order or the neo-colonial structure of the 'ultra-imperialist' world system remains intact even in the twenty first century, and has rather become more powerful, wherein the 'dominance-dependence syndrome' rules supreme in inter-state and international relationships of the present times in spite of formal political independence of the overwhelming majority of developing countries and the

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19 Frank, *Op. cit.*, 1967, p. xi

20 Brewer, *Op. cit.*, 1980, p. 161

least developed countries (LDCs) by the advent of the twenty first century.<sup>21</sup> We hypothesise that in the context of the historical process of outright colonial subjugation of the past and 'dominance and dependence' frameworks remaining in action even up to the present times, development of capitalism in the capitalist countries and its different transformations through centuries (e.g. mercantile capitalism, competitive industrial capitalism, monopoly capitalism, imperialism and neo-imperialism) caused and continue to cause underdevelopment of the countries of the third world like Bangladesh even in the present days in the twenty first century long after the end of the formal colonial status of most of the post-colonial countries of the world during the last half of the twentieth century.

Frank's theory of the 'metropolis-satellite chain of surplus expropriation and surplus appropriation' came under heavy criticism from two groups of theorists belonging to two ideologically opposite stands—self-proclaimed followers of 'true' Marxism on the one hand, and theorists of the modernisation school of development on the other. In fine, we can say at this stage that Marxist writers mainly criticised Frank for giving a definition of capitalism quite different from that of Marx, and for Frank's claim that capitalism had caused and was still causing 'underdevelopment' in the periphery. According to the critics, Frank did not analyse the internal social structures and modes of production of the countries of the periphery rigorously enough to reach the conclusion that the historical process of colonisation by the capitalist countries caused such 'underdevelopment' (for example, Laclau 1977). Critics belonging to the modernisation school of 'Development Economics' termed Frank's theory as sloganistic assertions and essentially propagandist, and claimed that the theory is a part of the so-called 'Third Worldism', wherein the writers from the third world origins were trying to shift the blame of backwardness of their countries on to the shoulders of 'outsiders' from the advanced capitalist countries. Some critics also claimed that Frank's theory lacked the rigour of analysis and theoretical depth to be considered as a genuine contribution in explaining the issue of development and underdevelopment.<sup>22</sup>

Emmanuel's theory of unequal exchange, which he deliberately termed as '*a study of imperialism of trade*', came up in a big way to answer the critics. Emmanuel's theory was much more rigorous, and it showed clearly that wage

21 Only about 30 colonies still remain under direct colonial occupation of different countries in the year 2012.

22 For example, Brewer, *Op. cit.*, p. 181

differentials in the countries of the centre and of the periphery hold the key to the explanation of exploitation of cheap labour, and thereby, transfer of capital from the countries of the periphery to the metropolitan capitalist centres.

Later on, Samir Amin's theory of 'unequal specialisation' and 'unequal development' in the periphery (1973 and 1976) gave a sort of completeness to the now famous centre-periphery theory of underdevelopment. Samir Amin successfully reconciled the position of Marx (and the Marxist critics) and that of the School of Political Economy of Underdevelopment through his theory of co-existence of different modes of production within a 'national social formation' without any particular mode of production necessarily dominating other modes at any particular stage of history in any particular country. His concept of 'peripheral capitalism' neatly fits the co-existence of a capitalist mode of production introduced through the colonisation process with the various pre-capitalist mode or modes of production in the post-colonial countries of the periphery without proper articulation of the modes in different sectors of production, which he calls 'disarticulation'. His concept of the 'tribute paying mode' successfully includes the 'Asiatic mode of production' and the 'tribal mode of production' along with the feudal mode of production to describe the differences of pre-colonial societies of Asia, Africa and Latin America. He also incorporated the petty commodity mode of production in his proposed concept of 'national social formation' as a separate mode which existed for thousands of years in many societies but did not dominate any society thoroughly, except may be in some areas of the Middle East. It has to be admitted that Samir Amin's concepts of 'national social formation', 'peripheral capitalism', 'disarticulation of modes of production in different social formations', 'unequal specialisation causing unequal exchange'<sup>23</sup> and 'extraverted circuit of capital of the countries of the periphery' can be regarded as the vital missing links for achieving a quite satisfactory and reasonably complete theoretical structure of the centre-periphery theory.

### **Role of the State in Bangladesh's Underdevelopment**

#### *Bangladesh State at the Periphery of the Globalized 'World Capitalist System'*

We elaborate on the theme of the continuation of a neo-imperialist world capitalist system of the post-World War II era (1945-2012) in the following

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23 A. Emmanuel, *Unequal exchange: A Study of the Imperialism of Trade*, New Left Books, London and Monthly Review Press, New York, Originally published in French in 1969.



way: In spite of the formal end of the colonial status of most of the former colonies, including Bangladesh, these newly independent countries are caught up in a very strong web (or trap) of neo-colonial world order wherein the inter-state relationships are still characterised by 'dominance' of the 'developed capitalist countries' and 'dependence' of these post-colonial countries of the third world. This 'dominance-dependence syndrome' symbolises the latest transformation of imperialism in the post-World War II world system comprising developed capitalist countries (mainly the members of OECD) led by the world's lone remaining superpower, the USA, and the developing and least developed countries of the third world. In a book I have described the position of the school of 'Political Economy of Underdevelopment' vis-à-vis that of 'Development Economics' in the on-going 'development-underdevelopment debate' in the following words.

This neo-Marxist school of Political Economy of Underdevelopment contends that the history of the world since the sixteenth century should be described mainly as the process of establishing the 'world capitalist system' as the dominant ideological and economic system of the world. In the first phase of this epoch (1501-1750), the subjugation of South America, Central America, North America, the Caribbean islands, the Southern African regions, Australia and New Zealand led to establishment of colonies through forcible occupation of those lands from indigenous peoples primarily by mass scale murders, wholesale annihilations and expulsions. The survivors from amongst the subjugated peoples were used in agricultural plantations and mines operated by the European settlers along with the Africans imported as slaves. The second phase of colonial expansion (1757-1870), which involved the conquest and subjugation of all major countries of Asia except Japan, Thailand and China (which was treated as a virtual semi-colony by major colonial powers till the revolution of 1911 under the leadership of Sun Yat Sen and the socialist revolution of 1949 under the leadership of Mao Tse Tung), some parts of Africa and the islands spread in different oceans, seas, bays and gulfs of the world should be described as the drive for colonies in the interest of emerging industrial capitalism of Europe. Agricultural products, industrial raw materials, food items, minerals, forest resources, livestock resources, labour supply and markets of the colonies were the major attractions for occupying them. The USA escaped their colonial fate at this stage through their successful Independence War of 1776-1783 against Britain. During the next century, they

were seen helping many anti-colonial struggles of many peoples in different areas of the globe. But, ultimately, they also emerged as a colonial power themselves by the decade of the seventies of the nineteenth century following the irresistible dynamics of the capitalist system! It is also interesting to note that many Latin American countries were granted independence in the phase of European Liberalism (1815-1870), mainly from Spanish and Portuguese colonial rule. But, they became *de facto* colonies of Britain, France or the USA thereafter. Especially, after the promulgation of the Monroe Doctrine by the USA in 1823, all the countries of the western hemisphere came under the sphere of influence of the USA. Japan also escaped colonial subjugation in this phase largely because it had no reputation for holding any significant natural resource or mineral. Its distance from Europe may also have played a role in its good fortune. These two non-European capitalist countries could thus escape the colonial plunders and the resultant retardation, which is regarded as a very crucial factor in their history of transition to capitalism later by many analysts. In the final phase of colonialism (1870-1945), the World Capitalist System reached the imperialist phase dominated by finance capital, later termed as corporate capital or multinational corporations (MNCs), and subsequently by state-monopoly capital. In that imperialist phase, all the major industrialised countries, both the old colonial powers and the newly emerging industrial powers like the USA, Germany and Japan, started to wage war against each other (or through forming one block of warring nations against another) for occupying each other's colonies and for capturing colonies from the relatively weaker colonial powers. Most areas of Africa were conquered as colonies in this phase, and were primarily divided between the major colonial powers, Britain and France.<sup>24</sup> This mad rush for colonies and the resultant epoch of imperialist wars (1870-1914) ultimately led to two world wars of 1914-1918 and 1939-1945. According to this school, the post-World War II current phase (1945-2008) should be recognised as the era of neo-imperialist world capitalism dominated by the giant multinational corporations representing 'conglomerate capital' of different metropolitan capitalist centres of the world. In this phase, 'dominance and dependence' characterise the relationships of industrialised

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<sup>24</sup> As already stated, in that imperialist phase, the USA, which had won its independence from British colonial rule through the American war of independence (1776-1783), vigorously launched its own colonial conquests and emerged as a major colonial power by 1914; and their status as a colonial power was further strengthened after World War I.

countries led by the USA and the developing and 'least developed countries (LDCs) of the third world, which are effectively being reduced to the status of *de facto* neo-colonies in spite of their *de jure* status as independent countries.

The undeniable fact that the present day developing and least developed countries (LDCs) of the world were forcibly colonised and ruled by the major industrialised countries during these epochs of colonial settlement, colonialism and imperialism was conveniently suppressed by the theory builders of the neo-classicist Development Economics. The massive looting of the colonies and transfer of 'surplus' from the colonial periphery to the metropolitan capitalist centres all through the colonial epochs did not get their analytical attention! The system of monopolistic exchange and 'unequal exchange' characterising trade between colonial masters and colonies, which was the inevitable consequence of these colonial epochs, was not properly analysed while presenting 'prescriptions' for development. That this historical process of development of capitalism has largely caused 'underdevelopment' of the third world was conveniently forgotten or ignored by the theorists of Development Economics. More importantly, the fact that the post-World War II world order is still dominated by the transformed world system of neo-colonialism and ultra-imperialism<sup>25</sup> was considered insignificant and unimportant by those theorists! They also ignored the fact that the overwhelming majority of the post-colonial developing and least developed countries have still been virtually trapped in the legacy of colonial dominance of international export markets by the developed countries in case of almost all the products that those ex-colonial countries were forced to depend on through 'colonial specialisation' designed and achieved by policies of their past colonial masters."<sup>26</sup>

It must be admitted that the position of the school of 'Political economy of Underdevelopment' on the role of the world capitalist system in causing underdevelopment of the ex-colonies is a drastic break from Karl Marx's and Lenin's position on the role of capitalism. They expected the development of capitalism in Europe to ultimately lead to capitalist development of the whole world including the colonies, semi-colonies and de-facto colonies of their times, though they emphasised that such processes would be quite uneven.<sup>7</sup> But, they

<sup>25</sup> K. Kautsky, "Ultra-imperialism", *New Left Review*, Vol. 59, January-February, Originally published in German, 1914

<sup>26</sup> M. Islam, *The Poverty Discourse and Participatory Action Research in Bangladesh*, Research Initiatives Bangladesh, 2009, pp. 30-33

did not anticipate the vast differences now existing between the advanced capitalist countries and the overwhelming majority of the post-colonial countries of the third world. Let us use two very famous quotations, one from *Manifesto of the Communist Party* of Marx and Engels published in 1848 and the other from Lenin's *Imperialism, the Highest Stage of Capitalism* published in 1917 to establish their points of view and their prognosis about the power of the capitalist system in transforming the future modes of production in all societies down the road of history.

National differences and antagonisms between peoples are daily more and more vanishing, owing to the development of the bourgeoisie, to freedom of commerce, to the world market, to uniformity in the mode of production and in the conditions of life corresponding thereto.<sup>27</sup>

The export of capital affects and greatly accelerates the development of capitalism in those countries to which it is exported. While, therefore, the export of capital may tend to a certain extent to arrest development in the capital exporting countries, it can do so only by expanding and deepening the further development of capitalism throughout the world.<sup>28</sup>

The dominance of the MNCs in the post-World War II neo-imperialist world system dictates the international policies of the advanced capitalist countries vis-à-vis the underdeveloped countries—comprador governments are established either through direct interventions or covert roles of intelligence agencies, and are actively patronised and sustained in power in the ex-colonies and smaller third world countries by the USA, the UK, France or other ex-colonialist powers in order to protect the vested interests of the MNCs in those countries; and such comprador governments actively patronise the comprador bourgeoisie in the countries of the third world, who primarily have to play the role of marketing agents of the MNCs in such a neo-colonial context through roles of importers, indenters, smugglers, local agents or suppliers, assembly plant industrialists with meagre proportions of domestic value added in the final prices of imported products, etc. Proliferation and business success of such comprador bourgeoisie have to depend on state policies, and therefore, active connivance and patronisation of state functionaries become the *sine qua non* for the growth and flourishing health and fortunes of the comprador bourgeoisie. This leads to the growth of a system of institutionalised corruption and rent-seeking in most of the countries mired in such 'dependence traps'. In such a scenario of state-patronised development of comprador bourgeoisie, the

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<sup>27</sup> *The communist Manifesto*, p. 80

<sup>28</sup> *Imperialism*, p. 498

dominance-dependence framework causes underdevelopment rather than acting as a progressive force for true capitalist development in the countries of the third world, as Marx and Lenin had envisaged.

It is also significant to note that taking clues from Marx's idea of 'relative autonomy of the state', Hamza Alavi developed the notion of underdevelopment of classes and overdevelopment of the state in post-colonial countries of the third world in his famous works on 'colonial mode of production', which mainly focussed on the two countries of the Indian sub-continent—India and Pakistan (Alavi 1975). These concepts were further developed by Anupam Sen in his famous book *The State, Industrialisation and Class Formation in India* published in 1982.<sup>29</sup> From these two works, we can get an adequate and quite believable theory on the concept of 'a bureaucratic state' characterising the undesirable dominance of the military and the civil bureaucracy in the governance systems of many ex-colonies of Asia and Africa. In a bureaucratic state, the military tends to nurture a very strong urge to become frequent rulers of the countries with active help and cooperation of the civil bureaucracy rather than playing the roles of administrators in the governments elected by the citizens. Even when these two forces are compelled to temporarily leave power and retreat to their legitimate roles as secondary executive tools of governance in the face of people's uprisings and democratic movements, they were found to be sabotaging such democratic governance systems in different countries. Pakistan and Bangladesh stand as classic examples of such proclivities of the military and civil bureaucracy in South Asia. The nature of the state in Bangladesh has been carrying an unmistakable colonial baggage—the legacy of 'a bureaucratic state' noted above, in addition to its status as a neo-colonial state situated in the periphery of the super-imperialist world order.

The government in such a state becomes a 'comprador government'<sup>30</sup> more interested in serving the interests of world capitalism and the multinational corporations (MNCs) operating in those post-colonial countries. A comprador government may favour trade liberalisation and foreign investment promotion to facilitate unhindered operation of MNCs, though such liberalisation may hurt the development of native enterprises and direct producers. Such governments will try to attract foreign direct investment with very attractive terms and

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29 A. Sen, *The State, Industrialisation and Class Formation in India*, Routledge & Kegan Paul, London, 1982

30 P. Baran, *The political Economy of Growth*, Penguin, Harmondsworth, 1957

conditions even though the native investors are massively discouraged by bureaucratic and political corruption hurting their profitability and smooth operation at home. A comprador government tends to follow the dictates of the IMF, World Bank, WTO, ADB, UNO and the European Union and other industrialised countries (now termed as development partners), and their *de facto* overlord the USA as if the post-colonial state is still a *de facto* colony of the USA and the so-called 'development partners'.

On the other hand, the nature of the state of Bangladesh remains largely bureaucratic as a colonial legacy because of the 'relative overdevelopment' of the state compared to class formation during the colonial era. Hamza Alavi's colonial mode and Anupam Sen's theory of underdevelopment of classes in India can be neatly used to explain this history of the *de facto* control of state machinery by the military and civil bureaucracy in Bangladesh.<sup>31</sup> In this scenario, the state attains and enjoys a sort of 'relative autonomy' of the different emerging elite groups jostling for state power in the post-colonial political nexus. The members of the bureaucracy, both military and civil, who become the major beneficiaries of this relative autonomy by wielding the powers of the *de facto* rulers rather than functionaries in the government administration, zealously protect and try to perpetuate their privileged position in the 'grand ruling alliance' of such a state comprising the military and civil bureaucrats, comprador capitalists thriving on international trade, marketing agency of multinational corporations and patronage of state functionaries, and the politicians, either elected or selected by the above ruling clique. As the comprador capitalists can only flourish through marketing of goods produced by the multinational companies, their business success critically depends on the fiscal, monetary, commercial and investment policies of the state. This means that the fast emerging comprador bourgeoisie of Bangladesh needed and still need state patronage for their trade-oriented endeavours. The resulting liaison among the policy-makers, bureaucrats and the businessmen has evolved through time into an institutionalised system of corruption and a patron-client network, which tends to make state policies trade-promoting rather than production-friendly. In such a context of relative autonomy of the state, the gradually emerging comprador bourgeoisie cannot gain control over the state as a 'class';

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31 H. Alavi, "India and the Colonial Mode of Production," in R. Miliband and J. Savile (eds.), *The Socialist Register 1975*, Merlin, London, 1975, and Sen, *Op. cit.*, 1982

they have to forge patron-client relationship with the *de facto* rulers on the terms of conditions of those quarters forming the nexus or grand alliance to wield state power.<sup>32</sup>

### **Globalization**

Since the decade of the eighties of the twentieth century, the 'open market economy' version of the world capitalist system has been thoroughly dominating the ideological and intellectual scenarios of the world. The crisis of the self-proclaimed socialist countries of East Europe, which ultimately culminated in the disintegration of the USSR in 1991, made the open market economy façade of the world capitalist system as the sole ideological platform of the ruling state powers throughout the globe. Through these epoch-making events of the last two decades of the twentieth century the neo-imperialist world order entered the present phase of 'globalization' or 'the globalized world'. It has to be admitted that with its new 'open market economy' façade, the world capitalist system seems to have become the sole arbiter of mankind in consequence of the gradual fall of its ideological opponents. It is an unquestionable truth that during the last three decades, the peripheral status of most of the developing countries and least developed countries (LDCs) has become more pronounced, and the bargaining power of the countries of the third world has become significantly weaker in the face of the strengthening of the dominant roles of the developed capitalist countries led by the USA, the world's lone remaining super power, vis-à-vis the third world, especially as a result of the collapse of the Soviet Union in 1991.

To elaborate, we firmly believe that globalization is a process of establishing the 'world capitalist system' as the dominant ideological system of the world. The developed countries of the world, under the ideological leadership of the world's lone superpower, the USA, have been aggressively pursuing the agenda of globalization to achieve increasingly unhindered flow of their goods and services and their capital to the countries of the third world. This is the current model of 'neo-imperialism' of the post-World War II world order, where 'colonialism' of the earlier centuries was gradually abandoned as outdated and prohibitively costly and burdensome ideology of war-mongering among the capitalist countries in favour of a world system characterised by 'dominance-

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32 For example: Islam, *The grand alliance of the military establishment, the civil bureaucracy, the politicians and the comprador capitalists in case of Bangladesh*, 2009

dependence' mechanisms. The uncritical exponents of the concept of globalization use the term to conceptualise the increasing trend of economic, political and social integration of countries of the world, wherein this increased integration has been seen as the result of gradual liberalisation of international trade in goods and services, of strengthening and cheapening the modes of information dissemination, transport and communication with the help of the on-going revolution in information and communication technology (ICT), of liberalising the flow of capital across state frontiers and of the increasing pressure of overseas migration. This concept is an offshoot of the philosophy of the open market economy, the new disguise of the world capitalist system.

In a recent publication of the World Bank titled *Globalization, Growth, and Poverty* (World Bank 2002), this latest global trend starting in the 1980s has been described as the third wave of modern globalization. The first wave, according to that publication, could be identified during the period from 1870 to 1914. The noted theoretician in the field of Marxist theories of imperialism, Rosa Luxemburg, termed that phase as that of internationalisation of capital in the framework of a colonial world order. The period between the two world wars was a giant step backward in global economic integration. At the end of that period, trade as a share of income rolled back to the level of 1870. The years from 1950 to 1980 witnessed a second wave of globalization, mainly focussed on integration of the developed countries. During this second wave, most of the developing countries remained stuck as producers of primary commodities, and were largely left out of capital inflows. The current third wave has been largely spurred by the enormous power of the multinational corporations (MNCs) as well as by technological advances in the fields of information, transport and communication. J. Martinussen (1999), in his exposition of the development debate,<sup>33</sup> defines the concept of globalization in the following manner:

Globalization refers to a process that goes further than either transnationalisation or internationalisation of industrial capital as a relocation of certain production processes to other countries, including developing countries. One may characterise globalization as a much more profound reorganisation of manufacturing, trade and services within a globally encompassing system. The actors are no longer national companies that relocate limited and specialised parts of their production processes under

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<sup>33</sup> J. Martinussen, *Society, State & Market: A Guide to Competing Theories of Development*, University Press limited, Dhaka, 1999, p. 120



pressure, but globally oriented mega-corporations, transnational corporations (TNCs), who organise their entire production and sales with the aim of being able to operate worldwide. They may continue to have profit centers in their original home country, but they are likely primarily to pursue growth maximisation across national frontiers and with global perspective.

The rapid growth of global financial market since the late 1970s facilitated by national deregulation of financial transactions in OECD countries and by new information technologies, has provided basic preconditions for globalisation in the sense outlined above.

The World Bank describes the present wave of globalization distinctive because of the following characteristics:

First, and most spectacularly, a large group of developing countries broke into global markets. Second, other developing countries became increasingly marginalized in the world economy and suffered declining incomes and rising poverty. Third, international migration and capital movements, which were negligible during second wave of globalization, have again become substantial.<sup>34</sup>

On the other hand, if we analyse the political economy of globalization, we find that our characterisation of globalization as the process of establishing 'ultra-imperialism' of the second half of the twentieth century is much more pertinent from the point of view of the countries of the third world. In this process, the different dimensions of globalization have been strengthening the 'dominance-dependence syndrome' so fast and so glaringly that the economic and political sovereignty of most of the countries of the third world have already been compromised. Accelerated globalization threatens to make their formal independence from colonial rules nothing more than 'paper formalities'. The IMF, the World Bank, the WTO, the UNO, the regional banks like the ADB, AFDB and the IDB, foreign direct investment (FDI), the MNCs, foreign aid, international banking, foreign portfolio investment, foreign currency trading and speculation, international agreements/ conventions/ protocols, donor organisations, NGO models--all these dimensions are playing their designed roles in this ultra-imperialist world system to build an elaborate edifice of institutions and processes through which the metropolitan capitalist centres are spreading and strengthening the tentacles of 'surplus expropriation and surplus appropriation' from the producer classes of the third world countries.<sup>35</sup>

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34 World Bank, *Globalization, Growth and Poverty*, Oxford University Press, New York, 2002, p. 31

35 Islam, *Prantiya Punjibadi Rashtro O Anunnayan: Prashanga Bangladesh*, 2003, p. 105

In this world view of the 'World Capitalist System' we see that conglomerate capital in the form of MNCs have emerged as the rulers of the world through their unquestioned domination of state power in the developed capitalist countries. Therefore, from the point of view of the school of 'Political Economy of Underdevelopment', globalization is the process of 'neo-imperialist re-colonisation' of the third world. As the manifestation of the philosophy of open market economy, globalization is one of the four famous buzzwords of the 'Washington consensus,' which launched the Structural Adjustment Programme (SAP) of the Bretton Woods Institutions (BWIs) in the eighties of the 20<sup>th</sup> century.<sup>36</sup> The other three buzzwords are privatisation, deregulation and liberalisation. The agenda of SAP can be summarised, following Islam,<sup>37</sup> under the following heads:

1. Gradual reduction of the role of the state in the economy through denationalisation, privatisation, deregulation and liberalisation;
2. To establish the market and the price system as the prime determinants of all the economic activities through a gradual transformation of the economic, social and political system of a country;
3. Denationalisation of state-owned enterprises in the industrial sector, nationalised banks and insurance companies;
4. Gradual opening up of the domestic market of the third world countries through import liberalisation;
5. Prioritisation of export-led industrialisation efforts of the third world countries;
6. Gradual reduction and winding up of agricultural subsidy programmes of the third world countries;
7. Gradual winding up of the subsidised public food distribution systems, which were the legacies of food rationing systems and anti-famine programmes of the third world countries;
8. Promotion of international trade through gradual removal of tariff, para-tariff and non-tariff barriers to trade;
9. Promotion of foreign investment, both direct investment and portfolio investment;
10. Introduction of floating exchange rate in stages and gradual elimination of multiple exchange rate systems;

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<sup>36</sup> The 'Washington Consensus' is the coinage introduced by John Williamson to describe the tripartite understanding among the US Treasury Department, the IMF and the World Bank reached in 1979 about the future shape of the world order under the dictates of the 'open market economy' façade of capitalism.

<sup>37</sup> *Ibid.*, pp. 86-87

11. Privatisation of public utilities like electricity, water supply, gas supply, telephones, etc.;
12. Privatisation of economic infrastructures like ports, roads and highways, railway, airports, etc.;
13. Denationalisation of the banking system including development financing institutions (DFIs) and encouraging private banks in general;
14. Reduction of subsidies from the education system and encouraging the overall development of private sector initiatives at all levels of education;
15. Privatisation of health delivery system alongside the gradual reduction of subsidies from the government-financed health system;
16. Gradual reduction of subsidies from the social safety net programmes; and
17. Strengthening of the capital market as the main vehicle of private investment.

SAP was prescribed to all developing and least developed countries which approached the IMF, the World Bank and the regional banks like the ADB, AFDB or IDB for loans since the decade of the eighties. Even in bilateral foreign loans and grants from many developed capitalist countries, the above prescriptions were imposed as aid conditionality. With the birth of the World Trade Organization in 1995, all the main pillars of the substantially strengthened present edifice of global capitalism are in place. Therefore, in the present context of the unquestioned supremacy of the open economy façade of the world capitalist system, the de-colonisation process of the twentieth century can not in any way be considered as the beginning of an end of the process of 'development of underdevelopment'.

We contend that the world capitalist system has been passing through different transformed phases, and has reached the neo-imperialist or 'ultra-imperialist' phase of the current global capitalism characterised by unprecedented spread of multinational corporations creating the virtual world empire of conglomerate capital of the three metropolitan capitalist centres of the USA, Europe and East Asia including Japan. In this world empire, Bangladesh virtually remains a peripheral neo-colony, and the state of Bangladesh cannot yet stand up to protect its political and economic sovereignty in the face of the 'dominance-dependence syndrome' of the 'ultra-imperialist' world structure. In spite of coming out of British colonial rule in 1947 as a part of Pakistan, and subsequently known as East Pakistan up to 1971, Bangladesh had to fight another bloody war of independence to free itself from the *de facto* colonial bondage of exploitation, deprivation and discrimination of the Pakistani era in

1971. During its 41 years of existence as an independent country, Bangladesh has been going through a continued political struggle to establish a democratic state with an elected government truly representing the mandate of the people. Only through the institutionalisation of such a democratic system of governance and through strengthening of such a democratic process to establish a truly sovereign, representative, transparent as well as accountable system of governance by the people and for the people, the process of gaining genuine political and economic sovereignty can be strengthened, we believe.

### **Challenges in the Way of Overcoming Bangladesh's Underdevelopment**

The state, as the apex institution of the superstructure of Bangladesh's society, must be put in the dock in explaining the process of underdevelopment through perpetuating and increasing inequality through the mechanisms of surplus expropriation and surplus appropriation, and various other institutions. Following Islam 2009,<sup>38</sup> we sum up the role of the state in Bangladesh's underdevelopment in the following passage.

In Bangladesh, the economy is characterised by a relatively small 'enclave-type' modern sector in the midst of a vast and mostly pre-capitalist agrarian rural economy, where, in spite of the gradually increasing penetration of market relations, the peasant mode of production still dominates, and a fast expanding tertiary sector consisting of trade and service activities has been fast becoming 'the people's residual employment sector' in both rural and urban areas. An increasing part of this tertiary sector is actually dominated by informal types of activities, which are providing, in the majority of cases, bare survival incomes through mostly self-employment to a vast multitude of people both in rural and urban areas, who are failing to get employment in formal activities either in the agricultural sector or the manufacturing sector. This 'disarticulation' of the modern capitalist sector and the different pre-capitalist modes of production is responsible for 'development of underdevelopment', which is conceptualised as "Peripheral Capitalism" by Samir Amin (1976). Peripheral capitalism is characterised by the co-existence of a distorted and weak form of capitalist sector with pre-capitalist modes of production remaining dominant in the rest of the economy in the post-colonial least developed and developing countries of

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38 Islam, *The Poverty Discourse and Participatory Action Research in Bangladesh*, Research Initiatives Bangladesh (RIB), Dhaka, 2009

the third world, which thrives in a society mired in 'dependency syndrome' of the neo-colonial world order based on inter-state relationships characterised by dominance of the few developed industrialised countries and virtual hegemony of the world's only remaining super power, the USA and the continued dependency of the LDCs like Bangladesh. The government in such a state becomes a 'comprador government',<sup>39</sup> more interested in serving the interests of world capitalism and the multinational corporations (MNCs) operating in those post-colonial countries. A comprador government may favour trade liberalisation and foreign investment promotion to facilitate unhindered operation of MNCs, though such liberalisation may hurt the development of native enterprises and direct producers. Such governments will try to attract foreign direct investment with very attractive terms and conditions even though the native investors are massively discouraged by bureaucratic and political corruption hurting their profitability and smooth operation at home. A comprador government tends to follow the dictates of the IMF, World Bank, WTO, ADB, UNO and the European Union and other industrialised countries (now termed as development partners), and their *de facto* overlord the USA as if the post-colonial state is still a *de facto* colony of the USA and the so-called 'development partners'.

On the other hand, the nature of the state of Bangladesh remains largely bureaucratic as a colonial legacy because of the 'relative overdevelopment' of the state compared to class formation during the colonial era. Hamza Alavi's colonial mode and Anupam Sen's theory of underdevelopment of classes in India can be neatly used to explain this history of the *de facto* control of state machinery by the military and civil bureaucracy in Bangladesh.<sup>40</sup> In this scenario, the state attains and enjoys a sort of 'relative autonomy' of the different emerging elite groups jostling for state power in the post-colonial political nexus. The members of the bureaucracy, both military and civil, who become the major beneficiaries of this relative autonomy by wielding the powers of the *de facto* rulers rather than functionaries in the government administration, zealously protect and try to perpetuate their privileged position in the 'grand ruling alliance' of such a state comprising of the military and civil bureaucrats, comprador capitalists thriving on international trade, marketing agency of multinational corporations and patronage of state functionaries, and the politicians, either elected or selected by the above ruling clique. As the

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39 Paul Baran, *Op. cit.*, 1957

40 Alavi, *Op. cit.*, 1975 and Sen, *Op. cit.*, 1982

comprador capitalists can only flourish through marketing of goods produced by the multi-national companies, their business success critically depends on the fiscal, monetary, commercial and investment policies of the state. This means that the fast emerging comprador bourgeoisie of Bangladesh needed and still need state patronage for their trade-oriented endeavours. The resulting liaison among the policy-makers, bureaucrats and the businessmen has evolved through time into an institutionalised system of corruption and a patron-client network, which tends to make state policies trade-promoting rather than production-friendly. In such a context of relative autonomy of the state, the gradually emerging comprador bourgeoisie cannot gain control over the state as a 'class'; they have to forge patron-client relationship with the *de facto* rulers on the terms of conditions of those quarters forming the nexus or grand alliance to wield state power.

Industrialisation was pursued in the Pakistani era at the cost of sheer neglect of the agricultural sector in the traditional export sectors and also on the basis of import substitution principle under a protective import regime. Many of these industries, which were nurtured by the state patronage up to the decade of the eighties, are now suffering from 'sick-industry syndrome' as the tariff, para-tariff and non-tariff protective barriers are being lifted too rapidly under the dictates of the 'open market economy' philosophy prescribed by the donor organisations, agencies and countries since the decade of the eighties. In order to accelerate the rate of industrialisation, generous amounts of artificially-made-cheap institutional credit were doled out to the favoured sections of the elite having close connections with the successive ruling parties, military officers, civil bureaucrats and top-level bank executives or on the basis of rent-sharing arrangements, but these industrialisation exercises have all along been thwarted by the massive diversion of capital to legal and illegal trade, capital flight, real estate investment, hoarding of gold and foreign currencies and conspicuous consumption with the help of the increasingly expanding system of institutionalised corruption. In this perspective, the rural economy in particular and the productive sectors in general have long been subjected to a process of transfer of surplus (from self-employed producers and profit making enterprises to rent-seeking quarters), which has resulted in virtual stagnation in some sectors and slow progress in others. This transfer of surplus from the productive segments of the population to the small groups of traders, a long hierarchy of

marketing middlemen and financial intermediaries charging usurious rates of interests from the borrowers, middle and big absentee landowners, bureaucrats, non-farming landowners of the families of overseas migrants, importers, indenters, contractors, suppliers, smugglers, politicians, *mastans and chandabaaj rackets (illegal toll collectors)* and armed cadres of the political parties continues unabated, which is impoverishing an increasing number of people because the surplus generated in the economy is mostly diverted away from the circuit of extended reproduction of capital, and may even be transferred abroad through the 'extraverted' circuit of capital in a neo-colonial world order. Such extraversion implies that the metropolitan capitalist centres capture the fruits of 'cheap labour' of an LDC like Bangladesh through different mechanisms of transfer of surplus including 'unequal exchange'.<sup>41</sup> The process of extended reproduction of capital does not lead to an auto-centric capital accumulation in the domestic economy; rather, it enriches the metropolitan capitalist centres.<sup>42</sup>

Let us now briefly outline the processes and dimensions through which the state is causing underdevelopment and creating and recreating poverty in the Bangladesh society.

#### **Major Processes and Dimensions**

1. Agriculture as a bastion of poverty;
2. Increasing inequality in education;
3. Increasing market relations in health;
4. Surplus expropriation and surplus appropriation through public revenue and expenditure systems;
5. Transfer of surplus through the banking system;
6. Institutionalised rent-seeking and foreign aid appropriation;
7. Failure in employment creation;
8. Import liberalisation and smuggling and their effects on domestic production;
9. Excessive centralisation of decision making and deprivation of the rest of the country;
10. Disempowerment of local government institutions;
11. Criminalisation of politics; and
12. Governance failure and bad governance.

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<sup>41</sup> Emmanuel, *Op cit.*

<sup>42</sup> Islam, *Op. cit.*, 2009, pp. 151-154

In Islam 2009, we have briefly explained the role of the state in each of the processes listed above.<sup>43</sup> These are the major challenges in the way of overcoming underdevelopment and accelerating the process of economic development of Bangladesh.

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<sup>43</sup> Islam, *The Poverty Discourse and Participatory Action Research in Bangladesh*, Research Initiatives Bangladesh (RIB), Dhaka, 2009



## **BANGLADESH PARLIAMENT SECRETARIAT : A QUEST FOR INCREASING OPERATIONAL EFFICIENCY**

ATM Obaidullah\*

### **Introduction**

Since the restoration of parliamentary democracy in 1991, series of attempts have been underway to rejuvenate Bangladesh parliament so that it can assert its supremacy over the executive, fulfilling the purpose of parliamentary democracy. Here in this paper a modest attempt has been made to focus on five studies conducted by Asia Foundation 1991, UNDP 1997, DFID 2000, again UNDP in 2002 and USAID 2008 respectively on Bangladesh Parliament Secretariat. These studies diagnosed the weaknesses of the existing parliament secretariat, assessed the needs and put forward recommendations to revitalize it as backbone of support in order to make it capable of providing efficient operational services to the Members of Parliament (MPs) to discharge their onerous responsibility of legislation and oversight on the executive and to hold them accountable to the parliament.

Operational efficiency in this paper refers to the upgradation of management system of parliament secretariat, increased dynamism in the disposal of business, augmentation of knowledge, skills and techniques required of the personnel to support MPs without wasting time these and uplifting the effectiveness of parliament as legislative and oversight body. The entire discussion revolves round four issues: (1) focusing on the baseline situation of parliament secretariat in the 1990s; (2) tracing out findings and recommendations of the studies mentioned above; (3) assess the extent of operational efficiency that parliament has achieved in the aftermath of reform measures and (4) steps taken to ensure sustained efficiency for the officials of the parliament secretariat. This paper is based mainly on the analysis of reports prepared by national and international consultants on Bangladesh Parliament Secretariat in two decades and review of available literature in the field.

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### **Imperatives of an Independent Parliament Secretariat**

Prerequisite to assert parliament its supremacy over the bureaucracy is to have its own secretariat accountable to it, not to the executive arm of the government, in fact, to the President. This was the situation until Parliament Secretariat Act was passed in 1994. It should be the prerogative of a sovereign parliament to determine with reasonable prudence the staff strength and budget it requires for the effective administration of its secretariat and to authorize on its own cognizance the redeployment of its staff among its various organizational units as may be desirable, as well as the establishment of new or additional posts as and when it deems necessary, without having to obtain the approval of the executive branch.<sup>1</sup> In consonant with the Article 79 of the constitution Parliament Secretariat Act should have been enacted immediately after first parliament sworn in 1973. As a matter of fact, the needs assessment study by the Asia Foundation urged that requisite legislative action should be taken to establish parliament secretariat's independence from the executive and to make it accountable to the parliament through the speaker.<sup>2</sup> In this backdrop Parliament Secretariat Act was made in 1994. However, the Lindley Report was duly accredited in the Parliament Secretariat Act, 1994 which made the Speaker *de facto and de jure* head of parliament secretariat in its entire management although there being provision for a Secretary to the parliament secretariat with the rank of Secretary to the Government as its administrative head. And a very high powered commission called 'Parliament Secretariat Commission' comprising the Prime Minister, leader of the opposition, minister of Law, Justice and Parliamentary Affairs and minister of Finance with Speaker its chairman, was created with full authority to decide on the annual budget for the secretariat, determine its manpower – increase/diminish posts and undertake any reform/reorganization of the secretariat.<sup>3</sup>

### **The Profile of Parliament Secretariat**

Parliament secretariat is a body of people who provide the administrative support services to the parliament to dispose of the business of its Members i.e. to enact/amend laws and conduct effective oversight on the Executive and hold the government to account for its actions and policies. Parliament Secretariat is

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1 Jane Ann Lindley, *An Assessment of the Institutional Development: Needs of the Parliament of Bangladesh*, Asia Foundation, 1991, p.5

2 *Ibid.*

3 See, Parliament Secretariat Act No 8, 1994

established under the authority of the Article 79 of the constitution and undertakes all its mandated tasks within the provisions of Parliament Secretariat Act 1994. Parliament Secretariat will perform all secretarial services for the parliament and other responsibilities entrusted upon it under the Secretariat Act 1994 and the Rules of Procedures of Bangladesh Parliament in general. It is the backbone of support for the MPs and Committee Chairs in the discharge of their onerous responsibility of legislation and oversight on the Executive. The Speaker is the Executive head of the parliament secretariat. Parliament Secretariat Act 1994 vests all executive responsibility with the Speaker; although there is provision for delegating his power down the line for the due discharge of official business.<sup>4</sup> Speaker makes the provision for the distribution of the work of Parliament secretariat by rules or standing orders. Parliament Secretariat headed by Speaker approves of the parliament budget. The Speaker has the power to make rules in consultation with Secretariat Commission. Secretary is held responsible to the Speaker and subject to overall control of the Speaker all other officers and employees are accountable to the secretary for the discharge of their official business.

Parliament Secretary comes next to speaker. He is also a secretary to the Government, supported by two additional secretaries, four joint secretaries and eight deputy secretaries and a good number of senior assistant and assistant secretaries hierarchically organized for the due discharge of official responsibilities. Parliament secretariat, like different government ministries, is divided into wings, branches and sections. There are seven wings in Parliament secretariat<sup>5</sup>. These are:

1. Legislative Support (LS) Wing
2. Committee support (CS) Wing
3. Inter Parliamentary Affairs (IPA) Security and Planning Wing
4. Administrative Support (AS) Wing
5. Human Resource (HR) Wing and
6. Finance and Public Relation (F&PR) Wing
7. Broadcasting and information Technology Wing

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<sup>4</sup> See Odder, *Delegation of Power for the Officials of Parliament Secretariat*, 2004

<sup>5</sup> Under the provision 6(2) of the Parliament Act 1994, Parliament Secretariat Commission created a new Wing named Broadcasting and Information Technology Wing and as such secretariat organogram comprises seven wings. See office Order of HR Wing, April 5, 2011

Each Wing has specific responsibilities as set out in the 'description of jobs' approved by the Speaker to give effect to the mandate assigned for the respective Wings. Of all the wings LS is the most diverse comprising of seven functions: reporting, editing of debates, printing, government bills, private bills, legislative drafting and public relations. The legislative drafting unit is fairly new and set up to assist the MPs with drafting private bills. It is staffed by lawyers on deputation from the law ministry. DFID 2000 observed that the level of expertise in the two legislation sections is low, although it is here that knowledge and experience are most called for.<sup>6</sup>

There are a number of specialized posts at deputy secretary level. These include director of editing of debates, director of public relations, director of library, director of reporting and the sergeant at arms. Those specialized jobs do not generally transfer between posts, and posts in the library, the official reporter's section and the editor's section have been designated non-transferable. Other deputy secretaries appear to be transferred at will among the posts.

Other specialist posts include the deputy director printing and publications, senior legislative draftsman and law officer operating at senior assistant/assistant secretary level. In addition, there are 40 'movable assistant secretaries', 15 of which support committees some of them are designated as committee officers. Each office appears to be a fiefdom, with low skilled terrified junior staff employed in large numbers to attend to vague potential needs. For example, it appears that six staff is employed for every extra assistant secretary: two administrative officers, two typists and two MLSS<sup>7</sup>. Below the senior structure, it is unclear how staffs are deployed or even the exact numbers employed. A simple calculation suggests that there are around 800 people below assistant secretary level. The functions likely to be performed by this huge group are office administration and support, security, cleaning, catering and messengerial services. How these groups of staff are supervised is unclear except in case of security staffs that are managed by the Sergeant at Arms.<sup>8</sup> Currently there are around 900 people employed in the secretariat: there are around 730/740 staff in post from an establishment of 756, plus another 130 staff who are paid on daily wages.

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<sup>6</sup> DFID, David Watson & Deborah Williams, *Support to Parliamentary Committees in Bangladesh*, Design Mission, Final Report, 2000

<sup>7</sup> *Ibid.* The Parliament Secretariat Review, Annex 6.

<sup>8</sup> *Ibid.*

The officers and employees of the secretariat are recruited by the Recruitment Rules made under authority of the Act of 1994.<sup>9</sup>

#### **Autonomy of the Parliament Secretariat**

One of the distinguishing features that separate the Parliament Secretariat from different Government Ministries/Departments is its autonomous character enshrined in the Parliament Secretariat Act 1994 with the provision of having Parliament Secretariat Commission. Parliament secretariat is not under the jurisdiction and control of any Ministry/Division of the Government. It can directly communicate with any Ministry, Division, Department or any other institutions of the Government. The Parliament Secretariat Commission is the highest policymaking body comprising the following members:

- a. Speaker shall be the Chairman;
- b. The Prime Minister or any MP nominated on his/her behalf;
- c. The leader of the opposition or any MP nominated on his/her behalf;
- d. The Minister in charge of the Ministry of Parliamentary Affairs or any MP nominated on his behalf;
- e. The Finance Minister or any MP nominated on his behalf.<sup>10</sup>
- f. The Parliament Secretariat Commission advises with regard to determining the number of the officers and employees of the Parliament Secretariat, their enhancement/ reduction, prepare annual budget for this Secretariat and expenditure of money allocated under the budget. Secretariat Commission also determines its own course/ procedure of action.<sup>11</sup>

#### **Reorganization Efforts in Bangladesh Parliament Secretariat**

In last twenty years Bangladesh Parliament Secretariat has been undergoing massive reforms in respect of its organization, procedures and human resource management so that it can provide efficient and effective support to the Members of Parliament and its Committees for efficient disposal of their mandated roles in the improvement of legislation, oversight on the executive and representational roles to their constituents. In one and a half decade six comprehensive studies have been undertaken under the sponsorship of Asia Foundation, DFID Bangladesh and UNDP, to increase effectiveness of Bangladesh Parliament in respect of legislation and oversight on the Executive. In what follows, I would briefly outline the major findings and recommendations of those studies that are relevant to reorganizing parliament secretariat.

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9 For the Method of Recruitment See, Parliament Secretariat Rules 1994 (Bangladesh Gazette Extraordinary) May 31, 2001

10 Parliament Secretariat Act No.8 7(1) 1994

11 Parliament Secretariat Act No.8 7(3) 1994

### **Asia Foundation, 1991**

Jane Ann Lindley from Asia Foundation for the first time undertook an extensive need assessment of the parliament in 1991 focusing on how to strengthen oversight function of the parliament, reforming parliamentary committees, independence of parliament secretariat, refurbishing library, disseminating parliamentary knowledge, establishing code of ethics for the members, providing research and documentation services to the members and so on. Jane Lindley of course, acknowledged that in practice no two parliaments in the world are identical; however, she put forward a long list of recommendations drawing from the best parliamentary practices in the world. The major recommendation of Lindley Report is mentioned below:

Reorganizing the committee structure; reducing the total number of committees, eliminating chairmanship by any Minister, and circulating the minutes of committee meetings to all MPs.; make the Parliament secretariat independent of the executive and accountable to the House through the Speaker; ensure broad public dissemination of parliamentary documents, review and amend as appropriate the “Rules of Procedure of parliament and devise and adopt a “ Code of Conduct and Ethics of Members of parliament; establish a Legislative Advisory Services Offices, to assist Members with legislative drafting and related legal research;. reorganize and expand the Parliamentary Library into a legislative information center; designate the library as a legal depository of all published documents; introduce computer technology for providing rapid bibliographic access to the library’s collection; refurbish the Member’s reading room with appropriate furnishings and incandescent lighting; launch a suitable member Orientation Program to educate members about the intricacies of parliamentary work and their rights and responsibilities related thereto; assess the adequacy of current staffing situation viz-a-vis Parliament’s anticipated requirements under the constitutional mandate; Revise job responsibility; performance standards and service rules and regulations as necessary to bring them into conformity with the new requirements of an independent and more highly professionalized parliament secretariat; establish a Manpower development and Training Section; continue the computer skills training program now in progress; commission a feasibility study in the very near future to fully assess the parliament’s technology utilization requirements and to determine the cost effectiveness of and relative priorities for converting various secretariat functions to on-line computer operations.<sup>12</sup>

In order for MPs to be actively engaged in floor and committee work, they require considerably more support from the secretariat than was provided for them. Not only do they lack proper assistance in drafting their private members

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12 Jane Ann Lindley, *Op. Cit.*

bill, or various resolutions, motions or amendments but also the range and level of information services can be described as minimal at most. Members are not even provided with basic services such as access to a typing pool, to help them with their official correspondence, let alone any sort of help with their constituents' queries.<sup>13</sup> In order to address this deplorable services available for the members the report suggested that at least four operational units that should be established or expanded and strengthened, so as to effectively provide members with requisite legislative and informational support services. They are, namely, legislative drafting, library operations and services, research and documentation, and member liaison.<sup>14</sup>

### **Legislative Drafting**

To distinguish this service from the activity carried out by Ministry of Law and Justice with respect to government bills, a legislative advisory services office should be created in the parliament secretariat. It should be headed by a deputy secretary (legislative advice) under the joint secretary (legislation), and should be staffed with two or three assistant secretaries. Posts at this level are necessary, because the officers engaged in this work should be law graduates, ideally with second degree in one or another relevant subject such as economics, finance, political science, social science etc. they will require experience or specialized training in legislative drafting. They should be able to undertake necessary legal research with their proposed private members bills, amendments, and resolutions and should be responsible for casting a member's proposal into the proper technical and legal form required for its introduction in the House.<sup>15</sup>

### **Legislative Information and Library Operation Services**

Asia Foundation 1991 observed that for all intents and purposes, there are no real legislative information services available to members of parliament at present. The library functions essentially in a custodial mode, maintaining an archive of parliamentary documents and other historical and reference materials and nothing of the kind of research and documentation services. In short, the library is a passive rather than an active center that has no sustainable outreach to the members. What is needed is a reorganization and expansion of the library

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<sup>13</sup> *Ibid*, p. 8

<sup>14</sup> *Ibid*, pp. 8-13

<sup>15</sup> *Ibid*, pp. 8-9

into a modern Legislative Information Center (LIC), having research, documentation and library units and headed by a fulltime director of LIC. What may be needed is the passage of an Act of parliament designating the parliament library as a legal depository of documents and reports published by the government, whether such documents are distributed by individual ministry or by the manager of publications of the government printing press. To manage this collection and to verify that all relevant documents are reaching library, a post of Acquisitions and Documents should be created.

However, having recommended that collections be expanded with the infusion of relevant materials, one must hasten to add that such an expansion in and of itself will have a diminishing return, unless adequate steps are taken to improve its capacity to service the collection by means of better bibliographic control. In order to do that, the library needs one IBM compatible micro computer for maintaining a comprehensive bibliographic database and a second one for such information retrieval purposes as facilitating literature searches, producing accession lists, and providing tailored bibliographic for members.

The mounting of such database will require specialized computer software. One software package to consider is UNISYS. This system is being utilized in the parliament of Nepal, Sri Lanka and Thailand. Developed by a property of UNESCO, it is generally provided free of costs to parliament libraries in developing countries simply on the request of the secretary of parliament to the Secretary General of UNESCO. The parliament library staff would, of course, require specialized training in order to use this or any other computerized bibliographic system.<sup>16</sup>

### **Research and Documentation**

Lacking personal professional staff, burdened with constituent demands, and required to be present during House sittings and committees as well as parliamentary party meetings, Members seldom find time delve into books and documentary sources to adequately prepare themselves for legislative and oversight work. It often takes hours, if not days, just to trace out facts, statistics and quotations or historical references to use in a single speech. The speaker, deputy speaker, and senior secretariat officials regularly need help with the expeditious checking of precedents and verification of points of law with

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<sup>16</sup> *Ibid*, pp. 9-10



regard to the admissibility of the myriad motions and resolutions to be moved in the House. Committees require substantive information and technical support as well.<sup>17</sup>

Providing the means for MPs to be able to carry on informed public debate and to effectively perform legislative and oversight work is a primary obligation of the secretariat. It is important to establish a clear definition of what research entails and to distinguish research from reference and documentation work, as pertains in particular to a legislature. Reference and documentation work consists of identifying facts, statistics, or other discrete data that can be found in either printed or electronically stored source materials or of searching out and collecting relevant books, documents and journals and newspaper articles. In either case it is finding information which the members want to study and evaluate on his/ her own.<sup>18</sup>

If a substantial amount of material is involved, it has to be assembled for presentation to the user in some particular manner, such as bibliography or photocopies of relevant items. On topics that can be anticipated as being interest to all of the Members, it is more time and cost effective to pre-select a set of materials, reproduce and assemble them in some type of folder, and maintain a sufficient quantity of such 'packets' that are readily at hand for distribution to Members on 'request'.<sup>19</sup> Obviously, the selections of pertinent materials to answer reference questions or to include in information packets require sufficient professional acumen to accurately assess the pertinence of the information to the context of Members' information needs. The professional aspect of the work ought to be and generally is the responsibility of people who have adequate knowledge and specialized training. However, the bulk of the work requires substantial clerical and support staff. Reference and Documentation section should provide these services. At least one supervisory position, two paraprofessionals, and two data entry operators should be assigned to this section.

The services described above, however, do not entail analysis of the material or its assimilation and presentation in some substantive form than that in which it was originally produced. The latter activity constitutes the primary definition of research work and involves the preparation of a range of products such as

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<sup>17</sup> *Ibid*, p.10

<sup>18</sup> *Ibid*, p. 11

<sup>19</sup> *Ibid*, p.10

legislative digests and histories, short summaries on 'hot' topics of current national and international concerns, briefing notes on a country that parliamentary delegation is going to visit, background papers on subjects of general legislative interest, and in-depth study of major national public policy issues. Some parliamentary research services also produce a periodic journal to which Members as well as select academicians may contribute articles of interest to parliamentarians.

Most crucial consideration to give effect to this research and documentation services is to recruit and appoint people who have appropriate educational qualifications and experience to perform unbiased analytical work and also have the ability to articulate their research findings orally and in writing at a level commensurate with international publication standard. More than a dozen professional research analysts and some clerical support staff will be needed to effectively serve the parliament of Bangladesh that is currently not in sight.<sup>20</sup> Parliamentarians ought also to reach out to independent centers of scholarship in the country for obtaining specialized studies on important subjects to which parliament may have its attention drawn from time to time.

#### **Member Liaison**

A large portion of the members' time is taken up in dealing with their constituents problems pertaining to the public services of the various ministries of government. This is common to the job of parliamentarians the world over. Many of these matters are fairly routine bureaucratic nature that can be readily handled, or at least substantially facilitated, by staff of the parliament secretariat with their counterparts in the respective ministries. Offering such assistance to members would save countless hours of their time, as well as of the ministers, to whom the members ordinarily go with such things thereby enhancing the time of both members and ministers have to devote to more critical business of the parliament and the government respectively.

To the extent it can, secretariat should undertake to help members deal with their constituents' workload, at least in terms of saving members time that is otherwise wasted just in trying to get to the right person in a ministry in order to initiate appropriate action or to get a file moved through the necessary channels. At a minimum 2/3 staff could be assigned to a Member Liaison office, set up under the joint secretary, legislation and given the responsibility for interacting

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<sup>20</sup> *Ibid*, p.11

with the ministers on the members' behalf. Specifically, Member Liaison office would assist members in initiating their constituents' cases, obtaining procedural information and filling out forms that a ministry may require in order to pursue a matter, then following up and keeping the member informed on the progress of his/her constituents' cases. Member Liaison office would otherwise assist members on a time available basis with typing their official correspondence.<sup>21</sup>

#### **A Diagnostic Study of Parliament Secretariat by DFID, 2000**

DFID Mission 2000 undertook a diagnostic study of parliament secretariat to support parliamentary committees that presented a very gloomy picture about the parliament secretariat in general. From the organizational point of view, the report described the situation as chaotic, from staffing point it was unbalanced, managed by inexperienced and inadequate staff at the senior level, from the point of organization chart it was archaic and from managerial point the secretariat is devoid of any management other than in rare cases (sergeant at arms, possibly the library and editing sections). Senior management did not know the exact number of people employed in the secretariat, merely the numbers of senior 'floating posts'.<sup>22</sup> Assumption by speaker and the MPs that there are too many staff certainly appears true at junior grades. At more senior grades, some functions appear generously staffed while others, including the committee section, appear to be inadequately staffed to undertake their work effectively were it be redefined. There was no concept of staff direction, team work, and supervision, setting of performance standards or even job descriptions. Questions about supervision tended to bring irritation.<sup>23</sup> For the last seventeen years, most if not all of the senior staffs have come to the parliament secretariat on deputation from other line ministries. It was initially presumed to be a makeshift arrangement by default of secretariat, own staff at the higher level. For reasons of career advancement in the civil service, the deputationists may not wish to remain in the parliamentary service on permanent basis. This is why long parliamentary experience is not common amongst the senior staff in parliament secretariat (DFID, David Watson & Deborah Williams, Support to Parliamentary Committees in Bangladesh: Design Mission Final Report, 2000). Postings to parliament are not particularly attractive because they do not bring much opportunity for power. Moreover,

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<sup>21</sup> *Ibid*, pp.12-13

<sup>22</sup> DFID, David Watson & Deborah Williams, *Op cit*, p.8

<sup>23</sup> *Ibid* pp.8-9

postings in and withdrawal from parliament secretariat is at will of the Establishment Ministry.

The Mission observed that parliament secretariat needs stability in senior management and expressed disappointment that currently there is little hope of being led by suitably experienced staff.<sup>24</sup> When the period of deputation comes to end these staff should be given the opportunity to return to their parent ministry. But as soon as they leave or retire, they should be replaced with people directly recruited to parliamentary services. But the fact is that since the enactment of Secretariat Act 1994 only a few class 1 officials have been recruited through Public Service Commission at the level of committee officer/assistant secretary. And some of whom left parliamentary services in fear of career stagnation. Most of them if not all who remain in service seemed to be suffering from frustration for there is no career opening in sight though in principle their promotion to next higher position has been long overdue in the Recruitment and Promotion Rules made under Secretariat Act 1994 (See Secretariat Recruitment Rules and Promotion Principles).

In order to attract and retain well qualified and highly motivated people, however, appropriate provision must be made for career advancement in the various cadres of parliamentary service. However, conspicuous feature of parliamentary service is that despite there being sanctioned posts in class 1 positions adequate fresh recruitment has not taken place in more than one decade except for a few sporadic recruitments. Hence, key and command positions along with functionaries at the desk level who secretariat can rely on have been manned by the officials on deputation from different ministries. This has become a rule of the day rather than exception.

DFID Mission suggested a thorough organizational review of the secretariat for providing effective services to the MPs and Committees chairs. Organizational review of the parliament secretariat, 2002 as component of the Strengthening Parliamentary Democracy (SPD) project and subsequent review by a UNDP mission is the outcome of the DFID observation.

#### **UNDP: Organizational Review Mission 2002**

An Organizational Review Mission consisting of international and national experts delved into the organizational and procedural aspects of the parliament secretariat in 2002 and made the prima facie observation that

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<sup>24</sup> *Ibid*, p. 9

Parliament Secretariat being a traditional bureaucratic structure focused inward on rules and procedures, compartmentalized, structured on a class-based system and essentially frozen in time to a high command control organization with all of the authority for decision making being vested in the Speaker's Office and work being manually done. The results indicated that the Secretariat, in its present form, finds it difficult to respond adequately to the needs of Parliamentarians and to changing circumstances particularly that associated with the introduction of technology.<sup>25</sup>

The Mission identified a number of shortcomings in the organizational structure of the secretariat in general and chaotic conditions in its Committee Wing in particular. In addition, inadequacies in the IT infrastructure for proper dissemination of information to the MPs for debate and legislation in the House and oversight functions of the committees through the Legislative Information Center (LIC), lack of function based job-description of the officials and delegation of authority for quick decision making in administration and hold them accountable for result deserve mention.

#### **Major Findings of the Review Mission**

The Mission after having in-depth discussion with the senior management of Parliament /Secretariat, including the Speaker, Deputy Speaker, Chief Whips of Government and Opposition, MPs from government and opposition benches along with top rank of the officials of parliament secretariat came up with 33 three findings against ten issues which included modernizing Organizational structure of the secretariat, reorganizing parliamentary committees, change in leadership and management, human resource management, planning process, use of technology and reallocation of office space and so on. The major findings of the Review Team are:

The Speaker is granted legislative authority to protect the independence of the Parliament Secretariat; the structure of the Secretariat provides for the management of human resources on the basis of employee class; information is collected along employee class lines; decision making tends to be compartmentalized and not supportive of a holistic organizational approach; the budgetary planning process does not seem sufficiently flexible, at the Secretariat level, to allow for adaptation to changing organizational needs; women, particularly at the Class IV level seem underrepresented.; *Recruitment and promotion of staff appear not to be based on specific job requirements for appointment by deputation and contract, procedures have not been set out to assess the degree to which an individual meets the educational, knowledge,*

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25 UNDP, Linda Buchanan *et al.*, *Organizational Review Report of Parliament Secretariat*, 2002: ii

and personal suitability required for effective performance in the posts; the top senior management posts of the Secretariat have been filled on a contract basis or by deputation, the result of which may slow career paths of existing Secretariat staff; managers are not delegated authority to effectively manage the recruitment and deployment of staff and are not held accountable for their decisions in this regard; concentration of the authorities in a single office has calcified the organization and rendered it less flexible to evolving changing needs and priorities; management style is characterized by risk-avoidance consistent with a hierarchical bureaucratic structure emphasizing control and top-down decision making; current content and format of work descriptions severely limit their use in identifying the skills, knowledge and personal suitability required for performance; Annual Record of Performance reflects a traditional organizational culture with little opportunity for the manager and the employee to openly discuss performance issues, training needs and career aspirations; although managers indicated that they use job standards in the assessment of performance, documentation was not made available for review; Basic human resource management tools such as up-to-date organizational charts and data aggregated at the Secretariat level was difficult to obtain; dissatisfaction exists with the actual location of the offices in relation to the substantive units to which staff are attached; the ultimate authority for the preparation, review and approval of the budget is the Speaker; the ultimate authority for expenditure approval, other than salaries and remuneration, is the Speaker; he approves expenditures even if they have already been included in the budget; In fact the Speaker plays a dual role of being the approving officer for all budgetary items at the formulation stage as well as being the cash disbursements authorizing officer for most items; approximately 55% of the 2002-2003 Secretariat budget is for direct Secretariat administration and staff expenses with the remainder for support and remuneration of MP's and VIP's; there is no on-line transmission of data and figures between the budget formulation /implementation unit, the Secretariat, and the recording unit, the Comptroller's office; the exact needs of the Parliament members as well as the needs of the Secretariat staff should be determined in a more detailed and systematic manner so that the services supplied by the library are more relevant to this needs.<sup>26</sup>

### **Recommendations of the Organizational Review Report**

The Mission developed the recommendations to build an institutional memory of the parliament secretariat. They focus on organizational issues, which the Secretariat needs to address to develop the capacity to effectively and efficiently support Parliament and to respond to the needs of Parliamentarians. In the views of the Mission, the Secretariat, as all traditional bureaucracies, in their present structure, with their bureaucratic policies, management practices, management style and procedures remain incapable of focusing outward and responding to changing environments.

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<sup>26</sup> *Ibid*, pp. 4-9

The recommendations are targeted towards creating an organization that is more flexible, that has the capacity to focus outwards to respond to the needs of Parliament and Parliamentarians, that creates an independent and professional group of civil servants, that allows for effective administration and managing of organizational resources (money, people and technology).<sup>27</sup>

The Mission put forward 53 recommendations to address 10 crucial issues like organizational structure, assignment of work and management of organizational and individual performance, centralization of decision making, use and impact of technology affecting the efficiency and effectiveness of the Parliament Secretariat in providing quick, objective and update information to the MPs to discharge their legislative and oversight functions in the House and Committees efficiently and so on.<sup>28</sup> The mission envisaged core issues like a reorganized committee wing, decentralized decision-making, use of information technology based management, adopt open, participative leadership style, and merit based human resource management in Bangladesh Parliament Secretariat where non-performers are corrected and good performers rewarded. With these issues in view, the Mission Report recommended that:

- Adoption of a modern organogram for clear demonstration of organizational location of each office with existing manpower in the Secretariat;
- Delegation of authorities to enable each section, branch and wing to manage their own domain efficiently and quickly respond to the needs of MPs;
- Post descriptions all top-level and mid-level posts with specimen descriptions for selected non-supervisory posts for the proposed organization to shift towards understanding the role of their area of responsibility in contributing to the functioning of Parliament, and hold them accountable for carrying out mandated tasks;
- Set out key performance standards associated with the post;
- Streamlining the committee wing into four clusters of Ministries under respective deputy secretaries to create institutional memory for Parliament Secretariat;
- Linking debate, editing and printing and publication sections through LAN for quick printing of House and committee proceedings;
- Modernizing LIC with IT facility capable of responding to the needs of MPs;

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<sup>27</sup> *Ibid*, Linda Buchanan *et al*, p. iii

<sup>28</sup> *Ibid*, pp. v-xi

- Establishing an Information Technology branch and renaming deputy secretary establishment as deputy secretary 'human resource' under Establishment Wing for application of technology and efficient management of personnel and in the secretariat;
- Refurbishing recruitment and promotion policies;
- Linking CAG office with Parliament Secretariat to reconcile expenditure inputs of parliament on time;
- Adoption of integrated planning process to set priorities of Parliament Secretariat and get all sections, branches and wings involved in the planning process;
- Restructuring Accounts with the objective of having a more specialized and efficient segregation of responsibilities; and
- Redesigning office space for ensuring efficient and timely communication and accessible proximity to Parliamentarians.<sup>29</sup>

Mission Report envisaged the ensuing benefit following the implementation of the proposed re-organization of the Parliament Secretariat.

- Reorganization of Committees Wing will contribute to better committee support
- Additional functions to the Establishment will assist to transform the organization from class-based to function based
- Reorganization of accounts will produce more realistic budgeting decisions and timely and comprehensive management reports. It takes into account the CAG's role with respect to accounting and external oversight functions
- Introduction of Information Technology Branch will enable the Secretariat to manage the introduction of technology to increase efficiency and effectiveness. It will also provide the Secretariat with the capability to produce management and other reports necessary for planning and monitoring organizational results
- Sub- Delegation of authorities from Speaker's Office will enable the Secretariat to hold administrators accountable for producing results
- Introduction of integrated planning process creates the flexibility on the part of the Secretariat to responding to the changing needs of Parliament and changing external circumstances and to plan and coordinate work across wings, branches and sections
- Revised recruitment, promotions and other human resource policies will support the creation of a professional group of civil servants with improved quality of work

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<sup>29</sup> *Ibid*, pp. iii-iv



- Arrangement of office space allocation and accessibility supportive of flow of work among individuals, sections, branches and wings will increase efficiency and effectiveness
- More timely preparation of House proceedings and committee reports through the use of information technology
- Less administrative approval work for the Speaker allowing for more concentration on legislative issues. Better legislative, financial, human resource, and administrative control information on which to scrutinize Secretariat's decision making
- More realistic budget to support members needs. Better financial information of operating costs of wings, branches and sections
- Bangladesh contribution to successful international development best practices experience in parliamentary and democratization issues.<sup>30</sup>

Speaker accepted the Report after series of consultations with senior management of the secretariat and project, and approved of its quick implementation. A seven member Implementation Committee with Secretary of Parliament Secretariat as its convener was constituted to expedite its implementation. Implementation Committee considered more than 30 recommendations covering major issues like adoption of proposed organization chart, decentralization of decision- making, use and impact of technology and management style and leadership and integrated planning approach in the parliamentary secretariat for implementation by the end of the project in 2007.

#### **Aftermath of Reforms: Reorganized Parliament Secretariat for Increasing Operational Efficiency**

On the basis of the recommendations of the Asia Foundation, DFID and UNDP studies Parliament Secretariat has undergone massive structural reorganization. The kind of reorganization that have taken place include adoption of a modern organization chart, reducing layers of decision making, delegation of authority in financial and administrative matters, reorganization of parliamentary committees, constitute a separate wing named Human Resource, introduction of control register to identify the implementation status of work, Refurbished Legislative Information center (LIC), Revamping Training Cell, Establishing Budget Analysis Unit (BAU), job description for all officials and employees, and adoption of integrated planning approach for the parliament secretariat and introduction of E-Governance deserve mention. In the following paragraphs I would like to give a brief account of changes in parliament secretariat.

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30 Linda Buchanan *et al.*, *Organizational Review Report of Parliament Secretariat*, 2002; pp. 218-220

For developing organizational capacity of Parliament Secretariat it has adopted a modern organization chart/ Organogram for clear demonstration of organizational location of each office with existing manpower in the Secretariat. In order to increase speed in the decision-making and service delivery, decision making layer has been reduced; additional secretary level is taken off and brought at par with joint secretaries in the present organogram to head each wing. Parliament Secretariat adopts control register/ forward diary to regularly monitor assignment of work and status of implementation and matters that remain pending. In order to ensure open style of management, integrated planning process and fixing the priorities of the secretariat, section, branch and wings have been integrated through the mechanism of monthly coordination meetings. Every section and branches are undergoing monthly inspections in order to assess the extent of implementation of the decisions taken, produce result and locate the problems to streamline the system.

Parliamentary Standing Committees on Ministries have been reorganized and clustered into four groups such as Finance and Industry, Social Sector, Agriculture, Natural Resources and Communication and Regulatory Ministry Committee under the overall supervision of the Joint /Additional Secretary of Committee Support Wing. Again, each cluster is placed under the immediate supervision of Deputy Secretary supported by committee section manned by committee officer/assistant secretaries. This arrangement is meant for streamlining committee operations and creating institutional memory of the committee wing. For the easy retrieve of committee decisions, proceedings of the committees constituted in different parliaments (first-eight) have been classified and preserved systematically. Long - standing backlog of the CAG Reports in the Public Accounts Committee has been cleared to a great extent for disposal of audit queries.

As a step towards building capacity of the secretariat and better management of human resources for the first time ever parliament has instituted a separate Wing named as Human Resource under over all supervision of a joint secretary to identify the organizational needs and weakness of the officials where improvement of efficiency and effectiveness is called for and set out appropriate human resource policies, particularly the training of secretariat officials to provide support to the members of parliament in their mandated roles.

In pursuance to the provisions 5(2) and 6(2) of the Parliament Secretariat Act 1994 the parliament prepared 'job description' of all categories of officials

engaged in parliament secretariat for increasing their efficiency and holding them to account for non-performance of their responsibilities as stipulated in their job description.

In order to increase dynamism in the administrative management of the secretariat, delegation of authorities in administrative and financial matters has been granted down to branch level headed by Deputy secretary to enable each section, branch and wing to manage their own domain efficiently and quickly respond to the needs of MPs. And for that matter job description of all officials/employees have been put in place to hold them accountable for carrying out mandated tasks and gradually transform a traditional class based bureaucracy into a function/result based one.

Legislative Information Center (LIC), the library of the Parliament Secretariat, is provided with furniture, books, equipment and website. With the help of the project's technical expertise, LIC has now been able to sort and index its 100,000 pieces, including a rare specimen of historical documents. Books have been bar coded and online catalogue facilities have been instituted. Over 20,000 pages have been scanned and stored electronically. The LIC has dedicated a special room known as "MP's reading room" equipped with computers with access to internet and individual E-mail accounts. Parliament website is also established to expose our members of parliament to global parliamentary network.<sup>31</sup>

With a view to making the government more transparent, accessible and responsive to the needs of the people and make offices/departments gradually paperless/ least paper based and in line with avowed E-Governance policy of the Government, Parliament Secretariat is gradually being brought under the E-Governance scheme. E-Governance Scheme intends to establish a transparent and dynamic management of the parliamentary affairs and electronically link MPs' office/residence with parliament and integrate Civil Society Organizations (CSOs) and general public into the parliamentary practices and procedures and institutionalize democracy from the grassroots. E-governance is a modern tool for efficient public sector management that can do away with allegations commonly charged against the government that it is overly centralized, sluggish, unresponsive to the needs of the public and wasteful in the expenditure of public money.

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31 UNDP, For the kind of services available in LIC, See *Service Guide of the Legislative Information Centre (LIC)*, Parliament of Bangladesh 2001.

The application of e-governance is likely to produce several important benefits to the parliament. In particular, it can help the MPs and Committee Chairs play more active and effective role in the process of legislation, oversight and providing services to their constituents leading to rapid socio-political development of the country. MPs can reach parliament and submit notices without being physically present over there, retrieve any information required for legislation, debate in the House, monitoring the status of ministerial activities, implementation of the recommendations of the standing committee on ministry in which s/he is a member provided they are systematically stored/classified in the parliament database and also access to their constituents through email services. Thus, e-governance can save valuable time of running from pillar to post for the MPs for receiving bare minimum clerical services and allow them to concentrate more on their mandated role of legislation and oversight on the executive.

As preparatory measure to facilitate e-governance scheme in parliament secretariat Strengthening Parliamentary Democracy (SPD) Project took a number of measures like:

- Establishing parliament website
- Providing 29 computer workstations and servers for automation
- Scanned (digitized) 20, 000 pages of legislative documents for easy retrieval
- Bar coded books /documents in the library
- Organized all books through cataloguing software
- Creating 300 email accounts for MPs with internet browsing facilities
- Online catalogue browsing, and
- Equipping secretariat staff with skills and knowledge to use ICT facilities.<sup>32</sup>

In addition to the above measures project established Local Area Network (LAN) in parliament secretariat in 2006 which facilitated electronic sharing of office of files for increasing dynamism in decision making and move ahead toward establishing e-governance.

E-governance scheme envisioned to create a comprehensive information data base in the library/LIC including financial data base for more realistic and need based budgeting and transparent financial management, human resource database to transform an anachronistic organization into a modern function-

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<sup>32</sup> ATM Obaidullah, "Rejuvenating the Parliament Secretariat: Role of the SPD Project", *SPD Newsletter*, 2004.

based organization. E-governance not only aimed at increasing dynamism in administration and efficiency in service delivery but also establish an effective tool for increasing transparent and accountable management of parliamentary affairs in general.<sup>33</sup>

Notable change in the secretariat is the provision for establishing budget analysis services to the MPs to get them more involved in the budget process and strengthen the fiscal oversight capacity of parliament. The adoption of the national budget is highly formalized, complex, labor –intensive and time consuming process. The active and informed participation of MPs in it requires far reaching support from the budget analysis services and independent experts. Only they can provide the MPs with knowledge and expertise on central budget issues, verify information furnished by the government and supply necessary information and evaluations, thereby enabling the MPs to deal skillfully with national issues.<sup>34</sup>

SPD project also undertook a needs assessment for the budget analysis office in 2005 and prepared a Report which was presented to the Speaker and received his endorsement in September 2006. Despite receiving approval for establishing Budget Analysis Unit (BAU) in parliament secretariat, nothing was possible to make the office functional. It remained only in paper till the end of the project in December 2007. This attempt was further reinvigorated under USAID–PROGATI project 2008 and underwent a need analysis of proposed Budget Analysis Unit and Monitoring Unit (BAMU) in parliament secretariat by an international expert.

The value that an independent budget analysis office can provide are: simplification of budget, promotion of transparency and accountability, improvement of budget process, serving majority and minority members on equal footing and rapid response to the Member's request<sup>59</sup>. Essential features of a parliamentary budget analysis office are:

- Non-partisan, independent, objective
- Reliable, useful, unbiased information that facilitates parliamentary deliberations on the budget but does not make policy recommendations

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<sup>33</sup> *Ibid*

<sup>34</sup> Wieslaw Staskiewicz, *Budget Analysis for Parliament: The Case of Poland*. Warsaw: Bureau of the Research Chancellery of the Sejm August 18-24, 2002

- Provide rapid responses to budget presentations and inquiries to inform proceedings in committee and on the floor.<sup>35</sup>

The establishment of an independent budget office in parliament secretariat is time consuming and difficult task calling for the presence of experts with high level analytical ability of macroeconomic scenario of the country and financial implication budget in general. However, parliament secretariat made a modest start with around 10 officials of the secretariat to help out the MPs with budget analysis services supported by a few consultants engaged by USAID project from the Ministry Finance. This office assists MPs in holding informed knowledge based debates in the House during general discussion on budget by providing sectoral analysis of budget and explanatory notes on economic policy in respect of macro economic development and governance issues. It is too early to make any assessment on its success or failure. However, concern remains how long this office will be in place after the end of project support.

#### **Measures to Achieve Sustained Efficiency**

For, no administration can be better than men and women who administer it. However, there is no such thing as universal efficiency as every organization calls for different kind of aptitude and skills to meet the specific needs and far reaching objectives of that organization. That is the reason why almost every kind of organization today in the contemporary world - Government, Autonomous, Semi- Autonomous and even Non Government Organizations (NGOs) have their own Human Resource Development (HRD) Strategy and mechanism.

Parliament is primer political institution engaged in the unique functions of making laws and exercising oversight on the Executive branch of the government and to act as the focal point of governance. Efficient service delivery to the parliament calls for special knowledge, skills, training and aptitude to match with its special mandate, nature of jobs, norms and rules of the game, totally different from rest of government ministries and public sector organizations. However, efficiency does not grow automatically in vacuum, it has to earn and nourish over the years through institutional support for augmentation of skills on regular basis to cope with ever changing situation of a democratic polity in 21<sup>st</sup> century. Training and research, in this respect, is considered to be a *sine qua non* of skill augmentation for individuals as well as institutions.

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35 USAID, Elinor Bachrach, Bangladesh Parliament Secretariat Budget Analysis and Monitoring Unit (BAMU), Needs Assessment and Recommendations Report, USAID-PROGATI, April, 2008 P.7

Unlike any Ministry/Division Bangladesh Parliament is an autonomous body administered under the Parliament Secretariat Act, 1994, managed by a variety of officials with heterogeneity in character and diversity in experience and academic background. After induction in the Parliament Secretariat, any official may be assigned to any section, for example, legislation, committee, reporting, public relations, establishment, protocol etc under respective wings/ branches/ sections to carry out the specific responsibilities for any post and mandate of the section/branch and wing of the Secretariat. However, Parliament Secretariat, like other Ministries/ Departments of the Government, has no “Established Training Institute”, as such, for its new entrants to equip them with the new skills required for efficient disposal of the job that an incumbent is immediately assigned with or augmenting their knowledge for assuming greater and varying responsibilities in their career. Here it is worth mentioning that Bangladesh Parliament Secretariat Act 1994 retains a provision for training of its officials and employees. And a Training Cell was established in 1998 with two Deputy Directors, designated as “Training Specialists” being appointed on deputation that was considered inadequate to meet the increased pressure of training and orientation programs for newly elected MPs in the post-restoration of parliamentary democracy in 1990s. This training cell ceased to exist after the launching of the “Strengthening Parliamentary Democracy”.<sup>36</sup> It is too much to expect that a training cell could bear the massive responsibilities of training and refresher courses for all categories of officials of the Parliament Secretariat; Organizing study tours for the officials; organizing orientation program of the new Members of Parliament; holding seminars/roundtables for MPs on the Parliamentary Practices and Procedures that can be accomplished usually by a full - fledged Parliamentary Training and Research Institute like Bureau of Parliamentary Studies and Training in India.

In this backdrop, Parliament made an Act entitled “Bangladesh Institute of Parliamentary Studies Act, 2001 to institutionalize the project activities through the establishment of a full fledged Institute of Parliament, to be known as “Bangladesh Institute of Parliamentary Studies (BIPS)”

BIPS Act was conceived after the experience of Bureau of Parliamentary Studies and Training (BPST) in India. BPST is an integral part of the Lok Shava Secretariat, designed to meet the long felt need to provide the legislators

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36 UNDP, *Report on the Training Needs Assessment of Bangladesh parliament*, 2004

and officials with institutionalized opportunities for problem oriented studies and systematic training in the various disciplines of parliamentary institutions, process and procedures. The activities that BPST performs include *inter alia*

1. Orientation program and seminars for the members of the parliament and of state legislatures;
2. Training and refresher courses for the officials of the parliament secretariat and of the state legislatures in India;
3. Appreciation courses for senior and mid level officials of the government, public sector undertakings and probationers of All India and Central services;
4. Organizing training, attachment and study visits/tour
5. Computer awareness programs.<sup>37</sup>

BIPS Act 2001 envisioned the following objectives and, functions and emerging benefits that Members of parliament will derive out of the establishment of BIPS in Bangladesh Parliament.

#### **Objectives**

1. To conduct research in the parliamentary practices and procedures,
2. Orientation program for the newly elected MPs to familiarize with parliamentary practices and procedures;
3. To organize national and international seminars for the members of Parliament in the core areas of governance, development and inter-parliamentary affairs;
4. To conduct training for the officials of the parliament secretariat to constantly update the skills and knowledge to cope with challenge of 21<sup>st</sup> century;
5. To organize parliamentary internship program for the national and expatriates, and organize study tours/visits for the natives and foreign nationals.<sup>38</sup>

#### **Major Functions of the BIPS**

The Act envisions the following activities that BIPS to be entrusted with:

- Legislative Support to provide assistance to MPs in respect of legislation and conduct oversight function on the executive.
- Provision of training to national and international trainees in preparing private members bill and parliamentary practices.

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37 Lok Shava, *Bureau of Parliamentary Studies and Training (BPST)* Lok Sabha Secretariat, New Delhi, April, 2004

38 Parliament of Bangladesh. For the objectives of the BIPS, see Bangladesh Institute of Parliamentary Studies (BIPS) Act, Act No. 14. *Bangladesh Gazette Extraordinary* 2001, April, 11



- Research support to undertake research on parliamentary system/parliamentary functions/parliamentary management from global perspective.
- Assistance to Other Organizations to Provide assistance to any person/organizations engaged in research on parliamentary affairs.
- Organize Orientation program, seminar, symposium, workshop and exchange of views about parliamentary behavior, usage and practices with a view to improving the quality of parliamentary system for the MPs.
- Exchange of experience with member countries of Commonwealth Parliamentary Association including other countries where parliamentary system is in operation about their research on parliamentary system and experience in training related matters.
- Advisory Services provisions of advisory services to government, opposition, and MPs in respect of national and international policy on parliamentary system, parliamentary management and procedure of parliament.
- Training support provision of training of secretariat officials/employees with a view to further increasing efficiency and effectiveness of the parliament secretariat.
- Publication of newsletter and journals on matters relating to parliamentary system/ affairs.
- Establishment and management of library and reading room with a view to building up an information storehouse of authenticated document for legislation.
- Organize inter-parliamentary visits/tour programs.
- Organize routine parliamentary visit programs for the natives and foreign nationals.
- Conferment of certificates and diploma who have received training from this institution.
- Undertaking any other responsibilities conferred by the parliament
- Undertaking any other responsibility with a view to giving effect to this Act.<sup>39</sup>

BIPS Act envisioned far reaching outcomes that will result in institutionalization of democracy through:

- Knowledge based parliament.
- Improved legislation and effective oversight.
- Provision of research and training to the MPs and Committees.
- Informed debates in the House.

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<sup>39</sup> Art 7 of Bangladesh Institute of Parliamentary Studies Act, Act No. 14. *Bangladesh Gazette Extraordinary 2001*, April .11

- Equipped parliamentary delegation participating in the overseas mission
- Effective orientation of the MPs.
- Seminars/ workshops as and when required.
- Skilled and Knowledge based parliament secretariat to sustain enhanced staff efficiency to cope with demand of the day, and so on.<sup>40</sup>

It is worth mentioning that after enactment of BIPS Act it was duly notified in the official gazette and establishment of the institute came into effect thenceforth. However, the institute remains inactive in successive governments despite some initiatives taken under the SPD project to assess its needs, prepare organogram, and determine staff strength and financial cost involved in its management. One Additional Secretary of parliament secretariat was put in charge as makeshift rector and keep things moving.

During the life time of the project all research, training, seminars, workshops/ roundtables and orientation for the MPs and officials of the secretariat were sponsored under the umbrella of Bangladesh Institute of Parliamentary Studies (BIPS) as one of the components of the SPD project for achieving a desirable standard of skills and knowledge in the parliamentary practice and procedure for all concerned.

As time passed on and came close to landing session of the SPD Project in December 2006 as planned and no progress was in sight towards the establishment of the said Bangladesh Institute of Parliamentary Studies (BIPS) for providing MPs with research training facilities since enactment of the said Act in 2001. In this perspective the project planned to refurbish defunct “Training Cell” of the Parliament vis-a-vis establishing BIPS, as “second line of defense”.<sup>41</sup> And, Project started off to this new direction of refurbishing the “Training Cell” – provided logistics on the basis of need analysis of the training cell, held training of the trainers (TOT) to create a resource pool in the secretariat with the objective of providing training to all categories of the secretariat officials and render efficient services to the MPs and Committee Chairs in the law-making and oversight functions on the Executive that parliament in parliamentary democracy is striving to achieve. This was the fate of much cherished BIPS and no further development in this direction is yet discernible.

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40 Bangladesh Institute of Parliamentary Studies Act, Act No. 14. *Bangladesh Gazette Extraordinary 2001*, April

41 Shakhawat Hossain, *BIPS Needs Assessment Report*, UNDP/SPD, 2006

### Concluding Remarks

Administrative reform is a continuous process and its implementation is an uphill task. It is obvious from the foregoing discussion that Bangladesh Parliament Secretariat is undergoing relentless reform measures to strengthen its law making and oversight capacity. Practically this effort gathered momentum in the decade of 1990s and extends beyond. As a matter of fact, 1990s was engaged in diagnosing problems and assessing needs by multilateral and bilateral donors along with parliament of Bangladesh. From 2000 onwards implementation process started off. It is not an exaggeration of the fact that some of the shortcomings that parliament secretariat as organization had been suffering from as mentioned in Asia Foundation and DFID studies are duly addressed following implementation of the SPD project, particularly its organizational review mandate. An independent evaluation team from UNDP in 2006 made an observation about the reorganized parliament secretariat that mentions “It is important to note that other donor agencies had undertaken reviews of the secretariat management and structure in the past so that all changes within the secretariat can’t be attributed exclusively to SPD interventions. However, SPD has been the most visible and active in recent years and can take credit for a significant amount of the reforms implemented”.<sup>42</sup> The Mission observed:

SPD produced a report on the Organizational Review of the Parliament Secretariat that appears to have been highly relevant and useful input into the work of parliamentary reorganization. It made 53 recommendations dealing with most aspects of parliamentary work. Many of these were adopted including a more rationalized structure of parliamentary administration; the first step towards the creation of specialized cadre of parliamentary staff (including the provision of job descriptions); and creating a specialized Human Resource Wing. Other recommendations were accepted, but not practiced, such as delegation of authority within parliament (which remains highly centralized); and a more appropriate physical reorganization of office space. A survey taken to determine the impact of the organizational review report was largely positive. SPD made a useful contribution towards strengthening the capacities and structures of the secretariat and improved effectiveness – in particular, through improving its administrative structures and library facilities, staff training and by providing IT equipment. However, the LIC has yet to become an effective resource for MPs and the rotation of civil service secretariat staff limits the institutional impact of SPD training. The successful completion of envisioned e-governance scheme will further improve on the capacity and efficiency of the LIC to a significant extent.<sup>43</sup>

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42 Sue Nelson, *Final Evaluation Report of Strengthening Parliamentary Democracy Project*, UNDP: 2006, p.6

43 *Ibid*, p. 6

A dispassionate analysis of twenty years reform efforts in parliament suggests that compared to the situation in 1990s, 2011 presents a much better picture so far as the legal, structural and logistic perspectives are concerned. But the issues in question are: Does the parliament have that capacity and efficiency which should have been attained through above mentioned reforms? Do the people have trust in parliament and the onerous responsibility that members are entrusted with is duly discharged? To these points of query, the progress so far made in parliament secretariat may be said to be 'halfway through', not adequate to render efficient services to the members in the form and standard they expect. Then, naturally question arises why the reorganization process is slower than expected? In this regard Schick holds the view that, globally parliaments are considered to be the tradition-steeped institution bound by the provisions of the constitution, rigid rules, procedures and established practices irrespective of the system of governments – getting them to change is not simply a matter of grafting, for new responsibilities must be accommodated both to long standing appropriations processes and to political relations with government.<sup>44</sup>

However, in regard to reorganizing Bangladesh parliament secretariat there is no dearth of constitutional and legal authority. Bangladesh constitution retains the provision that sanctions the authority to parliament for the establishment of parliament secretariat (see Article 79 of Bangladesh constitution). And, in pursuance of this Article Parliament enacted Parliament Secretariat Act, 1994 to undertake any reorganization measure that parliament deems appropriate. Also, in view of the emerging necessity of skilled human resources of the secretariat and augmentation of members' knowledge to deal with demands of the 21<sup>st</sup> century parliament in a democratic polity, BIPS Act 2001 has been enacted to provide research and training services to the MPs at par with global standard. But parliament has not made significant use of these opportunities. Sue Nelson mentioned that rotation of civil service staff in the secretariat limits the institutional impact of training programs so far imparted to them at the cost of donor money. As of now parliament secretariat is mostly dependent on the officials seconded from the line ministries for key/command positions and suffers instability in the mid and senior level management. But the situation could be much improved had parliament recruited more class 1 staff on regular basis through Public Service Commission and groomed them over the years

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44 A. Schick, 'Can National Legislature Regain an Effective Voice in Budget Policy?', OECD *Journal on Budgeting*, 2002, p. 17

since enactment of Secretariat Act 1994 to decrease the degree of reliance on the deputed officials. Similarly human resource situation in parliament could be much better than now had BIPS been made functional and left with opportunity to carry out its mandate. These are a few examples to mention. For this kind of changes to take place the change in the mindset of parliament senior management and having political will to really assert the premier position of parliament in the fabrics of the government seems to be lagging in the context of Bangladesh.

We would expect that in the days ahead parliament would be committed to increase its effectiveness irrespective of any party in power and ensure support from higher echelon of bureaucracy to implement parliamentary development programs to fulfill the mandate of parliament that nation expects. Cozier said a “bureaucratic system will resist as long as it can; it will act only when serious dysfunctions develop and no other alternative remains”.<sup>45</sup> Cozier also opines that “a system of organization whose main characteristic is its rigidity will not adjust easily to change as much as possible”.<sup>46</sup> The legacy that bureaucracy in Bangladesh bears discourages the emergence of change from within and resists the impact of change from without.<sup>47</sup> This is a concern that should be taken proper care of.

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45 Cozier, M. *Bureaucratic Phenomenon*, New Delhi: Eurasia Publishing House Ltd, 1967, p. 196.

46 Cozier, M. *Bureaucratic Phenomenon*, New Delhi: Eurasia Publishing House Ltd, 1967, p.58.

47 ATM Obaidullah, “Problems of Administrative Reforms in Bangladesh: Institutionalization of Bureaucracy”, *Asian Profile*, Vol. 19, February 1991.

## **SOCIAL CAPITAL: REVISITING THE CONCEPTUAL DISCOURSE IN AMERICAN PERSPECTIVE**

Farid Uddin Ahmed\*

### **Introduction**

Political scientists have long been immersed in understanding the complex relations between the state and society and they have relentlessly continued their efforts in order to overcome socio-economic and political crises by following different approaches. Consequently, they have been embroiled in debates over which paradigm can better condition and ensure economic prosperity, political modernization, social peace and stability. Some focus on a state-centered approach, while others argue for a market-centered path; still some social scientists stress the need for a balance in the role of the state and society. Concepts such as civil society and social capital represent a society-oriented approach to democracy and development. From Aristotle to Tocqueville, political and social thinkers have emphasized the necessity of political culture and civil society. In recent times, interest in these ideas has renewed, partly because the complicated beginnings of market-oriented democracies in former communist countries have underlined the cultural and sociological prerequisites for such institutions. Paradoxically, when there is the greatest success for liberal democracy, there is also dissatisfaction about the capacity of major social institutions including the institutions of representative government in the highly consolidated democracies of Western Europe, North America and East Asia.<sup>1</sup> Against this backdrop, some social thinkers point to the impact of a “more diffuse set of social relations, whether rooted in family, community, class structure or associational life of the sort that are often said to be constitutive of political culture.”<sup>2</sup>

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1 Robert D Putnam and Kristin A Goss, “Introduction”, in Robert D. Putnam (ed.), *Democracies in Flux: The Evolution of Social Capital in Contemporary Society*, Oxford University Press, 2002, p.3.

2 Peter A Hall, “Social Capital in Britain”, *British Journal of Politics*, 29, 1999, p. 417

Since the 1980s, this line of inquiry has resulted in the emergence of the concept of social capital. Based on this concept, different research studies were conducted in both developed and developing countries.<sup>3</sup> Attempts were made to examine and find out the nature of relationship between modernization and the effects of social capital; in other words, whether there is a correlation between the impact of social capital and institutional performance. The findings of these studies indicate both positive and negative relations between socio-political development and a high degree of associational life.

In this context, this paper focuses on the conceptual development of social capital in the literature of social sciences. It explains the influence of social and political institutions in generating and activating social capital in the United States of America. This paper argues that although scholarships on social capital differ in the meaning and sources of social capital, all definitions present both structural and cultural aspects of social capital. While the structural aspect is identified in the realm of networks and voluntary associations, the cultural aspect is indicated by norms, values and particularly by trust and reciprocity. This paper also argues that although American civic and cultural associations played an important role in generating social capital, political institutions have guided and influenced the formation and activation of social capital in America.

This study intends to raise several questions regarding the nature of social capital and the relationship between political institutions and social capital. These are: What are the features and forms of social capital? Are social institutions or political institutions the dominant sources of the development of social capital in America? This paper is divided into two sections. The first section explains the meaning, forms and sources of social capital. The second section delineates the debates about the influence of social and political institutions in activating social capital in America.

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3 Adam, G. (2008) 'Bowling with Robert Putnam', *The American Interest*, 3(3), 42. S.; Anne-Marie. 'America's Edge: Power in the Networked Century', *Foreign Affairs*, 88(1), 94. 2009; J. Farr. 'Social Capital: A Conceptual History', *Political Theory*, 32(1), 6-33. 2004; S. B. Frances, S. B. Ralph, C. Sang Ok. G. Wendy Xinfang, and et al. 'Three Traditions of Network Research: What the Public Management Research Agenda Can Learn from Other Research Communities', *Public Administration Review*, 64(5), 539. 2004; P. A. Hall. 'Social Capital in Britain', *British Journal of Politics*, 29. 1999; R. D. Putnam. 'Civic Disengagement in Contemporary America', *Government and Opposition*. 1999.

### Defining Social Capital

Social capital is a relatively new concept. In 1916, L. Judson Hanifan coined the term social capital for explaining the importance of community involvement in the process of democratization and development.<sup>4</sup> Those who are considered earlier pioneers of this concept include Lyda Judson Hanifan, the urbanist Jane Jacobs, the economist Glenn Loury and the French sociologist Pierre Bourdieu. Hanifan makes an oblique reference to the elements of social capital by highlighting its importance to community development:

In the use of social capital I make no reference to the usual acceptance of the term social capital, except in a figurative sense. I do not refer to real state, or to personal property, or to cold cash, but rather to that life which tends to make these tangible substances count for most in the daily lives of people: namely good will, fellowship, sympathy, and social intercourse among individual and families who make up a social unit. ... The individual is helpless socially, if left to himself. ... If he comes into contact with his neighbor, and they with other neighbors, there will be an accumulation of social capital, which may immediately satisfy his social needs and which may bear a social potentiality sufficient to a substantial improvement of living conditions in the whole community.<sup>5</sup>

Hanifan's definition of social capital indicates that the components which help develop bonds and connections between individuals and families constitute social capital. Social capital is necessary for meeting social needs and improving living standards of the whole community. Hanifan's conceptualization of social capital focuses on normative and cultural elements of social interaction in the community.

Pierre Bourdieu in an article presents four forms of capital- economic, cultural, symbolic and social. However, his collected works suggest that the number of types of capital is unlimited as capitals exist in different forms in both material and non-material areas of social life. While mentioning networks of connection as the main feature of social capital, Bourdieu notes that

Social capital is the aggregate of the actual or potential resources which are linked to possession of a durable network of more or less institutionalized relationships of mutual acquaintance and recognition – or in other words, to membership in a group – which provides each of its member with the backing of the collectively owned capital, a credential which entitles them to credit, in

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4 Robert D. Putnam and Kristin A Goss, "Introduction" in Putnam (ed) *Democracies in Flux*, Oxford University Press, 2002, p. 4.

5 Quoted in Robert D Putnam and Kristin A Goss (ed.) *Democracy in Flux: The Evolution of Social Capital in Contemporary Society*, Oxford University Press, 2002, p. 4.



the various senses of the word. These relationships may exist only in the practical state, in material and/or symbolic exchanges which help to maintain them. They may also be socially instituted and guaranteed by the application of a common name (the name of family, a class, or a tribe or of a school, a party, etc ...<sup>6</sup>

In recent years, James S. Coleman and Robert L. Putnam have contributed significantly to the development of this concept encouraging a good number of qualitative and quantitative studies in Western and Eastern Europe, in America and in the countries of Asia and Africa. Coleman has described the concept of social capital in a functional sense. He states that social capital is a mixture of different components in which two elements are common. They all comprise some features of social structures and they stimulate particular actions within the structure. Social capital is as productive as other forms of capital for it helps achieve certain objectives of a social group. Unlike physical capital and human capital, social capital is incompatible with particular actions. While a specific type of social capital may facilitate certain activities, it may be ineffective or even detrimental to others.<sup>7</sup>

Robert Putnam explains social capital by mentioning examples of social capital in different countries. He states that “social capital refers to features of social organization, such as trust, norms, and networks that can improve the efficiency of society by facilitating coordinated actions.”<sup>8</sup> He gives examples of the rotating credit association to show how this kind of organization facilitates cooperation among its members as an informal saving institution. This kind of rotating credit association has emerged “from Nigeria to Scotland, from Peru to Vietnam, from Japan to Egypt, from Western Indian immigrants in the eastern United States to Chicanos in the West, from illiterate Chinese villagers to bank managers and economic forecasters in Mexico city. Many U.S. savings and loans reportedly began life as rotating credit associations.”<sup>9</sup> The traits of social capital, as he mentions, include dense network of civic engagement, mutual trust and norms of reciprocity. Norms of reciprocity and networks of civic engagement can build social trust in modern societies. In this regard, Putnam

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6 Pierre Bourdieu, “The Forms of Capital” in J. E. Richardson (ed.) *Handbook of Theory of Research for the Sociology of Education*, Greenwood Press, 1986, p. 51.

7 James S. Coleman, “Social Capital in the Creation of Human Capital”, *American Journal of Sociology*, No. 94. 1988, p. 98.

8 Robert D. Putnam, Robert Leonardi & Raffaella Y. Nanetti, *Making Democracy Work: Civic Traditions in Modern Italy*, Princeton University Press, p. 167.

9 *Ibid.* p. 167.

notes two kinds of reciprocity: balanced and generalized. While balanced reciprocity indicates concurrent exchange of items of equal value, generalized reciprocity means an ongoing relationship of exchange that is unreciprocated or unwarranted at a particular time but that build reciprocal beliefs that a benefit given now should be paid back in the future.<sup>10</sup> In other words, generalized reciprocity, states Putnam, means “doing things for one another in the expectation that down the road someone else will return the favor – just like those folks in Port Clinton raising fellowships for other people’s kids to attend college.”<sup>11</sup>

The definition of Coleman indicates that social capital is embedded in social structure and norms govern the social and interpersonal relations. Putnam’s definition is narrower than Coleman’s in the sense that it specifically refers to features that form both normative and structural aspects of social capital. Putnam suggests that social capital has both individual and collective dimensions. It could be concurrently a private and a public good. An investment in social capital creates some of the gains for passers-by whereas some of the gains come back directly on the interest of that person making the investment. Putnam notes that “[f]or example, service clubs, like Rotary or Lions, mobilize local energies to raise scholarships to fight disease at the same time that they provide members with friendship and business connections that pay off personally.”<sup>12</sup> Nan Lin defines social capital “as the stock of rules, values, traditions, etc., embedded in a social network, which can be mobilized by agents in the social network for collective action.”<sup>13</sup> In spite of complexity in developing a definition of social capital, all definitions present both structural and cultural aspect of this concept. The structural aspect is indicated in the realm of voluntary association and the cultural dimension may be marked by norms, values and particularly by trust.<sup>14</sup> The structural and cultural aspect of both pluralism and social capital are presented in the figure below:

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10 *Ibid*, p. 172.

11 Garfinkle Adam, “Bowling with Robert Putnam”, *The American Interest*, Vol. 3, Issue 3, 2008, p. 42. (Online ProQuest).

12 Robert Putnam, *Bowling Alone: The Collapse and Revival of American Community*, Simon and Schuster, 2000, p. 20.

13 Quoted in Kenneth S. Chan, “Trade, Social Values, and the Generalized Trust” *Southern Economic Journal*, Vol. 73, No. 3. 2007, p. 737 (Online ProQuest).

14 Georgina Blakeley, “Social Capital”, in Georgina Blakeley and Valerie Bryston, (ed), *Contemporary Political Concepts: A Critical Introduction*, Pluto Press, London, 2002, p. 199.

**Table 1: Structural and Cultural Features of Social Capital**

	Structural Aspect	Cultural Aspect	Outcomes
Pluralism (1960s)	Interest Groups	Civic Culture	Economic prosperity and liberal democracy
Social Capital (1990s)	Networks of civic engagement	Norms of trust and reciprocity	Economic prosperity and liberal democracy

Source: Georgina Blakeley, *Social Capital, Contemporary Political Concepts: A Critical Introduction*, Pluto Press, London, 2002, p. 201.

### Forms of Social Capital

Although this concept is relatively new, different social scientists have conceptualized different forms of social capital based on the nature of social capital in divergent socio-economic and political contexts. Social capital grows through continuous social exchange in an active supply and demand relationship. There are always two sides of social capital of any group. On the one hand, groups provide individuals with social capital through preexisting communication networks, well-established cooperative norms and values and, on the other hand, individuals create or activate social capital by building networks and by joining and utilizing networks. Thus, the former may be called received social capital and the latter may be considered as created social capital.<sup>15</sup> Putnam notes two forms of social capital in the context of heterogeneous societies like the USA, the UK, Australia and Canada. They are bonding social capital and bridging social capital. Bonding social capital links people from same age, race, or gender or religion. This sort of social capital is usually observable in relatively homogeneous society. On the other hand, bridging social capital makes connections between people from distinct race, religion, gender or age. This social capital is important for a more diversified society for it is useful for creating unity among different religious communities and associations in the state. C. Welzel, R. Inglehart, and F. Deutsch note different types of social capital: civic and uncivic social capital. While civic social capital promotes the interest of wider community, uncivic social capital abets favoritism, nepotism and corruption. This dark form of social capital is widespread and deeply rooted in developing countries. It primarily acts against democratic practice within social and political institutions.<sup>16</sup> The following

15 Jean- Pierre Worms, "France: Old and New Civic and Social Ties in France", in Robert Putnam (ed.) *Democracy in Flux: The Evolution of Social Capital in Contemporary Society*, p. 140.

16 Christian Welzel, Ronald Inglehart & Franziska Deutsch, "Social Capital, Voluntary Associations and Collective Action: Which Aspects of Social Capital Have the Greatest 'Civic' Payoff?", *Journal of Civil Society*, Vol. 1, No. 2, 2005, p. 125 (Online ProQuest).

table, drawn on the basis of Robert Putnam's ideas, shows different forms of social capital:

**Table 2: Features and Forms of Social Capital**

Form of Social Capital	Traits of Social Capital	Nature of Membership	Examples
Formal	Formally organized	Generally homogenous, Religion, profession, economic status-specific/ multi-religious	Parents' organization, Labor unions
Informal	Instrumental	Heterogeneous	Family dinner
Thin	Casual social connections, almost invisible	Highly heterogeneous	Encountering a person in any place or gathering
Thick	Closely interwoven and multi-stranded	Highly homogeneous	Garment workers
Inward-looking	Narrow and member-oriented	Highly homogeneous	Professional organization
Outward-looking	Broader and general	Highly heterogeneous	Red Cross, Civil Rights Movement

Source: The table is drawn by the author on the basis of the ideas of Robert Putnam.

### Debates about the Sources of Social Capital

Social theorists and researchers have debated about the sources of social capital. One group of scholars is of the view that "the sources of social capital as residing mainly in the realm of civil society, centered chiefly on groups of voluntary associations and largely disconnected from the state and political institutions."<sup>17</sup> Voluntary associations, worship communities, religious groups from churches, mosques, temples, could be significant sources of both bonding and bridging social capital although all such communities may not extend their support and cooperation to those who need. Business and trade associations could be important sources of building sturdy trust and reciprocity among the members. They can reduce the transaction cost and utilize the opportunities for rapid economic development.

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<sup>17</sup> Dietland Stolle and Jane Lewis, "Social Capital- an Emerging Concept", in Barbara Hobson, Jane Lewis and Birte Siim (ed.), *Contested Concepts in Gender and Social Politics*, Edward Elgar, MA. USA, 2002, p. 206.

Another group of scholars namely, Theda Skocpol, Sidney Tarrow, and Sheri Berman argue that development of political institutions are necessary for the development of social capital. They assert that different factors such as governments, societal division, economic conditions and political institutions direct and impact on social capital that it becomes either a useful or harmful source of democracy.<sup>18</sup> The governments, political parties, and divergent social groups which implement and maintain democratic norms and values can develop useful social capital. However, authoritarian policies followed by governments and political parties may result in the activation and development of harmful social capital. Arguably, a high level of social capital existing in a numerically large and well organized association under authoritarian governments can pose a great challenge to democracy. Dietland Stolle and Jane Lewis nicely draw a figure which briefly indicates sources and outcomes of social capital:

**Table 3: Sources, Components and Outcomes of Social Capital**

(1) Sources/ Origins			
Social capital is driven by society’s history and cannot be easily changed.	Social capital is influenced by specific family traditions, which might also vary throughout cultures.		Social capital is influenced by specific institutional mechanisms, such as equality etc. It can be changed through institutional engineering.
(2) Social Capital Components/Measurements			
Networks and social ties	Voluntary associations	Generalized trust	Civic norms, Reciprocity
Structural Aspects		Cultural Aspect	
<div><div>Micro-theory</div><div>(3) Outcomes</div></div>			
Government performance, economic development	Collective Community projects, and regional performance		Well-being, happiness, political interest
National level	Regional or local level		Individual level

Source: Dietland Stolle and Jane Lewis, "Social Capital-an emerging concept, in Barbara Hobson", Jane Lewis and Birte Siim (ed.), *Contested Concepts in Gender and Social Politics*, Edward Elgar, MA. USA, 2002, p. 207.

<sup>18</sup> *Ibid.*, pp. 206-207.

From these two kinds of views, it may be said that the former view appears to be society-centered and the latter view focuses on the necessity of political institution and it suggests linking social capital to the state so that social capital can be directed towards democracy and development.

### **Political Institutions and the Activation of Social Capital in the USA**

As mentioned earlier, two groups of scholars and theorists express different kinds of views about the relationship between the state and society and particularly between political institutions and civil society and social capital. One group of scholars namely Theda Skocpol, Michael Foley, Bob Edwards, Sherri Berman, Sidney Tarrow argue that there is a positive correlation between political institutions and the activation of social capital. This group suggests that viable political institutions can direct civic associations towards a stable socio-economic and political order. This post-Putnam paradigm changes its focus, in part, from the group to individuals, and highlights the growing problems of individual life such as inequality and exclusion in the society. It suggests that social capital exists in different ‘pockets’ within society and different networks of social capital will create ‘insiders’ and ‘outsiders’. Eric Uslaner’s study on minorities in the United States concurs with this idea that social capital may be beneficial but it mostly benefits the majority members of the society.<sup>19</sup> Gareth Richards suggests that “this new vision of social capital creates a crucial role for government. A style of governance or form of capitalism will partly determine an individual’s access to resources and influence. This further suggests that political institutions including the state, powerfully influence the networks, norms and trust that govern relationship among individuals.”<sup>20</sup>

On the other hand, neo-Tocquevillean theorists such as James S. Coleman, Robert Putnam did not sufficiently explain the role of political institutions and particularly mid-level organizations, namely political parties, and local government in relation to the evolution and decay of social capital. In fact, if the nature of political and institutional development is observed in both developed and developing countries, in the cases of most established democracies, it appears that political institutions have played a positive role in shaping order and stability in the society. In the case of America and Great Britain, it is a

19 Eric M. Uslaner, “Trust and Social Bonds: Faith in Others and Policy Outcomes Reconsidered”, *Political Research Quarterly*, Sept. 2004, Vol. 57, No. 3. (Online ProQuest).

20 Gareth Api Richards, “A Genealogy of Social Capital and New Policy Implications”, in Katherine Marshall and Olivier Butzbach (ed) *New Social Policy Agendas for Europe and Asia*, The World Bank, Washington D. C. 2003, p. 165.

widely accepted view that associational life and networks of civic engagement got a footing before political institutions such as political parties, legislatures and judiciaries were properly formed. Kaufman suggests that “The American voluntarist tradition evolved before the American government ever got involved in domains such as social insurance or health care, for example, and the subsequent trajectory of American state growth bears its stamp to this day.”<sup>21</sup> It is also a fact that the growth and development of liberal pluralistic tradition in both the USA and the UK has been tremendously influenced by various forms of social capital. However, the kind of pluralism generated by associational life was not always in harmony with the democratic ethos, because one of the principal features of associational life in America in the nineteenth century was exclusionary in membership. Whittington notes that “Nineteenth century churches and social clubs illustrate that the very voluntary association that create social capital tend to be exclusionary in their membership, presenting difficulties for a democratic politics.”<sup>22</sup>

Segregation and conflict between groups such as Masonic and Anti-Masonic movement also threatened the smooth flourishing of American democracy. Different associations had different rules and procedures for conducting organizational activities. Under these circumstances, federalism and other form of political organization emerged in America acting as complementary institutions to the evolution of associational life. Theda Skocpol suggests:

The United States was put together by the founding Fathers as a federal state and the country had written constitutions that explicitly parceled out nested jurisdiction to administrative, representative and judicial bodies at three (sometimes four) level of sovereignty: the national government, state governments and local governments (sometimes counties too). From early national times, American civil associations began to imitate this local-state-national structure. More than two-thirds of all very large U.S. membership associations developed national-state-federated structures that paralleled U.S. governing arrangement. ... Associational constitutions often boasted of imitating the U.S. government’s representative features and functional divisions.<sup>23</sup>

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21 Jason Kaufman, *For the Common Good: American Civil Life and the Golden Age of Fraternity*, Oxford University Press, 2003, p. 29.

22 Keith Whittington, “Revisiting Tocqueville’s America: Society, Politics and Association in the Nineteenth Century”, in Bob Edwards, Michael W. Foley and Mario Daini (ed), *Beyond Tocqueville: Civil Society and the Social Capital Debate in Comparative Perspective*, University Press of New England, 2001, p. 25.

23 Theda Skocpol, *United States: From Membership to Advocacy*, in Robert D. Putnam (ed) *Democracies in Flux: The Evolution of Social Capital in Contemporary Society*, Oxford University Press, 2002, p. 117.

Thus US political institutions gave guidelines and directions to divergent associations, creating plurality and stability in the society.

As the society progresses amidst different challenges and impediments, sometimes a society finds existing rules and policies incongruent to their social and political life. Then the necessity of politics and the role of political institutions appear to be crucial. Political institutions in connection with associations adopt new policies and revise policies if necessary for the sake of social interest. Politics not only primarily influence policy-making and implementation; it also determines whether a policy or a part of policy should be continued at all.<sup>24</sup> Moreover, the relation between politics and society is marked by the fact that politics, in other words, the role of national and middle-level institutions such as political parties, and local government, give purpose and direction to the society. Associations are not the only institutions that socialize citizens; state institutions also play a socializing role. Theda Skocpol notes that “Laws and political institutions did not simply establish a neutral role for competing social interest but were themselves purposive and sought to shape the polity. The relative weakness of traditional social structures in a democracy made the socializing function of state institutions particularly important. The state itself must impart such values as respect for tradition and community, which might otherwise be missing among democratic individuals.”<sup>25</sup>

Neo-Tocquevillean theorists agree with the structuralists that political stability, strong sense of community and citizenry are necessary for democracy and development. They wanted to find out what that generates these conditions and they came up with the idea that civil society and networks of civic engagement are positively linked to political and social stability.<sup>26</sup> However, while examining the roots of persisting political instability, and social conflict in developing countries, Samuel P. Huntington found that it is the lack of political institutionalization or fragile political institutions that contributes to political instability, thereby hindering socio-economic progress in developing world. In this context, he notes that “as societies become larger in membership, more complicated in structure and more diverse in activities, the achievement or

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24 Keith Whittinton, *Revisiting Tocqueville's America*, p. 28.

25 *Ibid.*

26 Sherry Berman, “Civil Society and Political Institutionalization”, in Bob Edwards, Michael W. Foley and Mario Daini (ed) *Beyond Tocqueville: Civil Society and the Social Capital Debate in Comparative Perspective*, University Press, New England, 2001, p. 38.



maintenance of a high level of community becomes increasingly dependent upon political institutions.... [Indeed], without strong political institutions, society lacks the means to define and to realize its common interests. The capacity to create political institutions is the capacity to create public interests.”<sup>27</sup>

### **Importance of Social Capital**

Importance of social capital lies in its various functional aspects. The most essential thing lies in the fact that social capital offers most by which all societies can be kept together. It acts as a link between different individuals and directs them to work for collective goals.<sup>28</sup> Secondly, social capital helps reduce the transaction costs related to trade and business. Members of encompassing and well-organized business and trade associations usually trust each other and do their business transactions through both informal and formal channels. Thus, a portion of transaction cost can be reduced. Thirdly, voluntary associations, local worship communities can, through extended social networks, help both adults and youth by offering psychological support, trust, and easy access to educational and job opportunities. They can also link them with bigger networks and can consolidate reciprocity and bonds among the participants.<sup>29</sup> In developing countries where government infrastructural facilities are less available, social capital can help facilitate formal and informal education, and building small-scale industries and factories for rapid development. Inoguchi and Hotta note that “After all, social capital is conducive to building democracy, so argues Robert Putnam; social capital is facilitative to creating prosperity, so argues Francis Fukuyama; and social capital is essential to integrate countries into a region, so argues Karl Deutsch.”<sup>30</sup>

### **Concluding Remarks**

From the preceding analysis of theoretical aspects of social capital, it may be said that, being a relatively a new concept, social capital is still growing on the

27 Samuel P. Huntington, *Political Order in Changing Societies*, Yale University Press, 1968, pp. 10, 24.

28 Christian Welzel, Ronald Inglehart & Franziska Deutsch, “Social Capital, Voluntary Associations and Collective Action: Which Aspects of Social Capital Have the Greatest ‘Civic’ Payoff?”, *Journal of Civil Society*, Vol. 1, No. 2, 2005, p. 125.

29 Michael W. Foley, *Religion and the New Immigrants*, Oxford University Press, 2007, p. 91. Retrieved from <http://www.oxfordscholarship.com. Ezproxy2.library.usyd.edu.au/oso/private/content on 2/21/2009>.

30 Takashi Inoguchi and Zen-U Lucian Hotta, “Quantifying Social capital in Central and South Asia: Are There Democratic, Developmental and Regionalizing Potentials?” *Japanese Journal of Political Science*, Vol. 7, no. 2, 2006, p. 196.

basis of research being conducted in different parts of the world. Normative aspects appear to be crucial in forming social capital because the structural aspect of social capital is founded on such normative aspect as trust and norms of reciprocity.

As a concept, social capital has appeared to be effective in linking qualitative to quantitative variable in comparative political analysis. Different forms of social capital can be methodologically reduced to the level of indicator, which is necessary for quantitative analysis. Conceptually, social capital seems to be society-oriented and it either ignores or does not give proper emphasis to political aspect of society. This tendency to depoliticize society is noticeable in Putnam's authoritative work *Making Democracy Work*. Robert Putnam has not adequately explained the political context in which Southern part of Italian society has emerged and grown although he gives us a lot of information about the development of the Italian regions after 1970. Sydney Tarrow argues that "the reason seems to lie in the model with which he turned to history, a model that conceived of civic capacity as a native soil in which state structures grow rather than one shaped by patterns of state building and state strategy."<sup>31</sup>

Besides, dynamics and contentions of groups within the stock of social capital and associational life have been rarely mentioned. Some authors argue that the gender issue in divergent associational structure has also been ignored. Georgina Blakeley notes that "a disregard for social class and other factors like gender that structure inequality in liberal democratic polities leaves little room to distinguish between the different forms of social capital used by different groups and indeed, little room to discern differences in importance attached to social capital by different groups."<sup>32</sup>

In drawing conclusions, it may be remarked that historically and doctrinally speaking, the state and political institutions have emerged out of the necessity of a society. Politics is not an end itself; it is rather a means to achieving a stable socio-economic and democratic order in the society. So, politics and society are not contradictory but complementary. Therefore, establishing an equilibrium between the state and society seems to be crucial for invigorating social capital, market and democracy simultaneously.

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31 Sidney Tarrow, "Making Social Science Work Across Space and Time: A Critical Reflection on Robert Putnam's *Making Democracy Work*," *American Political Science Review*, Vol. 90, No. 2 (Jun., 1996), p. 395.

32 Georgina Blakeley, *Social Capital*, p. 199.

## **ROLE OF SOCIAL MEDIA IN THE ARAB UPRISING**

Sajib Bala \*

### **1. Introduction**

The social media plays a vital role in making the mass politically aware. Creating public opinion for or against any issues at national, regional and international arenas is nowadays a well-known fact. Media can only act properly given the freedom of press. Such a freedom does not exist in authoritarian states. Information, therefore, remains inaccessible through state-controlled media. It was evident in the Arab uprising. Failing to vent their grievances through state controlled media, the protesters in a number of Arab countries created an alternative political space using Facebook, twitter, YouTube, mails, mobile phones and satellites. Widely known as social media, these elements of social communication played a vital role in the political mobilization leading to the Arab uprising. Just as formal political institutions failed to articulate the aspirations of the people, so did the social media come forward to fill up that gap. The uprising in some of the Middle-Eastern countries stemming from the peoples' cumulative reactions at the prolonged autocratic rule ushered in a new wave of political changes in the Arab countries such as Tunisia, Egypt, Libya and Syria.<sup>1</sup> The economic policies of most of the Arab countries were fashioned in such a manner that led to the uneven distribution of wealth amongst the social classes. A couple of reasons were at work for such changes. The prevalence of widespread corruption only strengthened the capitalist class. Civil liberties were curtailed by the incumbent governments. Freedom of speech and freedom of movement were restricted. However, expectations amongst the youths had long been on the rise as the influence of globalization largely contributed to widening gap between the poor and the rich in the Arab countries. Here, social media worked as cathartic instrument for the deprived sections of the population. The uprising started from Tunisia when a Tunisian college-educated but unemployed youth, Mohamed Bouazizi set

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<sup>1</sup> Syria is still undergoing tumultuous period of political upheaval.

himself on fire on 17 December 2010 due to humiliation by the police. Likewise, an Egyptian blogger, Khaled Said had been beaten to death by the police on 6 June 2010 as he exposed their corruption. The diffusion of news about these outrages that was going in those countries by networks of hospital, family, friends, tech-savvy people through mobile phone camera pictures or videos of fractured body or face posted on the internet, shared on Facebook, YouTube or by Twitter, had been successful to draw attention of the mass people of those countries and received wider international support. In Tunisia, the triggering event was Bouazizi's self immolation, which left demonstration effect on Egypt, and on the rest of the region. As fleeing autocratic rulers had been exposed by the mainstream media, such as *Al Jazeera* and social networking sites, a series of mass protests began to pile up. Especially in Egypt, this mass upheaval could not be imagined without the involvement of social media. One of the notable features of these series of events was youth's participation in these protests. Tunisian and Egyptian revolts were popularly known as 'Jasmine Revolution' and 'Lotus Revolution' respectively. Also they were often called as 'Facebook Revolution' or 'Twitter Revolution'. Against this backdrop, the central question of this article is: What role did the social media play in the Arab uprising? To answer this question, two more supplementary questions needed to be raised and answered. How did they do it? What impact did social media make on the political process of the Arab countries?

For the convenience of analysis, this article has been divided into five sections. The first section is introduction. The second section delineates the conceptual framework of this study. The third outlines the systemic background of Arab uprising in the four Arab countries: Tunisia, Egypt, Libya and Syria. Apart from these four countries, the examples of other countries have also been cited in support of the study. The fourth section deals with the role of social media such as Facebook, Twitter, YouTube and mobile phone in mobilizing the people towards the recent political changes in the four Arab countries. The fifth section is devoted to analyzing the role of social media derived from the case studies to be followed by the concluding section.

## **2. Social Media and Political Mobilization**

Social media includes web-based and mobile technologies used to turn communication into interactive dialogue. Facebook, Twitter, YouTube and

Mobile phone are popularly used social media.<sup>2</sup> The word 'social' carries a particular meaning. Not all classes of the people in the society can afford to be users of this media. Only the educated, economically solvent middle class and the affluent section can afford to if.

Social media operates in the intimate private sphere of individuals. Unlike the state-controlled or private TV channels, users of social media face no bureaucratic obstacles to get their message through the public. State-sponsored media may often give the people wrong message by twisting. But in case of social media users have no chance to distort message. Social media can also be under state sanction; however, it is difficult to continue such sanction as it is a part of international network. Just as the state-managed media can create public opinion, so does the social media. In the face of sanctions on the public media, the social media fills out the gap and performs its responsibility.

However, one has to be aware of the fact that social media alone cannot lead the change. It can only mobilize the people. The people who have long remained in slumber, inertia about their claims of individual and collective rights, social media calls upon to wake up and be united.

Political Mobilization refers to the process of making the people aware about political events affecting their lives. Through political mobilization people are called upon to break their inertia and to make them prepared for actions. The aim of all these actions is to change the repressive nature of the state, which has deprived the people of exercising control over their lives. Social media creates strong public opinion against the repressive regimes and undermines their legitimacy.

### **2.1 Arab Uprising**

Arab uprising is viewed here as collective rise of the people in different Arab countries against injustice of their rulers who had long been in state power. Not only they vowed for changes of individual rulers, but they were committed to establishing democratic rule in their respective countries. The characteristic feature of the Arab uprising was the relative absence of organized political parties to take the leadership role.

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<sup>2</sup> Available online at: [http://en.wikipedia.org/wiki/social\\_media](http://en.wikipedia.org/wiki/social_media), accessed on 20 February 2012.

### 3. Systemic Background of the Arab Uprising

Entrenched in the Arab countries was the rule of paternalist iron men or kings (*Emirs*), laying the basis for authoritarian rule. Political pluralism has long been absent as only the ruling party exercised the exclusive privilege to rule. The opposition was undermined. In Tunisia, Ben Ali never allowed *Al-Nadha*, the opposition party, to come into power. Just as in Syria, Baath Party has dominated for more than 49 years, so has President Hosni Mubarak ruled Egypt for three decades. In Libya, the ruling party had been the be all and end all. It has always remained in power with the support of the army. Colonel Gaddafi had been one of the longest serving autocratic rulers in the world having been in power for 42 years. Political parties had been banned in Libya from 1972 until the collapse of the Gaddafi regime.

So long as dictatorships continued in a variety of forms, the economy and society had been controlled by the state. It privileged the ruling elites to extract surplus from the economic resources. For example, President Mubarak's family amassed around US\$70 billion of wealth which made him one of the richest persons in the world.<sup>3</sup> Therefore, corruption of the rulers became one of the dominant slogans for protesters. Concentration of wealth in the few hands thus created social inequalities. In Egypt, for example, 40 percent of civilians live on less than \$2 a day.<sup>4</sup> The above discussion indicates that the political and economic structures laid the structural basis for the Arab uprising. The Tunisian, Egyptian, Libyan and Syrian uprisings began as protests against the misgovernance of the regimes that created extreme forms of poverty, unemployment, acute price rise and so on. The uprisings witnessed substantial working class and trade union participation; but they eventually got focused on issues of ousting dictatorship and establishing civilian rule.

### 4. Social Media in Political Mobilization: Cases of Tunisia, Egypt, Libya and Syria

In this section, I shall analyze country-wise role of social media in political mobilization of the four Arab countries mentioned above.

#### 4.1 Tunisia

Recent political changes in Tunisia are connected with Zine al-Abidine Ben Ali who was the second president of Tunisia since it won independence from

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3 Phillip Inman, "Mubarak family fortune could reach \$70bn, says expert", *The Guardian*, UK, 04 February 2011.

4 "The upheaval in Egypt: An end or a beginning?", *The Economist*, UK, 3 February 2011.

France on 20 March 1956. He assumed presidency on 7 November 1987 by means of a constitutional coup against 84 years old Habib Bourguiba. During his 24 years rule from 1987 to 2011, Ben Ali was known as an autocratic ruler in Tunisia and the most tyrannical ones amongst the Arab countries. It may be noted that he was elected as president for five times with 99.9%-89.62% votes every time.<sup>5</sup> To stay in power for, Ben Ali amended the constitution in 2002. It was alleged that Ben Ali organized rigged elections to capture power.

Ben Ali's prolonged dictatorship destroyed the economic base of the country. People had been suffering from unemployment, the high cost of living, inequalities widened among social classes, press censorship and so forth were at the root of people's humiliation and frustration resulting in losing their patience. The people of Tunisia, particularly the poorest got tired of struggling and waiting for a regime change. As a result, the people from different walks of life began to mount their protest against the regime's unjust behavior. The internet provided documentation as one of the most influential sources of the protests. Much of it was provided by the demonstrators themselves, despite government's strict censorship of the web. Few Tunisians had internet access in the early 2000s. However, 8,00,000 or nearly one-fifth of the Tunisian population were online users by 2009.<sup>6</sup> Against these circumstances, Tunisia was in a state of unrest and protesters were using blogs, Facebook, Twitter, YouTube, Mobile phone, WikiLeaks documents, traditional media and other methods to mobilize themselves.

The masses began to agitate against the autocratic rule of Ben Ali's regime for the last few years and people's unrest began to turn into mass demonstration from the last month of 2010. The agitation started on Friday, 17 December 2010 with a college-educated street vendor, Mohamed Bouazizi's self-immolation in the coastal town of Sidi Bouzid in protest against corruption and joblessness. This 26-year old educated street vendor with eight family members could barely maintain from the income of daily sale of vegetables on Tunisian street. But one day police evicted this street vendor on the ground of capital's

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5 Rahnuma Ahmed, "Go, Mubarak go!" USA's tottering user-friendly tyrants...", available online at: <http://newagebd.com/newspaper1/editorial/7820.html>, accessed on 23 March 2012.

6 Mel Frykberg, "The use of social media made Arab Spring possible", available online at: [http://www.thenewage.co.za/blogdetail.aspx?mid=186&blog\\_id=1846](http://www.thenewage.co.za/blogdetail.aspx?mid=186&blog_id=1846), accessed on 21 March 2012.

beautification. Bouazizi had tried uselessly to fight an inspector's small fine, appealing first to the police, then to town officials, and then to the regional governor. Each time he was turned down with humiliation, frustration and also beaten by security officials and finally Bouazizi set himself on fire in front of the governor's office. By the time he died in a hospital on 4 January 2011, the state's brutal treatment with him sparked nationwide protests. Although the state-run media had ignored the tragedy, the news had traveled fast through online media. During the second half of December it was through internet - based social media networks and text messages that led Tunisian people's to cognitive liberation. People got united because of shared sympathy for the dying man and adverse economic conditions of the country. This realization hit people while they watched YouTube videos about the repressive behavior of state, read foreign online news coverage of corruption. Communicating in ways that the state could not control, people also used social media to adopt right strategies for action with a view to achieving a common goal, i.e., downfall of the dictatorial regime of President Ben Ali. On 14 January 2011, President Ben Ali was forced to renounce power. He then went into exile in Saudi Arabia.

In recent years, direct accusations of Ben Ali's corruption had come from the blogosphere. In most cases investigative journalism was almost solely the work of average masses using the Internet in creative ways. Most noted example was the YouTube video showing Tunisia's presidential aircraft on runways near exclusive European shopping destination and that aircraft was used by Ben Ali's high living wife. This was exposed by Facebook, YouTube, and other communicative applications, crippling the legitimacy of Ben Ali's rule. As the language of protest was changing, Ben Ali's critics moved from virtual to actual public spaces with the death of Bouazizi. Al Jazeera, the mainstream TV channel covered the news of the events to the domestic as well as international viewers. Images of hospitalized Bouazizi spread out like wildfire through mobile phone and internet via networks of family and friends. An online campaign was also launched by citizens and other civic associations to garner support for the uprising in Tunisia. Students and Lawyers were among the first to take to the street in an organized way followed by the masses.

In its attempts to ban Twitter, Facebook and video sites such as Daily Motion and YouTube, government took steps. Within a few days, people had begun using another networking device, SMS as an organizing tool. Though 20



percent of the population actively used online- based social media, this protest continued to sustain as almost everyone had access to mobile phones. Outside the country, the hacker communities anonymously helped the activist groups to get around state firewalls by building new software. In the early January 2011, the government responded by jailing a group of bloggers. However, the repressive policies of the government failed to crack down on the protesters as social networking sites and mobile phone backed people's communication.

Twitter update stories of state repression, police brutality, people's unrest and tweet led imminent protests against Ben Ali. "Sidi Bouzid" is the name of the city of Tunisia where many demonstrations occurred and at its center was the spot where Bouazizi, the street vendor, set himself on fire. More than 30,000 videos had now been placed on YouTube tagged "Sidi Bouzid."<sup>7</sup> By the late Friday night on 7 January 2011, Tunisian Facebook pages emblazoned with the announcement, "Ben Ali, Out." Prime Minister Mohamed Ghannouchi, an ally of Ben Ali, then stepped in as interim president but the protesters using Facebook declared "Ghannouchi Out." A survey conducted in Tunis by Peter Schraeder in March 2011 revealed that 91% of university students visit Facebook at least once a day, and on average spend 105 minutes daily. Approximately two-thirds (64%) of student respondents told that Facebook had been their primary source of information about demonstrations between December 17 and January 14. Almost a third (32%) of all students identified that they had first learned of Bouazizi's self-immolation via Facebook.<sup>8</sup> The Website WikiLeaks recently revealed, in 2006, the U.S. ambassador to Tunisia reported that more than 50% of Tunisia's businessmen were personally connected with Ben Ali through his three adult children, seven siblings, and second wife's ten brothers and sisters. This network was widely known in Tunisia as "the Family".<sup>9</sup> The social media was one of the influential sources for revealing information regarding Ben Ali's family corruption. Thus the people became conscious of Ben Ali's family dominance in politics. As a result, they took to the street to protest against Ben Ali's autocratic rule.

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7 "Tunisia & Twitter Revolution: Social media aspects", available online at: <http://www.onlinesocialmedia.net/20110118/tunisia-twitter-revolution-social-media-aspects/>, accessed on 17 March 2012.

8 Peter J. Schraeder and Hamadi Redissi, "Ben Ali's Fall", *Journal of Democracy*, Vol. 22, No.3, July 2011, p.11.

9 Lisa Anderson, "Demystifying the Arab Spring: Parsing the Differences Between Tunisia, Egypt, and Libya", in *Foreign Affairs*, Vol.90, No.3, May-June 2011, p.3.

## 4.2 Egypt

In Arab Republic of Egypt, Hosni Mubarak, the vice president grabbed power in October 1981 following the assassination of the former president Anwar El Sadat. Since then, for 30 years Mubarak stayed in power winning in concocted elections every time with 98% of votes on average.<sup>10</sup> The November 2010 Parliamentary Elections revealed that only 3% seats were allowed for the opposition parties by president Mubarak.<sup>11</sup> Thus, he created an autocratic form of political system with restricted rights and liberty. Unemployment, corruption, poverty, disparity of income among rich and poor were the principal sources of frustration among common people. Meanwhile the success of protests in Tunisia inspired the largest protest movement that Egypt had ever seen in thirty years where protesters used social media such as Twitter, Facebook, YouTube, emails and text messages by internet and mobile phones to co-ordinate their efforts and spread information.

Egypt has the Arab world's second-largest internet using population and almost everyone has access to a mobile phone. According to the social media report, among 21 million users of Facebook in the Arab world, 5 million are Egyptians.<sup>12</sup> There was no doubt that these social networking sites along with mobile phones were playing a key role in the latest uprising in Egypt through which president Hosni Mubarak was forced to resign on 11 February 2011 and for the first time in the history of Arab, Mubarak, an autocratic ruler had to face a judicial trial on 3 August 2011.

Weal Ghonim, the local Google executive of Egypt started the Facebook group called "We are All Khaled Said" to keep alive the memory of Said, a 28-year old blogger, whom police had beaten to death on 6 June 2010 for exposing their corruption. An image of Said's fractured face was taken by his brother - as body was kept in the Alexandria city morgue - and passed it from one mobile-phone camera to thousands. Khaled Said and his memorial Facebook page became a focus for collective commiseration and a logistic tool for a strong source of community connectivity.

Twitter, Facebook, YouTube and mobile phone - based groups of protesters did carry out their plans exerting upon the government for reforms. They organized demonstration on 25 January 2011 calling for improvement of socioeconomic

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10 "The people rise in Egypt", *The Daily Star*, Dhaka, 30 January 2011.

11 "Manifesto for change in Egypt", *The Daily Star*, Dhaka, 01 February 2011.

12 *The Daily Ittfaq*, (Bangla) Dhaka, 22 February 2011.

conditions as well as political freedom. The opposition leaders declared it a “Day of Rage” on which protesters would take to the street against President Mubarak’s 30-year autocratic rule. Although exact number of protesters could not be enumerated, internet photographs and videos showed a massive turn out of crowd in Tahrir (Liberation) square of Cairo, Alexandria, and other Egyptian cities. These protests lasted approximately 18 days and internet-savvy protesters used this social media to circulate videos and photographs and called on Egyptians to join the protest. In an effort to defeat police, the demonstrators continued minute-by-minute tweets concerning where to assemble.

More than 90,000 people signed up a Facebook page for the 25 January protests, framed by the organizers as a stand against unemployment, corruption, poverty and torture. Though Egypt’s most powerful opposition movement, the outlawed Muslim Brotherhood rejected its official participation, some of its members joined the demonstration in Tahrir Square.<sup>13</sup> The Egyptian government opted to impose an episodic censorship. One video posted to YouTube and then shared on Facebook claimed that Egyptian riot police were being assaulted and seriously injured by protesters. However, the video had to be finally withdrawn due to service terms. During protests on 25-26 January 2011, many users reported troubles in accessing Facebook, Twitter and YouTube that played a pivotal role in spreading the news of the protests and strengthening demonstration.

In the last week of January 2011, Mubarak desperately tried to disconnect the country from the global networking infrastructure. This attempt to unplug Egyptians off from the global networking infrastructure met with mixed success. Presuming his attempts, tech-savvy protesters and civil society intellectuals had put in place backup satellite phones and dial-up connection to Israel and Europe, and were able to maintain links with the rest of the country. Although the first large internet service provider received the shutdown order on Friday, 28 January 2011, they did not take action until Saturday. Other internet service providers also responded promptly but restored normal service on Monday. One cell phone operator, Vodafone mentioned on 28 January 2011 that the Egyptian authority had told all mobile operators to suspend services in

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13 “Broad Protests Across Egypt Focus Fury on Mubarak”, *The New York Times*, 26 January 2011.

selected areas of the country.<sup>14</sup> The government had to incur loss and adverse effects, too. Government agencies were also badly affected by being knocked off the grid. Middle-class Egyptians faced difficulties to access home internet or mobile phone network, took to the streets in larger numbers than ever. Finally, the masses of Egypt were successful in ousting the autocratic president, Hosni Mubarak.

### 4.3 Libya

Whereas demonstrators in Tunisia and Egypt successfully ousted their former rulers, political situation in Libya had been stagnated and Tripoli had fallen into a protracted civil war. Colonel Muammar al Gaddafi came to power on 1 September 1969. Since then Gaddafi ruled the country with extravagance, dogmatism and brutality. He also prohibited private ownership of property and retail trade, banned free activities of press, ruined the civil service but built the military. In the absence of modern bureaucracy and reliable security forces, kin networks had provided safety and security as well as access to goods and services. The stories of successful social media such as Facebook, Twitter, YouTube and mobile phone that animated the people to be pro-active protesters in Tunisia and Egypt, had helped inspire the largest agitation that Libya had ever seen in forty two years of Gaddafi's rule. In Libya, the first open challenge to Gaddafi's political authority came on 15 February 2011 declaring an alternative government on online in a website. Because of Gaddafi's repressive measures against demonstration, the mass upheaval turned into a civil war. The demonstrators captured the eastern city, Benghazi and formed National Transitional Council (NTC) on 27 February 2011 to continue their struggle against Gaddafi. In the meantime NTC was able to secure support from United Nations along with other international bodies. Intervention in Libya by USA and its allies in the NATO raised debates. Both humanitarian and strategic interests were coalesced in such interventions. Humanitarian dimension included the rescuing of innocent lives from atrocities. Strategic goals emanated from Libya's geo-strategic location as it is situated in the greater Middle East where Africa, Europe and Asia converged. The country is also in proximity to greater Mediterranean Sea. Libya's oil resource is another source of attraction to the international community. Oil reserves of this country are the largest in

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<sup>14</sup> "Twitter, Facebook and YouTube's role in Arab Spring (Middle East uprisings)", available online at: <http://socialcapital.wordpress.com/2011/01/26/twitter-facebook-and-youtubes-role-in-tunisia-uprising/>, accessed on 24 February 2012.

Africa and the fifth largest in the world with 76.4 billion barrels as of 2010.<sup>15</sup> With the help of NATO backed by USA, UK, France, the anti government protesters continued their struggle against Gaddafi and was able to defeat his forty two-year autocratic rule on 22 August 2011.

Despite government's blockage, protesters were still managing to circumvent it to get video footage and images of what were happening in the country and these were spread to the rest of the world. Many videos documenting the protest scenarios found their way to YouTube. A Google spokesperson told that more than 9500 videos tagged "Libya" had been uploaded to the video site in the week since the beginning of the mass upheaval.<sup>16</sup> Question may arise how that videos on the events of Libya were continuing to be uploaded to YouTube if the video site was blocked? Some of the tech-savvy Libyans had occasional access to Facebook or sites like Twitvid where they were still able to upload video footage and images and volunteers were taking these clips and uploading them to YouTube or other networking sites.

Social networking sites had supplied the most live images of the crackdown on protesters, broadcast messages from hospitals looking for bloods, mass demonstration, providing international dial-up numbers for those whose internet connection had been blocked by government. Gaddafi tried to disrupt his country's mobile-phone networks, but in most cases the attempts ended in a failure. Libyan protesters sought help from Tunisian and Egyptians to send their SIM cards across the border for their communication purpose. Libyan activists were also crossing the border to use internet from Egypt and Tunisia in order to upload videos and photos on the websites. Nic Robertson of CNN maintained that check points were set up at the borders and guards were "systematically destroying cell phone SIM and memory cards" loaded with videos and pictures.<sup>17</sup> But despite these measures, cell phones and cameras still could way to YouTube or other social networking websites.

Although Libyan protesters were facing more internet services disruption, they were, however, able to manage intensifying anti government movement. Social media played a key role in conveying the news to the mass people and to the

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15 Available online at: [http://en.wikipedia.org/wiki/Oil\\_reserves\\_in\\_Libya](http://en.wikipedia.org/wiki/Oil_reserves_in_Libya), accessed on 24 July 2012.

16 "How YouTube Is Aiding The Libyan Revolution", available online at: [http://socialtimes.com/youtube-libyan-revolution\\_b39678](http://socialtimes.com/youtube-libyan-revolution_b39678), accessed on 27 March 2012.

17 *Ibid.*

outside world. Questions were raised whether the mainstream news media could transmit news without the help of bloggers and Twitter to secure support from international community. For example, a mainstream media, Al Jazeera was able to collect various news of protest via Facebook, YouTube, Twitter, mobile phone and could broadcast those news, despite its signal blockage. From the above discussions, it appears that these social media had helped protesters to organize the massive protests in Libya and its ultimate success laid the ground for overthrowing Gaddafi's forty two years of autocratic rule.

#### 4.4 Syria

Following the trails of changes in Tunisia, Egypt, Yemen, Libya, now Syria has been undergoing mass upheaval against Bashar Al-Assad's government. A 1963 military coup brought Ba'ath Party to power and on 22 February 1971 Basher's father Hafez al-Assad declared himself as president. Since then, Ba'ath Party has been ruling Syria under continued emergency power, which was withdrawn by the government on 19 April 2011 in the face of mass protest movement. In February 1982, in order to put down Islamic insurgency president Hafez massacred the town of Hama, killing approximately 20,000 people.<sup>18</sup> Hafez was succeeded by his son Bashar-al-Assad on 17 July 2000 and appointed as president after a constitutional amendment lowering the age requirement for the presidentship from 40 to 34 years and he was the lone candidate. After assuming power Bashar followed his father's path of autocratic rule but mass demonstrations began against his government from 26 January 2011, and soon developed into a nationwide uprising. Using mobile phones and small cameras, images and videos have been uploaded by the protesters on websites such as Facebook and YouTube to keep the world informed of the protests and demonstrations going around in demand of his resignation as president. Meantime, Syrian security forces have killed more than 9,000 people since protest began.<sup>19</sup> Killing spree is still going on despite government's otherwise assurance.

Using mobile devices and small camcorders, a group of Syrian activists risked their lives to film crackdown on protesters by the government's security forces. These images and videos were then uploaded on websites such as Facebook and YouTube to keep the world informed of what have been going on in different

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18 'Syrian tanks shell Hama ahead of UN meeting', *The Daily Star*, Dhaka, 6 August 2011.

19 *BBC Bangla News*, 27 March 2012.

parts of the country and at the same time mounting international pressure on Assad to back down. As the government continues to bar foreign press from entering Syria, the role of social media users - who are often identified as citizen journalists - has proven highly effective. Erica Chenoweth, the author of 'Why Civil Resistance Works': The Strategic Logic of Nonviolent Conflict,' confirmed that citizen journalists have been able to lessen the number of the Syrian casualties. She also added, "...the movement has been able to publicize many of its events by taking videos by cell phones and putting them on YouTube and doing other things."<sup>20</sup>

Many still remember the February 1982 Hama massacre. The government managed to hide the massacre from the world scrutiny for weeks as there was no such thing as citizen journalism or social media networks or mobile phone devices. But now this is no longer possible because of the existence of social media networks. In conformity with this, Malath Aumran, a Syrian citizen journalist working to patronize his country's mass upheaval from Lebanon, told "... we are telling the regime that if you shoot and kill people the pictures will be online and on television five minutes later."<sup>21</sup>

Thus the role of social media has been comparable to a cyber war. In Syria, the Assad regime had blocked social media networks such as Facebook, YouTube, Twitter intermittently since 2007, but reopened access as protests mounted, possibly with a view to entrapping activists. Assad had also used a pro-government website called "Bashar al-Assad" and used social networking sites in his favour calling videos of protestors as fake. When state officials began spreading misinformation over social networking website, tech-savvy protesters used Google Maps to self-monitor and verify trusted sources. *Reuters* reported in July 2011, "Some of the videos by anti Assad protesters were later discovered to have come from neighboring Iraq or Lebanon during civil unrest"<sup>22</sup> and these kind of claims were also raised by various agencies as well as countries.

Al-Jazeera, a mainstream television channel carried out a deeper coverage of the Arab\ protests than any other international television channel. Channels like

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20 Namo Abdulla, "Social Media and Syria's Revolution," available online at <http://www.rudaw.net/english/news/syria/4244.html>, accessed on 29 March 2012.

21 *Ibid.*

22 *Ibid.*

Al-Jazeera, CNN and BBC sometimes relied on social media networking sites as well as mobile phones to get footage of protest movements in the face of strong government censorship.

### **5. Analyses of the Role of Social Media**

It appears from the above discussion that social media was one of the significant agents of political mobilization in Arab countries under review. The social media such as Facebook, Twitter, YouTube and Mobile phones circulated regime's persecutions to the viewers with photographs and videos. The spread of such incidences with pictorial evidence could generate emotional appeal to the viewers and make them not only reactive but also pro-active in regard to their struggle. The photographic images and videos of state terrorism took the viewers beyond the image. The viewers, who were previously passive witness to state repression, came out to the street leaving fear and anxieties behind.

Social media played a leading role in spreading protest messages, helping coverage by mainstream broadcasters, securing international support, connecting frustrated citizens with one another, and helping them to conceptualize that they could take shared action concerning shared grievances. Dissent existed in the Middle-Eastern countries but these sites such as Facebook, Twitter, YouTube and mobile phone networks helped to transform individualized, localized, community-specific dissent into an organized unified protest against the oppressive regime.

Mass upheaval in the Arab World is not merely an outcome of regime violence perpetrated by state-owned police against Mohamed Bouazizi in Tunisia or Khaled Said in Egypt, but the diffusion of outrageous news by networks of family or friends even strangers through mobile phones, Facebook, Twitter, YouTube was critically important in this respect. For example, when Al Jazeera television at first failed to cover political activism in Syria, civic leaders and protesters joined hands in producing a long documentary on the Syrian scenario. Consequently protests against the dictatorial rule of Bashar al-Assad grew rapidly within the country. It led to the mass upheaval supported by international communities. Interestingly, protests occurred without traditional leadership, charismatic speechmaker, laborunion officials or religious spokespersons. In Tunisia, the igniting event was Bouazizi's death. So was Khaled Said's death in Egypt. Protests in varying degrees occurred in rest of the region, forcing the dictators fleeing. The mainstream media, such as Al-Jazeera, with the help of social media successfully captured the moments of fleeing.



In the Arab uprising, the youths took the leading role. It was because of the state policies that the youths came to be seriously affected in those countries. For instance, regime's economic policies resulted in the rise of wide unemployment.

**Table 1: Total population and youths.**

Country	2010 Estimates		
	Total Population (Million)	Percentage of Youths (Under 25)	Unemployed people (2005-2006), in percentage
Tunisia	10.4	42.1	27
Egypt	84.6	52.3	26
Libya	6.5	47.4	27
Syria	22.5	55.3	20
Yemen	24.3	65.4	29
Algeria	35.9	47.5	46
Bahrain	1.2	43.9	21

Source: "The upheaval in Egypt: An end or a beginning?", *The Economist*, UK, 03 February 2011; Arab Human Development Report 2009, p.109.

Table1 shows that around 50 percent among the population are less than twenty five years old. These 'youth-bulge' were a community of like-minded individuals, mostly educated but unemployed, eager to change but inspired neither by political ideology nor by religious cause. Their social discontent was galvanized by various social networking sites along with mobile phones and soon coming to be translated into workable strategies. They used their mobile phones calling youths to the streets. Protests stirred denying regime's officials. Islamists, opposition party men, union leaders joined the protests while youth and civil society voices were the most prominent. However, contacts through networking sites amongst protesters provided motivation for enhanced anti-government demonstration.

In the absence of organized individual leadership, activists used mobile phones, Facebook, Twitter, YouTube, and other sites to communicate plans for action and at times playing cat-and-mouse games with government officials, who had tried to censor these applications in several times. One mentionable feature was that social media created a space where women could contribute to an equal footing with men in strengthening the protest sharing information through networks.

After 2000 new communication technologies were spreading rapidly across the region. As stated before, nearly 8,00000 Tunisian people were using online networks by 2009. For many Arabs, especially in urban cities, reading domestic and foreign online news and communicating with friends and relatives abroad became a habit. Thus social networking sites became a source of mass upheaval in Arab countries. However, governments of Tunisia, Egypt, Libya, Syria and other Arab countries made attempts several times to disrupt online use for their citizens. In such a situation, the protesters, especially the tech-savvy protesters along with civil society leaders had put in place backup by mobile phones to steer mobilization.

Another characteristic feature of the mass upheavals has been that these occurred in a surprisingly non-lethal manner. In most of the times, news coverage in the region was made by citizens using their mobile-phone cameras or camcorders to document events and posted for pictures or videos to their Facebook pages or YouTube sites at the time of demonstration. In Tunisia, Morocco, Algeria, Egypt, Jordan, it was found that the security forces showed reluctance to adopt repressive measures against protesters. The large numbers of mobile-phone cameras were used by demonstrators to take pictures or videos of soldiers and other security forces in action acted as deterrents. Violence or aggressive behavior by security forces was more evident in a country where there is lesser use of mobile phones or other tools of social media by protestors due to aggressive regime censorship.

Mainstream media sources also played an influential role in the Arab uprising. The Doha-based influential television network, Al Jazeera may be cited. A key aspect of its success was its use of social networking sites along with mobile phones to collect information, images, videos from countries where its journalists had been barred from entry or allowed restricted movement.

It may be cited that Al Jazeera's Dima Khatib, a native of Syria, was the most influential commentator on Tunisia during its mass protests, and she served as an information broker for the revolution through posting on Twitter, and other social networking sites.

A question may be raised whether the Arab uprising could have occurred without the help of social media. The region had been under prolonged despotic rule in the past but none of the rulers was ever ousted by mass movement. Radio, television and mainstream media sources have long reached most of the Arab countries, but only 10-20% of those living in a typical Middle Eastern or

North African country gained access to online activities. These typical people comprising elite made up of educated professionals, unemployed educated youth, young entrepreneurs, urban residents or government officials were strategic actors. With the help of Facebook, Twitter, YouTube and mobile phones, they formed the social networks which initiated, coordinated and sustained successful campaigns against the autocratic rule. However, at least the uprising would have been slower had there been no use of advanced media technologies.

### **Conclusion**

From the preceding analyses, we may conclude that the entrenched dictatorship and its product of wrong economic policy generated economic underdevelopment which led to the rise of social inequality in Middle Eastern countries. Unemployment, rise of food price, corruption along with misgovernance miserably affected the lives of people, particularly the middle class Arabs. In most cases, youths were hard hit encouraging them to take to the streets. In the absence of civil liberties, their anger vented abruptly. The people exchanged their feelings through media. Here social media, as discussed above, worked as the vehicle for quicker mobilization of the protesters. Social media thus pulled the people out of their houses and made them stand together against the despotic rule. As a result, political mobilization took place in Arab countries one after another. Last but not the least, social media in general captured the images of the socio-economic and political realities of the Arab countries narrowing the gaps between the real and the imagined world.

## **CHRISTIANITY ON CRIME AND PUNISHMENT: AN ETHICAL PERSPECTIVE**

Akhter Ali\*

### **Abstract**

The New Testament does not offer any explicit penal code though the Old Testament prescribes specific punishments for the specific type of offences. As a result, the Christian position on penal justice issue becomes more or less indistinct and the Christian scholars are considerably divided over this issue. Some scholars contend that the Old Testament law on penal justice issue should be followed by the Christian, as it is also a part of the Christian scripture; whereas the contentions of other scholars is that, Jesus made people free from the binding of the law; so the Christians need not follow the Old Testament's penal code. However, in determining the Christian position on penal justice issue, one theological question is more crucial, i.e., whether God is a 'Lawgiver' or a 'Liberator – Redeemer.' If God is considered as a Liberator and Redeemer rather than a Lawgiver, then it is difficult to say that Christianity approves any punishment for the offenders. Nonetheless, there are some evidences in the New Testament which express implicit support to punish the offenders. In regard to capital punishment, Christianity expresses through and through a negative attitude though it does not exclude its provision explicitly. However, the highlighted vision of Christianity on crime and punishment is forgiveness and its purpose is to restore offenders into the main stream of community.

### **1. Introduction**

Crime is a grievous offence which creates anxiety, insecurity, disorder, and disharmony among the people. If criminal activities prevail in the society, everybody is affected by it either directly or indirectly and no one can escape from its evil consequences. For this reason, a healthy society is essential for the peaceful human existence; and for making a healthy and orderly society, it is most essential to remove offences from the society. Moral philosophers prescribe different theories for this purpose so that peace and security shall prevail in the society where people can lead their lives with honour and dignity. In most of the cases, imposing punishment to the offenders is considered as one of the best remedies to wipe out crimes from the society. Obviously, it has a

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significant role to control or at least to reduce crime. The aim of this paper is to offer an ethical analysis of the views of Christianity on penal justice issues and in analysing the proposed topic, I shall be confined to the views of Catholic Christianity.

## 2. General Outlook of Christianity on Crime and Punishment

At the outset, let me clear that crime and punishment issue is not the main focus of the New Testament. The sole attention of the New Testament's writers was to deal mainly sin and salvation; and in most of the cases, though sin and crime are closely connected, they are not synonymous.<sup>1</sup> And as penal justice is not the main focus of the New Testament, it does not contain any explicit penal code as the Old Testament does. If anyone expects to find an explicit guideline in the New Testament regarding crime and punishment, certainly he will be disappointed.<sup>2</sup> J. A. Hoyles expresses his observation on this issue in the following way: "The Christian Scripture provides no infallible ready-reckoner for the guidance of a criminal court, no clear directions as to whether punishment is permissible in a Christian country, no precise advice as to what kinds of penalty are appropriate for particular offences."<sup>3</sup> The probable reason of this deficit of the New Testament texts might be that Jesus' ascetic teaching was driven to one direction only, i.e. to the 'Reign of God', so he did not have enough attention to deal directly with the worldly society or its practical problems. And though the Apostolic and Pastoral letters of the New Testament were written on the basis of the practical context of that society, nevertheless, up to that time, Christianity did not hold any political or state power. Most probably for this reason, the Apostles and Pastors who contributed to the text of the New Testament also did not feel any urge to write something especially on this very topic, which is solely a problem of the political state.

The New Testament does not contain any explicit rules and regulations on crime and punishment. It might be an indication that the Christians should follow the Old Testament penal code, as the Old Testament is also a part of the Christian Scriptures. Sometimes it is argued that the early Christian Church did not have the New Testament; as it was not written until the end of the first

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1 See, Christopher D. Marshall, *Beyond Retribution: A New Testament Vision for Justice, Crime, and Punishment* (Grand Rapids, Michigan/Cambridge: William B. Eerdmans Publishing Company, 2001), p. 8.

2 *Ibid.* p. 10.

3 J. A. Hoyles, *Punishment in the Bible* (London: Epworth, 1986), quoted in Marshall, *loc. cit.*

century (the extent of the Scripture was even longer controversial) and at that time, the Old Testament was the only Scripture for the Christian Churches. Therefore, the Old Testament's laws should be followed by the Christians as well.<sup>4</sup> Moreover, there is an explicit indication in the great saying of Jesus Christ in this regard. In his famous Sermon on the Mount, he explicitly proclaimed as follows: "Do not think that I have come to abolish the law or the prophets; I have come not to abolish but to fulfil. For truly I tell you, until heaven and earth pass away, not one letter, not one stroke of a letter, will pass from the law until all is accomplished."<sup>5</sup> On the basis of these verses, conservative Christians insist that the Old Testament laws regarding crime and punishment should equally be followed by the Christians.<sup>6</sup> But it is a debatable issue as there is a disagreement among Christian scholars on this point. It appears to me that the reason of this disagreement also lies in the New Testament; as on the one hand, Jesus proclaims the eternal validity of the law (Matt.5: 17 – 18), on the other hand, St. Paul advocates that Christians are not under the binding of the law of the Old Testament.<sup>7</sup> For St. Paul, Jesus made free the Christians from the bindings of the law.<sup>8</sup> In Romans 2 : 12 – 29 , 3 : 21- 31, 7 : 1 – 8 : 4; and Galatians 3 : 10 – 29, St. Paul elaborately discussed the affinity of the Christian community to the law of the Old Testament which is extremely complex. But the main theme of Paul's discussion is that the Christians will be saved through faith rather than law, and hence, laws should not be the primary concern of the Christian. In Paul's consideration, laws are holy and good albeit the Christians are not under its compulsion. The Christian ethicists are considerably divided over this issue. But there is a point of agreement among most of the scholars and that is, ceremonial or cultic laws of the Old Testament are not essential for the Christians, but moral laws of the Old Testament are equally obligatory for them.<sup>9</sup> To these scholars, moral laws derive from the very nature of God and it is a reflection of His unchanging character, so it is eternal, and hence, the Christians are under its compulsion.<sup>10</sup>

4 See, Norman L. Geisler, *Christian Ethics* (Leicester, England: Apollos, 1990), pp. 201-202.

5 Matt., 5 : 17 – 18. (all quotations from the Bible are taken from) 'The New Revised Standard Version Bible : Catholic Edition', Nashville, U.S.A.: Catholic Bible Press, a division of Thomas Nelson, Inc., 1993 )

6 See, Marshall, *op.cit.*, pp. 9 – 10.

7 See, Rom., 3 : 21 , 6 : 15 , 7 : 6 ; Gal. 3 : 23 – 25 , Col. 2 : 14.

8 See, Gal., 3 : 13.

9 See, John Rogerson, "The Old Testament and Christian Ethics" in Robin Gill (ed.), *The Cambridge Companion to Christian Ethics* (Cambridge: Cambridge University Press, fourth printing 2004), pp. 33- 34.

10 See, Geisler, *Christian Ethics*, *loc. cit.*

Now to make a precise distinction between ceremonial and moral laws is not so easy. But putting aside this dispute in one side, it can initially be said that moral laws which are related to criminal justice system should be followed by the Christians.

The principal vision of Christianity regarding crime and punishment issue is forgiveness and mercy. The purpose of forgiveness is to restore offenders in the community. For Timothy Gorringer, forgiveness is a creative act which heals by restoring people to community, by recognising the mutuality of guilt.<sup>11</sup> To punish offenders means to injure them, but to reform offenders in any way means their improvement, and this improvement is possible only through forgiveness. That is why, Jesus enjoined his followers for unlimited readiness to forgive their offenders. Christopher D. Marshall observes that Jesus' teaching on forgiveness is far reaching both in scope and significance.<sup>12</sup> In Jesus' time, Rabbis taught that people should be prepared to forgive others for repeated offences up to three times, and at the same time, it is described as unreasonable to expect forgiveness on the fourth occasion.<sup>13</sup> But when one of the most prominent disciples of Jesus asked him about how often should they forgive their transgressor, he advised him to forgive others 'seventy – seven (or seventy times seven) times'.<sup>14</sup> Jesus not only advised his followers to forgive their offenders and enemies, but he himself set up an unparallel example of forgiveness in his own life. According to the Gospel of Luke, when the Jewish religious leaders of his time brought false accusation against Jesus, and then arrested and tortured him unjustly and finally gave him death sentence in the Cross by the help of the Roman ruler, he prayed: "Father, forgive them, for they do not know what they are doing."<sup>15</sup> Here we find that Jesus forgave his offenders and enemies without any reservation and even without any repentance from offender's side. He endures such hostility against himself without any retribution or retaliation, i.e., he rebukes to do any evil in response to an evil, rather set up an example of unconditional forgiveness.<sup>16</sup> This historical fact has been described in the book of Peter 1 in the following way: "When he was abused, he did not return abuse; when he suffered, he did not threaten; but he

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11 Timothy Gorringer, *God's Just Vengeance: Crime, Violence and the Rhetoric of Salvation* (Cambridge: Cambridge University Press, 1996), p. 265.

12 See, Marshall, *op. cit.*, p. 72.

13 *Ibid.*, p. 73.

14 See, Matt., 18 : 21 – 22.

15 Luke, 23 : 34.

16 See, Luke, 22 : 47–23 : 49 ; cf. Matt., 26 : 47 – 27 : 56 ; Mark, 14 : 43 – 15 : 41; John, 18: 1 – 19 : 30.

entrusted himself to the one who judges justly.”<sup>17</sup> Therefore, on the one hand, he advised his followers to forgive their offenders and enemies and on the other, he practically demonstrated about how to forgive personal enemies and offenders.

Forgiveness in Christianity is a very significant phenomenon and everybody is obliged to forgive his enemies and offenders for his own purpose. Jesus enjoins his followers to forgive others and mentions that it is a condition to get forgiveness from God. He says: “For if you forgive others their trespasses, your heavenly Father will also forgive you; but if you do not forgive others, neither will your Father forgive your trespasses.”<sup>18</sup> In another occasion, he advises his followers in this way: “Do not judge, and you will not be judged; do not condemn, and you will not be condemned. Forgive, and you will be forgiven.”<sup>19</sup> According to Jesus’ teaching, if anybody fails to forgive others, it eventually nullifies the benefit of God’s forgiveness for him. He made it clear in one of his parables of the kingdom of heaven which is known as the parable of the unforgiving servant in Matthew 18 : 23 – 35. According to this parable, when the indebted servant prayed for time to the king to repay his debt, the king graciously forgave his entire debt, as he had no ability to repay those. But after a while, when that forgiven servant met one of his fellow servant who had been indebted to him a small amount, he enforced a strict legal justice on him in spite of his plea for time and threw him into the prison. The parable shows that by this cruelty, the forgiven servant eventually nullifies his own forgiveness which he received from the king and faced a more brutal fate than his own debtor. So in Jesus teaching, forgiveness is not an optional response to wrongdoing, rather it is an obligation.<sup>20</sup> Christopher D. Marshall considers that in Jesus’ teaching, forgiveness is both a gift and a task.<sup>21</sup>

From the above discussion, it might seem that Christianity does not support any judgement for the offenders and also does not support any punishment for the criminals. But it is not really true. A careful observation reveals that the New Testament possesses a lot of materials on the major components of criminal justice system i.e., law, crime, criminals, court, police, prison, punishment and

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17 Peter 1, 2 : 23.

18 Matt., 6 : 14 – 15.

19 Luke, 6 : 37.

20 See, Marshall, *op. cit.*, p. 77.

21 *Ibid*, p. 75.



so on.<sup>22</sup> Although in most of the cases, these materials are incidental in nature and are being discussed as an examples or parables and it is not obvious from these discussion about whether the New Testament endorses these systems or not, nonetheless, there are some situations that bear indication of endorsement of penal justice system.

### 3. Christian Views on Penal Justice

The explicit rule of the Old Testament regarding penal justice is, ‘ life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burn for burn, wound for wound, stripe for stripe.’<sup>23</sup> This ‘like for like’ principle does not support any vengeance, as vengeance is forbidden by another biblical law,<sup>24</sup> rather, it is a law of proportionate and equal retaliation and nothing more. For Christopher D. Marshall, this like for like principle served two fold purposes – first: to limit the destructive effects of retribution, and secondly: to make restitution or reparation in personal injury.<sup>25</sup> Equal and proportionate retaliation for the corresponding harm done i.e. ‘retributive equality’ is the main spirit of the like for like principle. But exact proportionate retaliation is really a difficult matter. For example, if a person is already blind in one eye, and then an offender destroys his another eye, in that case, the offender is responsible for the victim’s one eye only. Now, if according to ‘eye for eye’ principle, the offender’s one eye is damaged, nonetheless, the harm done of the parties is not surely equal. As in the cited example, the victim is now completely blind and not able to see the beauty of this world at all, whereas, the offender can see though he is the cause of the victim’s complete blindness. <sup>26</sup> However in the New Testament, Jesus modifies this ‘like for like principle’ in the following way:

You have heard that it was said, ‘An eye for an eye and a tooth for a tooth.’ But I say to you, Do not resist an evildoer. But if anyone strikes you on the right cheek, turn the other also; and if anyone wants to sue you and take your coat, give the cloak as well; and if anyone forces you to go one mile, go also the second mile.<sup>27</sup>

The above mentioned verses of Matthew’s Gospel are the most explicit saying of Jesus Christ on crime and punishment issue, and most probably the core idea

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<sup>22</sup> *Ibid*, pp. 11 – 16, 35, 256.

<sup>23</sup> See, Exod., 21 : 23 – 25; cf. Lev., 24 : 19 – 21 and Deut., 19 : 21.

<sup>24</sup> See, Lev., 19 : 18.

<sup>25</sup> See, Marshall, *op. cit.*, p. 80.

<sup>26</sup> For more details, *ibid.*, pp. 80 – 83.

<sup>27</sup> Matt., 5 : 38 – 41.

of the New Testament on this very issue. But what is the real purport of Jesus' sayings and what does he exactly mean by these verses, is a debateable issue. Scholars are sharply divided in explaining these verses.<sup>28</sup> Some scholars consider that by this saying Jesus abrogated laws of the Old Testament regarding penal justice. For example, Dorothy Jean Weaver insists that Jesus invalidates here the ancient principle of punishment for the criminal offences.<sup>29</sup> Richard Hays contends that by these verses, Jesus actually overrules the Torah.<sup>30</sup> Some scholars consider that this principle is applicable to the members of the family or synagogue only, but not to national enemies.<sup>31</sup> Another group of scholars consider that through these verses Jesus actually was advocating a 'non violent form of resistance,' which can be called a 'third way' between violence and passivity.<sup>32</sup> For Christopher D. Marshall, 'abrogation' is not an appropriate word to reveal the exact message of these verses; rather, he is forbidding here the employment of coercive judicial power against opponents.<sup>33</sup> But for him, it does not mean passivity. Most probably, Jesus exhorts his followers here to react to the offenders as a non – violent way to facilitate reconciliation or perhaps as a symbolic protest to the injustice.<sup>34</sup> My contention is that as Jesus proclaimed the eternal validity of the law,<sup>35</sup> and some other texts of the New Testament (which I am going to examine later on) support the view of punishment for the offenders, Jesus is, therefore, not abrogating the Old Testament penal code here. Rather he is teaching a non-violent form of resistance and opening a new perspective, which, in fact, introduces a new form of justice in connection with the 'Reign of God'. And in this sense, he also re-interprets here the Old Testament's penal code.

Scholars who insist that Jesus abrogated penal code of the Old Testament, adduce the example of John 8 : 3 – 11, where Jesus refrained from condemning

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28 See, Marshall, *op.cit.*, p. 85 – 89.

29 Dorothy Jean Weaver, "Transforming Nonresistance: From *Lex Talionis* to 'Do Not Resist the Evil One' ", In *The Love of Enemy and Nonretaliation in the New Testament*, ed. W. M. Swartley (Louisville, ky. : Westminster John Knox, 1992), cited in Marshall, *op. cit.*, pp. 85– 86.

30 Richard Hays , *The Moral Vision of the New Testament: A Contemporary Introduction to New Testament Ethics* (Edinburgh : T. & T. Clark, 1996), quoted in Marshall, *ibid.*, p. 86.

31 See, Marshall, *ibid.*, p. 89.

32 *Ibid.*, p. 92.

33 *Ibid.*, p. 86.

34 *Ibid.*, p. 87.

35 See, Matt., 5 : 17 – 18.

a woman accused to adultery. This is the only incident recorded in the Gospel where Jesus directly dealt with penal justice issue. In that incident, it is seen that when the Scribes and Pharisees were insisting again and again for Jesus' decision to inflict punishment for adultery according to the law of the Old Testament (stoning to death), he simply said: "Let anyone among you who is without sin be the first to throw a stone at her."<sup>36</sup> After hearing this, all accusers went out on their own ways without throwing stones to that woman and finally Jesus released her without any condemnation, only by saying 'Go your way, and from now on do not sin again.' Those who adduce that incident as an evidence of Jesus' abrogation of the previous penal code, contend that if Jesus really wanted her execution according to law, he himself could have thrown the first stone at her, as at least, he himself was without sin there. But the real fact is that, in that incident Jesus was a judge and not an accuser; and as all accusers had withdrawn their accusation, so as a judge, Jesus released her without any condemnation. Moreover, there was an inner weakness in that very incident. Because everybody knows that adultery is an evil act which involves two culprits – male and female. But according to that narrative, Scribes and Pharisees brought only woman partner. Thus any reasonable person can raise a question here that if the event is true and the Scribes and Pharisees are fair enough, then where is the male culprit? Most probably because of this inner weakness of that incident, Jesus just avoided that matter tactfully. Therefore it can be concluded that the cited example of the Gospel of John cannot be used as an evidence of Jesus' abrogation of the previous penal code. Daryl Charles strongly suggests that in no way Jesus sets aside the civil – legal and moral stipulations that the Old Testament had stressed.<sup>37</sup>

In determining Christian position on penal justice, the theological question whether God is a 'Law- Giver' or a 'Liberator – Redeemer' is a most crucial one. According to Christian belief, Jesus appeared in this world as a Liberator and as a Redeemer. Some Christian ethicists contend that all the ethical issues including the criminal offences should be considered in this new context and according to Jesus' teachings on compassion and forgiveness. And according to this point of view, it is difficult to say that Christianity approves any punishment for the offenders. Nevertheless, there are some situations in the

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<sup>36</sup> John, 8 : 7.

<sup>37</sup> J.D. Charles, "Crime, the Christian, and Capital Justice", JETS, 1995, quoted in Marshall, *op. cit.*, p. 240.

New Testament which indicate that the New Testament approves punishment for the offenders.

Those who consider that the New Testament approves punishment for the criminal offences insist that except the story of John 8 : 3 – 11 and the verses of Matthew 5 : 38 – 41, there is nothing in the Gospel which rescinds the previous penal code. Moreover there are some advices, examples, and parables in the Gospel, which appear that Jesus approved punishment for the offences. For example, in Matthew 5 : 25 – 26 Jesus advises his hearers to reconcile with the accuser on the way, at the same time, he warns that otherwise it might happen that the accuser handovers the accused to the judge and the judge handovers him to the guard and finally he will be thrown to the prison. Here though it is not very obvious, it seems that Jesus approves the system of court, guard or police and prison to handle the criminal affairs.<sup>38</sup> In his parable of the unforgiving servant in Matthew 18 : 23 – 35, it also seems that he parabolically approves the police and prison system for the offenders. The verses of Matthew 18 : 6 – 7, can also be considered as Jesus approval of punishment. In these verses, Jesus said:

If any of you put a stumbling block before one of these little ones who believe in me, it would be better for you if a great millstone were fastened around your neck and you were drowned in the depth of the sea. Woe to the world because of stumbling block! Occasions for stumbling are bound to come, but woe to the one by whom the stumbling block comes! (cf. Mark, 9 : 42 ; Luke, 17 : 1 – 2 ).

In these verses, Jesus explicitly expresses his wish or attitude towards offenders who commit offence against the believer's community. Now if it is considered that Jesus approved punishment for the offenders, does it create contradiction with his advice to forgive someone's transgression up to seventy-seven (or seventy times seven) times (Matthew, 18 : 21 – 22)? I would say it does not. Because, if we minutely observe these two situations, a clear distinction will be found between them. The advice to forgive 'seventy – seven times' has been given on the basis of a query of St. Peter, "if another member of the church sins against me, how often should I forgive?" Here 'sins against me' clearly indicates to a personal transgressor, so this advice should be understood also in relation to personal transgression. But the situation of Matthew 18 : 6- 7, indicates clearly a transgression against believer's community or it can be said

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<sup>38</sup> See, Marshall, *ibid.*, p. 223.

against society. Therefore, it can be concluded that the advice to forgive 'seventy – seven' times are especially for personal transgressors or offenders, and in this case, he himself set up an example of forgiveness by forgiving his own executioners. But the offences against community or society should be considered differently, and in this case, offenders or criminals should be punished. Pope John Paul II wrote in this regard in his *Evangelium Vitae* as follows:

Public authority must redress the violation of personal and social rights by imposing on the offender an adequate punishment for the crime, as a condition for the offender to regain the exercise of his or her freedom. In this way authority also fulfils the purpose of defending public order and ensuring people's safety, while at the same time offering the offender an incentive and help to change his or her behaviour and be rehabilitated.<sup>39</sup>

The Catechism of the Catholic Church also teaches in this regard that legitimate public authority has the right and duty to inflict punishment proportionate to the gravity of the offence.<sup>40</sup> Therefore, it can plausibly be said that Christianity endorses punishment for the criminal offences.

The endorsement of punishment is not contrary to the great commandment of love to one's neighbour, because, love and mercy actually demanded justice and the demand for justice is to punish the criminals. In J. R. Connery's consideration, Jesus' teaching may call us to new depths of love for the neighbour, but it does not contain prescriptions of magnanimity towards felons, murderers, and other criminals; and any attempt to invoke such a 'law of love' in order to cover behaviour that is prohibited ethically or morally in scripture is a theologically perversion.<sup>41</sup> For Timothy Gorringe, if there were no love, the world would be morally indifferent, but if there were no justice, there would be no love as well, as in an unjust world there is no love.<sup>42</sup> Therefore any attempt to explain Jesus great commandment of love as a ticket for moral violence, certainly will be a wrong. So approval of punishment does not create any contradiction with love and mercy which is the central message of Christianity, although there is still a tension remaining between justice and love.

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39 John Paul II, *Evangelium Vitae*, No. 56. [http://www.catholic-pages.com/documents/evangelium\\_vitae.pdf](http://www.catholic-pages.com/documents/evangelium_vitae.pdf)

40 See *Catechism of the Catholic Church*, Second edition, no. 2266. <http://www.scborromeo.org/ccc/p3s2c2a5.htm>

41 J. R. Connery, "Capital Punishment", EBCE, 49, quoted in Marshall, *op. cit.*, p. 240.

42 See Timothy Gorringe, *op. cit.*, p. 236.

#### 4. Christian Views on Capital Punishment

The Old Testament's view on capital punishment is very much explicit. In Genesis 9: 5- 6, the approval of capital punishment is seen for the first time. It was at the time of Noah. Later on, in Moses' law the scope of capital punishment is extended. However in the Old Testament's law, there are more than twenty offences which deserve capital punishment. These offences can be grouped broadly under the heading of interpersonal offences, sexual offences, and religious offences. The interpersonal offences which deserve capital punishment according to the Old Testament penal code are murder,<sup>43</sup> causing a miscarriage or any other harm done to a pregnant woman in the course of a fight,<sup>44</sup> negligence by the owner of a domestic animal that has killed before and failing to keep it carefully so that it kills again,<sup>45</sup> kidnapping,<sup>46</sup> cursing one's parents,<sup>47</sup> rebelling against one's parents,<sup>48</sup> striking a parent,<sup>49</sup> contemptuous act against a judge,<sup>50</sup> and false testimony on a matter worthy of death.<sup>51</sup> Sexual offences that deserve capital punishment in the Old Testament penal code are adultery,<sup>52</sup> homosexuality,<sup>53</sup> bestiality,<sup>54</sup> incest,<sup>55</sup> rape to a married woman,<sup>56</sup> fornication with a betrothed woman,<sup>57</sup> intercourse with both a woman and her mother,<sup>58</sup> and prostitution by a priest's daughter.<sup>59</sup> The religious offences that deserve capital punishment are blasphemy,<sup>60</sup> idolatry and encouraging to idolatry,<sup>61</sup> breaking the Sabbath,<sup>62</sup> false prophecy,<sup>63</sup> sorcery and witchcraft,<sup>64</sup>

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43 See, Exod., 21 : 12 – 14 ; Lev., 24 : 17, 21 ; Num., 35 : 16 – 21 ; Deut., 19 : 11 – 13.

44 See, Exod., 21 : 22 – 25.

45 *Ibid.*, 21 : 28 – 30.

46 *Ibid.*, 21 : 16.

47 *Ibid.*, 21 : 17 ; Lev., 20 : 9.

48 See, Deut., 21 : 18 – 21.

49 See, Exod., 21 : 15.

50 See, Deut., 17 : 12.

51 *Ibid.*, 19 : 16 – 19.

52 Lev., 20 : 10 ; Deut., 22 : 22 – 24.

53 Lev., 20 : 13.

54 *Ibid.*, 20 : 15 – 16 ; Exod., 22 : 19.

55 Lev., 20 : 11 – 12.

56 Deut., 22 : 25.

57 *Ibid.*, 22 : 20 – 22.

58 Lev., 20 : 14.

59 *Ibid.*, 21 : 9.

60 *Ibid.*, 24 : 10 – 23.

61 Exod., 22 : 20 ; Deut., 13 : 1 – 17 ; 17 : 2 – 7 ; 18 : 20.

62 Exod., 31 : 14 ; Num., 15 : 32 – 36.

63 Deut., 13 : 5 ; 18 : 20.

child sacrifice to other god,<sup>65</sup> ignoring the decision of a priest,<sup>66</sup> drunkenness by a priest,<sup>67</sup> unanointed individuals touching the holy furnishings in the temple,<sup>68</sup> and intrusion of an alien into a sacred place of the temple.<sup>69</sup> There are various modes of execution that are recorded in the Old Testament. These are stoning, burning, hanging, beheading etc., but stoning is the most frequent form.<sup>70</sup> The Old Testament penal code is equally applicable to all persons irrespective class, clan, gender, native or foreigner.<sup>71</sup> However, some exceptional cases are also recorded in the Old Testament where capital punishment were not enforced, though the offences done deserve capital punishment according to law.<sup>72</sup>

The New Testament's stand on capital punishment is not explicit like the Old Testament. Here remains a tension between the demands of justice on the one hand, and the way of compassion, mercy and forgiveness taught by Jesus on the other. Christian scholars, though agree on this view that the Scripture should be the primary determinant to settle the normative position of capital punishment, reach opposite conclusion about what Scripture really requires on this very point. Even, those who are devoted Christians are also divided into two groups on this issue.<sup>73</sup> Therefore to arrive at an authentically Christian position on capital punishment is not an easy matter. However, I shall try to assess both the views and then shall try to reach a conclusion on this matter.

Proponents of capital punishment contend that there are some indications in the New Testament which appear that the New Testament approves capital punishment. For example, in John 19 : 10 – 11 when Pilate told Jesus that he has the power to release him and also has the power to crucify him, at that time, Jesus' reply was as follows: "You would have no power over me unless it had been given you from above; therefore the one who handed me over to you is guilty of a greater sin." In these verses, Jesus acknowledges the ruler's power to inflict capital punishment and by saying that this power has been given from

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64 Exod., 22 : 18 ; Lev., 20 : 27.

65 Lev., 20 : 2.

66 Deut., 17 : 12.

67 Lev., 10 : 8 – 9.

68 Num., 4 : 15.

69 Num., 1 : 51 ; 3 : 10; 18 : 7.

70 See, Marshall, *op. cit.*, pp. 206 – 207.

71 Cf., Lev., 24 : 16, 22.

72 See, Gen., 4 : 8–16; Exod., 2 : 11 – 15; 2 Sam., Chap. 11 & 12.

73 See, Marshall, *op. cit.*, pp. 202 – 203.

above, Jesus, in fact, endorses the validity of capital punishment.<sup>74</sup> In Matthew 26 : 51 – 52, when one of his disciples struck upon a slave of the high priest by his sword and cut off his ear, Jesus said: “ Put your sword back into its place; for all who take the sword will perish by the sword.” In this verses, ‘all who take the sword’ can be explained as ‘all who commit offence by the sword, that means commit murder’, and ‘will perish by the sword’ can be explained as ‘inflict capital punishment on the respective offender by the sword.’ So it can be said that these verses express Jesus’ implicit endorsement of capital punishment.<sup>75</sup> In his parable of the Ten Pounds in Luke 19: 10 – 11, he also implicitly endorses the option of capital punishment. Wayne House in his article ‘The New Testament and Capital punishment’ concludes as follows: “If the Sermon on the Mount shows us anything about Jesus’ attitude towards capital punishment, it shows us that he accepted it as a valid exercise of Governmental authority and a proper part of the Mosaic Code.”<sup>76</sup>

In a letter of St. Paul, it seems that he also approved capital punishment. When he said to the Festus, “ ... I have done no wrong to the Jews, as you very well know. Now if I am in the wrong and have committed something for which I deserve to die, I am not trying to escape death; but if there is nothing to their charges against me, no one can turn me over to them. I appeal to the emperor.”<sup>77</sup> In these verses, Paul eventually recognized the existing practice of death penalty of his time. ‘If I am in the wrong and have committed something for which I deserve to die’ imply that according to Paul, there are some offences which deserve death penalty. Therefore, it is an endorsement of St. Paul to capital punishment. In Romans 1 : 29 – 31, St. Paul mentioned some twenty one sins which contain some moral crimes as well and then he wrote as follows: “They know God’s decree, that those who practice such things deserve to die – yet they not only do them but even applaud others who practice them.”<sup>78</sup> In this narration, by saying ‘it is God’s decree that those who practice those evil deserve to die’ St. Paul explicitly acknowledged the validity of capital punishment. And in Romans 13:3 – 4, he again wrote in this regards as follows:

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<sup>74</sup> *Ibid.*, pp. 223 – 224.

<sup>75</sup> *Ibid.*, p. 223.

<sup>76</sup> Wayne House, “The New Testament and Capital Punishment,” in H. W. House and J. H. Yoder (eds.), *The Death Penalty Debate* (Dallas: Word, 1991), quoted in Marshall, *loc. cit.*

<sup>77</sup> Acts, 25 : 10 – 11.

<sup>78</sup> Romans, 1 : 32.



For rulers are not a terror to good conduct, but to bad. Do you wish to have no fear of the authority? Then do what is good, and you will receive its approval; for it is God's servant for your good. But if you do what is wrong, you should be afraid, for the authority does not bear the sword in vain! It is the servant of God to execute wrath on the wrongdoer.

In Marshall's opinion, this is the determinative passage that expresses Paul's approval to capital punishment and here he explicitly affirms the death penalty.<sup>79</sup> R. C. H. Lenski and Daryl Charles both consider that here sword is not used as a symbolic sense, rather as a literal sense and hence, it implies actual sword in the hand of the executioner to inflict death penalty on criminals.<sup>80</sup> For St. Paul, human authority or rulers are the agents or servants to exercise vengeance on evildoers on behalf of God, so when the ruler punishes offenders or rewards virtuous, it does not mean a human ruler but God. Now if we compare this notion with the message of John 19 : 10 – 11, where Jesus recognized that the power of Pilate to crucify someone had been given from above, it becomes obvious that human rulers are the true agents to inflict capital punishment on behalf of God. So both these messages approve validity of the capital punishment as it is instituted by God himself. For Marshall, as God used human authority or state as an instrument to maintain civil order and in maintaining civil order provision of capital punishment is required, so the Christians have no right to agitate for abolition of the death penalty.<sup>81</sup> Wayne House insists that according to biblical evidence death penalty is absolutely compatible with the nature of God and biblical data endorse it.<sup>82</sup> According to biblical data, capital punishment is instituted at the time of Noah and is incorporated and extended in Mosaic law and reaffirmed after Moses' law (John 19 : 11 ; Acts 25 : 11 ; Rom. 13 : 4 ). That means, it is instituted from the very beginning of the Old Testament and is repeated again and again throughout the Scripture including the New Testament.<sup>83</sup>

But this contention in favour of death penalty is not without complexity as there are some other Christian scholars who consider that in Christianity there is no provision for capital punishment. They insist that from the Christian perspective capital punishment needs to be evaluated in the light of the crucifixion of the Christ. Their main contention is that the death of the Christ in the Cross

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79 See, Marshall, *op. cit.*, pp. 224 – 225; also cf., p. 147.

80 *Ibid.*, p. 225.

81 *Ibid.*, p. 226.

82 Wayne House, "Crime and Punishment" in H. W. House and J. H. Yoder (eds.), *The Death Penalty Debate* (Dallas: Word, 1991), quoted in Marshall, *op. cit.*, p. 240.

83 See, Geisler, *op. cit.*, pp. 209 – 210.

definitely destroyed the pollution and uncleanness of sin, as this death is interpreted as a sacrificial death in some texts of the New Testament.<sup>84</sup> ‘Christ died for all men,’<sup>85</sup> it follows that he has already taken capital punishment for all.<sup>86</sup> Therefore, to inflict death penalty after him is inconsistent with the Christian message. For them, capital punishment, though existed before Christ has no place after him, and all criminal offences should be considered in the light of this salvation history, which summons a new way of responding to enemies and criminals.

Christian scholars who oppose capital punishment want to say that the way of love taught and embodied by Jesus does not overturn all political and judicial organs of social control, but it does challenge the practice of lethal retribution against wrongdoers, especially when it is done in the name of divine justice.<sup>87</sup> They also contend that the atoning value of the Old Testament practices is fulfilled and superseded by the death of the Christ, and hence, the language of atonement cannot be used to defend capital punishment in the Christian era.<sup>88</sup> For them, to appeal to the death penalty in the Old Testament times to justify its use in the penal system of modern era is anachronistic.<sup>89</sup>

Opponents of capital punishment further contend that any attempt to draw a Christian justification of death penalty from Romans 13 : 3 – 4 is a misunderstanding. In support of their opinion they mention that the most recent commentators of the New Testament are agreed on this view that St. Paul did not develop a Christian ‘doctrine of the state’ in Roman 13. For James Walters, Romans 13 should not be used as ‘Paul’s Theology of Church and State.’<sup>90</sup> And as it is not a theology of Church and state, it cannot be used as an authorization to state to inflict capital punishment. Therefore, to interpret the text of Roman 13 : 3 – 4, as a direct authorization to death penalty is a misunderstanding.<sup>91</sup> J. Lasserre in his *War and the Gospel* concluded by the writing as follows: “No

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84 See, Rom. 5 : 8; Heb. 9 : 12 – 14, 23 – 26; 1 pet. 1 : 2 ; 1 John 1 : 7.

85 Cf., Rom. 5 : 12 – 18.

86 See, Geisler, *op. cit.*, pp. 194 – 195.

87 Marshall, *op. cit.*, p. 241.

88 *Ibid.*, p. 222.

89 *Ibid.*, pp. 240 – 241.

90 James Walters, *Ethnic Issues in Paul’s Letter to the Romans: Changing Self-Definitions in Earliest Roman Christianity*, (Valley Forge:, Trinity Press International, 1993), p. 65, quoted in Marshall, *op. cit.*, p. 235.

91 See, Marshall, , *op. cit.*, pp. 235 – 236.

Christian justification of the death penalty can be deduced from Roman 13, so there is no single text in the New Testament which approves it.”<sup>92</sup>

From the aforesaid account it is plausible that the New Testament stand on capital punishment is ambiguous and Christian scholars are sharply divided over the exegesis of the relevant texts of the New Testament. So, in order to reach a conclusion on this debate, I would like to look at the contemporary official teachings of the Catholic Church. The Catechism of the Catholic Church teaches in this regard as follows:

Assuming that the guilty party's identity and responsibility have been fully determined, the traditional teaching of the Church does not exclude recourse to the death penalty, if this is the only possible way of effectively defending human lives against the unjust aggressor. If, however, non-lethal means are sufficient to defend and protect people's safety from the aggressor, authority will limit itself to such means, as these are more in keeping with the concrete conditions of the common good and more in conformity to the dignity of the human person. Today, in fact, as a consequence of the possibilities which the state has for effectively preventing crime, by rendering one who has committed an offence incapable of doing harm – without definitely taking away from him the possibility of redeeming himself – the case in which the execution of the offender is an absolute necessary are very rare, if not practically nonexistent.<sup>93</sup>

On the basis of this teaching, we can say that the Catholic Church stresses on the safeguard of the common good and protection of the public safety against any unjust aggressor, and where there is no alternative way other than death penalty to protect people's safety, in that critical moment, Catholic Church supports capital punishment. But at the same time, Catholic Church accentuates that this critical situation is no more existent in present day's society. That means, Catholic Church, in fact, opposes capital punishment. Therefore, it can be concluded that from Catholic point of view, there is no provision of capital punishment in Christianity.

### **5. Purpose of Punishment in Christianity**

Moral philosophers have tried to justify punishment to the offenders in different ways. In doing so, they have propounded several philosophical theories. Major philosophical theories in justifying punishment for the offenders are deterrence

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92 J. Lasserre, *War and the Gospel* (London: James Clarke, 1962), p. 187, quoted in Marshall, *op. cit.*, p. 239.

93 *Catechism of the Catholic Church*, no. 2267, *loc. cit.*; also cf. John Paul II, *Evangelium Vitae*, No. 56, *loc. cit.*

theory, retributive theory and rehabilitation theory. The deterrence theory appeals to utilitarian consideration to justify punishment to the criminals. Proponents of this theory insist that punishment is the only way by which the criminals will be discouraged from committing the same crime again, and in the future, the potential criminals will also be discouraged by it.<sup>94</sup> According to this theory, punishment itself is not a good thing but it produces a good result; as exemplary punishment plays an important role to protect potential victims from further crime. So the purpose of punishment in deterrence theory is to produce greater good for the society by discouraging criminals and potential criminals. The retributive theory appeals to justify punishment by its inner justness. According to this theory, crime upsets the moral and social order, and punishment is required to restore the balance. When an offence is committed, the offender deserves punishment, this is the demand of justice. So punishment is due or deserves for the offenders and no other justification is needed here.<sup>95</sup> Offenders legally deserve suffering for what he or she has done to other, this is just, and hence, not to punish offender is unjust. The principle of this theory is to inflict exact proportionate punishment; that means punishment must fit to the crime. The purpose of punishment in this theory lies in punishment, and it is to restore justice. The rehabilitation theory has a completely different view. In this theory, punishment is mainly considered as a therapy. Proponents of this theory contend that punishment can be justified only as a means to reform or rectify the criminals. So punishment can be considered here as one kind of treatment of criminal tendencies or distorted mentalities of the criminals, so that they can return back to the normal law-abiding society.<sup>96</sup> Therefore, the purpose of punishment in rehabilitation theory is to re-establish or rehabilitate the offenders and criminals in the society by curing their antisocial and criminal mentality. Now keeping in mind the main themes of the above-mentioned theories, let me enter into the biblical view on this very issue.

One of the explicit injunctions of the Old Testament in regard to punishment is as follows: “Stone them (who encourage people to idolatry) to death for trying to turn you away from the LORD your God, who brought you out of the land of Egypt, out of the house of slavery. Then all Israel shall hear and be afraid, and

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94 See, Bernard Hoose, “The punishment of Criminals”, in Bernard Hoose (ed.), *Christian Ethics : An Introduction*, (London: Cassell, 1999), p. 199.

95 See, Marshall, *op. cit.*, p. 98.

96 *Ibid.*, p. 99, also see, Hoose, *op. cit.*, p. 204.

never again do any such wickedness.”<sup>97</sup> In these verses, the expression ‘all Israel shall hear and be afraid, and never again do any such wickedness’ explicitly supports the view of deterrence theory. The purpose of punishment is obvious here and it is to protect innocent people by growing fear among them, so that they refrain themselves from the same evil. In Deuteronomy 17: 8 - 13, where death penalty is determined for the disobedience to the priests or judge’s decision further cited, “all the people will hear and be afraid, and will not act presumptuously again.” So there is an approval of deterrence theory in the Old Testament. In the New Testament, we also get implicit support for the deterrent view of punishment. St. Paul wrote in his first letter to Timothy: “ As for those who persist in sin, rebuke them in the presence of all, so that the rest also may stand in fear.”<sup>98</sup> In Acts 5: 1 – 11, though the punishment on Ananias and Sapphira was not inflicted by any human agency, they did not get any opportunity to rectify themselves from lying against the Holy Spirit. The punishment of that couple seized with a great fear to all the Church members, which can also be considered as an implicit support for the deterrent view of punishment. In Romans 13 : 2 – 4 , it is also expected to have a deterrent effect on others.<sup>99</sup> For Christopher D. Marshall, the Bible is filled with admonitions for the protection of the innocent and it implies that the Bible recognizes a deterrent dimension of punishment.<sup>100</sup>

The ‘like for like’ principle of the Old Testament (Exod 21: 23 – 25; Lev. 24 : 19 – 21; Deut. 19 : 21) is an ardent example of retributive view of punishment. The principle of ‘life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, fracture for fracture, injury for injury, stripe for stripe, burn for burn,’ has no other justification but to restore justice by punishing the offenders in the same way what they had done to the other. This ‘like for like’ principle is the most prominent penal code in Mosaic law to deal with the criminal offences, and it explicitly supports the retributive view of punishment. Except this, there are so many materials in the Old Testament which explicitly support the retributive view of punishment.<sup>101</sup> The New Testament though approves punishment for the offenders, the retributive view of punishment is not explicit

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97 Deut., 13 : 10 – 11.

98 1 Tim., 5 : 20.

99 See, Marshall, *op. cit.*, p. 147.

100 *Ibid.*, p. 105.

101 See, Exo. 21 : 12, 14; Lev. 17 : 17 – 18; Deut. 19 : 11 – 13; Ps. 7 : 15; Ezek. 18 : 4.

in it any more, especially in relation to interpersonal offences. In this area, it highly encourages for forgiveness and mercy. For Timothy Gorringer, the texts, which have been used for centuries to legitimate retributive ideas of punishment, can be understood in a very different way, but in fact, the New Testament far from underscoring retributivism, actually deconstructs it.<sup>102</sup> Stephen Travis asserts that in the New Testament, retributive concepts are almost displaced because of the nature of the Christian Gospel.<sup>103</sup> In C. F. D. Moule's consideration, there is no place of retribution in Christian vocabulary.<sup>104</sup> The Christian Gospel, in fact, announces a new relationship to God which is based on grace, forgiveness, and love, and this emphasis virtually eclipses the concept of retributive punishment.<sup>105</sup>

But according to the New Testament, there is an intrinsic effect of crime upon the criminals. It deteriorated the criminal's own personality and as a result, an inner moral degradation occurs, which leads him finally to total ruination. St. Paul wrote in this regard: "Do not be deceived; God is not mocked, for you reap whatever you sow."<sup>106</sup> In another place he more explicitly said, "The wages of sin is death."<sup>107</sup> So the offender suffers from an intrinsic punishment for his or her offences and in true sense, this is the real retribution for crime. In explaining this view Walter Moberly spells out: "The most certain and the most terrible retribution of our wrongdoing will then be nothing that is done to us, but simply what we ourselves have become."<sup>108</sup> In Marshall's consideration, this idea is strongly supported in the New Testament.<sup>109</sup> Moreover, in Christianity, the death of Christ is generally considered as expiatory,<sup>110</sup> which also implicitly supports the retributive theory of punishment.<sup>111</sup> According to *Evangelium Vitae* of Pope John Paul II, the primary purpose of punishment is to

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102 Gorringer, *op. cit.*, p. 58, also cf., p. 265.

103 Stephen Travis, *Christ and the Judgement of God: Divine Retribution in the New Testament* (London: Marshall & Pickering, 1996), p. 168, quoted in Marshall, *op. cit.*, p. 146.

104 C. F. D. Moule, "Punishment and Retribution: An Attempt to Delimit Their Scope in New Testament Thought", NPCJ 10, 1990, cited in Marshall, *op. cit.*, p. 128.

105 Marshall, *op. cit.*, p. 146.

106 Gal., 6 : 7.

107 Rom., 6 : 23.

108 Walter Moberly, *The Ethics of Punishment* (London: Faber & Faber, 1968), p. 179, quoted in Marshall, *op. cit.*, p. 136.

109 See, Marshall, *op. cit.*, p. 136.

110 See, Rom. 3 : 25.

111 See, Gorringer, *op. cit.*, p. 212.

redress the disorder caused by the offence,<sup>112</sup> which is one of the views of retributive theory. In addition, the Christian notion of final judgement also possesses the retributive view of punishment.<sup>113</sup> Therefore, in Christianity there is a theme of retributive punishment for the offences.

The most explicit and highlighted view of the New Testament regarding the purpose of punishment is to rehabilitate or to restore the offenders. Jesus has proclaimed this view in this way: “Those who are well have no need for a physician, but those who are sick. Go and learn what this means ‘I desire mercy, not sacrifice.’ For I have come to call not the righteous but sinners.”<sup>114</sup> So the purpose of Jesus’ mission was to rescue and rectify the sinners and offenders, rather than their ruination through retributive punishment. In Matthew 18: 15–17, he advises his followers to try at best to rehabilitate the offenders in the community instead of punishing them retributively. St. Paul also wrote in this regard as follows: “My friends, if anyone is detected in a transgression, you who have received the Spirit should restore such a one in a spirit of gentleness. Take care that you yourselves are not tempted. Bear one another’s burdens, and in this way you will fulfil the law of the Christ.”<sup>115</sup> In these verses, Paul advises his hearers especially those who are in advance position in terms of religiosity, to restore and rehabilitate the detected transgressor in the community through gentle behaviour instead of taking any punitive action. Like Jesus, Paul also advises his hearers to mutually settle their internal disputes rather to bring their case to the pagan court.<sup>116</sup> In the New Testament, we find punishment for temporary expulsion from the community for different types of offences.<sup>117</sup> The purpose of this temporary excommunication is to bring them into repentance and to rectify so that they can rehabilitate again into the community. All these bear testimonies to the rehabilitative view of punishment. And in some way, we find support for the rehabilitative view in the Old Testament also.<sup>118</sup> The Catechism of the Catholic Church teaches in this regard as follows:

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112 See, John Paul II, *Evangelium Vitae*, no. 56, *loc. cit.*; also cf., Catechism of the Catholic Church, no. 2266, *loc. cit.*

113 See, Marshall, *op. cit.*, pp. 176 – 178 & 182 – 183.

114 Matt. 9 : 12 – 13.

115 Gal. 6 : 1 – 2.

116 1 Cor. 6 : 1 – 8.

117 See, Matt. 18 : 15 – 18; 1 Cor. 5 : 1 – 13; 2 Thess. 3 : 13 – 15.

118 See, Ezek. 18 : 21 – 23.

Punishment has the primary aim of redressing the disorder introduced by the offense. When it is willingly accepted by the guilty party, it assumes the value of expiation. Punishment then, in addition to defending public order and protecting people's safety, has a medicinal purpose: as far as possible, it must contribute to the correction of the guilty party.<sup>119</sup>

In Christopher D. Marshall's consideration, the New Testament vision on crime and punishment is best expressed by the phrase of 'restorative justice' rather than 'rehabilitative justice.' The main focus of restorative justice is reconciliation and reparation of the harm done. For Wayne Northey, restorative justice is a peace making response to crime, it does not respond to a harm done by a new harm, rather it is a healing response to victim, offender and the wider community as well.<sup>120</sup> It can also be termed as 'peace making justice.'<sup>121</sup> There are three major components in restorative justice (i) restitution or compensation for the victim, (ii) reconciliation between victim and offender and as well as offender and his or her community, and (iii) restoration or healing the offender's own character and conduct.<sup>122</sup> Though there is a point of contact between 'rehabilitative justice' and 'restorative justice' but these two are not identical. Marshall has expressed his view in following words: "It is not rehabilitationism in new guise. It is an alternative model, a 'third way' between the retributive and rehabilitative models that have dominated penal philosophy, a distinctive way of thinking about crime and punishment."<sup>123</sup> The main focus of rehabilitative justice is to rehabilitate the offenders through their rectification whereas the restorative justice attempts to restore the victim, offender and the community as well, and this restorative view of punishment is more compatible with the central message of the Christian Gospel.<sup>124</sup> And sometimes it is argued that the purpose of punishment in the Old Testament is also restorative.<sup>125</sup>

Finally, it can be said that deterrence, retribution and rehabilitative or restorative all these views regarding the purpose of punishment are justifiable. For Marshall, each of these categories is valid and morally defensible in itself, but no single category is sufficient to account for all dimensions of punishment.<sup>126</sup> If we look at the Bible, we find that to some extent, the Bible

119 Catechism of the Catholic Church, no. 2266, *loc. cit.*

120 Wayne Northey, "Restorative Justice: Rebirth of an Ancient Practice", NPCJ 14, 1994, quoted in Marshall, *op. cit.*, p. 2.

121 See, Marshall, *loc. cit.*

122 *Ibid.*, p 142.

123 *Ibid.*, pp. 2 – 3.

124 For detailed explanation please see, Marshall, *ibid.*, pp. 145 – 198.

125 *Ibid.*, pp. 123 – 126.

126 *Ibid.*, p. 129.



supports all these major views of the theories of punishment for its moral justification. That means, the Bible reflects all these major views in this respect, though its distinctive concern is expressed in rehabilitative or restorative purpose. Marshall expresses his opinion in this regard in the following way:

We also explored the extent to which different theories of punishment are reflected in Scripture. We found that while punishment in the Bible is sometimes justified in terms of deterrence, reprobation, and retribution, its overriding purpose is to promote repentance, reformation, and restoration, both of the covenant community and, where possible, of the individual offender.<sup>127</sup>

However, in my consideration, the retributive view of punishment was dominating throughout the Mosaic penal code, but in the Gospel, Jesus made a change and replaced it by his redemptive activity and forgiving attitude. So in the Gospel and also in the rest part of the New Testament, the retributive view of punishment is no more dominating, rather rehabilitative, reformatory or restorative vision receive high priority than any other views.

## **6. Conclusion**

In conclusion, it can be said that Christianity puts emphasis to ensure public security and to maintain law and order in the society, and for the sake of maintaining these, it approves punishment in different degrees if there is no alternative way other than punishment. In regard to capital punishment, Christian scholars are divided in their opinions, but it can be said that Christianity maintains a negative attitude towards it; though the Old Testament i.e., the Mosaic penal code univocally supports capital punishment for the capital offences. According to Christianity, punishment serves multifarious purposes and to some extent, it reflects the views of all major philosophical theories in regard to the purpose of punishment.

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<sup>127</sup> *Ibid.*, p. 197.

## **DASANAMI SANNYASIS AS ASCETICS AND WARRIORS**

Ananda Bhattacharya\*

The popular imagination that the *Dasanami Sannyasis* the participants of anti-Colonial resistance in Bengal, were the people of Bengal. But this is a wrong assumption. They came from Northern and Western India. These areas were the major strongholds of the *Sannyasis*. Even Central India and parts of the Deccan were the centers of activities of the *Dasanamis*. In order to establish the group identities of the *Dasanamis* we have to identify the geographical locations of their *maths* and *akhrahs* through which the *Dasanamis* operated their activities. They not only used to reside there but also operated their activities from there. It is also necessary to mention in this context, the exact geography of North-West India where *Dasanami Sannyasis* were very much dominant. From this North-Western region they used to enter Bengal and Bihar for the purposes of pilgrimage, trade and money lending. Bengal and Bihar were simply their hunting grounds for extorting contributions in the name of religious charity from the rural people and the zamindars. This explains why the *Dasanamis* performed activities as traders, money lenders and mercenary soldiers in those regions since the *Mughal* period. Though the *Dasanamis* were very much known as free wheeling foreigner's in Bengal in the second half of the eighteenth century, they did not commit any violent activities in their places of residence.

### **Roots of the *Dasanamis***

Under the circumstances it is necessary to define the connotation of the term *Dasanami* and *Madari*. *Dasanami* means ten names viz., Giri, Puri, Bharati, Aranya, Parbat, Ban, Saraswati, Tirtha, Ashram, Sagar and Parbat. Sources are available about Giri, Puri and Bharati, the three sub-orders of the *Dasanamis* both in official correspondence and Census Reports. It appears from the Census Reports that in 1891 the total number of gossains were widely distributed in western and central India which is shown in Table:

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\* Ananda Bhattacharya, Assistant Director, West Bengal State Archives, India



**Table-1**[illegible]



They were the disciples of Great Sankaracharya and were controlled by four *maths*.<sup>1</sup> As E. T. Atkinson<sup>2</sup> has rightly said: “These people became the heads of the *Dasanami* or ‘ten-named mendicants’ and anyone joining the fraternity adopts one of these names. They are ruled by an assembly called *Dasanama* composed of the representatives of ten divisions, which has a complete control over all the *maths* of the order”. In fact the Ukhi *math* founded by Kedarnath order of Sankaracharya with the principal *math* of the North, viz., the Joshi *math*. The following extracts from Sister Nivedita’s *Northern Tirthas* traces the military character of the *Sannyasis* in charge of monasteries back to the date of their establishment. “Ukhi math was originally granted to the subject of military service by the old Kings of Garhwal of the same line as the present family... The present Raoul [Mahanta] is set to be over hundred and twenty-fifth in succession”.<sup>3</sup> But it is very difficult to explain the exact date of the beginning of *Dasanamis*’ settlements in those areas. The *Dasanamis* were divided into gossains and nagas. The gossains were permitted to lead a household life whereas the nagas were celibates. The gossains lived in *maths* whereas the nagas lived in *akhra*s. The important *akhra*s were namely Juna, Mahanirvani, Niranjani, Atal, Avahan<sup>4</sup> and Agni.<sup>5</sup> Originally the Juna *akhra* was said to have been founded at Prayag but its principal centers now is at Benares. Niranjani *akhra* was founded in 904 A.D. at Mandovi in Kutch. Its principal center is at Prayag but it has its branches at Nasik, Ujjain, Benares, Hardwar and Udaipur. *Siddhi Giris Mathiya* (math) situated at Awadh was mainly under the control of Juna *akhra*. Their activities covered a wide region from Awadh to the Deccan through this math. The gossains particularly the Puri sub-order was very dominant in the province of Malwa and adjoining districts during the early decades of nineteenth century. Their total strength was nearly two thousands where they enjoyed *enam* land. The gossains controlled the entire region of

1 Shyamlal Mallick, *Charidham Bhraman* (in Bengali), 1331 B.S. introduction; G. S. Ghurey *Indian Sadhus*, Bombay, 1964; J. Hastings (ed.), *Encyclopaedia of Religion and Ethics*, Vol. VI, New York, 1981, pp. 192-193. M. A. Sherring, *Hindu Tribes and Castes as represented in Benares*, London, 1872, p. 258

2 E. T. Atkinson, *The Himalayan Districts of the North-Western Provinces*, Vol. II, Allahabad, 1871, p. 862.

3 Cited in J. M. Ghosh, *Sannyasi and Fakirs raiders in Bengal*, Calcutta, 1930, p. 12.

4 According to Sir Jadunath, Avahan is the oldest *akhra*. See, J. N. Sarkar, *A History of the Dasanami Naga Sannyasis*, Allahabad, n.d. p. 90.

5 During his recent visit to Benares, Allahabad and Hardwar in 1989 the present author found the Agni *akhra*s still in existence at Rajghat in Benares

Anupshehr (situated on the west bank of the Ganges). J. C. Williams even when compiling the District Census Handbook of Uttar Pradesh particularly the district Barahbanki in 1869 he placed a table by which it is learnt that their total strength was 3391. They were mostly found in Tehsil of Nawabganj and Ramnagar. In Baroda in the late nineteenth century the gossains, particularly the Atit suborder of them was distributed indicating the number of males and females including married and widowers. The total strength was 10221 out of which total male persons were 5787 and females 4434. They were mostly scattered in Amreli, Navsari, Baroda and Baroda City. In early twentieth century their strength extended even upto Amritsar, Lahore, Karachi and in Rangoon. The Census Report of 1931 throws light on their occupation and means of livelihood as they did in those areas. Indore, Gwalior, Bhopal, Bundelkhand and Baghelkhand, Western Malwa and Guna were the major strongholds of the *Dasanamis* including Nagas, Gossains and Puri suborders. Hyderabad proper and Rajputana was not free from their operations. In Bihar the *Dasanamis* operated their activities through the maths established in Bodh Gaya. The Bodh Gaya math came into existence in 1590 A.D. (Fasli year 997) and controlled by the gossains Ghamandi Giri whose immediate successor was Chaitanya Giri who became the Mahanth in 1615 A.D. Mahanth Chaitnya Giri was famous for his learning piety and spent his time in worship and religious devotion. There is a detailed list of the mahanths of the Bodh Gaya in the report produced by Grierson. The successor of Chaitanya Giri was Hem Narayan Giri who was a great Sanskrit scholar and collected a large library of original Sanskrit manuscript. He built a large house in Benares for the benefit of the people. This math came into existence in the second half of fifteenth century. They were patronized by the Mughal monarchs. A large tract of land was rented in favor of them for their daily maintenance and livelihood.

The actual jurisdiction of the *Dasanamis* cannot be clearly understood from the official sources preserved in the archives of West Bengal, Uttar Pradesh<sup>6</sup> and New Delhi. In this respect, particularly the Persian sources either preserved in the archives or the chronicles written by the Court Poets of the regional Princedom would be useful source material to arrive at a clear understanding

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<sup>6</sup> In Uttar Pradesh there are five regional Archives viz., Allahabad, Varanasi, Nainital, Agra and Dehradun. The State Archives of Uttar Pradesh is in Lucknow. The present researcher consulted the primary sources preserved in Allahabad, Varanasi (the Regional Archives) and also the State Archives at Lucknow.

of the subject. Scholars have also failed to retrieve the Marathi and the Hindi sources available in the *akhra*s and archives widely scattered in various parts of Western India<sup>7</sup>. In this context, the translation of some Marathi sources and Persian manuscripts done by Sir Jadunath Sarkar clearly indicate that the Dasanamis belonged to present day Uttar Pradesh, especially (Awadh, Prayag, Mirzapur, Varanasi, Jhansi and Punjab), Maharashtra, Gujarat and Rajasthan. Due to the non-availability of abundant source materials it is very difficult to reach the conclusion that when exactly the *Dasanamis* began their activities in those regions. It may be assumed that they came into limelight during the decline of the Mughal Empire. The gradual decline of central authority and the rise of regional kingdoms helped the Dasanamis to act independently and thus their fortunes began to change rapidly till they faced stiff opposition of the English East India Company. This political instability encouraged them wandering all over India to become more militant and they began to act as semi-independent chieftains in the form of roving warbands. Bayly<sup>8</sup>, though in a limited way, mentioned only the Dasanamis' trading network which was facilitated by their mercenary activities. Since the Dasanamis were highly trained in arms and warfare through their *akhra* based organization under the leadership of respective *mahanths* they chose to act as mercenaries in the service of the regional powers. Side by Side they continued their ascetic way of life by attending the religious fairs and festivals like Kumbha Mela<sup>9</sup>, Ganga Sagar Island on the last day of *Pous Sankranti* (Bengali month corresponding 14/15 January), fair held at Janakpur in Nepal. During the Kumbha Mela, Niranjani, Juna and Atal *akhra*s were present and marched like a procession with arms and ammunition. In Bengal they were mostly found in Dinajpur and Malda in the mid-nineteenth century. The Census Report witnessed the existence of one hundred eighty seven sannyasis in Dinajpur and eight hundred forty-three in Malda who were basically Giri sub-orders carrying trade. In Kumbha Mela the gossains entered into bloody warfare. As W. W. Wilson has shown that a party of them also attacked Col. Goddard's troops in their march between Dorawal and Hirapur. It was a famous conflict of Hardwar where

7 The primary sources of Rajasthan State Archives, Bikaner and Gujarat State Archives should be consulted in this context.

8 C. A. Bayly, *Rulers, Townsmen and Bazaars: North Indian Society in the Age of British Expansion, 1770-1870*, Cambridge 1983, pp. 126-127.

9 The Makar Kumbha bath at Allahabad, when the sun enters the Zodiac sign of Capricorn (Makar); the Mesh Kumbha bath at Hardwar and the Singha Kumbha bath at Trimbak.



Bairagi nagas were also involved. The participation of Jogis and Baishnavas were also indicative. The leader of the Shaiva Party was Dhokal Giri who was the spiritual guide of Himmat Bahadur and in that sanguinary warfare eighteen thousand Bairagis were killed. Chandranath Sitakund, the famous shrine, situated in the Sitakund range of the Chittagong Hill Tracts was also a center of religious congregation of Dasanami sannyasis. It appears that Maharaja Mudoji Bhonsle permitted Moti Giri and Sumer Giri, two remarkable gossains to visit that place. The gossains used to perform the Vijaya ceremony just after their initiation. Implying that they must not be involved with their wives and families. After becoming a gossain he must give away all his earthly possession except a loin cloth (kaupin), a staff (danda) and a water pot (kamandalu). The gossains would also admit female in their orders in conformity with the males. They were neither selected nor purchased. They were included in the order by way of discretion. The gossains belonging to Giri suborder could not marry a woman of his own suborder but could select anyone of the other suborders. Though the people belonging to inferior castes were recruited, they could not rise to the position to which Brahmins and Rajputs would belong. Even the higher caste people did not touch the food cooked by the lower group of people. Naturally, the question may arise why the Dasanamis were recruited as soldiers in the Northern and Western India on a large scale. It appears that their activities in the field of polity and economy comprised a wide region in northern India from Awadh, Prayag (Allahabad), centering round Lucknow, Jhansi, Bundelkhand to the Deccan Plateau. It even extended as far as to Punjab, Simla and Kangra hills where they were in the habit of doing trade and money lending at an exorbitant rates of interest.<sup>10</sup> The Dasanamis formed a separate colony in that area where they entered into married life with Brahmins and followed the profession of cultivation. They gradually amassed wealth and used to lend money to the local Rajas and Ranas of that area at a compound rate of interest which varied between 24% and 72%. The Dasanamis in that area used to collect contributions in the name of religion and "continued exhaust the resources of the people in outer Saraj tract of Kullu". The gossains found in Nadaun and Jwalamukhi monopolized trade in opium, charas, wool and cloth. Their transactions extended to the Deccan. Most of the Kangra gossains belonged to Giri sub-order. In their social life the Dasanamis generally

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10 Ibbetson, *A Glossary of the Tribes and Castes of North Western Provinces*, Lahore, 1887, Vol. II, p. 303.

nominated the *chelas* as their legal successors. The widows of them were also entitled to have maintenance. Secular gossains generally did not come into cultivations. In their dress they used turban and dhuti. In Sirsa the gossains also formed a separate caste. In that locality generally the Giri, Puri and Tirtha sub-order of the Dasanamis were frequently found. Their involvement with government of Awadh for the three preceding generations helped them to establish their suzerainty over the Hanuman hills near Faizabad, through their oldest institution, *Sidhigiris Mathiya* (monastery), situated in Awadh. This monastic involvement also helped them to involve with the Nawabs of Awadh, like Suja-ud-Daullah and his son Asaf-ud-Daullah for nearly two decades.<sup>11</sup> The present paper shows how the Dasanamis had been able to amass liquid cash that they invested it in the field of trade and money lending. There are some sannyasis, particularly, the Giri suborder, who joined with their armed retainers with the Nawabs of Awadh, Jat Raja of Bharatpur (present day Haryana), Raja of Benares, Kumayun and Bundelkhand, Mahadji Sindhia, the Maratha chieftain and also with the Raja of Jaipur, Jodhpur and Jaishalmer. In this context it will be worthwhile to mention some of the Dasanami leaders who were very famous since the early years of eighteenth century north and western India.

The Dasanamis were the worshippers of Shiva as because they were *Shaivaites*. As Shiva himself wears a rosary of *Rudraksha* seeds every sannyasi does the same. A *Rudraksha* is said to have the greatest sanctity and mystic power. Besides Shiva, a Hanuman also was one of the chief deities worshipped by the Dasanamis and Kanphata Jogis. Umrao Giri, the brother of Anup Giri had six sons of his own and three illegitimate children. The Dasanamis were in the habit of keeping concubines. The family of Umrao Giri was popularly known as gossains of Rasdhanian and of Himmat Bahadur as Bandawala.<sup>12</sup> After initiation into the Dasanami order a disciple generally would have lost his old caste and

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11 The mercenary activities of the Dasanami Sannyasis has been explained in detail in J. N. Sarkar's unpublished English translation of Khairuddin Mohammad Allahabadi, *Ibratnama*, p. 86; See also J. N. Sarkar, *Persian records of Maratha History, Delhi Affairs (1761-1788)*, Bombay, 1953, p. 10. It appears from this Marathi source material that the Sannyasis combined with Ramkrishna Mahanth, a Baishnava gossain looted the camp scattered in various parts of Bharatpur. J. N. Sarkar (ed.), *English Records of Maratha History; Poona Residency Correspondence*, Bombay, 1937, Vol. I, Nos. 135-137.

12 Padmakar, *Himmat Bahadur Virudhabali* (in Hindi), Kashi Nagar Prachhri Sabha, 1901, p. 18

entered into the new order. The celibacy was the primary concern of the Dasanami order. When a Dasanami settled down his life and maintain a life he generally was departed from the Sannyasi order “he remains therefore gossains by name and adds a new caste to the society”.<sup>13</sup> Some of them lived in small societies and possessed considerable wealth by enjoying a comfortable life. The gossains of Balarampur Pargana were the merchants of jewellery. The famous gossain merchant of this locality was Moti Giri who had a dwelling house in that region. They used to trade in jewels, spices, gold and asafoetia. The chief trade was conducted between Nawabgang and Bengal.<sup>14</sup> The religious fair held at Hardwar were mainly controlled by the Gossains under the leadership of the *mahanths*. The role of *mahanths* may be summarised in this way: “These Mehuntis (abbots) meet in Council daily, hear and decide upon all complaints brought either against individuals or of a nature tending to disturb the public tranquility, and the well management of this immense multitude”.<sup>15</sup> In central India the Sannyasis used to trade since the pre-colonial period. The famous gossains Kaushal Giri was a money-lender who lend the amount of Rs. 42789 to Rana Sujan Singh, Daulat Singh and Bhao Singh of Gargunga in the year 1855 sambat. In 1806 his (Anup Giri) assignments in Bundelkhand were exchanged for a territory of the Kanpur district (Rasdhan) yielding a revenue of Rs. 1,35,000 a year. The family of Umrao Giri and Kanchan Giri received pensions till 1807.<sup>16</sup>

The Sannyasis found in Sind followed nominally the profession of living by alms, and wander about the country from shrine to shrine but some of them were traders, money-lenders, cattle-breeders and bead-sellers. It was also observed that the Sannyasis found in the Deccan used to render their services as guards at temples or as retainers of great Hindu houses.<sup>17</sup> The descendants of Anup Giri and Umrao Giri were distributed in various places of North India viz., Fatehpur, Kanpur, Panna, Naogaon and Bundelkhand.<sup>18</sup> It is very difficult to say when these Sannyasis began to keep arms.

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13 The Gazetteer of the Province of Oudh, Vol. I, Lucknow, 1877, p. XXIV.

14 *Ibid.* p. 214.

15 Narrative of a Journey to Srinagar, Asiatic Registrar (VI), 1799, p. 315.

16 E. T. Atkinson, *op.cit.*, Vol. I, p. 41.

17 J. A. Baines, *Imperial Census of 1881 Operation and Results in the Residency of Bombay including Sind*, Vol. I, Bombay, 1882, p. 133

18 Padmakar, *op.cit.*, p. 18

### ***Dasanamis as Mercenaries: Origin and Evolution***

The soldierly activities of the Dasanamis had developed by a two-way process. In lieu of their services they enjoyed respect and favours of the regional powers by enjoying jaigirs, pensions and titles. In this way they had become the semi independent chiefs and king makers particularly during the period of Mughal decline. Recent research of Monica Thiel Horstman identified them as an order who “exhibit a mixture of the religious with the violently mundane ... and existed in vast numbers during the period of Social and Political upheaval; they have an ideology ... and traits of their lifestyle namely the religious and mundane ones.”<sup>19</sup> Their mercenary role seems to have increased during the early eighteenth century when their leadership was assumed by Raja Rajendra Giri Gossain.

The Dasanami Sannyasis were so militant that their fighting propensity was a basic characteristic of them. Mughal Emperor Akbar in 1567 witnessed a fight between the armed Sannyasis of ‘Giri’ and ‘Puri’ sub-orders at Thaneshwar. The basic reason for entering into armed conflicts was over the collection of contribution from the pilgrims who had come there to bathe during an eclipse. Dr. Farquhar<sup>20</sup> thought that the traditional account of the revival of the armed Sannyasis began in the mid-sixteenth century when both the Sannyasis and Fakirs went about with arms and took part in frequent warfare. He also said that when there were no warfare they involved into armed conflict with each other. Farquhar accused the Fakirs for attacking and killing the Sannyasis “as representatives of Hinduism”. He also said, “as ascetics, these Fakirs held a privileged position and were thus protected from violence and also from interference on the part of the Government”<sup>21</sup> [Muhammedan]. He also went on to say that the Sannyasis being oppressed and killed by the Muslims felt the necessity for their own protection. Madhusudan Saraswati, a renowned Sannyasi famous for his learning and scholarship met Emperor Akbar and enquired of him “whether anything could be done for the protection of the

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19 Monica Thiel Horstman, “Soldiers of God-Soldiers of Fortune: A Chapter of Indian Religion and Military History”, cyclostyed paper. See mainly dealt the role of Dasanamis during the period of Mughal decline when other hindu religious groups like Bairagis, Nanakpanthis, Dadupanthis and kanphata jogis were also rendering their services in warfare on the behalf of the regional powers. The major source materials were used are the Marathi sources preserved in Rajashthan State Archives, Bikaner.

20 J. N. Farquhar, “The Organisation of Sannyasis of Vedanta”, *Journal of the Royal Asiatic Society of Great Britain*, January, 1925.

21 *Ibid.*

ancient order to which he belonged". Raja Birbal advised Madhusudan Saraswati to initiate a large number of non-brahmins for strengthening their order and also to keep arms. He also said it was the turning point when the Sannyasis began to keep arms and some of them by seizing lands settled down.

Besides Madariya or Jalaliya Fakirs, the Bairagis, Gauriyas, Sikh Panthi and Dadu Panthi nagas had similar fights with the Dasanami nagas. Muhammed Mohsin Fani writing *Dabistan*<sup>22</sup> in the middle of the seventeenth century describes that "the Sannyasis being frequently engaged in war". Similarly, James Grant<sup>23</sup> referred to the assembly of the Sannyasis led by an old woman who defeated the army of Emperor Aurangzeb. While discussing the general character of these marauding groups of Sannyasis and Fakirs H. H. Wilson<sup>24</sup> referred to their "use of arms...travel with weapons... smear their bodies with ashes, allow their hair, beard and whiskers to grow and were the projecting braid of hair called the *jata*". The Sannyasis, like the Bairagi nagas used to carry arms and wandering search of employment in the armies of local power on condition that they were allowed to extort contributions from the common people. Since the Bairagis were not so well armed that they were defeated by the Dasanamis in the religious fair at Hardwar in 1760. The Dadu panthi nagas were also frequently found in Marwar and Ajmer and Raja of Jaipur used to entertain their armies of ten thousand soldiers. The same description is also found in the writings of William Irvine<sup>25</sup> who mentioned the Dasanamis' habit of lending their military services to the Raja of Jaipur, Nawabs of Awadh and also Raja of Bundelkhand. Their mercenary activities extended as far as to North-Western Provinces. A group of one thousand four hundred fighting nagas of Allahabad under the guidance of four able Mahanths assisted Mohan Singh, a usurper of Kumayun on condition that they were permitted to plunder Almora. As Atkinson<sup>26</sup> aptly remarked they entered Kumayun by the Kosi and under the pretence of being pilgrims on their way to Badrinath got as far as the confluence of Suwal and the Kosi before their real character was discovered". This explains how the Dasanamis had been able to earn money which they used to invest either in trade or money-lending. T. D. Broughton wrote from the Maratha Camp at Doonee in 1809 that after the retirement of Anup Giri the Dasanami forces

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22 Muhammad Mohsin Fani, *Dabistan*, (tr.) David Shea and Troyer, London, 1833, p. 112.

23 James Grant, *History of India*, New Delhi, 1982 (reprint), Vol. I, pp. 159-160

24 H. H. Wilson, *Hindu Religions*, Calcutta, 1899, p. 120

25 William Irvine, *Army of the Indian Moghuls*, Calcutta, 1978 (reprint), p. 222.

26 E. T. Atkinson, *The Himalayan Districts of the North-West Province*, Allahabad, 1874, Vol. II, pp. 602-603,

were headed by Kampta Giri, Ram Giri and Kanchan Giri who were said to be the disciples of Himmat Bahadur. They joined with the Maratha forces. Dr. Farquhar's description may be corroborated with the interviews taken by the present researcher in 1989 that the present day Dasanamis residing at Benares, Hardwar and Allhabad still remember their brethren for participation in wars. They worship even the weapons which had been used by their ancestors.

The *Dasanamis* due to their soldierly activities were given different types of privileges. It is learnt that the Government of Awadh sanctioned an allowance of Rs. 98,000 to Anup Giri and Rs. 49,000 to Umrao Giri for maintenance of their armed retainers. This privilege was actually enjoyed by the Maratha Generals attached to the armies of Awadh. They were even given the rank of four thousand *zat* and three thousand *sawar* by the government of Awadh. In 1768 it had increased to four thousand. The *Dasanamis* had been able to collect the tribute ruthlessly from the Raja of Jaipur in 1781 for which they were also given an additional favour of maintaining a force of five thousand soldiers. The *Dasanamis* were also given the extraordinary privilege by the Wazir of Awadh of not bowing to in his presence and of beating his kettledrum. This honour was actually enjoyed by the highest rank in the Mughal peerage. Even Maratha Chief Mahadji Sindhia conferred on Anup Giri, the front ranking *Dasanami* leader in the eighteenth century north India, the extraordinary privilege of *neabat* right. The pensions enjoyed by them has been shown in a table given below:

**Table 2: Sannyasis as Pension holders in different parts of North India**

Sl. No.	Name of the Pensioners	Place	Rs	As	P
1	Puran Giri	Ghazipur	34	14	00
2	Sheoram Giri	Benares	11	13	00
3	Bisram Giri	Benares	31	14	00
4	Bucktawar Giri	Benares	17	10	00
5	Jowalla Giri	Benares	04	08	00
6	Deo Puri	Benares	11	13	00
7	Ram Giri	Benares	29	10	00
8	Mangal Giri	Benares	11	13	00
9	Ramchandra Giri	Benares	11	13	00
10	Rukbeer Giri	Benares	17	07	00

Source: List of Pensioners in Zillah Benares : Duncan Paper and Settelement Records, 1792, Vol. 145, p. 143; Registrar of Persons admitted in the Benares Moolky Treasury : Revenue Department Governor General in Council (West Bengal State Archives), 29 October 1792, pp. 454-479.

Besides pension, the Sannyasis were also given large tracts of land in various parts of North India. It seems that the regional powers used to show their patronage to this religious groups of people either for rendering their military services or to provide them with land for maintaining their religious way of life. Their land holding capacity particularly in Uttar Pradesh is shown in table.

**Table 3: Account of Lands & Jaigirs held by Dasanamis in Pargana Gurhah, Kanpur (U.P.)**

Name of the Village	Name of grantees	Bighas of Land cultivated by each persons	Purity Zamin or fallowed land held by each persons	Total bighas held by each person	Rates of each bighas	Number of persons holding Krishnarpan lands	Medium Jumma
Barrow	Swadhan Giri	10	23	25	10	2	
Kythoreah	Sadhoo Giri	3	2	5	X	X	
Deheree	Awaden Giri	105	20	125	1	X	105
Rampoor	Bhowan Giri	25	X	25	1	1	25
Bughownah	Onpoona Giri	150	150	300	112	X	8
Mahadenooah	Bhowan Giri	35	X	35	X	X	X
Nerhayee	Sowan Bharati	75	26	101	12	1	36.6
Neelkuntpoor	Bhowan Giri	5	10	15	12	1	5
Mahareen	Mahee Bharati	5	10	15	1	1	5
Koytholee	Jobraj Bharati	20	5	25	1	2	20

Source: Decennial Settlement of the Pargana of Gurhah in district of Gazipur dated, 18 April, 1790. Correspondence and Proceedings of the Resident at Benares (Allahabad Regional Archives, Allahabad), 1 September, 1790, Vol. 34, pp. 36, 41

Besides, the Sannyasis residing in Awadh were also given a large tract of land which may be shown in the table 4.

Table - 4

Sl. No	Name of the Land Holders	Name of the Villages
1	Gobind Giri	Jaurunpoor
2	Badal Giri	Jaurunpoor
3	Bisram Bharati	Tajpur
4	Nirmal Giri	Sooraroobund
5	Hira Giri	Hussenpoorah
6	Doolar Giri	Doorjunpur
7	Ganga Giri	Inderpur
8	Domun Giri	Gopalpur
9	Bhababooty Giri	Akhaur
10	Ranjit Giri	Taluk Dighaur
11	Jeet Giri	Basantpur
12	Golab Puri	Beerpur (Chowrasi)
13	Mokum Giri	Rampur & Mujegawan (Chowsa)
14	Payem Giri	Mogree (Burhar Agoree)
15	Dusa Giri	Parsia (Ejeh Ghur)
16	Jubraj Bharati	Koysholee
17	Bhown Giri	Neelkantpur
18	Bhiro Giri	Kullianpur (Amorah)
19	Raghunath Giri	Benichak (Sohmpur)

Source: Account of Rent-Free lands: Duncan Paper and Settlement Records, Vol. XXXVII, dated 15 June 1790, No. 17; Vol. XXXXIII, dated 18 April 1793, pp. 118-132; Correspondence and Proceedings of Residnet at Benares dated 1 September 1790, Vol. XXXIV, pp. 36-41; Enclosure from the Secretary to the Government in the department of the Ceded Provinces : Board Of Revenue (Uttar Pradesh State Archives, Lucknow), 14 August, 1804.

The *Dasanamis* continued their military activities unhindered by either the common people or the pre-colonial powers. But after the rise of the British power in Bengal, the Company's government began to view with disfavour and also to oppose some of their activities as objectionable. It was however not easy for the company's government to suppress the *Dasanamis* because they equipped with military and political experience, proved to be redoubtable opponents.

It is pertinent to explain how the economic and religious activities of the Dasanami Sannyasis were directed and controlled by their *maths* and *akhras* in different parts of India which may be shown in a table below.

Table- 5: Dasnami Ascetics according to Sankaracharya

Headquarters	Order	Jurisdiction
Sringeri, Mysore	Saraswati, Bharati Puri	Andhra, Dravida, Karnata, Kerala etc.
Sarada, Dwarka	Tirtha, Ashrama	Sindhu, Sauvira, Saurashtra, Maharashtra, etc.
Joshi, Garwal	Giri, Parbat Sagar	Kuru, Kashmir, Panchal, Kamboja, etc.
Govardhan Puri	Aranya, Vana	Anga, Banga, Kalinga, Utkal, etc.

Source: Gopinath Kaviraj, *Bharatiya Sadhanar Dhara* (in Bengali), Calcutta, 1975, p. 168.



The Giri suborder was originally meant to wander in the mountain with the Joshi Math as its headquarters. In course of time Benares became their defacto headquarters because of its commercial and religious importance to the Sannyasis and there were as many as fourteen hundred Maths were in existence by the close of eighteenth century. There were also maths in Mirzapur, Poona, Nagpur, Gwalior and Bengal which helped their trading activities. Although these maths were originally religious organizations, subsequently they became centers of commercial activities. Generally the maths were used as trading houses where goods could be stored and business accumulated wealth through trade and thereby helped the growth of the Sannyasis' organization. The Tarakeswar math in Bengal had a trading network with centers in different parts of Maharashtra. The math established at Ghosuri in the Howrah district of Bengal had trade relations with Tibet. Even a district historian of Dacca recorded that a close link developed between Joshi math and the math at Ramna in Dacca. There were similar organizational links through maths between Bihar and the rest of India. Buchanan-Hamilton in writing his account of Sahabad has shown how the Dasnami Sannyasis residing outside Bihar had links with different parts of Bihar through their maths. These closely inter-linked maths located in various regions played a crucial role in the development of the organization of the Sannyasis with certain uniform all India characteristics. For example, the Sannyasis used to assemble at their respective maths to take important administrative decisions, e.g., the election to the Panchayat.

The purpose of the akhras was to uphold the ideas of Hinduism as well as to defend the faith from Muslim inroads. Due to the growth of conflict with the Fakirs since the medieval period, the Sannyasis belonging to different orders, merged their theological differences and turned to their military leaders, who in the role of mahanths of respective akhras were best able to afford effective protection. According to Surajit Sinha the naga Sannyasis gradually trained themselves as fighters and fought on behalf of such princely states as Kutch, Jodhpur, Barods, Indore, Gwalior and several others in Western India against the Islamic invasion. Moreover, the Sannyasis were highly honoured by the Indian princes who as a mark of respect and honour contributed annually with an ochre-coloured flag.

The organized power of the Sannyasis was facilitated by the great authority of the mahanth. The mahanth or guru could expel with impunity or inflict condign

punishment on any disciple who was found guilty. The mahanths were in charge of the math exchequer with a view to advancing money to his intelligent disciples for the purpose of trade. Even the selection of incumbents for the gaddi was done by the mahanth who generally took the initiative when he could perceive the approach of death. Generally, the senior most chela succeeded him while others, according to the dates of their initiation, could aspire for the mahanthship. It was also one of the duties of the mahanth to settle the share of the property among the chelas. Since the chelas had no property of their own, a guru evidently could deprive any chela as he liked. The inheritance of the chelas was determined by their relation to the guru.

In spite of wide powers over his chelas, enjoyed by the mahanth, bloody conflicts sometimes did break out after his death among the chelas over the distribution of property. The magistrate of Mirzapur reported in 1791 that Jubaraj Bharati and Bhaboot Bharati were put to death by their brethren for the recovery of the latters' dues. Similar information was reported to the British authorities regarding the internal rivalry among the Sannyasis themselves. Since such internal strife was harmful for the organization the disputes in question were referred to the Panchayats on whom devolved the duty of settling such disputes. Jenkins has shown that in Nagpur after the death of mahanth Nihar Puri the disputes arising over the distribution of property led the chelas of the deceased mahanth to refer the case to the Panchayat for proper investigation. After the death of the mahanth of a math in the Mirzapur district, several of his disciples quarreled over the inheritance of an estate worth Rs. 42000/- were distributed among the chelas of the mahanth, on the basis of their respective relations with the mahanth. The principal chela received the largest share and out of his share he had to perform the last rites of the mahanth. Supreme Court records also throw light on the role of Panchayat in the disputes arising over the distribution of property between Ganesh Giri and Amrao Giri residing in Bihar. The decision the Panchayat was final in the division of the spoils of plunder even during the period of insurgency as, for instance, in 1796.

The Dasanamis were frequently found in Kotah. They established their encampment with arms and ammunitions loaded in horses and camels. They also marched like an army under the directions of mahanth. The gossains were influential and held a large estate in Moradabad. The tehsil Hasanpur comprising 26 villages was under the jurisdiction of gossains residing there.

Like Moradabad Bulandshahr was also one great resort of the Dasanami gossains and bairagis “whose presence in such large numbers is chiefly attributable to the existence of the various places of pilgrimage along the banks of the Ganges”.

In Bundelkhand and Maratha territory many villages were assigned to the near relations of the reigning family or to faithful followers as reward for rendering services in the past. They were also given land “on condition of supplying a certain number of fighting men when called upon. Such villages were held revenue free .. and the garntees were left to make their arrangements with the village headmen and resident cultivators”.

Kamta Giri, the *chela* of Anup Giri, with a strength of 1,500 followers joined Daulat Rao Scindia in Rajputana in 1809. W. G. Orr has come to the conclusion that the Maratha incursions introduced great numbers of armed sannyasis into Rajputana and many took service of Rajput rulers. Grand Duff also mentioned the participation of the Sannyasis on behalf of the Rajas of Jaipur and Jodhpur “the forces of Jodhpur and Jaipur allies, five thousand fakirs, called Brakys and Attyles. The ‘Brakys’ can of course only be Bairagis and the ‘Attyls’ must be Atits, a term often used to sannyasis.” He also pointed out that the year 1791 was the turning point in the history of Rajasthan because it was from that year “a large company of gossains from Karauli, who had espoused the cause of a pretender to the Udaipur throne, and later transferred to allegiance to the legitimate ruler, entered the service of Raja Vijay Singh of Jodhpur. The same year a body of Vishnuswamis also entered the Jodhpur service”. The Sannyasis and Bairagis in spite of their theological differences fought in a common platform. Rana Bhim Singh of Udaipur also employed considerable number of Sannyasis in his struggle with Holkar and Scindia till 1817. The Sannyasis and the Vishnuswamis continued in the service of Raja of Jodhpur upto the end of 19<sup>th</sup> century when they were finally disbanded by Maharaja Jaswant Singh in 1875. These naga soldiers were not paid individually, but were maintained by their respective camps to which they belonged. They were employed in such turbulent areas where others failed to achieve. The nagas also rendered great service in the mutiny of 1857. W. G. Orr has concluded that the monastic movement which began as a measure of self protection, later developed into sheer brigandage and ultimately they had become attached to the military service. The Sannyasis and other religious groups of people during the break up of big confederacies tried to change their fortune. The Rajput kingdom especially torn by internal dissensions and endless exactions stood in constant need of military re-enforcements to aid them in their desperate struggle. Jealous

of their independence and impatient of military discipline, the armed ascetics clung to their own methods of warfare. In the late nineteenth century there were upwards of forty-thousand gossains in Awadh alone.

Anup Giri died in 1804 at the age of seventy when Narender Giri, his son, by Fakhrun-nissa Begum of Lucknow was still a minor. By a grant, dated the 1<sup>st</sup> March 1806, the assignments in Bundelkhand were exchanged for a territory in the Kanpur district named Rajdhan, about 43 miles south-west of Kanpur. His estate yielded revenue of One lakh three hundred per annum. The families of Umrao Giri and Kanchan Giri also received pension. On Narendra Giri's death in 1840, the estate was sequestrated in payment of debts by order of the 12<sup>th</sup> May, 1841 mahanth. After the death of Ram Giri, Kanchan Giri assumed the leadership. He was also a chela of Himmat Bahadur. In the first decade of eighteenth century, according to the Reports of the Gazetteer, the Sannyasis and Bairagis had considerable influence in Shahrampur. Bhola Giri Gossain of Kankhal held two villages and six shares in Jwalpur and fifteen shares in Roorkee comprising 4024 acres of land. Sannyasis were distributed in central provinces, Punjab and Baroda. William Crooke saw their total number of the Dasanamis in different parts of Uttar Pradesh in 1891 which may be shown in the table:

Table-6

Place	Total No.	Place	Total No.	Place	Total No.
Dehradun	158	Bareilly	4023	Lucknow	738
Meerut	5083	Bijnor	667	Unao	2289
Aligarh	996	Moradabad	2018	Raibareilly	2521
Agra	1124	Shahjahanpur	1483	Sitapur	4414
Mainpuri	1159	Pilvit	1522	Hardoi	1128
Etah	1315	Fatehpur	709	Kheri	3631
Badayun	2755	Allahabad	1061	FAizabad	5371
Kanpur	1335	Lalitpur	25	Gonda	11478
Banda	296	Benares	1899	Bahraich	3634
Hamirpur	438	Mirzapur	4258	Sitapur	2048
Jhansi	279	Jaunpur	3638	Pratapgarh	1307
Jalaun	377	Gazipur	2891	Barabanki	4006
Shahrampur	5	Baliya	3804		
Muzaffarnagar	1119	Gorakhpur	7010		
Bulandshahr	2271	Basti	2693		
Farrukhabad	399	Kumayun	2944		
Etwah	277	Tarai	724		
Total No.	103,320 (out of which 55347 were males and 47973 were female)				

Source: William Crooke, *The Tribes and Castes of the North-West India*, vol. II, Delhi, 1974, reprint, p.261.

In early twentieth century the total strength of the gossains increased and a comparative study may easily be drawn from the table 7.

**Table-7**

Place	Caste	Persons	Males	Females
Bihar & Orissa	Gossain	24486	12405	12081
-Do-	Sannaysi (Atit)	73593	35132	38461
Central Provinces & Berar	Gossain	42272	22107	20165
Punjab	Gossain	11701	6941	4750
United Provinces	Atit	29703	15182	14521
-Do-	Gossain	93997	50196	43801
Baroda State	-Do-	6628	3663	2965
Central India Agency	-Do-	21443	11801	9642
Hyderabad State	-Do-	29988	16036	13952
Rajputana Agency	-Do-	27806	15418	12388

### Conclusion

There is no denying the fact that the Sannyasis were a religious group of people who in course of time had involved in mercenary activities, trade and money-lending. Their activities continued in all India perspectives till the second half of the nineteenth century particularly before the establishment of colonial rule in India. These groups of people maintained their ascetic way of life even today. The Sannyasis' participation in Kumbha Mela or in the fair of Ganga Sagar is still evident and their akhras are still in existence in almost all over India.

## **TERRITORIALITY AND ENTITLEMENT : SEMANTIC POLITICS OF INDIGENEITY IN BANGLADESH**

Zobaida Nasreen\*

### **Introduction**

This article deals with the politics of identify/recognition of the group of people known as 'tribal' or 'upajati' or 'adibasi' or, more recently, 'indigenous' in Bangladesh. It relates to, on the one hand, how those terms are being constructed and labelled, and on the other, the rights and present predicaments of people designated as such. It tries to examine the semantic politics (the politics in the way language is used to connote different histories and politics) of various categories ('tribal', 'adibasi', 'upajati'<sup>1</sup> etc.) associated with the term 'indigenous'. The three related terms 'tribal', 'adibasi' and 'indigenous' have their own trajectories; they have come into use at different points of time and for different reasons. The terms are often used interchangeably in Bangladesh, taken to be more or less synonymous. It is also an attempt to examine how the concept of 'indigenous' is imagined, understood and employed by the people of Bangladesh, international agencies and different states.

Though the issue of indigeneity has long been a hotly debated topic, I will start my arguments here with a recent statement by the government of Bangladesh that 'the tribal people living in Chittagong Hill Tracts are "ethnic minorities" and they should not be called "indigenous" in the region.'<sup>2</sup> This statement comes at a time when the 'adibasi' people are demanding constitutional recognition of their ethnic identities.

The CHT people were the late settlers on the Bengal soil and the CHT region compared to the Bangalee native ethnic vast majority residing here for more than 4,000 years.... Giving a special and elevated identity to enfranchise only

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1 In Bangladesh, the term 'tribal' or 'ethnic people' is used for in academic writings (Lewin 1889; Hutchinson 1906; Bessaignet 1958) to identify non-Bengalis as a separate category. But the term 'Upajati' denotes a subcategory for 'Jati' or nation.

2 *The Daily Star*, 27 July 2011.

1.2 percent of the total population of 150 million by disentiing the 98.8 percent cannot be in the national interest of Bangladesh.<sup>3</sup>

The question of 'indigeneity' has been viewed here from a majoritarian, exclusionary approach that considers the indigenous peoples as adversarial counterparts. The same approach is evident in the latest constitutional amendment that has recognized them as '*khudro nrigosthi*' (small ethnic group) without caring for their consent. Also prior to this constitutional change, a law was passed in the parliament titled *Khudro Nrigosthi Sanskritik Protisshthan Act, 2010* (Small Ethnic Groups Cultural Institutions Act, 2010), which applies to the people of the CHT and other parts of Bangladesh. Here also the term '*khudro nrigosthi*' is used to refer to the non-Bengalis.

However, the position of the government on indigeneity can be traced more vividly in a secret official letter:

Some interested groups are running malicious propaganda against Bengali people in the CHT and capitalising on this propaganda some 'Upajati' individuals are trying to corner Bangladesh in international arena. Already they are very desperate to identify themselves as 'Adibasi' instead of 'Upajati' so that they can enjoy the rights for indigenous peoples as spelled out by the United Nations and other international organisations. Moreover, if they can achieve this recognition they would be able to put pressure on the government internationally to protect indigenous peoples' interests. They think that if they can establish their 'indigenous' identities in this way then they could easily claim their right to self-government in the future. As a part of that effort they have started calling Bengalis in the CHT as 'Muslim Bengali Settlers'.<sup>4</sup>

This letter clearly shows how the interest of the majority are attended by neglecting '*indigenous*' people's voices. And it is linked with the majoritarian politics and the subjects to entitlement. The 'indigeneity' issue does not necessarily mean belonging to a land or first appearance on the land. Being indigenous is a very much politically and culturally constructed phenomenon: it cannot be limited to the structured guidelines set up by the UN and the ILO. However, these different but very much interlinked approaches adopted by Bangladesh government helps me to fathom the concept of 'indigeneity' from

<sup>3</sup> Bangladesh Foreign Minister Dipu Moni has provided this argument while briefing diplomats and UN agencies in Dhaka, 11 July, 2011.

<sup>4</sup> Quoted from a confidential letter to the government on 15 October 2009 issued by the army headquarters, Armed Forces Division, Operations and Planning Section, Dhaka Cantonment, ref: 2929/ OPS/SI/I/ Dated: 15/10/2009. Referring to this letter the Ministry of Chittagong Hill Tracts Affairs of Bangladesh issued another letter that ordered government officials not to use the term '*Adibasi*' but '*Upajati*' only to refer to the hill people of the CHT.

the state discourse (will be discussed briefly in the later part of the writings) and deconstruct the term from the perspectives of the respondents.

The Oxford English Dictionary (2010) defines indigeneity as ‘the quality of being indigenous, or indigeneness’. The term indigenous is defined as ‘born or produced naturally in a land or region; native or belonging naturally to the soil, region, etc’. The term is used primarily to denote aboriginal inhabitants or natural products.

Territoriality is premised on originality, since original inhabitants have more claims on a territorial space. Hence, ‘indigeneity’ becomes a field of contestation. Some are ‘born with it’; others ‘imagine it as an ethnic belonging’. Empirically, the claim of ‘indigeneity’ is always contested since few human groups inhabit a space from the beginning. The groups that claim indigeneity associate themselves with the original inhabitants in quite imaginative ways though they exist many generations later<sup>5</sup>. For example, many ‘tribes’ in India use the term ‘*adibasi*’, which literally means inhabitants of the beginning, to define their identity transcending the definitions of the state.<sup>6</sup>

Mary Louise Pratt writes, ‘indigeneity’ names a relationship based on a conception of time and space that differentiates among groups of people. Words like Indian in the Americas and Aborigine in Australia were European inventions for peoples already there, prior to the arrival of the colonisers; and for its part ‘indigenous’ has derived from the French ‘indigene’ and the Latin ‘indigena’.<sup>7</sup> The label ‘*indigenous*’ further disclosed a relationship with other non- Europeans: The first English usage comes in a 1598 report about the discovery of America to distinguish between ‘*indigenes*’ (defined as ‘people bred upon that very soyle’) and the people that Spaniards and Portuguese brought from Africa as slaves.<sup>8</sup> Not surprisingly, these forms of relationally expressed European superiority insofar as ‘*indigenous*’ was synonymous with ‘*pagan*’, heathen souls to be saved through Christianity. Later, as reason displaced faith as authority’s foundation, ‘the pagan’ was renamed ‘the

5 Manjusha S. Nair, ‘Defining Indigeneity Situating Transnational Knowledge’, New Delhi, 31 January 2006, p. 8. <http://www.rci.rutgers.edu/~manjusha>.

6 David Hardiman, *The Coming of the Devi, Adivasi Assertion in Western India*. Delhi: Oxford University Press, 1987, p. 223.

7 Mary Louise Pratt, “Afterword: *Indigeneity Today*” in Marisol de la Cadena & Orin Starn, *Indigenous Experience today*. Oxford, UK: Berg Publishers, 2007, p. 424.

8 *Oxford English Dictionary* (n.d.) for ‘indigenous’.



primitive' (as opposed to 'civilized') including those classified as 'tribal,' 'native' and 'aborigine' in colonial administrative lexicons.

It is true that the globalization of the concept of indigenous rights has been by turn powerful, uneven, and unpredictable. As it has travelled from familiar contexts like Canada, the United States, and Brazil to newer ones like India and Indonesia, the discourse of indigeneity has encountered interlocutors among marginalized, usually rural populations. To deal with this highly contested topic, it is necessary to underscore the way that the indigenous people have been treated in the history of the CHT in different periods of domination.

### **Being Indigenous and Politics of Indigeneity**

Defining the term "*indigenous people*" involves understanding of the political struggle as well as the questions of indigenous rights, although it must also be noted that debates on the use of the term, and, of politics of identity are still on the rise. Prominent anthropologist B.K. Roy Burman places strong argument against a World Bank document where scheduled tribes of India were brought under the term "*indigenous people*"<sup>9</sup>. Burman explains that such identities could only be settled after thorough discussions among eligible people who are acquainted with the particulars of Indian situation. Similarly, Andre Beteille says, the categorization of Indian tribal people as "*indigenous people*" is seriously misleading.<sup>10</sup> His point of argument is that the word "*indigenous*" is neither a good social descriptor nor an effective heuristic concept. He says, "I call it an idea rather than a concept because the purpose it serves is as often evocative as analytical and its referent tends to shift from one country to another".<sup>11</sup> Historian Sumit Guha also holds that the entire indigenous discourse is being imposed on India and that the constitutionally recognized scheduled tribes "have been classified as indigenous by international experts, quite regardless of their actual histories".<sup>12</sup> On the other hand, Dipesh Chakrabarty argues that the debate about the category "indigenous people" speaks to larger issues related to contemporary politics, or, as he puts it, "of how we imagine the

9 B.K Burman, Ambiguities, 'Incongruities, Inadequacies in Scheduled Tribes and Other Technical Forest Dwellers' (Recognition of Forest Rights) Act 2006, *MAINSTREAM*, Vol. XLVI, No 15. India, 2006, p. 241.

10 A. Beteille, 'The Idea of Indigenous People'. *Current Anthropology*, Vol. 39, No.2, 1998, pp. 187-191.

11 A. Beteille, What should we mean by 'indigenous people'? in *Indigeneity in India*, edited by Bengt G. Karlsson, Tanka B. Subba; with an afterword by Dipesh Chakrabarty, 2006, p. 235.

12 Sumit Guha, *Environment and ethnicity in India, 1200-1991*. Cambridge University Press, 1999, p. 4.

political today". By claiming indigenous status and rights, oppressed groups follow, what Chakrabarty calls, the logic of 'politics unlimited'.<sup>13</sup>

For the government of Bangladesh, accepting the indigenous identity is not a matter of intellectual debate; demands from the indigenous groups are considered as part of the interest of the missionary and the seven sisters' movement in India. If their demands are granted, they have to be given their traditional land right which the government of Bangladesh refuses to admit. It is also a factor that the military is involved in human rights violation in the CHT, especially on the indigenous people, which could hamper the process of sending army to the UN mission. In order to technically avoid the allegation, the government claims that there are no indigenous people in Bangladesh. Notably, it is a condition of UN mission that if military personnel of any country are involved in any human rights violation in any country, the country would not be eligible to send the military to UN mission. The position of Bangladesh now is on the top of the list of countries that sent maximum personnel in the mission.

There is a paradox in this globalization of indigeneity - the concerns of most indigenous people remain local and are deeply rooted in particular colonial struggles, while at the same time, the cultural politics of indigeneity continues to exert its greatest force in relation to the imagination of post-settler nationhood. During most of the twentieth century, indigenous images were being treated as the common property of the post-settler nations, freely available for use as symbols in the construction of nationhood. References of pre-colonial pasts, out of which distinctive post-settler nations had been constructed, abound in Maori carvings in New Zealand, aboriginal people with spears and boomerangs in Australia, totem poles in Canada and scalp-hunting, tepee-dwelling Indians in the United States. Narratives of settler nationhood routinely employed indigenous imagery to create romanticized pasts that had been transcended or succeeded by the legitimacy of post-settler states.<sup>14</sup>

It is evident that the boundaries between indigenous and non-indigenous spheres are a matter of history and politics. If we consider the example of the United States of the last few decades, to be an Indian has gained a wider

13 S. Chakrabarty, 'Politics Unlimited: The Global Adivasi and Debates about Political in "Indigenous"', in B.G Karlsson and T.B Subba (eds.) *Indigeneity in India*, Kegan Paul Limited, UK., 2006, p. 244.

14 J. Sissons, J. *First Peoples: Indigenous Cultures and their Futures*, UK: Reaktion Books Ltd, 2005, p. 7.

acceptance -affiliation with the Indian identity has been redeemed as something glamorous and exotic. Circe Sturm calls it 'race-shifting'<sup>15</sup>, she questions whether or not Americans have begun to claim 'tribal' heritage in a 'migration from whiteness to redness'. The increasing number of those checking 'American Indian/Alaska Native' on the census box is a major reason for strong Native American demographic growth in the late 20th century. Are these 'race-shifters' little more than 'wannabes' without any real claim to indigenous identity? Does the turn to embrace Indianness measure recognition of native genealogies that earlier generations chose, or were forced to deny in the age of assimilationism?

Volatility of the changing boundary between politics of belonging and exclusion is detectable in sometimes vitriolic discussion on those questions mentioned above. We must also take into account that indigeneity operates within larger structures of ethnicity and identity. 'National formations of alterity,' as Claudia Briones points out, place native peoples within hierarchies of color, gender, generation, geography and class that operate to differentiate between and within groups<sup>16</sup>. The structure of society seldom, if ever, involves a neat binary between the indigenous people and the colonizers or their descendants and even less so in any particular place, given the frequent lines of tension and cleavage that often exist among different groups.<sup>17</sup>

Such propositions are also true to the case of Bangladesh. In the country, the question of indigeneity is mostly constructed on the binary identities of Bengali and indigenous. For instance, when the matter of constitutional recognition of indigenous people came forward, the country's policy makers raised the question, 'if they are *indigenous*, are the Bengali people foreigners? What is the status of Bengali people in this regard?'

In parts of Africa, the politics of indigeneity also raises very difficult, critical questions about exclusion and inclusion, and about the perils of demarcating

15 Circe Sturm, *Blood Politics: Race, Culture and Identity in the Cherokee Nation of Oklahoma*, University of California Press, Berkeley, Los Angeles, London, An in-depth analysis of the 'blood, color and race' issue as historically experienced by the Cherokees, 2002, p. 18.

16 Claudia Briones, 'Our Struggle Has Just Begun': Experiences of Belonging and Mapuche Formations of Self' In Starn, Orin and Marisol de la Cadena, eds. *Indigenous Experience Today*. Oxford and New York: Berg, 2007, p. 9.

17 Only quite recently have scholars begun to examine in the interlocking forms of discrimination and intimate connection among African Americans, Indians, and whites in the United States (Brooks 2002).

social boundary. Colonialism and its strategies of governance and classification imposed strict divisions between Europeans, Africans and various '*tribal*' groups. The notorious case of South African apartheid involves an ideology of ethnic belonging that linked particular groups to strictly circumscribed, partly autonomous, 'homelands,' or 'Bantustans.' This Afrikaner social engineering restricted the mobility of black South Africans, kept them in marginal areas, and denied them the right to vote, and of full national citizenship. The 1994 Rwandan genocide reveals the most extreme and perilous potential deployments of the idiom of indigeneity. In the way of asserting that Tutsis have migrated to Rwanda from northern Africa in contrast to real 'autochthonous' inhabitants of the country, the Hutu, Belgian colonizers had fostered a so-called 'Hamitic hypothesis'. A view of the Tutsi as foreign usurpers underlay Hutu hatred that led to the slaughter of several hundred thousand Tutsi with the United States, while the rest of the international community had failed to stop the violence.<sup>18</sup>

Experience of African activists and the history of their involvement with the Indigenous rights movement suggest that like other activists 'beyond borders'<sup>19</sup> they are neither pawn nor dupes, but human beings struggling to create and take advantage of available political spaces to press forth their political agendas. Some scholars<sup>20</sup> opine that their capacity for political action has not only been shaped by the legacies of colonial policies and practices, but also more recently, by the formidable alliance with capital, with African states, and, in the pursuit of privatization, productivity and profit through the implementation of neo-liberal political, economic and social policies. Despite tremendous potential for political paralysis in the face of such obstacles, these activists have creatively positioned themselves to take advantage of the opportunities for political agency and collective action provided by the indigenous right movements.

Similarly, Francis after examining competing nativist claims in Botswana, finds out that although its economy has prospered over the last few decades, the state has witnessed growing tensions with competing '*tribal*' claims to '*indigenous*' occupation of the land.<sup>21</sup> Thus, the Botswana majority distinguish themselves as fully entitled 'owners of the home (beng gae)' in relation to other tribal

18 Mamdani, 'African states, citizenship and war: a case-study' *International Affairs*, Vol. 78, Issue 3, 2002, pp. 493–506.

19 Keck and Sikkink, *Activists beyond borders*. Ithaca: Cornell University Press, 1998

20 D. Hodson, "Becoming Indigenous in Africa", *African Studies Review*, Vol. 52, No. 3, 2009, p. 23.

21 F. Nyamnjoh, *The Disillusioned African*, Cameroon, 2007.

identities labelled as 'close (Ba tswa ka)', all the way to putatively more recently arrived 'outsiders (Makwerekwere).' In this context, the claim of first arrival is being deployed to legitimate stratification, exclusion, and ethnic domination, no matter whether or not it has any real historical basis of any kind. Historically, the most 'indigenous' Botswanans by longevity of occupation would be the so called 'Bushmen,' more properly called the 'BaSarwa', traditional hunter-gatherer people, who have inhabited the country's deserts for at least 2,000 years. But the 'BaSarwa' have virtually no voice under a calculus of backwardness and advancement that allows for 'rightful ownership' only by settled farmers. Nyamnjoh argues that 'ever-diminishing circles of inclusion' prevails in this particular brand of indigeneity and nativism that simultaneously denies the hybrid, heterogeneous, and shifting realities of Botswanan experience. He suggests the need for a 'flexible indigeneity' that would recognize and even embrace the fact of multiple allegiances, geographical mobility, and entangled histories in order to resolve the issue of indigeneity.

In his exploration of the history of New Zealand, Smith finds out that the Thatcher-esque neo-liberal model dismantled New Zealand's welfare state in favor of privatization, deregulation, and the slashing of government programs when it was first implemented in the mid-1980s. These measures threatened to undermine Maori organizing that had been gaining strength around protecting native rights accorded by the 1840 Treaty of Waitangi and Maori language revitalization. But many Maori had no love lost for the old welfare state with its dimensions of paternalism, condescension, and insensitivity to native concerns. As Smith shows, they took advantage of 'pauses' and 'spaces' in the emerging neo-liberal order to promote their own decolonizing agendas, especially in educational reform. New state policy promoted a more entrepreneurial, market-based model of schooling that foregrounded 'school choice' and 'parental control.' Native activists adopted this language to press successfully for Kara Kaupapa Maori, or Maori language immersion schools, and other at least partial reforms to a formerly white-controlled, assimilation-minded educational system.<sup>22</sup>

By broadening the concept of indigenous to include African and Asian claims, the indigenous movement became at once more inclusive and potentially more contentious, as some influential states fought for a narrower, clear definition of

22 L. T. Smith, 'On Tricky Ground: Researching the Native in the Age of Uncertainty', in Norman Denzin & Yvonne Lincoln (Eds.) *Handbook of Qualitative Research*, (3<sup>rd</sup> Ed) London: Sage, 2005, p. 6.

‘indigenous’ in order to limit the scope of intervention from the United Nations. However, the embrace of the principle of ‘self-identification’ by indigenous activists from across the globe facilitated the recognition of Africans and Asians as indigenous peoples by international institutions like IWGIA and the United Nations.<sup>23</sup>

In the UK, the notion of indigeneity is highly linked with ‘whiteness’. The British Nationalist Party stands for the preservation of the national and ethnic character of the British people and is wholly disapproving of any form of racial integration between British and non-European peoples. It is therefore committed to stemming and reversing of the tide of non-white immigration and to restoring ... the overwhelming white makeup of the British population that existed in Britain prior to 1948,<sup>24</sup> though BNP’s position cannot be taken in consideration since all British is not white. Moreover, when British Prime Minister David Cameron criticized his country’s longstanding policy of multiculturalism, saying it was outright failure and partly responsible for fostering Islamist extremism, the broader sense of indigeneity is somehow connected with his statement. But as the global indigenous movement is alive with promising contradictions, inverting national development standards, it promises unity based on plurality: diversity without assimilation. It endorses authenticity and invention, subsistence and wealth, traditional knowledge and new technologies, territory and diaspora.<sup>25</sup> The excitement of indigenous rights claims is originated from the creative possibilities of such juxtapositions.

#### *UN Perspective on Indigeneity*

The ‘working definition’ of indigenous peoples is the one provided by UN Special Rapporteur Jose Martinez Cobo in his monumental Study of the problem of discrimination against indigenous peoples.<sup>26</sup> Cobo includes the following criteria to identify indigenous peoples: (i) continuity with pre-invasion and pre-colonial societies; (ii) comprising non-dominant sectors of

23 Hodgson, “Becoming Indigenous in Africa”, *African Studies Review*, Vol. 52(3), 2009, pp. 1-32.

24 BNP activists’ and organizers’ handbook, p. 57.

25 Ronald Niezen (2005: 534) describes “paradoxes” of the indigenous movement: its newness versus its ancient heritage; dependence on the oral and face-to-face as well as international law and governance; subsistence versus high-tech orientations. Clifford discusses the interplay of territoriality and diaspora in constituting indigenous identities.

26 UN Document: E/CN.4.sub.2/1998/7/Add. 4, Para 379.

society; and (iii) determination to preserve, develop and transmit to future generations their ancestral territories and ethnic identity 'in accordance with their cultural patterns, social institutions and legal systems'.<sup>27</sup> But Dayes explains that if we summarise the above criteria, the following may emerge as the most crucial ones: (a) exclusion from (or only marginal inclusion in) the modern state-building and formal development processes; (b) continuing non-dominance (or marginalisation) in major decision-making processes; (c) presence of customary law and traditional governance institutions; (d) close attachment to an ancestral or historical territory; and (e) geographic concentration in those territories.<sup>28</sup>

The UN forum for indigenous peoples is understood by many scholars as an avenue of expression of indigenous aspiration that has been denied until now.<sup>29</sup> For instance, Muehlebach uses the metaphor of 'place making' to examine how indigenous delegates are involved in the discursive production of 'indigenous place' in the UN.<sup>30</sup> Most often, indigenous identities are understood as a political strategy used by the respective communities for lack of a better political terrain. For instance, Hodgson examines the Maasai attempts in Tanzania to link their fragmented identities together in terms of 'indigeneity' that in turn gave them better visibility, increased legitimacy and improved donor support.<sup>31</sup> Murray Li shows that in Indonesia, 'tribal' people articulate transnational recognised indigenous identity as a strategy. She argues that indigenous identities are a contingent product of agency and cultural and political work of articulation.<sup>32</sup> A similar comparison has been made by Parkin in his study of 'tribes' in central region of India (Jharkhand region).<sup>33</sup>

The recorded history of indigenous peoples in the UN starts in 1982 with the Working Group on 'indigenous people' established by a decision of the United

<sup>27</sup> *Ibid.*

<sup>28</sup> Erica-Irene Daes, *Indigenous Peoples: Keepers of Our Past, Custodians of our Future*, International Work Group for Indigenous Affairs (IWGIA), Copenhagen, 2008, p. 18.

<sup>29</sup> See, Chakma 2002, Muehlebach 2001, p. 39, and Henriksen 1999, p. 4.

<sup>30</sup> Muehlebach, 'A "Making Place" at the United Nations: Indigenous Cultural Politics at the U. N. Working Group on Indigenous Populations', *Cultural Anthropology*, Vol. 16, No. 3, 2001, p. 40.

<sup>31</sup> D. Hodgson, "Becoming Indigenous in Africa", *African Studies Review*, Vol. 52, No. 3, 2002, pp. 1-3.

<sup>32</sup> Tania Murray Li, Constituting Tribal Space: Indigenous Identity and Resource Politics in Indonesia. Comparative Studies in *Society and History*, Vol. 42, No.1, 2000, pp. 149-179.

<sup>33</sup> Robert Parkin, Proving 'indigeneity', exploiting modernity: modalities of identity construction in middle India. *Anthropos*, Vol. 95, No.1, 2000, pp. 49-63.

Nations Economic and Social Council. It completed a draft declaration on the rights of 'indigenous peoples' in 1993. The draft declaration is supposed to usher in collective rights to a degree unprecedented in international human rights law. The latest in the line is the formation of UN Permanent Forum of Indigenous Peoples created in 2001 with a broad mandate to deal with six main areas: economic and social development, culture, the environment, education, health, and human rights. But I feel uncomfortable with the criteria that UN bodies have already made to fathom 'indigeneity'.

The category of '*indigenous peoples*' that is used by the UN is ahistorical, mirroring the notion of the simple and undifferentiated society in the post-industrial discourse. While it is linked with pre-colonial period, what is the status of the '*indigenous*' people in the countries that were not colonised? Moreover, the record of human settlement is not documented comprehensively and people's existence was there before the records of first settlement were made. The UN Working Group on Indigenous Peoples has five criteria to determine an indigenous community,<sup>34</sup> self-definition, and non-dominance, historical continuity with pre-colonial societies, ancestral territories, and '*ethnic identity*'.<sup>35</sup>

The first criterion, self-definition has already made the space of indigeneity a battlefield for inclusion. In that sense, it resembles the representational political field of nation-states where communities that were unheard of before suddenly appear and assume an identity that cries for representation. But the struggle of indigenous people in many countries is a part of history; even it sometimes crossed the border of nation-state.

The second criterion, non-dominance, implies victimhood, which not surprisingly, is what generally defines 'indigeneity' (as vulnerable, marginalised) and it is very much essentialist. It also implies the paralyses of the agency of the 'indigenous peoples' around the world.

The third and fourth criteria lack historical sense. Let us look at the these:

Indigenous peoples and nations are those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of societies now prevailing in

<sup>34</sup> Based on Martinez Cobo report of 1986.

<sup>35</sup> Benedict Kingsbury, "Indigenous Peoples" in International Law: A Constructivist Approach to the Asian Controversy. *The American Journal of International Law*, Vol. 92, No. 3, 1998, pp. 414–457; Anaya 1996, p. 7.



those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop and transmit to future generations their ancestral territories, their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal systems.<sup>36</sup>

In the swirl of migration and nomadism that has characterized human history very few societies in the world inhabit ancestral territories. Rather, it could be argued that the creation of territories of belonging is itself a product of colonial practices that forced '*indigenous*' communities to recede into the forests. Furthermore, the idea of territory should not always mean the landscape or geographical boundary; it may also mean the social and political sense of territory that brings in the issue of right to culture.

The last criterion, '*ethnic identity*', is not a significant marker of '*indigenous*' peoples alone. The UN discourse on indigenous peoples reiterates the vulnerability of the latter as a community, unable to establish itself due to centuries old marginalisation. The paradox of the UN discourse is that it attempts to empower the marginalised; however, they have to be relegated to the position of victims to be empowered. This illuminates the powerless subject hood that entraps the indigenous communities, even when they adopt it as a political strategy. Ethnic identity cannot be treated as criteria of being indigenous. If it is then the Bengali of Bangladesh can also be categorised as indigenous. It is more than something that only be constructed from the people's narrative on indigeneity. These criteria show that the UN conception of indigeneity is linked to geographical territoriality, a primeval quality of defence of territories against others of the same species.

### **Construction of Indigeneity in Bangladesh**

This part describes how the semantic politics of indigeneity has played its part in Bangladesh and what roles the state and public discourses play in such politics.

#### **'Tribe'**

The term 'tribe' itself was a construct born of the administrator's need for classified information, which initiated the colossal task of mapping the population into 'tribes' and 'castes'. Definition of the term "tribe" has long been a subject for discussion among Anthropologists, but any generally accepted

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36 Martinez Cobo Report, Para 379-80, reprinted in Kingsbury, *ibid*, emphasis added.

definition is yet to be recognized.<sup>37</sup> This leaves a basic question unresolved: Are there people who can be identified as tribal? For some scholars, identifying a tribal from a non-tribal is easy. Weiner claimed that “everyone in Chotanagpur can be recognized as a tribal. A distinctive racial type, known by physical Anthropologists as belonging to the proto-Australoid stock, they are somewhat darker than other Indians and have features that are sometimes Mongoloid in appearance. They live in their own villages, many of which are wholly homogenous. Perhaps the most distinctive feature of tribal life is the very attitude towards life itself.”<sup>38</sup> In contrast with their Hindu neighbors, tribals are carefree people and hedonistic in their nature.” Several anthropologists hold the view that a tribe is no different from a caste.<sup>39</sup> Tribe as a category, separates from the mainstream caste society, is an invention of the British administrators. As Singh puts it, “The notion of a tribe was introduced by the colonial administrators. It was part of their universal trend to dichotomize the indigenous people and the colonizers, the savage and the civilized, the tribals and the non-tribals.”<sup>40</sup> Beteille discusses four key criteria that have been used to distinguish a tribe from the rest of population: size, isolation, religion, and means of livelihoods. He points out that these criteria fail to support the contention that distinct tribal communities do exist in India. Beteille first considers the criterion of size and notes that anthropologists usually define tribal societies as small-scale social systems.<sup>41</sup> For example, according to Lewis, “Ideally tribal societies are small in scale, are restricted in the spatial and temporal range of their social, legal and political relations, and possess a morality, religion and world view of corresponding dimensions.”<sup>42</sup> Beteille again agrees that this may be true for many tribes in Africa and elsewhere. But in India, he points out, tribes such as the Santhals, Gonds, and Bhils are large segments of the population. Each numbering over a million and scattered over vast territories. Beteille notes that

37 T.B. Naik, What Is a Tribe: Conflicting Definitions. In Vidyarth, L.P., ed. *Applied Anthropology in India*. Allahabad: Kitab Mahal, 1968, pp. 84-97

38 Weiner, *Sons of the Soil*. New Jersey: Princeton University Press, 1978, p. 202

39 Ghurye 1943, p. 232; Beteille 1974, p.178; Bailey, F. George. 1960. *Tribe, Caste, and Nation*. Manchester: Manchester University Press, p. 279

40 Singh KS, Reflections on the Current Debate concerning the Indigenous Peoples. In *Tribals in India: Development, Deprivation, Discontent* (eds.) A.K. Singh & M.K. Jabbi. New Delhi: Har Anand, 1995, p. 182.

41 A. Beteille, *Six Essays in Comparative Sociology*, Delhi: Oxford University Press, 1974, p. 165

42 I. M. Lewis, *Tribal Society in the International Encyclopaedia of Social Sciences*, Vol.16, ed. David L. Sills, New York: The Macmillan Company, 1968, pp. 146–151.

the second criterion that tribal societies are isolated and lack of contact with non-tribals is not true for Indian tribal communities, as most of them have long been living in close contact with Hindu castes and other communities. The third criterion- religion- also lacks validity, because India's major tribal groups do not practice animism that is distinct from the country's mainstream Hinduism. In India, animism and Hinduism are often intertwined at the community level.<sup>43</sup> Risley said, "No sharp line of demarcation can be drawn between Hinduism and Animism. The one shades away insensibly into the other."<sup>44</sup> This is one of the reasons why some Indian anthropologists identify tribal people as "Backward Hindus."<sup>45</sup>

Regarding the fourth criterion, livelihood, Beteille notes that the archetypical tribal society lacks a clear division of labor; it does not split up tasks the way settled agriculture and family farming systems do. But Indian tribal populations do not fit that model. For example, the Birhors may follow a hunting and gathering way of life, but even they rely on some specialized households to supply baskets and utensils for daily use. In Jharkhand, among the Mundas, the Hos, the Santhals, and the Oraons, settled agriculture is widely practiced, and, as Beteille pointed out, the family farm is the key to these tribal social systems. Beteille (1974) concluded that in India, "there really is no satisfactory way to define a tribal society". On his first contact with the tribal people of Oraon village in Ranchi district, Bihar (now Jharkhand), he wrote: "I clearly remember my initial disappointment in discovering that, although we had come to investigate proper tribals, the people who confronted us were outwardly no different from the poorer villagers one might find anywhere in rural Bihar or West Bengal."

Sumit Guha has traced the connections between anthropological understandings of 'tribes' and the structure of colonial power. He shows how racial anthropology a 'science' pursued by colonial administrators like H.H Risely and enthusiastically seized by upper class Indians, fused ideas of race with *caste* and *tribes*.<sup>46</sup> The notion of shared Indo-Aryan origins were used by Indian elites

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43 A. Beteille, *Six Essays in Comparative Sociology*, Delhi: Oxford University Press, 1974, p. 166.

44 H.H. Risley, *The People of India*, Calcutta: Secretariat Press, 1905, p. 238.

45 G. S. Ghurye, *Caste and Race in India*, Popular Prakashan, India, 1959, p. 19

46 Sumit Guha, *Environment and Ethnicity in India, 1200-1991*. Cambridge University Press, 1999, p. 217.

to assert parity with Europeans while also emphasizing their distance from lower caste and tribal 'aborigines,' beneath them in the social hierarchy.<sup>47</sup>

Following India, Bangladesh also has the administrative category '*tribe*'. But it has been translated as '*Upajati*' in Bengali. Bangladesh has about one million 'indigenous' people. They are not isolated people and are very much linked with government interventions. The Chittagong Hill Tracts (CHT) of Bangladesh is a place where decades of conflict have cropped up, militarisation, land grabbing, and exploitation by the Bangladesh Army and Bengali settlers are continuing. A sustained state policy of disparity and negligence on the issue of autonomy and constitutional recognition, ultimately culminating in repression, for decades developed into a deep resentment amongst the indigenous peoples and they reacted to these repressive measures of the state with resistant movement that soon developed into an armed struggle.

Soon after Bangladesh came into being in 1971, representatives of the CHT led by Manabendra Narayan Lama sought regional autonomy and recognition of the rights of the peoples of the region. These demands led to formation of a political party of the indigenous people named Parbatya Chattagram Jana Samhati Samiti (PCJSS) on 15 February 1972. However, the immediate cause of founding this party appears to have been the emergence of Bangladesh on the basis of Bengali nationalism. The hill people used to call themselves 'Jumma' indigenous, not Bengali. They demanded autonomy and placed before the ruling Awami League government the following four-point demands: (i) declare Chittagong Hill Tracts as an autonomous zone with an assembly of its own; (ii) incorporate provisions in the Constitution of Bangladesh similar to the Chittagong Hill Tracts Ordinance of 1900; (iii) recognise and maintain the offices of the tribal kings; and (iv) incorporate provisions in the constitution for safeguarding the autonomy of the CHT. The government viewed their demands as separatist and refused them constitutional recognition of their distinct identities. Then, from 1976 onwards the government's reaction was militarisation and flooding the area with landless Bengalis from the plain land. Furthermore, though some of them still follow animist rituals, most of them are practicing Hinduism, Christianity and Buddhism as well.

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47 The current Sangh Parivar strategy of claiming autochthonous origins for Aryans is an inversion of this argument, now aimed at emphasizing distance from Muslim "outsiders."

*'Adibasi'*

The term is commonly used in Bangladesh and India. The term *'adibasi'* (literally, 'original inhabitants') or 'indigenous people' for the groups classified under the Constitution as *'Scheduled Tribes'* in India has now become commonplace. Despite its passage into everyday usage, scholars have voiced their misgivings about the applicability of terms such as *'tribe'* and *'indigenous people'* in the Indian context.<sup>48</sup> Andre Beteille points to the theoretical and practical difficulties of distinguishing *'adibasi'* from the castes around them, given their long histories of cultural exchange. Sundar has discussed the creation and modification of *'adivasi'* identity and its direct connection to law.<sup>49</sup> Sundar metaphorically and convincingly links the legal system normatively and relationally with love both connected with power and hegemony, both being spaces of protection and also repression.

And yet the term *'adibasi'* is not easily dismissed. While scholars have contested its anthropological validity and disputed its precise meanings and characteristic attributes, and the nationalists exposed its dubious genealogy, the accretions of political and administrative usage over time have rendered the term a social fact. As Baviskar shows, the new politics of *'adibasi'* identity invokes aspects of old colonial visions of them as 'uncivilised' exotic, loincloth-wearing forest peoples (and overlooks that many *'adibasi'* live now in cities and towns).<sup>50</sup> The trajectory of *'adibasi'* organizing has also been shaped by the changing dynamics of caste and modern state classificatory schemes as well as the powerful sometimes deadly religious violence and hatred pitting Hindus against Muslim. She shows how the image of 'natural,' 'ancestral' *'adibasi'* ties to the earth became a powerful rallying point in the courageous fight against the destructive Narmada Valley dam project. But she also notes the more problematic pathways of indigenous claims, and, in particular, how *'adibasis'* have sometimes joined Hindu supremacists in hate politics and mass violence against Muslim minorities. She further worries that drawing lines between 'tribal' peoples and other poor Indians—a legacy of colonial British social classification may obstruct efforts to mobilize a more common front for change in India. 'We cannot assume,' she underlines that indigeneity is intrinsically a sign of subalternity or a mode of resistance.'

48 Beteille 1998, p. 190.

49 N. Sundar, JHARKHAND 1st Edition, New Delhi: Oxford University Press, 2009, p. 103.

50 Amita Baviskar, 'The politics of Being "Indigenous"' in B.G Karlsson and T.B Subba (eds.) *Indigeneity in India*, UK: Kegan Paul Limited, 2007, p. 232.

She raised the questions, 'are those groups who are designated as *'adibasis'* and who identify themselves as *'adibasis'*, characterized by any 'objective' markers of subordinate status and social deprivation?' In terms of economic and political indicators, it is easy to make the general case that *'adibasis'* in peninsular India lag behind the average Indian with respect to basic human development indicators such as income, literacy, life expectancy, infant mortality, and the like. The poverty of *'adibasis'* is generally linked to a lack of access to productive resources, whether land-based or industrial-urban.

Economic and political subordination is buttressed by the ideology of caste pollution and purity. Unconverted *'adibasis'* face the social stigma of being considered 'savage' and 'backward' by dominant groups such as caste Hindus as well as by Muslims and Christians. This stigma facilitates the brutal, often sadistic, treatment meted out to *'adibasis'* by dominant groups. To cite one ubiquitous instance: poor *'adibasis'* in western India are actively discouraged from sitting in the front of the bus if there are caste-Hindus travelling. *'Adibasi'* women are typified as 'promiscuous,' making them fair game for sexual harassment. To be an *'adibasi'* in Western India is to be at the bottom of the social hierarchy. However, the stark social differences in public dealings between *'adibasis'* and *'bazaarias'* (townspeople, upper-caste Hindus and Muslims) are now less well-defined for a section of *'adibasis'*.

In Bangladesh it similarly happens that *'adibasis'* are not allowed to take their food inside some restaurants. In the CHT, derogatory names which often one community uses for another, e.g. Chakku for Chakma, Mogh for Marma etc. were used as verbal abuse by security personnel and other people on the streets. Their racial features are not equally treated as Bengali rather they are seen as inferior. In a Muslim-majority Bangladesh their culture are mostly considered as anti-Muslim for their association with pig rearing and habits of eating pork that are forbidden for Muslims. They are also placed at the lowest rank of social hierarchy. Their lifestyle, people from some groups usually do not wear any cloth on top parts of the body, is being represented as 'uncivilised' and their food habits or food items sometimes cause social stigma for them.

Interestingly, in case of India the articulation between an urban, commercial culture dominated by upper-caste Hindus and the culture of political Hinduism needs to be situated within an older discourse of indigeneity where it was

strongly believed that the notion of indigeneity is related with only Hinduism.<sup>51</sup> Since its inception, the *Sangh Parivar* (the family of Hindu fundamentalist organisations) has claimed indigenous status for all Hindus and only Hindus. Ideologues of *Hindutva* (the principle of Hindu supremacy) fervently subscribe to the idea of Hindus as 'indigenous peoples', historically marginalised by Muslim invaders and rulers.<sup>52</sup> 'From the *Hindutva* perspective, Hinduism is the only original religion of the Indian subcontinent; all others are foreign and corrupt. According to Golwalkar, the founder of the RSS, only for Hindus do the boundaries of the Nation (*rashtrabhoomi*) coincide with the Motherland (*matribhoomi*) and Sacred Land (*punyabhoomi*); Muslims look to Mecca and Christians to the Vatican (sic), while Buddhists and Sikhs are perceived to be lapsed Hindus and thus not a problem. These primordial loyalties determine patriotism and the politics of belonging.<sup>53</sup> In claiming 'indigeneity' exclusively for Hindus, the Sangh Parivar erases centuries of Muslim presence in the subcontinent, as well as the discomfiting historical fact that the Aryans, who high-caste Hindus claim, as their forebears were also of foreign origin. Fascism, nationalism and religiosity combine in *Hindutva* ideology, the criteria of imputed origins and purity determining patterns of inclusion and exclusion. The inside and outside of the Indian nation is neatly conflated with religious identity, such that religious affiliation becomes the primary criterion for recognition as legitimate citizens. To be fully Indian and indigenous is to be Hindu.<sup>54</sup>

Similarly, the contemporary public discourse of indigeneity in Bangladesh stands on the argument that Bengali is the '*adibasi*' of the land since most of

51 Waldron argues if indigeneity is defined absolutely in terms of literal first occupancy, we have to try to go way back before the Mughal empire of the sixteenth century, before the Vedic period on which present Hindu nationalist mythology is presently based, before the Indo-Aryan invasions in the latter half of the second millennium BC, even before the early Harappan period that laid the foundation for the Indus Civilization; we have to go all the way back to the Paleolithic peoples who settled the Indian subcontinent as early as the eighth millennium B.C., 2003, p. 8.

52 The presence of Muslims (12 % of the population) in India represents a continued thorn in the side of the Sangh Parivar, fuelling the imaginary threat of being out-numbered and marginalized. The violence that marked the Partition of British India in 1947, when Pakistan was created by carving out Muslim-dominated areas, and the continuing dispute over Kashmir between the two countries, is two major elements in the narrative of Hindu-Muslim hostilities in India.

53 M.S. Golwalkar, *We, or Our Nationhood Defined*, Bharat Prakashan, Nagpur, India, 1939, p. 21.

54 Baviskar 2007, p. 278

the '*indigenous people*' living in Bangladesh migrated to the region from different parts of the world later than Bengali people settled here. Thus the argument goes: the '*indigenous people*' cannot be the '*adibasi*' of Bangladesh since they are not the original inhabitants of these lands.

#### *'Upajati'*

Although '*upajati*' (literally 'sub-nation' or 'sub-ethnic group') is probably a direct, and yet etymologically flawed, translation in Bengali of the English term '*tribe*'/'*tribal*', many feel that the former has more racist, derogatory and disparaging connotations than the latter. But the term, used in some parts of India and Bangladesh, may provoke for further argument: if the indigenous people were to be regarded as an '*upajati*', literally 'sub-nation', from which '*jati*' (nation) or people the '*indigenous peoples*' had originated from. The term '*upajati*' (sub nation) occurs in the CHT Accord of 1997 and in the district and regional council laws of 1989 and 1998. However, we also know that the term was not included in these instruments on the basis of the free, prior and informed consent (FPIC) of the peoples of the CHT. And in any case, the world, along with Bangladesh, has moved on from 1989 and 1997-98 to today. There may have been some justification for the use of the term 'backward' in 1949 (when the Constitution of India was adopted) and, to a lesser extent, in 1972 (when the Constitution of Bangladesh was adopted), as philanthropic practices at the time had not learned to rid themselves of paternalism. At least that is the view of some, although I am not comfortable with such a view. Such an epithet may be used with some logic to describe an area's economic status, or a state of technology, in the case of a section of humanity, this is surely disrespectful, and more importantly, grossly inaccurate, and hence worthy of being permanently exiled into oblivion.

#### *'Khudro Nrigoshthhi'*

Although the *Khudro Nrigoshthhi Sanskritik Protisthhan Act 2010* (Small Ethnic Groups Cultural Institution Bill 2010) fails to satisfy the aspirations of those peoples in Bangladesh who regard themselves as '*indigenous*' or '*adibasi*', it, however, provides, and quite rightly too, a clear rejection of the term '*upajati*' (sub nation), which was hitherto attached to the name of the concerned cultural institutes (then called 'Tribal Cultural Institutes'). Academics engaged as experts by the Ministry of Culture to advise it on the terminology to be used in the law had unanimously urged the government to use



the term ‘*adibasi*’ and to refrain from using other terms such as ‘*upajati*’ (sub-nation) or ‘*Nrigoshthhi*’ or ‘*Nritattik Jonogohstthhi*’ (Small Ethnic Groups).<sup>55</sup> The use of the Bengali term ‘*Upajati*’ is also dying out in West Bengal and in Tripura State, India. The latter two languages use the term ‘*Janjati*’/‘*Janajati*’ as the equivalent of ‘tribe/tribal’, which some accept and some find disparaging too.<sup>56</sup> But it is surely less objectionable than ‘*upajati*’ (sub-nation)

#### *Small Ethnic Groups*

While the term ‘*Khudro Nrigoshthhi*’ or ‘Small Ethnic Groups’ may be preferable to ‘*upajati*’ or ‘tribe/tribal’, it too is problematic. In the first place, the indigenous peoples and the Bengali people are both ethnic groups. The ‘smallness’ of the indigenous peoples based on the size of population should not be the basis to distinguish between the different ethnic groups. Highlighting the difference in the numbers may itself promote discriminatory attitudes among those with large populations against those with small numbers. It is also inaccurate, because Urdu-speaking people living in Bangladesh would also then qualify as a ‘small ethnic group’. This would therefore be confusing and imprecise. In the Small Ethnic Groups Cultural Institution Bill 2010, only 27 indigenous groups were included and nobody knows how those groups are selected and why the rest are left out.

#### *Minorities*

While the term ‘minorities’ whether ethnic, linguistic or religious – could accurately describe the indigenous ethnic groups of Bangladesh, it is still not as appropriate as ‘indigenous’ as a human rights construct. In some respects, the discrimination that the members of indigenous groups suffer may be similar to that of non-indigenous members of religious minority groups (e.g., Hindu,

55 Raja Devasish Roy, “Bangladesher Adibasider ‘Adibasi’ Porichoy Keno Sothik O Jotharho: Ekti Porjalochona” (Why the Indigenous Identity of the Indigenous Peoples of Bangladesh is Correct and Appropriate: An Analysis) in Sanjeeb Drong (ed), *Solidarity 2010: Right to Culture and Self-Identify of Indigenous Peoples*, Bangladesh Indigenous Peoples Forum, Dhaka, 9 August, 2010, pp. 12-22. Also see, Mangal Kumar Chakma, “Adibasider Shangbidhanik Sikriti: Prekkhapot O Prashongikota”, in Sanjeeb Drong (ed.), *Ibid.* pp. 28-41.

56 Article 46 of Constitution of India (Hindi version) for India and *Indigenous Nationalities Act of Nepal* (2002) and UN Document: A/HRC/12/34/Add.3, 20 July 2009, paragraphs 11-16. Also see, Raja Devasish Roy & John B. Henriksen, “Inclusion of Indigenous Peoples’ Rights in the New Constitution of Nepal”, paper submitted for a consultation of Adibasi-Janajati members of the Constituent Assembly of Nepal in Kathmandu on 11 February, 2010.

Christians and Buddhist) and ethnic and linguistic minority groups (e.g., Urdu-speaking people). However, in other respects, the nature of discrimination against indigenous people is usually far deeper (on account of racist attitudes towards indigenous groups) and grounded in more structural and historic circumstances. Unlike in the case of other minority groups, indigenous peoples were totally excluded from modern state formation and development (while non-indigenous minorities were not necessarily so excluded). For instance, in all the national population surveys carried out in Bangladesh till now, identity of various 'indigenous' groups was included according to their religious identity to some extent. And it is also found that some of the indigenous groups were categorised as scheduled caste in some documents while identities of some indigenous groups were misspelled in government documents which shows negligence on the part of the government towards them. Even, still now, there is no official record on the exact number of indigenous groups living in Bangladesh: the number varies in different documents.

#### *Jumma*<sup>57</sup>

This category is used by the people of the CHT based on the common mode of production of different ethnic groups of the region. '*Jum*'<sup>58</sup> cultivation. This identity was coined to give a common voice to political ambitions of those ethnic groups with similar position within the nation state. Though the term is still being used, the focus of attention has shifted towards the recognition as '*adibasi*'.

The most important law in Bangladesh for the CHT, the CHT Regulation, 1900 (Regulation I of 1900), uses the term 'indigenous' to refer to the peoples living

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57 *Jumma* nationalism is the political ideology adopted by the PCJSS during the mid-'80s. It attempted to unify indigenous ethnicities under its banner. It is an assertion of a separate nationhood, but not equated with statehood. It has its genesis in the 'jhum' mode of cultivation. It emphasises the cultural, linguistic, religious and the historical distinctiveness of the hill people. While recognising the differences within the Hill groups the Party maintained that their common historical experiences of oppression and marginalisation and common administrative system had bonded them collectively. The movement suffered from ideological weaknesses as it remained dominated by the Chakma and consequently, other 'Adibasi' groups, though supporting the PCJSS cause, preferred to be identified with their generic names rather than Jumma. Even within the Chakma, educated professional group thought that jhum is an occupational category that could not be the basis of a people's identity (Mohsin, 2003).

58 The traditional cultivation process of 'Adibasi' communities in Chittagong Hill Tracts. It is mainly slash and burn production process.

in the CHT other than the Bengali inhabitants.<sup>59</sup> The term '*Upajati*' (sub nation) was used in the Hill District Council Acts of 1989 and CHT Regional Council Act of 1998 or the word 'tribal' in CHT Regulation (Amendment) Act, 2003. Similarly, the Finance Acts of 1995 and 2010 used the term 'indigenous'. The Poverty Reduction Strategy Paper (PRSP), 2008 and 2010 used the term 'indigenous people', while the PRSP 2005 used the term '*ethnic minority/adibasi*'. Also worthy of note is that three succeeding heads of government in Bangladesh, namely current Prime Minister, Sheikh Hasina (both as Prime Minister and as Leader of the Opposition),<sup>60</sup> former Prime Minister and current Opposition Leader, Khaleda Zia,<sup>61</sup> and then Caretaker Chief Adviser, Dr. Fakhruddin Ahmed,<sup>62</sup> all used the term '*adibasi*' in their goodwill messages during the celebrations of International Indigenous Peoples Day in Bangladesh purported to attract their voters only. When they were and have been in power they never accept their demand for being officially declared as Indigenous.

But the term is being increasingly used in Bengali, the official national language, in writing and orally, by indigenous people themselves and by progressive citizens of Bangladesh, including a large and growing section of the press and media. So it is not only the policy of colonial legacy but an influence of neo-colonial dilemma.

The narrow definition of the nation- state adopted by the Bangladesh government makes it reluctant to define the political movement of the CHT as an indigenous movement. This 'indigenous' is defined as being internal or external to political boundaries of the nation state as opposed to a cultural definition of the indigenous. The narrow conceptual boundary of the nation state therefore gives rise to a kind of cultural hegemony where groups such as the ones mentioned above are excluded or marginalised. The Constitution of Bangladesh has undergone qualitative changes since its first adoption in 1972

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59 Rule 52 of the CHT Regulation, 1900 defined an indigenous person of the CHT as 'a Chakma, Mogh or a member of any Hill tribe indigenous to the Chittagong Hill Tracts, the Lushai Hills, Arakan Hill Tracts, or the State of Tripura'. Also see, rules 4 and 6, CHT Regulation, 1900.

60 Sanjeeb Drong (ed.), *Solidarity 2003: Ensure the Security of Indigenous Women*, Bangladesh Indigenous Peoples Forum, Dhaka, 2003, pp. 10-11.

61 Sanjeeb Drong (ed.), *Solidarity*, *Ibid*, p. 9. Also see, *Solidarity*, 2004, p. 11.

62 Sanjeeb Drong (ed.), *Solidarity 2008: Economic and Social Rights of Indigenous Peoples*, Bangladesh Indigenous Peoples Forum, Dhaka, 2008, p. 8.

involving, inter alia, the principles of socialism and secularism. Two hegemonic discourses dominated the text: linguistic and religious<sup>63</sup>

Bangladesh became independent in 1971 after a nine-month long national liberation war against Pakistan. Historically, the then East Pakistan (now Bangladesh) had been discriminated economically, politically and culturally; thus the struggle for Bangladesh was based on Bengali nationalism, which virtually had no political and cultural space for different '*adibasi*' groups within its ideological spectrum. After the emergence of an independent Bangladesh, the idea of autonomy for the '*adibasi*' groups was rejected outright by the Bengali elite. The '*adibasi*' people of the CHT have been treated as a distant people from the Bengali perspective. Firstly, the Bengali considered them as collaborators of the Pakistani soldiers since Chakma Chief Raja Tridiv Roy extended his support to the Pakistani regime in 1971. Secondly, a training camp for the Pakistani forces was set up in the CHT. Thirdly, the dominant historiography of the liberation war glorifies the war as 'Bangalir Muktiyuddha' (Liberation war of the Bengali people). Such a perspective helps the Bengali people to develop a generalised idea on the '*adibasi*' people living in the country, though several researches<sup>64</sup> show that many '*adibasi*' men and women also joined the liberation war and some were martyred. However, the history of the liberation war seldom recognises their contributions and sacrifices.

After independence, the character of the new state was determined by the principle of Bengali Nationalism. Nationalism was adopted as one of the basic principles of the state. In Article 9 of the Constitution, the Bengali nationalism is described in the following manner:

The unity and solidarity of the Bangalee nation, which, deriving its identity from its language and culture, attained sovereign and independent Bangladesh through a united and determined struggle in the war of independence, shall be the basis of Bangalee nationalism.<sup>65</sup>

63 M. Guhathakurta and S. Begum, 'Bangladesh: Displaced and Dispossessed' in *Internal Displacement in South Asia*, edited by P. Banerjee, S.B.R Chowdhury and S.K. Das, New Delhi: Sage Publications, London: Thousand Oaks, 2005.

64 M. Kamal and A. Kibria (ed), *Biponno Bhumijo*. RDC and Kolkata University; Nasreen, Z. (2008) 'Is the unfolded process of nation-building in Bangladesh a masculine, Muslim, Bengali and class agenda?' *Nrivijnana Potrika* (Journal of Anthropology), Vol. 11, Department of Anthropology, Jahangirnagar University, Bangladesh.

65 Source: The Constitution of the People's Republic of Bangladesh, Printed with latest amendment, October 2011.

After Bangladesh became independent on the basis of Bengali nationalism, the 'adibasi' people demanded autonomy on the grounds of their ethnic identity. Bengali elite considered this demand as a movement for separation and defined it as a threat to national security. In 1972, the Hill Tracts administration came under the control of the army. The reasons for using the army as the protector of nationalist domination can be described as below.

The new state of Bangladesh mostly continued the policies of its predecessor. The Bangladesh Constitution did not make any provision for the CHT nor did its first national budget of 1973 make any development allocations for the CHT region. A delegation led by Manabendra Narayan Larma, Member of Parliament from the CHT, met the founding father of Bangladesh, then Prime Minister of the Government, Sheikh Mujibur Rahman demanded regional autonomy and retention of the 1900 Regulation. Strong Bengali nationalist feelings caused the government of the new nation to ignore the specific characteristics and history of the CHT. The demands of the delegation were rejected holding the view that it would encourage 'adibasi' feelings. The 'Adibasi' people were then left with no hope for any safeguards from the new government and thus founded their own political party, the *Parbatya Chattagram Jana Samhati Samiti* (PCJSS)). A year later its armed wing called the *Shanti Bahini* was set up, but it was not until 1976 that the first attack was carried on an army patrol in the CHT. On a visit to Rangamati in 1975, Sheikh Mujib added fuel to the discontent of the 'indigenous' people when he told them to become Bengali and threatened them with deploying the army in the areas should they have a recourse to resistance movement. The new term 'Upajati' (sub-nation) came to be used to imply the 'indigenous' people.

The concept of nation promulgated in the constitution treated the indigenous people as 'other'.<sup>66</sup> The text books also testify it, 'We are Bengalis, we speak in Bangla'<sup>67</sup> Some slogans were also created such as, *Ek Jati Ek Desh, Banglir Bangladesh* (One nation, one state, Bengalis' Bangladesh) and 'Tumi ke? Ami ke? Bangali, Bangali (Who are you? Who am I? Bengali, Bengali).

The whole process of nation-building was based on the notion of 'majority' (demographically) in term of religion, ethnicity, sex, language, caste etc. In the eighth amendment (1988) of the Constitution, Islam has been declared as the

66 It is very interesting to understand the politics of 'us and 'other' through the curriculum or text books or institutional practices. Knowledge is not free from power. See, Said, E. (1978) *Orientalism*, Vintage publications.

67 See, Grammar Book of Class V, published by Bangladesh Text Book Board .

state religion. In the process Bangladesh turned into to a Muslim nation. The religious minorities (Hindu, Christian, Buddhist and animist) suddenly found themselves excluded. Finally the process of nation-building in Bangladesh has taken the shape of a masculine, Muslim and Bengali nation.<sup>68</sup> It has also ignored cultural diversity of the state where the concept of nation has developed on the basis of majority religion. Having created homogenous formation of nationhood, the state discourse of indigeneity obviously engaged with majoritarian politics.

It may be interesting to note how the media and knowledge generating agencies (text books, representation through media, and medium of education) are exerting influences broadening public discourses on indigeneity in Bangladesh. A Class III text book (Introduction to Social Sciences, p.38) introduces Santals as follows: 'rabbit is the favourite food among the Santals; they are very good in hard drink,' - both these features are against Islamic faith in a Muslim dominated state. These (mis)representations about the indigenous people lead to have a prejudice and creates antagonistic attitude towards them. 'Those indigenous people living in the CHT are dangerous, they are always plotting against the Bengali people and they can easily do any harm against the Bengalis'-these kinds of feelings are widely prevalent among the Bengali community in respect of Indigenous people in the CHT. Traditional dresses of these people are not encouraged in public appearances and they have to speak in Bengali for any educational or official purpose. However, they are only socially encouraged to wear their traditional dresses when they are called for performing traditional dances for tourists or foreign delegates.

The Ziaur Rahman's military government made a drastic change to the land law of the CHT in 1979. Under an amendment to rule 34(1) of the CHT Manual, the government retained most of the provisions of early legislation, however with one important omission, namely the restrictions previously imposed upon outsiders with regard to settlement in the CHT area. In addition, the hastily effected amendment also did away with the definition of 'non-Hillman resident' to the benefits of Bengali settlers.

It is on record that the Government sought to provide 5 acres of high land, 4 acres of 'mixed' land and 2.5 acres of paddy land to each settling family from the plain land in the early eighties. In the first phase of the Government's resettlement programme, about 25,000 families were reportedly brought into the CHT.

<sup>68</sup> 'Is the unfolded process of nation-building in Bangladesh a masculine, Muslim, and Bengali and class agenda?' *Nrivijnana Potrika (Journal of Anthropology)*, Vol. 11, Department of Anthropology, Jahangirnagar University.

Following the resettlement program, the number of Bengali people in CHT began to rise rapidly and this indirectly influenced the local language of the ethnic communities. The dominance of Bengali language is seen not only in the official activities in CHT but also in other areas of life of people, too. The Bengali settlers of Khagrachari changed the names of various places, which were earlier named in Chakma, Marma and Tripura languages. In some cases, religious dominance of Bengali Muslims gained precedence over others in naming places. The nationalist dominance in the alteration of the names of different places in the CHT can easily be understood from Table-1.<sup>69</sup>

**Table 1: The List of Changing the Names of Various Places of Khagrachari**

Previous name	Present name	Change	
		From (Previous)	To (Present)
Bangal Kath (Divided into two parts)	1. Shantinagar	Chakma name	Bengali name
	2. Muslim Para		Islamic name
Pankheyoya Para (Divided into four parts)	1. Milonpur	Marma name	Bengali name
	2. Pankhaiyapara		Mixed with Noakhali District dialectics
	3. Kallanpur		Bengali name
	4. Madampur		Bengali name
Khagrapur	Islampur	Tripura name	Islamic name
C.N.B Tila	Kadampur	Chakma name	Bengali name
Kamal Chari	Battolla	Chakma name	Bengali name
Khabong Puizza	Khabong Paria	Chakma name	Distorted form of original language
Khagrachari Bill	Anandapur	Chakma name	Bengali name
Majon Para (divided into two parts)	Mahajan Para	Chakma name	Bengali name
	Narikalchara		Bengali name
Kawali Mura	Kathali Para	Chakma name	Bengali name
Comilla Tila	Ambagan	Chakma name	Bengali name
Kanoongo Para	Mohamadpur	Marma name	Islamic name
Uttda Chari	Rasulpur	Marma name	Islamic name
Pa-ong Kabari Para	Fatemanagar	Marma name	Islamic name
Tai Kusum	Kalapani Chara	Marma name	Bengali name
Tai Bagla	Tai Pagla	Chakma name	Bengali name
Para Kalak	Lambapara	Marma name	Bengali name

Source: Nasreen, 2000.

<sup>69</sup> Zobaida Nasreen and Masahiko Togawa, 'Politics of Development: 'Pahari-Bengali' Discourse in the Chittagong Hill Tracts', *Journal of International Development and Cooperation*, Vol. 9, No.1, 2002, pp. 97-112, IDEC, Hiroshima University, Japan.

### Conclusion

In most cases, the Bengali settlers have grabbed the land of Indigenous people since most of the *adibasis* do not have legal documents of their ownership or entitlement. The ownership of land in CHT mainly depends on customary law, which does not need any deeds. Now the Bengalis fear that if indigenous people are given '*indigenous*' status, they would be required to return all the land they have already seized. This leads them to claim that none other than the Bengalis were indigenous people in this country.

Apart from the government and public discourses on indigeneity, the indigenous leaders assert that the indigenous peoples of Bangladesh settled in the territories or areas they now live in prior to the arrival of the Bengalis. People who now identify themselves as Bengalis then lived in other parts of Bangladesh, or elsewhere, but not in the places where the '*adibasis*' had populated. Bengali settlement in such areas happened much later. There is no historical evidence of indigenous peoples having forcibly occupied any territories within Bangladesh by driving out Bangali people (as Bangalis were not there); geographical fixity is at the core of their identity. For example, *Khumi* and *Chak* peoples claim indigeneity to Bandarban district, not to elsewhere in the country. Likewise, the *Munda* and *Oraon* claim indigeneity to Northwest Bangladesh in the *Barind tract* (Borendro Bhumi) within Rajshahi division. In these areas the aforesaid peoples were the 'first inhabitants' or 'first settlers' (prior to the arrival of Bengali people).

The '*indigenous* peoples' of the CHT are following the criteria of indigeneity set by UN bodies as a part of strategy to retain mode of production and customary laws. They are also demanding their identity to be recognised as '*adibasi*' in Bangla, holding that recognition as '*adibasi*' would truly integrate the indigenous peoples into the mainstream body politic of the country without forced assimilation. And this can be done without disrupting national unity and integrity while Bengalis and Adibasis would remain Bangladeshi citizens. Some laws and official documents used '*adibasi*' (e.g. the Cultural Institutes Act of 2010, PRSP, 2005 or its English equivalent of 'indigenous' was also used in CHT Regulation, 1900 and Finance Acts, 1995 & 2010, PRSP, 2008, PRSP, 2010) and again 'aboriginal' was used (East Bengal State Acquisition & Tenancy Act of 1950). Most importantly, this would provide a truly non-discriminatory basis for protecting and promoting the identity and rights of '*adibasi*' without discriminating against Bengalis or other citizens of Bangladesh. And the question of indigeneity in Bangladesh depends on how the '*indigenous*' people understand the term and how they view the concept of territoriality.